

SIERRA LEONE 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Sierra Leone is a constitutional republic with a directly elected president and a unicameral legislature. In 2018 the opposition Sierra Leone People's Party candidate, Julius Maada Bio, won the presidential elections. After the 2018 parliamentary elections, the Sierra Leone People's Party and the All People's Congress each held 58 seats. Observers found these elections to be largely free and fair.

The Sierra Leone Police, which reports to the Ministry of Internal Affairs, is responsible for law enforcement and maintains security within the country. The Republic of Sierra Leone Armed Forces are responsible for external security but also have some domestic security responsibilities to assist police upon request in extraordinary circumstances. The armed forces report to the Ministry of Defense. Civilian authorities maintained effective control over the security forces. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings by the government; cruel, inhuman, or degrading treatment or punishment by government or on behalf of government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious government corruption; existence of laws criminalizing consensual same-sex sexual conduct between adults, although the laws were not enforced; and existence of the worst forms of child labor.

The government took some steps to investigate, prosecute, and punish officials who committed abuses or engaged in corruption, but impunity persisted.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were several credible reports that the government or its agents committed

arbitrary or unlawful killings. In April the Sierra Leone Police (SLP) shot and killed an unarmed youth in the capital city of Freetown during a student protest. Authorities arrested and dismissed the four police officers allegedly involved in the killing, and as of September they were standing trial.

In April 2020 a riot broke out at Freetown Male Correctional Center, resulting in numerous injuries and 31 fatalities, including one corrections officer and 30 inmates. Following an independent investigation, Sierra Leone Correctional Services (SLCS) reported that the riot was sparked by several problems, including overcrowding, suspension of court hearings, and COVID-19 health restrictions. In response the government established grievance mechanisms for inmates to report complaints to correction facility management boards.

The Independent Police Complaints Board (IPCB) is the body responsible for investigating police misconduct. The IPCB is an independent civilian oversight mechanism with a mandate within the security sector to receive and investigate complaints from the public and advise the leadership of the SLP.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

The law prohibits such practices, but there was one reported instance where government officials employed them. The Human Rights Commission of Sierra Leone (HRCSL) called for an investigation of SLP use of excessive force during a student protest at the Institute of Public Administration and Management in April. Officers stripped a female student and arrested her, fired teargas and smoke bombs into the crowd of students, arrested several protesters, and held them without bail. Authorities began an investigation, but no results were available as of September.

Impunity remained a significant problem in the security forces, notably in the SLP. Amnesty International noted improvements in police leadership's enforcement of disciplinary measures, but other observers reported continuing lack of crowd control and human rights training. The IPCB investigates police misconduct.

Prison and Detention Center Conditions

Prison and detention center conditions were harsh and sometimes life threatening due to food shortages, gross overcrowding, an inefficient justice system, lack of sufficient correctional facilities and personnel, physical abuse, lack of clean water, inadequate sanitary conditions, and a lack of proper medical care in prison facilities. In contrast with 2020, there were no significant prison riots or violent incidents that raised human rights concerns.

Physical Conditions: As of August the country's 21 prisons, designed to hold 2,375 inmates, held 4,430, including 1,289 convicted prisoners. The most severe example of overcrowding was in the Freetown Male Correctional Center, designed to hold 324 inmates, which instead held 1,573 individuals. Some prison cells measuring six feet by nine feet held nine or more inmates. The nongovernmental organization (NGO) Prison Watch and the SLCS reported that 13 prisons and detention centers were moderately overcrowded, and one inmate jailed in 2007 had yet to appear in court.

In most cases pretrial detainees were held with convicted prisoners. As of August the HRCSL, SLCS, and Prison Watch Sierra Leone reported that no prison or detention center facility held male and female inmates together. Conditions in detention centers, including lighting, space, and ventilation, were generally better for female inmates than for male inmates.

According to the SLCS, there were no juveniles in correctional facilities across the country. Nonetheless, it was often difficult to confirm the ages of inmates due to the pervasive lack of official documentation, which resulted in some juveniles being treated as adults and detained in adult correctional facilities.

Authorities sent most offenders younger than 18 to "approved schools" or reformatory institutions. According to the SLCS, although authorities made some efforts to avoid detaining juveniles with adults immediately after arrest, they frequently detained minors with adults in police holding cells while waiting to transfer the youths to one of three juvenile facilities. Authorities acknowledged these juvenile facilities lacked resources to function properly.

As of August the SLCS reported eight deaths in prisons and detention facilities due

to malaria, respiratory and skin infections, and typhoid fever. The HRCSL and Amnesty International reported the causes of death were related to prison conditions, such as overcrowding and poor hygienic conditions.

The HRCSL and SLCS reported a shortage of prison staff, which resulted in a lack of security that endangered inmates' safety. There was no report of prisoner-on-prisoner violence or authorities' failure to maintain control.

Amnesty International and Prison Watch Sierra Leone reported overcrowding, unhygienic conditions, and insufficient medical services. Conditions in police station holding cells were poor, especially in small stations outside Freetown, and in Moyamba and Bo correctional centers. Lack of adequate physical facilities created life-threatening conditions for detainees. Holding cells in some facilities were often dark with little ventilation, and inmates slept on mattresses on bare floors. HRCSL reported poor toilet facilities in some correctional centers.

Cells often lacked proper lighting, space, bedding, ventilation, and protection from infectious diseases and mosquitoes. For example, the electricity at Moyamba Correctional Center was powered by a diesel generator, although management rarely had the funds to procure fuel, resulting in a lack of proper lighting. For security reasons authorities refused to allow inmates to sleep under mosquito nets, requiring inmates to use chemical repellents instead. Most prisons did not have piped water, and some inmates lacked sufficient access to potable water.

Officials referred inmates to local government hospitals for special care, which largely accepted the inmates as patients. At Bo Correctional Center, the medical officer reported that the Bo Government Hospital had stopped accepting inmate referrals requiring surgical operations until the SLCS provided funds to cover their medical expenses.

Correctional service authorities and the HRCSL reported there was no discrimination against inmates with disabilities. The HRCSL and Prison Watch Sierra Leone reported they had no information regarding abuse of inmates with disabilities.

Administration: There was no prison ombudsman, but senior prison officials were available to respond to complaints. Amnesty International reported that

SLCS authorities generally investigated credible allegations of mistreatment of inmates.

Authorities permitted regular family visits and provided some correctional centers with a telephone for inmates to communicate with their relatives. The UN Development Program provided other correctional facilities with cellphones and credits for inmates to use to communicate with their families under supervision.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers. International monitors had unrestricted access to the detention centers and police holding cells. The HRCSL, Amnesty International, and Prison Watch Sierra Leone monitored prisons frequently, especially after 2019 violence in Bo Correctional Center. The SLCS also allowed other NGOs such as Humanist Watch to monitor prison conditions on a regular basis.

Improvements: Authorities constructed latrines and shower facilities in the Port Loko, Bo, Magburaka, and Moyamba district correctional facilities. Several correctional facilities also implemented prison industries, such as bread baking, agriculture, and carpentry, and established inmate earning schemes, creating bank accounts for participating inmates and regularly depositing earnings from work activities. Prison authorities issued new bedding and pillows to several correctional centers. Nationwide, SLCS authorities established mechanisms for receiving prisoner complaints (see section 1.a.). The SLCS painted signs listing inmate visitation hours and phone numbers outside correctional facility walls and publicized visits as free of charge.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but human rights groups such as Amnesty International and the HRCSL indicated that the SLP and chiefdom police occasionally arrested and detained persons arbitrarily, including members of opposition parties.

Arrest Procedures and Treatment of Detainees

The law requires warrants for searches and arrests of persons taken into custody on criminal grounds, but arrests without warrants were common. The Campaign for

Human Rights and Development International and Amnesty International reported some arrests were made without warrants and that the SLP did not follow proper arrest procedures in some instances.

The law requires authorities to inform detainees of the reason for their arrest within 24 hours and charge them in court within 72 hours for suspected misdemeanors or within 10 days for suspected felonies. Detainees, however, were not always informed promptly of charges brought against them.

The judiciary applied the bail system inconsistently and sometimes demanded excessive bond fees.

Detainees have the right to access family members and to consult with an attorney in a timely manner. Lawyers generally were allowed unrestricted access to detainees. According to the director of Public Prosecution, an estimated 70 percent of inmates received legal representation, while Amnesty International reported 30 percent of accused persons received legal representation. Only defendants in the military justice system had automatic access to attorneys, whose fees were paid by the Ministry of Defense. Although there were 50 active state counsels (public defenders), the majority worked in the capital and were often overburdened, poorly paid, and available only for more serious criminal cases.

Arbitrary Arrest: There were reports of individuals held for questioning without being promptly informed of the reason for the arrest. The SLP and the chiefdom police held suspects in detention cells without explanation for up to three days for suspected misdemeanors and up to 10 days for suspected felonies. Chiefs sometimes subjected both adults and children to arbitrary detention and imprisoned them unlawfully in their homes or “chiefdom jails.” The Human Rights Commission reported cases of illegal detentions at several police stations and the Freetown Male Correctional Center.

On July 2, police arrested opposition All People’s Congress politician and member of parliament Emmanuel Saidu Conteh and three others, after customs officials detected firearms and ammunition impounded in a vehicle recently imported by them. Prosecutors charged the suspects with conspiracy to commit a felony and illegal importation and unlawful possession of arms and ammunition. At July

court appearances, the presiding judge denied bail for Conteh and his three alleged accomplices and detained all four at the Freetown Male Correctional Facility. On August 2, the Freetown Magistrate Court released Conteh and other detainees on bail.

Pretrial Detention: Lengthy pretrial detention remained a significant problem. As of August, 46 percent of the persons held in prisons and detention centers were convicted and 54 percent were in pretrial detention or on remand. The SLCS attributed the high percentage of pretrial detainees to a severe shortage of legal professionals and to the chief justice's suspension of court sittings in 2020 due to COVID-19. A donor-funded program identified other specific reasons for extensive pretrial detention, such as magistrates and judges not consistently granting bail when warranted, the Ministry of Justice often failing to bring indictments, and inadequate information exchange and case management across the criminal justice system. Pretrial and remand detainees spent an average of three to five years in pretrial detention before courts examined their cases or filed formal charges. In extreme cases the wait could be as long as 14 years.

A notable case of lengthy pretrial detention was that of Mohamed Kamaraimba Mansaray, the 2018 Alliance Democratic Party presidential candidate, detained without bail since July 2020 under child abuse charges. Following reports of his deteriorating health, Kamaraimba's representatives requested bail to seek medical attention. The presiding judge initially refused Kamaraimba's requests, citing the seriousness of the crime, but after broad news and social media reporting, the judge released Kamaraimba on September 7.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary. Observers, including NGOs, assessed that the judiciary maintained relative independence.

In addition to the formal court system, local chieftaincy courts administer customary law with lay judges, primarily in rural areas. Appeals from these lower courts are heard by the magistrate courts. Paramount chiefs in villages maintained their own police and courts to enforce customary local law. Chieftaincy police and courts exercised authority to arrest, try, and incarcerate individuals. According to

the HRCSL, traditional trials were generally fair, but there was credible evidence that corruption influenced many cases, as paramount chiefs acting as judges routinely accepted bribes and favored wealthier defendants. The HRCSL further reported that traditional authorities charged offenses not within their jurisdictional powers and violated the rights of persons when prescribing punishment.

To address this problem, the government sent 36 paralegals to rural areas in 2019 to improve access to justice and provide training for chiefdom officials, but the HRCSL reported that the number of paralegals and trainings were insufficient. The HRCSL and the SLP's Family Support Unit (FSU) sometimes provided alternative dispute resolution (ADR) services to mediate and resolve rural civil disputes in partnership with the Legal Aid Board. The HRCSL referred cases that could not be resolved by ADR to the district magistrate court.

The limited number of judicial magistrates and lawyers, along with high court fees, restricted access to justice for most citizens.

The military justice system has a different appeals process. For summary hearings the defendant may appeal for the redress of a complaint, which proceeds to the next senior ranking officer, while the civilian Supreme Court hears appeals in a court-martial. According to civil society members and government interlocutors, corruption was prevalent in the redress system.

Authorities at all levels of government generally respected court orders.

Trial Procedures

The law provides for the right to a fair trial for all defendants, but this right was not always enforced.

Defendants enjoy the right to a timely trial, but the lack of judicial officers and facilities regularly resulted in long trial delays. COVID-19 restrictions, including the suspension of in-person hearings at court, created a backlog of trials and exacerbated delays. Defendants generally enjoyed a presumption of innocence. While defendants have the right to be present and to consult with an attorney in a timely manner, some defendants were not afforded access to counsel. Although the law provides for attorneys at public expense if defendants are not able to afford

their own attorneys, these attorneys were overburdened with cases, and often defendants who could not afford to pay for an attorney had no access to legal aid prior to trial.

Defendants were not always informed promptly or in detail of the charges against them, and they did not always have access to free assistance from an interpreter. Defendants generally had adequate time to prepare their defenses, although they generally did not have adequate facilities to do so. Defendants may confront or question witnesses against them and present witnesses and evidence on their own behalf. Defendants have the right not to be compelled to testify or confess guilt. Although the law provides defendants with the right to appeal, delays in the appeals process were excessive, sometimes lasting more than two years.

Traditional justice systems continued to supplement the central government's judiciary bodies, especially in rural areas. Paramount chiefs had authority over minor civil matters, such as family and inheritance disputes and land tenure, and referred criminal cases to police for investigation. The customary law guiding these courts was not codified, resulting in inconsistent decisions for similar cases. Local chieftains at times exceeded their mandates and administered harsh punishments.

Laws on gender equality were inconsistently enforced, and many traditional courts continued to ignore the rights of women regarding family law and inheritance. Juveniles were afforded few rights in the traditional justice system.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals and organizations may seek civil remedies for human rights abuses through regular access to domestic courts or through the Legal Aid Board and the HRCSL. Individuals may also seek redress from regional bodies, such as the Economic Community of West African States (ECOWAS) Court of Justice.

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

or Correspondence

The constitution and law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provide for freedom of expression, including for members of the press and other media, and the government generally respected this right, but there were exceptions.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: Most registered newspapers were independent, although several were associated with political parties. Newspapers openly and routinely criticized the government and its officials as well as opposition parties. While independent broadcast media generally operated without restriction, there were exceptions. International media could operate freely but were required to register with the Ministry of Information and Communications and the government-funded Independent Media Commission to obtain a license.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. The Cyber Security and Crime Act of 2021, however, grants the government the power to designate certain computer systems as “critical” infrastructure and outlines the process for the search and seizure of electronic devices by law enforcement personnel or “other authorized persons.”

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of assembly and association, and the government generally respected these rights, although there were some exceptions.

Freedom of Peaceful Assembly

Following the outbreak of a third wave of COVID-19, President Bio declared a one-month state of emergency beginning July 1. The state of emergency granted the president broad powers to maintain peace and order, including mandating restrictions on movement and assembly as needed. The government banned religious services, restricted social gatherings and spectator sports, and closed nightclubs and cinemas. The religious community and some local press responded to the announcement in a generally negative manner. On August 13, the government lifted the ban on congregational worship, while limiting services to 90 minutes, but enforced stricter observance of other COVID-19 regulations.

In a few cases, such as the April student protest in Freetown, police used excessive force when dealing with protesters and demonstrators (see section 1.a.).

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

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

In-country Movement: In response to a spike of COVID-19 cases in July, the government limited interdistrict movement of individuals and implemented a countrywide curfew between 11:00 p.m. to 5:00 a.m. As of August interdistrict travel restrictions had been lifted, although the curfew remained in place.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for protecting refugees. UNHCR worked with government authorities to develop standard operating procedures for refugee status determination.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: The 2018 presidential election, in which Julius Maada Bio of the opposition Sierra Leone People's Party prevailed, and the 2018 parliamentary elections, including an election rerun and by-elections, were regarded by most observers as free and fair. The first round of the parliamentary elections resulted in the formerly ruling All People's Congress holding a plurality of seats. Following a later election rerun and by-elections, the Sierra Leone People's Party and the All People's Congress each held 58 seats.

Political Parties and Political Participation: Political parties were able to register and operate in the country. A total of 17 political parties were registered with the Political Parties Registration Commission, but only four were elected to parliament during the 2018 general elections. In the state legislature, 14 traditional authorities (paramount chiefs) and three independent candidates were represented.

Unlike the previous year, there were no reports of political violence among competing parties.

Participation of Women and Members of Minority Groups: No laws limit the participation of women and members of minority groups in the political process, and they did participate. Women have the right to vote, and they cast votes at rates similar to men. A 2018 poll by the International Republican Institute found women most frequently cited fear of violence, cultural norms, and lack of support from political parties as reasons why they avoided a more active role in politics. Women were underrepresented in government. Of the 148 parliamentarians, 18 were women, one fewer than in 2020. As of September women led four of the 30 ministries. On the three highest courts, 10 of 35 judges were women. Cultural and traditional practices in the northern areas of the country prevented women from holding office as paramount chiefs (a parallel system of tribal government operated in each of the 190 chiefdoms).

All citizens have the right to vote, but citizenship at birth is granted only to persons of “Negro-African” descent, thus disenfranchising the significant number of Lebanese and other “non-Negro-African” persons who were born in and continued to reside in the country (see section 6, Children, Birth Registration). Persons of “non-Negro-African” groups may apply to be naturalized. If naturalized they are eligible to vote in all national and local elections, but no naturalized citizen may run for public office.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were numerous reports of government corruption.

Corruption: In 2019 the judiciary assigned five high court justices to a new Anti-Corruption Court to deal with corruption cases brought by the Anti-Corruption Commission. The Anti-Corruption Commission indicted and charged 31 persons, convicted nine individuals, and recovered more than three billion leones (\$300,000) from corrupt government officials, excluding court fines and other

assets. On May 26, the High Court convicted Salihu Sheku Nyallay, former acting principal accountant of the judiciary, on three counts of corruption, and required repayment of stolen funds.

On May 29, the Anti-Corruption Commission announced an investigation into the country's permanent mission to the United Nations for the alleged misappropriation of four million dollars earmarked for the renovation of the chancery in New York City. According to the Anti-Corruption Commission, charges were pending against five persons, including two former heads of chancery, two financial attaches, and a contractor. Separately, the Anti-Corruption Commission investigated the country's embassies in Nairobi and Beijing for alleged corruption and mismanagement of funds from 2015 forward. The Ministry of Foreign Affairs and International Cooperation suspended staff pending investigations, and the Anti-Corruption Commission made two arrests.

On May 31, the Anti-Corruption Commission indicted Paul Soba Massaquoi, the executive director of the Sierra Leone Maritime Administration, and five others on procurement-related corruption charges.

The Anti-Corruption Commission also investigated the Office of the First Lady, the Sierra Leone Maritime Authority, the National Mineral Agency, the National COVID-19 Emergency Response Centre, the Electricity Distribution and Supply Authority, and other government organizations, with varying degrees of success. While the Anti-Corruption Commission increased the number of corruption investigations, the commission often failed to indict the most senior officials involved in corruption, charging lower-level officials instead. Media and opposition party members questioned the objectivity and independence of the Anti-Corruption Commission.

On November 17, President Bio announced the convening of a tribunal to investigate widely respected Auditor General Lara Taylor-Pearce and her deputy, Tamba Momoh, officially triggering their suspension due to allegations of misconduct. Several civil society organizations condemned the suspensions, stating the move was intended to forestall the impending release of an auditor general report allegedly accusing the administration of corruption and the president and his wife of fraudulent spending during international trips.

According to an Afrobarometer 2020 survey, citizens perceived corruption to be increasing among the judiciary, parliament, and police since 2018. In the same survey, 46 percent of respondents reported paying bribes for public services (education, health care, identity documents, and police services) in 2020, essentially unchanged from the 2018 survey result of 47 percent.

Some police, guards, and forest rangers exacted bribes at checkpoints, falsely charged motorists with violations, impounded vehicles to extort money, and accepted bribes from suspects to drop charges or to arrest their rivals and charge them with crimes. In exchange for kickbacks, police reportedly arrested persons for civil disputes, such as alleged breach of contract or failure to satisfy a debt.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restrictions, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to the views of local and international NGOs and generally acknowledged the problems presented. The government, including security forces, generally responded to human rights concerns raised by the HRCSL but was at times slow to support the HRCSL or implement its recommendations.

Government Human Rights Bodies: The HRCSL is the government's primary institution dedicated to monitoring and investigating human rights abuses. The HRCSL operated without government or party interference. As an example of its work, in the Abolition of the Death Penalty Act 2021, parliament abolished the death penalty in July after initial drafting of the parliamentary bill by the HRCSL.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of both men and women, with a statutory minimum of 15 years' imprisonment for offenders. Rape

was common and viewed more as a societal norm than a criminal problem. The law specifically prohibits spousal rape. The law also criminalizes domestic violence, punishable by a substantial fine and two years' imprisonment. Although awareness of rape and domestic violence increased over the years, indictments were rare, especially in rural areas, due to medical reporting requirements, high court fees, and an inefficient judicial system. Survivors of sexual offenses, often at the encouragement of their families, tended to compromise with offenders out of court. As a result a culture of impunity persisted, which perpetuated gender-based violence. The FSU within the SLP reported increased cases of rape and sexual assault, while arrests and convictions of perpetrators were negligible. Local NGO Rainbo Initiative reported a rise in sexual and gender-based violence cases across all five Rainbo Centers in Freetown, Makeni, Kono, Kenema, and Bo, with a total of 3,584 sexual and gender-based violence cases in 2020. Of the cases, 86 percent involved children younger than age 18.

According to the FSU and the HRCSL, violent acts against women, especially wife beating and spousal rape, were common and often shrouded by a culture of silence. Survivors seldom reported sexual and gender-based violence due to their fear of social stigma and retaliation. The HRCSL and Rainbo Initiative observed an absence of medical personnel in most communities and lengthy court delays in processing cases. First Lady Fatima Bio actively promoted public awareness, calling on men to refrain from violence against women.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C for women or girls. According to the 2019 Demographic and Health Survey, approximately 8 percent of girls up to age 14 and 83 percent of women between the ages of 15 and 49 had undergone some form of FGM/C. FGM/C was often performed on women and girls being initiated into traditional secret societies and was considered by those organizations and others in society as a rite of passage into womanhood. Approximately 57 percent of girls and women ages 15 to 49 had heard of FGM/C and thought the practice should continue. UNICEF polling indicated that 68 percent of respondents supported FGM/C.

During the COVID-19 pandemic, the government banned secret society gatherings, although some observers believed undercover FGM/C initiations continued. The economic impact of COVID-19 might have reduced FGM/C rates in the short term,

but the longer-term impact was uncertain. The HRCSL reported that some girls were abducted from their homes and the streets and subjected to forced FGM/C initiation rituals.

Sexual Harassment: The law criminalizes sexual harassment. It is unlawful to make unwanted sexual advances, repeatedly follow or pursue others against their will, initiate unwanted communications with others, or engage in any other menacing behavior. Offenders faced substantial fines or imprisonment not exceeding three years, but authorities did not always effectively enforce the law. No reliable data was available on the prevalence of sexual harassment.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Vulnerable populations lacked the ability to provide informed consent to medical procedures affecting reproductive health.

According to the Ministry of Health, FGM/C increased the risk of childbirth complications, maternal death, and infertility, in addition to posing health risks associated with the procedure itself (see the Female Genital Mutilation/Cutting subsection for additional information).

No legal barriers or government policies hindered access to sexual and reproductive health-care services, including access to skilled health attendants during pregnancy and childbirth, but social or cultural barriers sometimes limited such access. Religious, social, and cultural barriers adversely limited access to contraception. The law prohibits individuals younger than the age of consent from access to contraception. The availability of contraception at health facilities varied, and individuals did not have consistent access to their specific method of choice. The inaccessibility of contraceptives for adolescents contributed to the adolescent birth rate of 101 births per 1,000 girls ages 15 to 19. According to the 2019 *Demographic and Health Survey*, the proportion of teenagers who began childbearing rose rapidly with age, from 4 percent at age 15 to 45 percent at age 19. Adolescent mothers were also more likely to experience adverse pregnancy outcomes and to face challenges in pursuing educational opportunities. The proportion of women of reproductive age who had their need for family planning

satisfied with modern methods was 57 percent. Modern contraceptive prevalence rates for women and girls ages 15 to 49 was 21 percent.

The government established “one-stop centers” for survivors of gender-based violence in six districts across the country in government referral hospitals in Moyamba, Kailahun, Pujehun, Kabala, Port Loko, and the King Harman Road Government Referral Hospital. These centers provided comprehensive care including psychosocial, legal, medical, and shelter assistance to survivors of sexual violence, including access to sexual and reproductive health services. Emergency contraception was not available as part of the clinical management of rape cases.

No legal barriers or government policies hindered access to safe and quality maternal health-care services, including access to skilled health attendants during pregnancy and childbirth, but social or cultural barriers sometimes limited such access. According to the 2019 Demographic and Health Survey, the maternal mortality rate was 717 per 100,000 live births, and 87 percent of births were attended by a skilled health attendant. Major factors in the high maternal death rate included poverty; distance to medical facilities; lack of access to sufficient information regarding availability of health-care services; inadequate and poor-quality services, especially in remote settings; cultural beliefs and practices; early marriages and childbearing; delay in decision making to seek health-care services; and malnutrition.

Discrimination: The law provides for the same legal status and rights for men and women under family, labor, property, and inheritance law. The law provides for both fathers and mothers to confer nationality to children born abroad. The law provides for equal remuneration for equal work without discrimination based on gender. Both spouses may acquire property in their own right, and women may obtain divorces without being forced to relinquish dowries.

Authorities at the Ministry of Social Welfare Affairs reported that women faced widespread societal discrimination. Their rights were largely contingent on customary law, particularly in matters of marriage, divorce, property, and inheritance, which were guided by customary law in all areas except Freetown. Formal law applies in customary as well as formal courts, but customary judges had limited or no legal training and often were unaware of formal law or chose to

ignore it. Women's rights and status under customary law varied significantly depending upon the ethnic group to which they belonged, but such rights and status were routinely inferior to those of men. Under customary law, women's status in society is equal to that of a minor. Women were frequently perceived to be the property of their husbands and to be inherited on his death with his other property.

Discrimination occurred in access to credit, equal pay for similar work, and the ownership and management of a business. Women did not have equal access to education, economic opportunities, health facilities, or social freedoms. In rural areas women performed much of the subsistence farming and had little opportunity for formal education (see also section 7.d.).

The Ministry of Gender and Children's Affairs has a mandate to protect the rights of women, but most international and domestic NGOs asserted the ministry did not have the infrastructure or support of other ministries to handle its assigned projects effectively.

Systemic Racial or Ethnic Violence and Discrimination

There were laws to protect racial or ethnic minorities from violence or discrimination. Authorities enforced these laws.

Strong ethnic loyalties, biases, and stereotypes existed among all ethnic groups. Ethnic loyalty was an important factor in the government, armed forces, and business. Complaints of ethnic discrimination in government appointments and contract assignments were common. Little ethnic segregation was apparent in urban areas, where interethnic marriage was common.

Residents of non-African descent faced some institutionalized discrimination, particularly in the areas of citizenship and nationality.

The government made some efforts to address discrimination, such as equal access to education, medical care, employment, and credit. The government made limited efforts to address discrimination and bias against lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons and members of the Rastafarian religious sects.

Children

Birth Registration: Although the constitution explicitly prohibits discrimination based on race, tribe, gender, place of origin, political opinion, color, and religion, the constitution also denies citizenship at birth to persons who are not of “Negro-African descent.” Non-Africans who have lived in the country for at least eight years (two years for foreigners married to citizens) may apply for naturalization, subject to presidential approval. Citizenship derived by birth is restricted to children with at least one parent or grandparent of Negro-African descent who was born in the country. Children not meeting the criteria must be registered in their parents’ countries of origin.

The National Civil Registration Authority (NCRA) is responsible for the recording of vital events including births, deaths, marriages, divorces, annulments, adoptions, legitimization, and recognition of citizens and noncitizens. The NCRA is mandated to maintain an Integrated National Civil Register. In May the NCRA conducted a nationwide exercise to electronically confirm the personal details of registrants and to register any unregistered citizens and noncitizens resident in the country. Citizens largely complied with the registration process.

Child Abuse: The law prohibits child abuse, including sexual abuse of children. A pattern of violence against and abuse of children existed, and according to FSU regional offices, it increased when schools were closed during the summer months and during COVID-19 lockdowns. Cases of child sexual abuse generally were taken more seriously than adult rape cases.

Child, Early, and Forced Marriage: The legal minimum age of marriage is 18: NGO Save the Children reported 13 percent of girls married by age 15, and 39 percent by age 18. Save the Children also reported that adolescent pregnancy was a driver of child marriage. Girls were more at risk of child marriage than boys, with a median age at first marriage of 18 for women compared to 25 for men. Save the Children reported that girls most vulnerable to early marriage included those from certain ethnic groups living in poor rural areas in the Eastern, Southern, and Northern Provinces, where child marriage rates were more than 40 percent, compared with 20 percent in the Western Province. According to an international news report, child marriage increased during the coronavirus pandemic. The

government conducted limited prevention and mitigation efforts, including education and public-awareness campaigns.

Sexual Exploitation of Children: The law criminalizes the sexual exploitation and sale, grooming, offering or use of children for exploitation, child trafficking, and child pornography, although enforcement remained a challenge and conviction numbers remained low. According to the FSU, in many cases of sexual assault of children, parents accepted payment instead of taking the perpetrator to court due to difficulties dealing with the justice system, fear of public shame, and economic hardship. The minimum age of consensual sex is 18.

Displaced Children: In 2019 the NGO Help a Needy Child International reported that approximately 50,000 children worked and lived on the street, with 45,000 of them engaged in artisanal gravel production in the Western Province. The FSU reported that children living on the street were often exploited by criminals to assist in committing crimes such as theft.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/travel/en/International-Parental-Child-Abduction/providers/legal-reports-and-data/reported-cases.html.

Anti-Semitism

There was no Jewish community, and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

Persons with disabilities can access education, health services, and transportation on an equal bases with others. The law mandates access to these services, and prohibits discrimination against persons with physical, sensory, intellectual, and

mental disabilities in employment and provision of state services, including judicial services. The government-funded Commission on Persons with Disabilities is charged with protecting the rights and promoting the welfare of persons with disabilities. The NGO Defense for Children International stated the government did not effectively enforce the law or implement programs to make buildings, information, and communications accessible. In view of the high rate of general unemployment, work opportunities for persons with disabilities were even more limited, and begging was commonplace. Children with disabilities were also less likely to attend school than other children.

There was considerable discrimination against persons with mental disabilities. According to the HRCSL, several Kenema residents poured boiling hot water on a man living with a mental disability who caused a disturbance near their home. The perpetrators confessed to the crime, and authorities charged them in court.

Most persons with mental disabilities received no treatment or public services. At the Sierra Leone Psychiatric Hospital in Kissy, the only inpatient psychiatric institution that served persons with mental disabilities, authorities reported that only one consulting psychiatrist was available, patients were not provided sufficient food or sanitation facilities, and restraints were primitive and dehumanizing.

Local NGOs documented discrimination against persons with albinism in Kenema and Freetown, including mistreatment and denial of medical care.

The Ministry of Health and Sanitation is responsible for providing free primary health-care services to persons with polio and diabetic retinopathy as well as to blind or deaf persons. The ministry did not provide these services consistently, and organizations reported many persons with disabilities had limited access to medical and rehabilitative care. The Ministry of Social Welfare has a mandate to provide policy oversight for problems affecting persons with disabilities but had limited capacity to do so.

HIV and AIDS Social Stigma

The law prohibits discrimination based on actual, perceived, or suspected HIV status, but society continued to stigmatize persons with HIV and AIDS. According

to the *People Living with HIV Stigma Index* report for 2020, approximately 47 percent of respondents disagreed that disclosure of their HIV status had become easier over time, and 48 percent reported that disclosure of their HIV status to friends, family, or partners had not been a positive experience. The report also noted a small increase in unemployment among those living with HIV, from 38 percent in 2013 to 40 percent in 2019.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

As of August there was no information regarding any action by government authorities to investigate or punish public entities or private persons complicit in abuses against LGBTQI+ persons.

The law criminalizes same-sex sexual activity between men. There is no legal prohibition against sexual activity between women. The law was not enforced.

The law does not offer protection from discrimination based on gender identity or sexual orientation. LGBTQI+ civil society organizations alleged that because the law prohibits sexual activity between men, it limits LGBTQI+ persons from exercising their freedoms of expression and peaceful assembly. The law, however, does not restrict the rights of persons to speak out on LGBTQI+ human rights. No hate crime law covers bias-motivated violence against LGBTQI+ persons.

A few organizations, including Dignity Association and the HRCSL, supported LGBTQI+ persons and engaged with activists, but maintained low profiles to protect their safety and identities. Although LGBTQI+ advocacy groups noted that police discrimination against LGBTQI+ individuals had not disappeared, they reported that police were increasingly treating LGBTQI+ persons with understanding.

LGBTQI+ advocates reported the community faced challenges ranging from violence, stigma, discrimination, blackmailing, and public attack to denial of public services such as health care and justice. Advocates reported LGBTQI+ persons faced no discrimination in schools, although pupil-on-pupil discrimination was prevalent. The government reportedly registered a transgender rights

organization in 2018.

It was difficult for LGBTQI+ individuals to receive health services; many chose not to seek medical testing or treatment due to fear their right to confidentiality would be ignored and their sexual identity would be compromised. Obtaining secure housing was also a problem for LGBTQI+ persons. Families frequently shunned their LGBTQI+ children, leading some to turn to commercial sex to survive. Adults risked having their leases terminated if their LGBTQI+ status became public. Women in the LGBTQI+ community reported social discrimination from male LGBTQI+ persons and the general population.

Other Societal Violence or Discrimination

Community pressure and coercion to participate in traditional ceremonies and practices is prevalent in rural villages. In August the HRCSL reported chieftom authorities in a village in Kenema District prevented a man and his family from entering their farm because they had not complied with traditional practices. As a Muslim, the man refused to pay for or participate in traditional rites to banish a spirit from the village. The HRCSL and other authorities worked to forestall further retaliatory actions by village leaders.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers in both the public and private sectors to join independent unions of their choice without prior authorization, bargain collectively, and conduct legal strikes, but it prohibits police and members of the armed services from joining unions or engaging in strike actions. The law does not prohibit discrimination against union members or prohibit employer interference in the establishment of unions. The government may require that workers provide written notice to police of an intent to strike at least 21 days before the planned strike. The law prohibits workers at certain specified public utilities from going on strike. Labor union officials, however, pointed out that public utility workers frequently went on strike (and were in fact among those union employees most likely to strike), the legal prohibition notwithstanding.

The government generally protected the right to bargain collectively. Collective bargaining was widespread in the formal sector, and most enterprises were covered by collective bargaining agreements on wages and working conditions. Although the law protects collective bargaining activity, the law required that it must take place in trade group negotiating councils, each of which must have an equal number of employer and worker representatives. There were no other limits on the scope of collective bargaining or legal exclusions of other groups of workers.

While labor unions reported that the government generally protected the right of workers in the private sector to form or join unions, the government did not enforce applicable law through regulatory or judicial action. Penalties were not commensurate with those for other laws involving denials of civil rights.

The government generally respected freedom of association. All unions were independent of political parties and the government. In some cases, however, such as the Sierra Leone Teachers' Union, the union and government had a close working relationship. There were no reports of labor union members being arrested during the year for participating in industrial actions or other union activities.

b. Prohibition of Forced or Compulsory Labor

The constitution prohibits all forms of forced and compulsory labor, including by children. Penalties for each include imprisonment, fines, or both. Under traditional law, individual chiefs may impose forced labor (compulsory cultivation) as punishment. Chiefs also required villagers to contribute to the improvement of common areas. There was no penalty for nonparticipation.

The government did not enforce the law against all forms of forced or compulsory labor but did improve enforcement of the antitrafficking in persons law. Forced labor did occur as noted above, with chiefs requiring villagers to labor in common areas. Additionally, citizens have become victims of forced labor in other countries. More than 100 Sierra Leonean women were stranded in Oman in December 2020, telling human rights groups that they had responded to recruiting to work in "hospitality," but were then held captive and forced to work in private homes without pay, and with their passports confiscated. Forced child labor also

occurred (see section 7.c).

Men, women, and child victims of forced labor originated largely from rural provinces within the country and were recruited to urban areas for artisanal and granite mining, petty trading, rock breaking, fishing and agriculture, domestic servitude, and begging (see also section 7.c. and section 6, Sexual Exploitation of Children). The Ministry of Social Welfare reported it was aware of trafficking, domestic service, mining, or other activities, but it had no specific data on these forms of forced or compulsory labor.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law does not prohibit or criminalize all the worst forms of child labor. There is no law prohibiting the use, procurement, or offering of a child for illicit activities, such as for the production and trafficking of drugs. The law limits child labor, allowing light work at age 13 under conditions not adequately defined by the law, full-time nonhazardous work at 15, and hazardous work at 18. The law states that children younger than age 13 should not be employed in any capacity. Provided they have finished schooling, children aged 15 or older may be apprenticed and employed full time in nonhazardous work. The law also proscribes work by any child younger than age 18 between 8:00 p.m. and 6:00 a.m. While the law does not stipulate specific conditions of work, such as health and safety standards, it prohibits children younger than age 18 from being engaged in hazardous work, which the law defines as work that poses a danger to the health, safety, and "morals" of a person, including going to sea; mining and quarrying; portage of heavy loads; chemicals manufacturing; work in places where machines are used; and work in places such as bars, hotels, and places of entertainment where a child may be exposed to "immoral behavior." The prohibitions on hazardous work for children do not adequately cover the sectors where child labor is known to occur, including quarrying and sand mining. The country has a form of internal child trafficking called *men pikin* (foster care in the Krio language), in which family members send children with promises of better educational opportunities to relatives in urban areas. Some of these children were

instead subjected to forced labor, including in street hawking, domestic work, mining, agriculture, scavenging for scrap metal, and motorbike taxi driving. Some children sent to Koranic schools were exploited in forced labor. There were also reports that children, mostly boys ages five to 17, were forced to mine for diamonds for long hours in hazardous conditions, sometimes without pay.

The government did not effectively enforce child labor laws. Training was insufficient and the number of labor inspectors was inadequate, especially in areas where child labor was prevalent. The legal penalty for employing children in hazardous work or for violating age restrictions was not commensurate with those for other analogous serious crimes.

In Freetown and remote villages, children were forced to carry heavy loads as porters, which contributed to stunted growth and development. The FSU and HRCSL reported that children whose parents sent them to friends or relatives in urban areas for education were forced to work on the street, where they were involved in street vending, stealing, and begging. Children engaged in petty trading, breaking rocks, harvesting sand, begging, diamond mining, deep-sea fishing, agriculture (production of coffee, cocoa, and palm oil), domestic work, commercial sex, scavenging for scrap metal and other recyclables, and other hazardous work. Larger mining companies enforced strict rules against child labor, but small-scale informal artisanal diamond and gold miners continued employing children.

The government took some efforts to combat child labor. The Ministry of Labor and Social Security and Family Support Unit carried out sensitization and awareness-raising campaigns on child labor. According to the NGO GOAL Ireland, the numbers of children ages five to 14 engaged in child labor significantly decreased, from 40 percent in 2018 to 28 percent in 2020. Mass media campaigns also raised community awareness of child labor by 83 percent between 2018 and 2020. Parents and heads of household most frequently cited economic and financial reasons for why children worked in 2020. Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

d. Discrimination with Respect to Employment and Occupation

The constitution prohibits discrimination based on religion, national origin or citizenship, social origin, age, language, sex, or HIV status or other communicable diseases. It does not address discrimination based on disability, sexual orientation, or gender identity. NGOs reported evidence of discrimination based on these categories. Women in particular experienced discrimination in hiring, and employers commonly dismissed women who became pregnant during their first year on the job. The law does not prohibit dismissal of pregnant workers. The law prohibits women from working in mines or any underground work site.

Significant numbers of individuals (more than 10 percent of the population, per UN estimates) lived with a more significant disability; rebel forces mutilated and amputated limbs from thousands of civilians during the civil war of 1991-2002. Persons with disabilities frequently experienced discrimination and unfair treatment in schooling, employment, housing, and daily life. Almost two thirds of persons with disabilities had no job or income; many became victims of crime, were homeless, and continued to live with emotional trauma. The Disability Act of 2011 was not well implemented, and the government did not enforce its protections against discrimination in hiring.

The government did not enforce laws prohibiting discrimination in the workplace, and gender-based violence and harassment were prevalent in the workplace and schools. Complainants seeking redress for discrimination in the past several years (a 2019 case challenging the exclusion of pregnant girls from school and a case during the year alleging failure to investigate sexual and gender violence) filed their cases outside the country, in the ECOWAS Court of Justice. Penalties were not commensurate with laws related to civil rights.

e. Acceptable Conditions of Work

Wage and Hour Laws: There was a national minimum wage, but it fell below the basic poverty line in the country. Although not stipulated by law, the customary workweek was 40 hours (60 hours for security personnel). There is no statutory definition of overtime wages to be paid if an employee's work hours exceed 40. There is no prohibition on excessive compulsory overtime nor a requirement for

paid leave or holidays.

The Ministry of Labor and Social Security is responsible for enforcing labor law, including the minimum wage, but the number of labor inspectors was insufficient to enforce compliance, and the penalties for noncompliance were not commensurate with those for similar crimes.

Occupational Safety and Health: The occupational safety and health (OSH) regulations are outdated and remained under review by the Ministry of Labor and Social Security. The government did not effectively enforce these standards in all sectors. The responsibility for identifying unsafe situations remains with an OSH expert and not the worker, but this was not enforced. Inspectors have the authority to make unannounced inspections and initiate sanctions. Inspections were reduced due to the COVID-19 pandemic.

A union may make a formal complaint regarding a hazardous working condition; if the complaint is rejected, the union may issue a 21-day strike notice. The law also requires employers to provide protective clothing and safety devices to employees whose work involves “risk of personal safety or potential health hazard.” The law protects both foreign and domestic workers. The law does not provide workers with the right to remove themselves from situations that endanger their health or safety without jeopardy to their employment, and the government took no steps to protect employees who so acted. In April doctors and nurses at the main referral hospital protested unsanitary working conditions following a week-long custodial staff labor strike. During the protest a senior Ministry of Health and Sanitation official assaulted a female doctor in the presence of police and the deputy minister of health. Authorities responded, and custodial workers returned to work the following week. Authorities promised an investigation into the matter and appropriate actions. As of September no report on the outcome of the investigations was available.

Informal Sector: Approximately 90 percent of laborers worked in the informal sector, predominantly in subsistence or small-scale agriculture. The national minimum wage of 500,000 leones per month (\$65) applies to all workers, including the informal sector. The law requires paid leave and overtime wages. Enforcement of wage and hour laws was ineffective across all sectors of informal

employment. There is no prohibition on excessive compulsory overtime. Workers can be dismissed with limited notice and severance. There were almost no government social protections available for workers.

Violations of wage, overtime, and OSH standards were most frequent within the informal artisanal diamond-mining sector. Violations were common in the case of street vendors and market-stall workers, rock crushers, and day laborers, many of whom traveled to Freetown from elsewhere in the country to seek employment and were vulnerable to exploitation. There were numerous complaints of unpaid wages and lack of attention to injuries sustained on the job, but victims often did not know where to turn for recourse, and as a result their complaints went unresolved.