



**COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)<sup>1</sup>: SIERRA LEONE**

***THE EFFECTIVE ABOLITION OF CHILD LABOUR (CL)***

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| <b>REPORTING</b>  | <b>Fulfillment of Government's reporting obligations</b>                             | YES, since the 2005 Annual Review (AR).  |   |
|   | <b>Involvement of Employers' and Workers' organizations in the reporting process</b> | YES, according to Government: Involvement of the Sierra Leone Employers' Federation (SLEF) and Sierra Leone Labour Congress (SLLC) through communication of Government's reports and consultations.  |   |
| <b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>                            | <b>Employers' organizations</b>  | <b>2008 AR:</b> Observations by the SLEF.<br><b>2007 AR:</b> Observations by the SLEF.<br><b>2006 AR:</b> Observations by the SLEF.<br><b>2005 AR:</b> Observations by the SLEF.   |   |
|   | <b>Workers' organizations</b>  | <b>2008 AR:</b> Observations by the SLLC and its 23 affiliates.<br><b>2007 AR:</b> Observations by the SLLC and its 23 affiliates.<br><b>2006 AR:</b> Observations by the SLLC.<br>Observations by the International Confederation of Free Trade Unions (ICFTU).<br><b>2005 AR:</b> Observations by the SLLC). |   |
| <b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b> | <b>Ratification</b>  | <b>Ratification status</b>   | <b>Sierra Leone has ratified neither the Minimum Age Convention, 1973 (No. 138) (C.138), nor the Worst Forms of Child Labour Convention, 1999 (No. 182) (C.182)</b>   |
|   |  | <b>Ratification intention</b>  | <b>YES, since 2002 for both C.138 and C.182.</b><br><br><b>2008 AR:</b> The Government indicated that it is committed to ratify C.138 and C.182. According to the SLEF: The SLEF continues to put pressure on the Government to ratify C. 138 and C. 182.<br>The SLLC indicated that they are working with the Government for the ratification of C.138 and C.182.<br><br><b>2007 AR:</b> According to the Government: The House of Parliament has approved ratification of C.138 and C.182. Formal ratification of these instruments will be processed as soon as possible, and the Government |

<sup>1</sup> Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: [www.ilo.org/ilolex](http://www.ilo.org/ilolex)

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|   |  |   | <p>would appreciate ILO assistance in this regard.<br/>The SLEF and the SLLC also requested ILO assistance to accelerate the formal ratification process of C.138 and C.182 by Sierra Leone.<br/><b>2006 AR:</b> According to the Government: Ratification of C.182 is still in process. Ratification of C.138 has already been submitted to the House of Parliament and the instruments will be communicated to the ILO as soon as possible.<br/>According to the SLEF: The SLEF supports ratification of C.138 and C.182 by Sierra Leone.<br/>According to the SLLC: The SLLC is promoting ratification of C.138 and, especially C.182, by Sierra Leone.</p> <p><b>2005 AR:</b> The Government stated that it was in the process of ratifying C.138 and C.182.</p> |
| <p><b>Recognition of the principle and right (prospect(s), means of action, basic provisions)</b></p> | <p><b>Constitution</b></p>                           | <p><b>YES</b></p> <p>Article 9 (2) of the 1991 Constitution provides that: «the Government shall strive to eradicate illiteracy, and to this end shall direct its educational policy towards achieving: free adult literacy programmes; free compulsory basic education at primary and junior secondary school levels; and free senior secondary education as and when practicable.»</p>  |  |
|   | <p><b>Policy, legislation and/or regulations</b></p> | <p>• <b>Policy</b></p> <p><b>2008 AR:</b> Several acts of Parliament such as the Anti-Trafficking and the Child Rights Act have been adopted. It has also internalized international instruments such as the African Charter on Human Rights and the UN Resolution on the Rights of the Child.</p> <p><b>2007 AR:</b> According to the Government: The new policy has been adopted in cooperation with the social partners, the stakeholders, the UNICEF and the ILO. A Bill entitled «The Child Rights Act, 2006» has been adopted and communicated to the ILO. The final Act will be formalized soon.</p> <p><b>2005 AR:</b> According to the Government: There is a national policy aimed at ensuring the effective abolition of child labour (PR) through the incorporation of the United Nations Convention of the Rights of the Child into national legislation. The national policy on children is to: (i) fight against child labour, (ii) enforce school attendance, (iii) support poor parents for income-generating activities and (iv) work for the withdrawal from work and the reintegration of child combatants into society. This policy should be validated with the social partners and stakeholders and adopted by 2005.</p> <p>• <b>Legislation</b></p> <p>(i) The Child Rights Act, 2006; (ii) The Employers and Employed Act CAP 212; (iii) the Education Act 2004, (iv) the Draft Employment Act, 1996 (section 34); ( v) the Factory Act (1974); (vi) The Industrial Relations Act 1971; and (vii) the Laws of Sierra Leone, Volume IV of 1960.</p> |  |
|   | <p><b>Basic legal provisions</b></p>                 | <p>(i) The Constitution, 1991, article 9 (2); (ii) the Child Rights Act, 2006; (iii) the Employers and Employed Act, CAP 212; (iv) the Education Act 2004, (v) the Draft Employment Act,1996 (section 34); (vi) the Factory Act (1974); (vii) The Industrial Relations Act 1971; and (viii) the Laws of Sierra Leone, Volume IV of 1960.</p>  |  |
|   | <p><b>Judicial decisions</b></p>                     | <p>NIL</p>  |  |
|   | <p><b>Exercise of the principle and right</b></p>    | <p><b>Compulsory Education</b></p>  | <p><b>YES, under the Child Rights Act, 2006, the age for both boys and girls at the end of free compulsory schooling is 15 years (the Child Rights Bill, 2006, section 125).</b></p>   |

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| <p><b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b></p> | <p><b>Exercise of the principle and right</b></p> | <p><b>Minimum age</b></p>                                   | <p><b>2007 AR: General minimum age for admission to full time employment or work: 15 years for both boys and girls (the Child Rights Act, 2006, section 125). For the avoidance of doubts, the minimum age provisions apply to employment in the formal or informal sectors.</b></p> <p>Under the Child Rights Act, 2006 (section 125), the age of 15 shall be the age at which the compulsory primary education of a child shall end, and is also the minimum age for the engagement of a child in full time employment.</p> <p>Section 135 of the same Bill provides that the minimum age at which a child may commence an apprenticeship with a craftsperson is 15 years or after completion of basic education, whichever is later.</p> <p>The minimum age for light work is 13 years, and light work is defined as any work that is not likely to be harmful to the health or development of the child and does not affect the child attendance at school or the capacity of the child to benefit from school work (the Child Rights Act, 2006, Section 127).</p> <p><b>2005 AR:</b> General minimum age for admission to employment or work: 12 years for both boys and girls. However, the Government states that section 34 of the Draft Employment Act 1996 would raise the minimum age of admission to employment or work to 14 years. This general minimum age covers the following types of work: work performed in enterprises below a certain size; home work; domestic service; self-employed work; commercial agriculture; family and small-scale agriculture; light work; and work performed in export processing zones.</p> <p><b>Hazardous work: minimum age of 18 years for both boys and girls.</b></p> <p><b>2007 AR:</b> Under the Child Rights Act, 2006 (section 128), the minimum age for the engagement of a person in hazardous work is 18 years. Hazardous work is defined as a work that poses a danger to the health, safety or morals of a person, and includes: (a) going to sea; (b) mining and quarrying; (c) portering of heavy loads; (d) manufacturing industries where chemicals are produced or used; (e) work in places where machines are used; and (f) work in places such as bars, hotels and places of entertainment where a person may be exposed to immoral behaviour.</p> <p><b>2005-2006 ARs:</b> The Factories Act 1974 defines hazardous work is defined as follows: «No child under the age of 18 years may work or be employed to perform any work that is likely to jeopardize his or her health, safety, or physical, mental, spiritual, moral or social development, or to interfere with his or her education.»</p> |
|  |   | <p><b>Worst Forms of Child Labour</b></p>                   | <p><b>2007 AR:</b> A Tirpartite identification of the worst forms of child labour has been carried out through the case study and the workshop on the fundamental principles and rights at work in Sierra Leone, in cooperation with the ILO.</p> <p><b>2005 AR:</b> According to the Government: The following worst forms of child labour exist for both boys and girls: (i) sale and/or trafficking, (ii) debt bondage, (iii) serfdom, (iv) forced or compulsory labour, (v) forced recruitment for armed conflict, (vi) prostitution, (vii) pornography, (viii) illicit activities, in particular production and trafficking of drugs and (ix) working in the fishing industry.</p>  |
|  |   | <p><b>Special attention to particular situations</b></p>    | <p><b>2005-2007 ARs:</b> According to the Government: child combatants and children in the informal economy.</p>   |
|  |   | <p><b>Information/Data collection and dissemination</b></p> | <p><b>2007 AR:</b> Some data on child labour in the country have been collected in the case study on the fundamental principles and rights at work in Sierra Leone, in cooperation with the ILO.</p> <p><b>2005 AR:</b> According to the Government: sanctions applied to users of child labour are recorded officially.</p>   |

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|  | <b>Monitoring, enforcement and sanctions mechanisms</b> | <p><b>2007 AR:</b> The Child Rights Act, 2006 (Part IV, sections 47-69) provides for the establishment of local committees and districts councils that have child welfare functions, including the promotion of child rights awareness and enjoyment and the monitoring of these rights. In case of violation of the minimum age provisions (Part VIII, sections 125-141), the Child Rights Act provides for sanctions ranging from fines (not exceeding Le 10 millions (i.e., about US \$ 3,500 as of December 2006) to imprisonment (not exceeding two years), or both.</p> <p><b>2005 AR:</b> According to the Government: The following measures have been implemented in order to realize the PR: (i) legal reform; (ii) penal sanctions; (iii) civil or administrative sanctions; (iv) special institutional machinery. Inspection/monitoring mechanisms are envisaged.</p>  |
|  | <b>Involvement of the social partners</b>               | <p><b>2007 AR:</b> According to the Government: The case study and the workshop on the fundamental principles and rights at work in Sierra Leone were carried out in September and October 2006 in cooperation with the employers' and workers' organizations and the ILO.</p> <p><b>2005 AR:</b> According to the Government: employers' and workers' organizations were involved in the implementation and development of the national policy on children.<br/>According to the SLEF: Employers' and workers' organizations were involved in the implementation and development of national measures to bring about effective abolition of child labour.</p>   |
|  | <b>Promotional activities</b>                           | <p><b>2008 AR:</b> According to the SLEF: It is collaborating with other stakeholders to promote the PR.<br/>The SLLC indicated that it had held several workshops and sensitization programmes on the need to ratify C.138 and C.182 and to put an end to child labour in the country.</p> <p><b>2007 AR:</b> According to the Government: A case study and a workshop on the fundamental principles and rights at work in Sierra Leone were carried out in September and October 2006 cooperation with the employers' and workers' organizations and the ILO.</p> <p><b>2006 AR:</b> According to the Government: A series of activities on child labour has been organized between the Ministry of Social Welfare and the Ministry of Labour in order to improve the child labour situation in the country.</p> <p><b>2005 AR:</b> According to the Government: The National Commission for War-Affected Children (NACWAC) addresses the issue of children in the street as a result of the war. The creation of the family support unit in the Sierra Leone police force also addresses child labour and child abuse.<br/>The Government indicated that it was also organizing awareness raising/advocacy activities, vocational and skills training for young workers and international cooperation programmes or projects.</p> |
|  | <b>Special initiatives/Progress</b>                     | <p><b>2007 AR:</b> According to the Government: A Child Rights Act was adopted in 2006 in cooperation with the UNICEF. Moreover, a tripartite identification of realities and challenges faced in realizing the PR in the country has been carried out through a case study and a workshop on the fundamental principles and rights at work in Sierra Leone, in cooperation with the ILO. This exercise concluded on recommendations and a joint technical cooperation request for a better realization of the PR in the country.</p> <p><b>2005 AR:</b> According to the Government: The domestication of the Convention on the Rights of the Child and of the African Charter on the Rights of the Child can be regarded as successful examples in the abolition of child labour.</p>  |

**CHALLENGES IN  
REALIZING THE  
PRINCIPLE AND RIGHT**

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|  | <b>According to the social partners</b> | <b>Employers' organizations</b>  | <p><b>2008 AR:</b> According to the SLEF: The federation lacks the necessary resources to ensure an effective campaign against child labour in the country.</p> <p><b>2007 AR:</b> A tripartite identification of realities and challenges faced in realizing the PR in the country has been carried out through a case study and a workshop on the fundamental principles and rights at work in Sierra Leone, in cooperation with the ILO. The SLEF made a significant contribution to this exercise.</p> <p><b>2006 AR:</b> According to the SLEF: The situation of child labour in the country has not improved because of poverty and the economic situation.</p> <p><b>2005 AR:</b> According to the SLEF: Lack of involvement of employers' and workers' organizations in the development and implementation of national measures or programmes of action to bring about the effective abolition of child labour.</p>  |
|  |   | <b>Workers' organizations</b>  | <p><b>2008 AR:</b> The SLLC indicated that it is facing challenges vis-à-vis the existence of child labour in the country and its inability to mitigate the menace because of the lack of resources.</p> <p><b>2007 AR:</b> A tripartite identification of realities and challenges faced in realizing the PR in the country has been carried out through a case study and a workshop on the fundamental principles and rights at work in Sierra Leone, in cooperation with the ILO. The SLLC made a significant contribution to this exercise.</p> <p><b>2006 AR:</b> According to the ICFTU: The law is not enforced adequately and child labour is widespread, in particular in diamond mining, family businesses and farms, petty vending. Although education is compulsory through primary school, enrolment is low and there is a lack of schools.<br/>According to the SLLC: Compulsory schooling should be applied as well as legal sanctions against parents who do not send children to school.</p> <p><b>2005 AR:</b> Observations of the SLLC: (i) Measures to eliminate the worst forms of child labour are envisaged but are not yet enforced; (ii) inspection and monitoring mechanisms have not been implemented; (iii) lack of survey to assess the magnitude of child labour in the country.</p> |
|  | <b>According to the Government</b>      | <p><b>2008 AR:</b> The Government indicated that it faced challenges regarding capacity building. The Ministry of Labour, Social Security and Industrial Relations needs institutional capacity in order to enable it to perform its function nationwide.</p> <p><b>2007 AR:</b> A tripartite identification of realities and challenges faced in realizing the PR in the country has been carried out through a case study and a workshop on the fundamental principles and rights at work in Sierra Leone, in cooperation with the ILO. The Ministry of Labour, Social Security and Industrial Relations made a significant contribution to this exercise.</p> <p><b>2006 AR:</b> According to the Government: Many people including children, are homeless, especially in the capital city.</p> <p><b>2005 AR:</b> According to the Government: The main obstacles encountered with respect to realizing the PR are the following: (i) obsolete laws; (ii) conservative traditional practices; (iii) poverty; ambivalent attitudes; (iv) economic constraints/capacity; (v) lack of financial means and institutional capacity; and (vi) reintegration of ex-child combatants. Moreover, child labour is prevalent in the informal economy.</p> |  |

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| <b>TECHNICAL COOPERATION</b> | <b>Request</b> | <p><b>2008 AR:</b> The Government indicated that ILO assistance is required for: (i) data collection and analysis; (ii) capacity building of responsible government institutions (e.g. labour inspection and administration); (iii) awareness raising, legal literacy and advocacy; (iv) policy advice; (v) legal reforms; (vi) strengthening capacity of employers' and workers' organizations; (vii) inter-institutional coordination; (viii) training of other officials; (ix) special programme for the elimination of the worst forms of child labour; (x) employment creation, skills training and income generation; (xi) social protection systems; (xii) cross-border cooperation mechanisms; and (xiii) sharing of experience across countries/regions.</p> <p>The SLEF indicated that capacity building is required as well as the strengthening of its cooperation with the ILO.</p> <p>According to the SLLC: It requires capacity building in order to organize workshops and seminars nationwide. Furthermore, ILO assistance is needed for research facilities on the PR.</p> <p><b>2007 AR:</b> Following a case study and a workshop on the fundamental principles and rights at work in Sierra Leone carried out in September and October 2006 in cooperation with the ILO, the Government, the SLEF and the SLLC adopted a joint set of recommendations for technical cooperation on the PR. They call for a special ILO/IPEC action to help implement this joint recommendation and realize the fundamental principles and rights at work in Sierra Leone, in particular through the adoption of various measures to raise the national standard of living and ensure development in a democratic way.</p> <p><b>2006 AR:</b> According to the Government: The Labour Inspectorate needs training on child labour issues. The Government again requests ILO assistance to organize a national tripartite workshop on the Declaration and Fundamental Conventions, with a special focus on child labour.</p> <p>According to the SLEF: Technical cooperation is needed to ensure compulsory schooling in the country, employment and income generation activities and improving working conditions and skills in the informal economy. In this respect, the SLEF needs capacity building to improve its services to members and promote the realization of the effective abolition of child labour and other fundamental principles and rights at work in the country.</p> <p>According to the SLLC: Technical cooperation is needed to sensitize workers on the issue of child labour in the country.</p> <p><b>2005 AR:</b> According to the Government: Urgent needs for ILO technical cooperation to facilitate the realization of the PR in Sierra Leone exist in the following areas, in order of priority: (1) data collection and analysis; (2) capacity building of responsible government institutions (e.g. labour inspection and administration); (3) awareness raising, legal literacy and advocacy; (4) policy advice; (5) legal reforms; (6) strengthening capacity of employers' and workers' organizations; (7) inter-institutional coordination; (8) training of other officials (e.g. police, judiciary, social workers, teachers); (9) special programme for the elimination of the worst forms of child labour; (10) employment creation, skills training and income generation; (11) social protection systems; (12) cross-border cooperation mechanisms; and (13) sharing of experience across countries/regions.</p> <p>According to the SLEF and SLLC, needs for ILO technical cooperation to facilitate the realization of the PR in Sierra Leone exist in the following areas, in order of priority: (1) data collection and analysis; capacity building of responsible government institutions and workers' and employers' organizations; (2) policy advice; (3) awareness-raising, legal literacy and advocacy.</p> |
|                              | <b>Offer</b>   | <p>ILO, UNICEF, UNDP, UNHCR, European Union, Caritas International, Médecins Sans Frontières, Children Affected by War (CAW), World Vision, Save the Children International, International Red Cross, GOAL, International Rescue Committee, and CARE International.</p>  |

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| <p><b>EXPERT-ADVISERS' RECOMMENDATIONS/ OBSERVATIONS</b></p> | <p><b>2008 AR:</b> The ILO Declaration Expert-Advisers (IDEAs) recognized that the Office's focused efforts and assistance had helped some countries, including Sierra Leone, to comply with their reporting obligations. They considered that universal ratification of the child labour Conventions was not a distant dream but an achievable goal, in view of the number of States, including Sierra Leone, having expressed their intention to ratify C.138 and/or C.182 (Cf. Paragraphs 53 and 56 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p><b>2005 AR:</b> The ILO Declaration Expert-Advisers noted with particular interest the reporting from Sierra Leone in spite of the serious difficulties the country had to face with (paragraph 8 of the 2005 Annual Review Introduction). However, they noted that Sierra Leone had recorded the lowest minimum age (12) permitted by law for the employment of children (Cf. Paragraph 202 of the 2005 AR Introduction – ILO: GB.292/4).</p> |
| <p><b>GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS</b></p>   | <p>NIL</p>  |