HUMAN RIGHTS COMMISSION OF SIERRA LEONE

Guidelines for Monitoring Business and Human Rights in Sierra Leone

First Revised Edition 2026

Implementing the United Nations Guiding Principles on Business and Human Rights

Prepared by the Human Rights Commission of Sierra Leone (HRCSL) in Collaboration with Government MDAs, CSOs, Business Sector, with support from the Embassy of Ireland and UNDP

[October, 2026]

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ACKNOWLEDGEMENT

In 2013, following numerous complaints reported to the Commission by individuals and members of communities where businesses operated, as well as the quest by the Government of Sierra Leone to attract foreign direct investment, the Human Rights Commission of Sierra Leone commenced work on business and human rights-related issues by establishing the Business and Human Rights Unit within the Commission. This Unit worked collaboratively with the Danish Institute for Human Rights and developed and produced the ***Guidelines for Monitoring Business and Human Rights in Sierra Leone***. This framework has been used by the Commission to monitor business operations and to link businesses with human rights standards. Since the launch of the guideline in 2013, and the up-scaling of the monitoring unit into a full Directorate in 2021, the Commission has achieved many milestones ranging from monitoring and reporting on business operations across the country to training of ministries, departments and agencies (MDAs), companies' middle-level and senior executives, strategic engagement and participating in public disclosures, among others.

While the Commission appreciates the gains made with the use of the ***Guidelines for Monitoring Business and Human Rights in Sierra Leone,*** the need arises for a review of this framework to make it responsive and inclusive of emerging dimensions of human rights-related concerns within business operations.

The review is particularly important given Sierra Leone's development priorities and the role of private-sector investment in economic growth, job creation, technology transfer, and enhanced employment, increased public revenue, and infrastructural development. Also, it is important that business operations are accompanied by appropriate safeguards to prevent, mitigate, and address adverse human rights impacts.

In a bid to strengthen the work of the Commission in the area of business and human rights, the Commission developed a proposal for review of its ***Guidelines for Monitoring Business and Human Rights.*** This proposal was supported by the United Nations Development Programme (UNDP) and the Irish Embassy through their support to the Human Rights Commission of Sierra Leone on the project titled "***Support to the Capacity Development of the Human Rights Commission of Sierra Leone to deliver on its mandate"***

Since August-September, 2026, the Commission has embarked on reviewing the extant ***Guidelines for Monitoring Business and Human Rights in Sierra Leone.***

In carrying out the review exercise, the Commission undertook 6 nationwide regional consultations engaging a wide array of participants, including representatives of MDAs, civil society, district human rights committees and staff of the Human Rights Commission of Sierra Leone.

Importantly, this review process would not have been successful without the financial support of UNDP and the Irish Embassy. In resonance with that, I wish on behalf of the Commission, to thank UNDP and the Irish Embassy for their continued support to the work of the Commission. Their support enabled us to have a participatory review process that drew on the experiences and perspectives of stakeholders across the country. We appreciate their continued partnership and confidence reposed in the Commission in the execution of its mandate of protecting and promoting human rights in the country.

Special appreciation goes to the Commissioners of the Human Rights Commission of Sierra Leone for their leadership, strategic guidance and commitment throughout the review process. Their support reinforced the importance of ensuring that the guidelines reflects the Commission's mandate and priorities while being practical for use by staff and relevant stakeholders. Their leadership illustrates the Commission's commitment to institutional learning, evidence-based monitoring and constructive engagement with businesses, government institutions and affected communities. The review process created the opportunity for the Commission to reflect on its own monitoring experiences, learn from its engagements with businesses and host communities and improve the relevance and application of the extant the monitoring guidelines.

Let me also sincerely appreciate regional staff members of HRCSL who participated in the review process. Their experiences in human rights monitoring, documentation, community engagement, and stakeholder coordination provided valuable practical insights. As staff working closely with communities and regional partners, they brought an understanding of local realities and operational challenges related to monitoring business operations in their respective regions. Their contributions helped to connect the review to the Commission's field-level work and the practical requirements for consistent information gathering, reporting and follow-up.

Further, I wish to acknowledge with deep appreciation the members of the Technical Working Group who provided technical support to the consultant. Their institutional knowledge, professional experience and constructive recommendations were essential to the entire review process. Their support ensured technical discussions and made the process more participatory and technically insightful. The Commission particularly values their contributions on matters relating to labour rights, occupational health and safety, environmental impacts, land and livelihoods, community engagement, non-discrimination and access to remedy.

My sincere gratitude goes to our partners across Sierra Leone including MDAs and CSOs who participated in the regional consultations and validation exercises. Their involvement ensured that the review incorporated perspectives beyond the national level and considered the

practical circumstances in which business-related human rights concerns arise. Their observations and recommendations helped to identify areas requiring clarification and improvement, contributing to a more inclusive, context-sensitive and engaging review process.

Particular recognition is extended to the District Human Rights Committee members. District Human Rights Committee members being the foot soldiers and extended arms of the Commission are important community-level partners who support human rights awareness, identify and communicate concerns and continue to strengthen the relationship between the Commission and the local communities. Their local knowledge and sustained participation provided valuable perspectives on challenges related to business operations, including their potential impacts on land, livelihoods, working conditions, the environment, and community well-being. We deeply appreciate their willingness to share experiences, dedicate time, and offer practical recommendations throughout the process. Their participation reinforces the importance of community engagement in developing effective human rights monitoring mechanisms.

Finally, I extend my sincere thanks to the consultant who facilitated and provided technical support and guidance to the review process. The consultant's professional expertise, analytical contribution and facilitation helped to bring together stakeholder perspectives and identify opportunities for improving the monitoring guidelines. The Commission appreciates the work undertaken to review the extant monitoring framework, consider feedbacks and support the refinement process. There is no doubt that this review would help to strengthen the foundation for a monitoring tool that would respond to the realities of business operations and human rights concerns in Sierra Leone.

As Executive Secretary, I reaffirm the Commission's commitment to applying the outcomes of this review to enhance the quality, consistency and effectiveness of its business and human rights monitoring in the country. The continued relevance of the reviewed monitoring guidelines will depend on its practical application, appropriate documentation of findings, follow-up action and ongoing learning from monitoring experiences. I remain optimistic that the reviewed monitoring guidelines with its human rights dimensional expansion and incorporation of emerging and broader human rights related pillars would provide enormous opportunities for both economic development and accountability mechanism on business related human rights infractions in the country.

Joseph Benjamin Manking.Kamara

Executive Secretary

FORWARD

Subsequent to the adoption of the United Nations Guiding Principles (UNGPs) on Business and Human Rights in June 2011, Sierra Leone has come a long way in ensuring the effective implementation of the three key pillars embedded in the UNGPs being 'Protect, Respect and Remedy' framework that serve as a global standard of conduct for all states and enterprises to promote responsible business conduct. The Human Rights Commission of Sierra Leone (HRCSL) has been at the forefront of this national effort by engaging government institutions, supporting businesses to understand their human rights responsibilities, promoting dialogue among stakeholders, and monitoring corporate practices across sectors. As a Commission we have rolled out various projects and activities in ensuring the concept of respect for human rights in the operations of businesses foster responsible business conduct.

As a proactive Commission, we have over the years not only limited our monitoring activities to prisons and other places of detention as required by our Act, but have also expanded our monitoring activities to include the operations of businesses. While we recognize the vital contributions of businesses to the promotion of human rights through economic growth, job creation and subsequently the improvement of livelihoods, we are equally concerned about the human wrongs that arise during the course of their operations. Our role as a Commission is to ensure that business practices align with the general human rights standards.

One of the Commission's landmark achievements was the development of the **Guidelines for Monitoring Business and Human Rights in Sierra Leone** in 2013. The Guidelines have served as the Commission's principal monitoring framework tool for over a decade and have significantly strengthened our oversight of business operations across the country.

This achievement was made possible through the invaluable partnership with the Danish Institute for Human Rights and the Embassy of Ireland. The Commission profoundly appreciates the Embassy of Ireland for its unwavering support to Sierra Leone's Business and Human Rights Agenda.

The decision to review the 2013 Monitoring Guidelines is both timely and necessary. Following our monitoring activities, we have as a Commission observed that the business and human rights landscape has changed significantly over the last thirteen years. Emerging issues such as climate change, environmental governance, business-related displacement, migration, the digital economy for example have transformed the way businesses operate and the way states regulate corporate conduct.

The Commission notes that at the national level, Sierra Leone has undertaken important legislative and policy reforms aimed at strengthening governance, improving on the investment climate and advancing sustainable development. These developments require corresponding institutional tools that align to current realities.

The review of the monitoring tool therefore goes beyond updating a checklist. It represents a strategic policy instrument that will enhance the Commission's ability to monitor compliance, identify risks, provide evidence-based recommendations and support the implementation of both national laws and international human rights obligations in line with business operations.

Importantly, this revised monitoring tool will strengthen the Commission's capacity to engage constructively with businesses from the human rights point of view, focusing on areas such as Employment practices, environment and communities, security, government and legal affairs, procurement contractors and supply chain, specific business sectors and other emerging business and human rights areas to highlight just a few. This reviewed tool will also improve the Commission's ability to identify systemic human rights violations within the workplace and host communities before they

escalate into conflict thereby contributing to social disorder and subsequently the none payment of the right to peace.

During the review process of this document, the Commission brought many partners on board because the quality of any monitoring framework depends on the inclusiveness of its development process. I therefore commend the Consultant, members of the Technical Working Group (TWG), the Commission's dedicated staff and all stakeholders who participated in the consultations across Freetown and the regions.

These consultative and validation sessions served as an opportunity for all to ensure that the revised monitoring tool is practical, evidence-based, forward-looking and responsive to Sierra Leone's development aspirations in the field of business.

As we pursue the objectives of the Medium-Term National Development Plan and our broader commitments under the sustainable Development Goals, we must continue to recognize that economic growth cannot be measured solely by investment figures or infrastructure development. It must also be measured by the extent to which development protects human dignity, promotes decent work, safeguards the environment, empowers communities and leaves no one behind.

As a Commission, we remain fully committed to providing independent oversight, constructive engagement and credible monitoring that support both responsible investment and the protection of fundamental rights.

From the above, let me therefore use this opportunity to express my appreciation to everyone who in diverse ways contributed in the consultation and review sessions of the Commission's Business and Human Rights Monitoring Tool being a manifestation of the Commission's continued efforts to strengthen responsible business conduct and improve corporate accountability amongst others.

Before I conclude, let me once again express my sincere gratitude to the Embassy of Ireland and UNDP for their steadfast partnership and confidence in the Commission's work. Your support has helped strengthen one of Sierra Leone's most important institutional mechanisms for promoting responsible business conduct. We equally thank the Danish Institute for Human Rights for its continued technical leadership and commitment to advancing the implementation of the United Nations Guiding Principles on Business and Human Rights in Sierra Leone.

PATRICIA NARSU NDANEMA

Chairperson, Human Rights Commission of Sierra Leone

LIST OF ACRONYMS

ACHPR	African Charter on Human and Peoples Rights
ACC	Anti-Corruption Commission
ACRWC	African Charter on the Rights and Welfare of the Child
AfCFTA	African Continental Free-Trade Agreement
ADB	Asian Development Bank
AfDB	African Development Bank
AIIB	Asian Infrastructural Investment Bank
AMV	African Mining Vision
BOT	Build-Operate-Transfer
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CDB	China Development Bank
CRC	Convention on the Rights of the Child
CSDDD	Corporate Sustainability Due Diligence Directives
CSOs	Civil Society Organizations
DBFO	Design-Build-Operate-Transfer
DBSA	Development Bank of South Africa
DFIs	Development Finance Institutions
DHRCs	District Human Rights Committees
DIHR	Danish Institute for Human Rights
ECOWAS	Economic Community of West African States
EPA	Environment Protection Agency
ESHIA	Environmental, Social and Health Impact Assessment
EITI	Extractive Industries Transparency Initiative
FAO	Food and Agriculture Organization
FIFA	Federation Internationale de Football Association
FPIC	Free Prior and Informed Consent
GEWE	Gender Equality and Women's Empowerment
GNI	Global Network Initiative
GoSL	Government of Sierra Leone
HRCSL	Human Rights Commission of Sierra Leone
HQ	Head Quarters
IAMs	Independent Accountability Mechanisms
ICRPD	International Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDB	Islamic Development Bank
IFC	International Finance Corporation
MAFS	Ministry of Agriculture and Food Security
MDAs	Ministries, Departments, and Agencies
MELSS	Ministry of Employment Labour and Social Security
MLHCP	Ministry of Lands Housing and Country Planning

MMMR	Ministry of Mines and Minerals Resources
MoPED	Ministry of Planning and Economic Development
MRU	Mano River Union
NAMATI	A global network of legal empowerment organizations
NAP	National Action Plan on Business and Human Rights
NASSIT	National Social Security and Insurance Trust
NCL	National Land Commission
NDIRA	National Development-Induced Resettlement Act
NHRI	National Human Rights Institution
NMA	National Minerals Agency
NPAA	National Protected Area Authority
OECD	Organization for Economic Co-operation and Development
OHCHR	Office of the High Commissioner for Human Rights
OHS	Occupational Health and Safety
ONS	Office of National Security
PPE	Personal Protective Equipment
PPP	Public Private Partnership
PWD	People Living with Disabilities
RAIC	Right to Access Information Commission
SLEITI	Sierra Leone Extractive Industries Transparency Initiative
SLLC	Sierra Leone Labour Congress
SLP	Sierra Leone Police
SMEs	Small and Medium Enterprises
SOEs	State-Owned Enterprises
TWG	Technical Working Group
UN	United Nations
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous People
UNGP	United Nations Guiding Principles on Business and Human Rights
VGGT	Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security
WB	World Bank
WoME	Women on Mining and Extractive

INTRODUCTION:

One of the core functions of the Human Commission of Sierra Leone (HRCSL) as the National Human Rights Institution (NHRI) is to monitor, document and report on the human rights situation in the country. Monitoring and documenting human rights violations is protected under Section (7)(2) (f) of the HRCSL Act (No 9 2004). Paragraph (g) of the same section further mandate the HRCSL to report on the human rights situation of the country by publishing "… an annual report on the state of human rights in Sierra Leone". These two important provisions are very critical in actualizing the HRCSL broad mandate of protecting and promoting human rights in the country.

Since its operationalization in 2006, H RCSL has been working on all aspects of human rights and not until after 2009, when the Commission's attention was drawn to the operations of businesses and their impacts on the enjoyment of human rights, particularly so from the numerous complaints coming for host communities where companies started their operations. This brought the Commission's focus on the issues of business and human rights. Coupled with the development of other business and human rights initiatives in the world like the Global Compact in 2000, where the businesses agreed (from among others) to respect internationally acclaimed human rights; the Edinburgh Declaration of 2010 where NHRIs worldwide affirmed their collective commitment to monitor and document business- related human rights abuses; the Yaounde Declaration of 2011 where African NHRIs reaffairmed their commitment in similar terms and while the UN's Guiding Principles on Business and Human Rights explicitly recognized the mandate and role of NHRIs with regard to human rights in the business context.

Following the adoption of the United Nations Guiding Principles (UNGPs) on Business and Human Rights in June 2011, Sierra Leone has come a long way in ensuring effective implementation of the three Pillars embedded in the UNGPs (Protect, Respect and Remedy). For over a decade now, the Commission has rolled out various projects and activities in ensuring that the concept of respect for human rights in companies' operations are adhered to and companies are introduced to both national and international legal regimes that speak to fostering responsible business conduct.

In a bid to enhance direct and effective intervention in promoting respect for human rights in the business sector, the Commission with support from its partners including the Danish Institute for Human Rights and the Irish Embassy developed a monitoring tool titled '***Guidelines for Monitoring Business and Human Rights in Sierra Leone 2013'***. This document had been the framework that has been guiding the Commission's intervention in ensuring business respect for human rights premised on the 'Protect, Respect and Remedy' framework of the United Nations Guiding Principles on Business and Human Rights.

Thirteen years on, business and human rights keep evolving and new dimensions continue to shape the discourse and thus, the need for reflection and review has become imperative. A lot has changed since 2013 and there are plethora of emerging human rights issues including climate change, migration, cyberspace and artificial intelligence, public private partnership (PPP), development finance institutions (DFIs) and sporting activities which now form part of

the reviewed monitoring guidelines. The review also took into consideration the steps taken by the country to expand domestic legal frameworks that directly speak to business and human rights and shape the current global and domestic investment ecosystem. This reviewed monitoring guidelines also incorporated specific business sectors common to Sierra Leone and identified the related human rights risks/challenges confronting such businesses. While the checklists have also been improved on with additional inquiry questions, the entire reviewed document is further expanded to seven sections (from five sections in the old guidelines). The sixth and seventh additional sections are 'Specific Business Sectors' and 'Emerging Business and Human Rights Areas' (showing the new frontiers of business and human rights).

METHODLOGY

The review process was done through desk research, individual interviews and consultative meetings (focused group discussion). The consultant and team from the directorates of Business and Human Rights and Labour Relations, Monitoring and Research and Migration and Human Trafficking conducted the following during information gathering process:

- Setting up a 5-member Technical Working Group (TWG) drawn from the above directorates that assisted the consultant on gathering critical information relevant to the review process.
- Desk research with an in-debth look into the old monitoring guidelines, assessment and inclusion of the new domestic, regional and international legal frameworks relevant to business and human rights
- The process of data collection also led to two meetings in Freetown (1 consultative and 1 validation with 40 participants each) including 5 regional consultative meetings at HRCSL regional offices in Kenema, Bo, Makeni, Port Loko and Waterloo with 10 participants in each region - 5 from HRCSL Regional Staff and 5 from other government Ministries, Department and Agencies (MDAs) like the Environment Protection Agency (EPA), Ministry of Employment Labour and Social Security (MELSS), Office of National Security (ONS), District Council, District Human Rights Committees (DHRCs), National Land Commission (NLC), business enterprises and Civil Society Organizations (CSOs).

The consolidated data shows a total of 100 participants across six regions, comprising 45 female (45%) and 55 male (55%).

- **Western Urban** recorded the highest number of participants, with 36, comprising 12 female and 24 male. This represents 36% of the total participants and indicates a higher level of male participation in the region.
- **Western Rural** recorded 16 participants, with an equal representation of 8 female and 8 male. This accounts for 16% of the overall participants and demonstrates balanced participation by gender.
- **Kenema** recorded 10 participants, comprising 3 female and 7 male. This indicates a higher level of male participation in the region.
- **Bo** recorded 13 participants, consisting of 6 female and 7 male. The distribution was relatively balanced, with a slightly higher number of male participants.
- **Makeni** recorded 11 participants, comprising 6 female and 5 male. Female participation was therefore slightly higher than male participation in this region.

- **Port Loko** recorded 14 participants, with 7 female and 7 male. This represents an equal distribution between females and males.

Overall Findings:

Overall, the data indicate that male participants constituted the majority of the sample, accounting for 55%, compared to 45% female participants. Participation varied considerably across the regions, with Western Urban contributing the largest proportion of participants (36%), while Kenema contributed the smallest proportion (10%).

Gender representation was balanced in Western Rural and Port Loko, while Bo and Makeni showed only slight differences between male and female participation. In contrast, Western Urban and Kenema recorded noticeably higher male participation.

These findings suggest that while overall participation was relatively balanced by gender, there were notable regional differences in gender representation. Such variations should be considered when interpreting the consolidated findings and assessing the extent to which the sample reflects the target population across the different regions.

Table illustration

Consulate Distribution of Participants by Regions and Gender Disaggregation.

Region	Female	Male	Total	Percentage
Western Urban	12	24	36	36%
Western Rural	8	8	16	16%
Kenema	3	7	10	10%
BO	6	7	13	13%
Makeni	6	5	11	11%
Port Loko	7	7	14	14%
Total	42	58	100	100%
Percentage	42%	58%	100%	100%

Institutional Representation:

The institutions that took part in both the consultation and validation exercise include the following:

1. Human Rights Commission of Sierra Leone (HRCSL)
2. Environment Protection Agency (EPA)
3. National Minerals Agency (NMA)
4. National Land Commission (NLC)
5. Office of National Security (ONS)
6. Sierra Leone Labour Congress (SLLC)
7. Ministry of Employment Labour and Social Security (MELSS)
8. Ministry of Agriculture and Food Security (MAFS)
9. Office of the Attorney General and Ministry of Justice
10. Ministry of Lands Housing and Country Planning (Western Rural District)
11. Kenema District Council
12. Kenema District Human Rights Committee

13. Bo District Council
14. Bo District Human Rights Committee
15. Bombali District Council
16. Bombali District Human Rights Committee
17. Port Loko District Council
18. Port Loko District Human Rights Committee
19. Western Rural District Council
20. Western Rural District Human Rights Committee
21. Women on Mining and Extractive (WoME)
22. Sierra Leone Brewery Limited
23. NAMATI

SECTION ONE: EMPLOYMENT PRACTICES

Description:

This section deals with a whole range of human rights issues relating to the employment status of an individual or groups of persons. The aspects covered include but not limited to the following human rights indicators:

i. Employment status and dismissals
ii. Work hours, rest periods and leave
iii. Wages and benefits
iv. Non-discrimination and diversity
v. Workplace health and safety standards and systems
vi. Training and personal protective equipment
vii. Child labour, forced and bonded labour
viii. Freedom of association and collective bargaining
ix. Worker privacy
x. Employee grievance redress mechanisms
xi. Employer/company provided facilities
xii. Migrant workers' rights and welfare
xiii. Domestic workers' rights and welfare

1.1 Employment Status and Dismissals:

The state has a duty to create the enabling environment where citizens who are able, willing and can offer themselves for employment enjoy the right to work. Right at work begins with the establishment of official employment status, absence of which can lead to substandard or insecure working environment, where rights are easily abused or violated. Among the worst hit of such abuses/violation include vulnerable groups like migrant workers, domestic workers, youths, persons with disabilities, casual labourers, unskilled persons, non-literate employees, pregnant women, etc. Therefore, this presupposes that employers/companies become duty-bound to ensure that upon hiring, all employees are provided with formal contracts of employment, protected under domestic law/policy, regional and international human rights agreements to which the state is a party.

The company/employer is further obliged to establish disciplinary rules and procedures in order to maintain law and order, peaceful coexistence, cohesive and disciplined work environment where employees feel safe and fairly treated, and operations well managed to ensure effective and efficient labour force. Disciplinary rules should be clear, specific and concise, meant for the safe performance of work as well as maintaining satisfactory relations within the workforce.

Disciplinary actions are done fairly and transparently and whenever such result to dismissal, it must be done in accordance with the rules and procedures in accordance with the law.

Applicable International Laws and Standards: UDHR (1948), Articles 23 and 25; ICCPR (1966),Articles 7, 9, 14, 15 and 16; ICESCR (1966), Articles 6 and 7(a) and 11(1); Convention on the Elimination of All Forms of Discrimination Against Women (1979), Articles 11 and 15; Convention on the Rights of the Child (1990), Articles 37, 39 and 40; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), Articles 10, 16, 17, 18, 19 and 24; ILO Protection of Wages Convention (C95, 1949), Article 8, 14; ILO Social Policy (Basic Aims and Standards) Convention (C117, 1962), Article 5; ILO Minimum Wage Fixing Convention (C131, 1970), Article 3; ILO Protection of Wages Recommendation (R85, 1949), Part I, Articles 1 and 2 and Part III, Article 6; ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (1977), Article 34; UN Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights (2003), Articles 8 and 12; UNGP 12 (company's due diligence actions).

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991, Section 8(3), Employment Act 2023 (Sections 61, 62, 63, 72, 77, 83-94) and it Regulations, Overseas Employment and Migrant Workers Act 2023, The Industrial Relations and Trade Union Act 2024, and Collective Agreements for specific trade groups, Persons with Disability Act 2011 (Sections 19 & 20), National HIV/AIDS Act 2011, Sierra Leone Local Content Act 2016 and Mines and Minerals Development Act 2022.

1.2 Work Hours, Rest Periods and Leave:

Under work hours, rest periods and leave, the International Labour Organization (ILO) conventions specifically sets 48 hours per week for commercial and industrial occupations – with a daily maximum of 10 and 8 hours respectively – in order to save time for rest and leisure. However, for shift purposes, a maximum of 56 hours is allowed and overtime is voluntary.

In Sierra Leone, the Employment Act No 15 of 2023, Sections 61 and 62 also put weekly work hours to 48 - 8 to 10 hours daily as the case may be. However, shift works under Section 63 extended weekly work hours to more than 48 hours and above 10 hours daily. Work hours in excess of the 40 to 48 hours under Section 65, should be paid at 50% for week days and 100% for weekends and holidays.

The law also provides for paid leave holidays annually with minimum 3 weeks per year. The amount paid must be equivalent to the normal work days' remuneration. In addition, nationally or internationally recognized holidays are also paid for and where duty calls, 100% paid days is recommended. The law further recognizes maternity and paternity leave as provided for in Sections 72 and 77 of the Employment Act 2023.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Articles 23, 24 and 25; International Covenant on Economic, Social and Cultural Rights (1966), Article 7 (d); ILO Hours of Work (Commerce and Offices) Convention (C30, 1930), Articles 3 and 4; ILO Hours of Work (Industry) Convention (C1, 1919); ILO Weekly Rest (Industry) Convention (C14, 1921), Article 2(1); ILO Weekly Rest (Commerce and Offices) Convention (C106, 1957), Article 6 (1); ILO Forty-Hour Week Convention (C47 1935).

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991, Section 8(3), Employment Act 2023 (Sections 61, 62, 63, 72 and 77) and it Regulations, Overseas Employment and Migrant Workers Act 2023, The Industrial Relations and Trade Union Act 2024, and Collective Agreements for specific trade groups, Persons with Disability Act 2011 (Sections 19 & 20), National HIV/AIDS Act 2011, Sierra Leone Local Content Act 2016 and Mines and Minerals Development Act 2022,

1.3 Wages and Benefits:

Wages and benefits meant to remunerate workers for service or expertise provided to company/employer. Minimum wages are set by national laws but living wages are often advocated for employees to achieve reasonable standard of living through full-time labour. Currently Sierra Leone sets minimum wage for public sector workers to NLe 1,200 monthly, according the new Minimum Wage Policy by the Ministry of Employment Labour and Social Security (MELSS). Section 50 of the Employment Act 2023 ensures for Minimum Wage policy directive in the country which pronouncement is periodically made by the Ministry concerned.

In addition to other benefits or allowances provided to employees, the Employment Act 2023 (Sections 79 – 82) makes provision for Risk Allowance, Severance Pay or End of Service Benefit, Redundancy Benefit, in addition to the National Social Security and Insurance Trust (NASSIT), payable by both employer and contribution from Employees (10% and 5% respectively).

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Article 16; International Covenant on Economic, Social and Cultural Rights (1966), Articles 3 and 10; International Covenant on Civil and Political Rights (1966), Article 23 (1); Convention on the Elimination of All Forms of Discrimination against Women (1979), Article 11 (2b and 2c), 13 (a) and 16 (1d); Convention on the Rights of the Child, Articles 5 and 18 (1); ILO Maternity Protection Convention (C183, 2000), Article 4; ILO Workers with Family Responsibilities Conventions (C156, 1981) Articles 1, 3 and 4(b); ILO Workers with Family Recommendation (R165, 1981), Article 22.

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991, Section 8(3), Employment Act 2023 (Sections 79-82) and it Regulations, Overseas Employment and Migrant Workers Act 2023, The Industrial Relations and Trade Union Act 2024, and Collective Agreements for specific trade groups, Gender Equality and Women's Empowerment (GEWE) Act 2022, NASSIT Act 2001 (Sections 23, 25 & 30) and Persons with Disability Act 2011 (Sections 19 & 20)

1.4 Non-Discrimination and Diversity:

Discrimination under international human rights law is described as any action which includes "distinction, exclusion or preference" made on the basis of a distinguishing personal characteristic such as gender, age, nationality, ethnicity, race, colour, religious belief, language, organizational affiliation, political orientation, opinion, mental or physical disability, health status (e.g. HIV/AIDS and Hepatitis B), marital status, sexual orientation, social origin, birth or civic characteristics that negatively impacts employment opportunities or otherwise results in unequal treatment in the workplace.

In addition to the provisions in the Bill of Rights and other related conventions, the African Charter on Human and Peoples Rights (ACHPR), Section 27 of the 1991 Constitution of Sierra Leone condemns discriminatory practices in all its forms. Section 17 of the Employment Act

2023 further prohibits discrimination in employment or occupation. The Gender Equality and Women Empowerment (GEWE) Act 2022 provides for minimum 30% for women in leadership positions, including senior positions in employing entities. This is aimed at narrowing the gap between women and men and thus ending discrimination in attaining higher positions in every facets of the society.

Applicable International Laws and Standards: UDHR (1948), Articles 1, 2, and 23; ICCPR (1966), Article 26; ICESCR (1966), Article 7(a); Convention on the Elimination of All Forms of Racial Discrimination (1965), Article 5 (e) (i); Convention on the Elimination of All Forms of Discrimination Against Women (1979), Articles 1 and 11(1); International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), Article 7; Convention on the Rights of Persons with Disabilities (2006), Articles 8 (1), 9 (1) (a) and 27; ILO Right to Organise and Collective Bargaining (C98, 1949), Article 1; ILO Equal Remuneration Convention (C100, 1951), Articles 1 and 2; ILO Discrimination (Employment and Occupation) Convention (C111, 1958) Article 1, 2 and 3; ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (1977), Articles 21, 22 and 41; UN Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights (2003), Article 2.

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991 (Section 27), Employment Act 2023 (Section 17), GEWE Act 2022, Persons with Disability Act 2011 (Sections 19 & 20), National HIV/AIDS Act 2011,

1.5 Workplace Health and Safety Standards and Systems:

One of the major concerns about employees' well-being and working in ideal and serene environment is the issue of workplace health and safety standards which employers/companies are obliged to address. Several international conventions as well as domestic laws and policies directly speak to these issues, where appropriate precautionary measures to protect employees for anticipated and unforeseeable dangers in the workplace are required. If an unanticipated danger is identified, the company/employer must act swiftly to remedy the defect and formulate a prevention plan to avert future incidents. The company/employer must also have a pre-established action plan designed to respond effectively to workplace accidents and health hazards in the event that all precautions fail.

Applicable International Laws and Standards: UDHR (1948) Article 25; ICESCR (1966) Articles 7 (b) and 12 (2b and c); Convention on the Elimination of All Forms of Discrimination against Women (1979) Article 11 (1f); Protection against Accidents (Dockers) Convention (Revised) (C32, 1932) Articles 2 (1) and 5; Underground Work (Women) Convention (C45, 1935); ILO Hygiene (Commerce and Office) Convention (C120, 1964); ILO Occupational Safety and Health Convention (C155, 1981) Articles 4 and 5; ILO Occupational Health and Services Convention (C161, 1985) Article 5 (b); Safety and Health in Construction Convention (C167, 1988) Articles 6, 8(1a) and 8 (2), 9 and 10; Convention Concerning Safety in the Use of Chemicals at Work Convention (C170, 1990) Articles 1 (2b), 4, 5, and 7 (2); Tripartite Declaration on the Responsibilities of Transnational Corporations (1977) Article 38 and UN Norms on the Responsibility of Transnational Corporations and other Business Enterprises with regard to Human Rights (2003) Article 7; Convention on the Rights of Persons with Disabilities (2006), Article 27 (1)(a); Report of the UN Special Rapporteur on Toxic Waste in Sierra Leone, 2017.

Applicable National Laws and Policies: Machine (Safe Working and Inspection) Act 1941, Cap 218 of the Laws of Sierra Leone 1960, Machine (Safe Working and Inspection) Amendment Act and Rules (1960, Act No.20 of 1960, Sierra Leone Gazette Government Notice No.214 11th July 2011 under Regulations of Wages and Industrial Relations Act 1971 Article 29, 30 & 39, The Regulation of Wages and Industrial Relations Act (1971 section 15), Section 60; The Factories Act (1971), Part V., Workmen's Compensation Act 1960 and 1969 Amendment Act 1969 sections 3 & 7, The Persons with Disability Act 2011 sections 19 & 20, Mines and Minerals Development Act 2023 section 145 – 149; Environment Protection Agency Act 2022.

1.6 Training and Personal Protective Equipment:

Training on the use of Personal Protective Equipment (PPE) also forms part of the obligations of the employer/company to promote and enhance safe work environment. This is provided for by both international and domestic laws.

The company/employer must also ensure that workers are fully updated and capable of carrying out their work tasks safely throughout their tenure with the company/ employer. In general, workers should not be exposed to harmful processes, chemicals, substances or techniques. Sometimes exposure is unavoidable; If there is no way to modify the work environment to avoid exposure, then all workers who are exposed to hazardous substances or conditions must be provided with all protective equipment necessary, at no cost to themselves. The type of protective equipment necessary will vary depending on the nature of the work, but may include specialised suits, gloves, helmets, goggles, steel-toed boots, safety harnesses or ropes. Undue burden or expense to the company/employer must not be used as a justification for failing to provide workers with the appropriate safety equipment.

Applicable International Laws and Standards: UDHR (1948), Article 25; ICESCR (1966), Articles 7 (b) and 12 (2b and c); Protection against Accidents (Dockers) Convention (Revised) (C32, 1932) Articles 8 and 9; Prevention of Accidents (Seafarers) Convention (C134, 1970) Article 5 (2); ILO Occupational Safety and Health Convention (C155, 1981), Articles 16 (3) and 21; Safety and Health in Construction Convention (C167, 1988) Articles 1 (e), 10, 16 (1d) and (2), 30 (1); Convention Concerning Safety in the Use of Chemicals at Work Convention (C170, 1990), Articles 13 (1f) and 18 (3.a); Convention on the Rights of Persons with Disabilities (2006), Article 27 (1)(a).

Applicable National Laws and Policies: Relevant articles in various collective agreements, e.g. Collective Agreement in Sierra Leone in Gazette Government Notices , Regulations of Wages and Industrial Relations Act 1971 Article 14, 15, 16, 29, 30 & 39, The Regulation of Wages and Industrial Relations Act (1971 section 15), Section 60; The Factories Act (1971), Part V., Workmen's Compensation Act 1960 and 1969 Amendment Act 1969 sections 3 & 7, The Persons with Disability Act 2011, Mines and Minerals Act 2023 sections 145 – 149, Machine (Safe Working and Inspection) Act 1941, Cap 218 of the Laws of Sierra Leone 1960, Machine (Safe Working and Inspection) Amendment Act and Rules (1960, Act No.20 of 1960).

1.7 Child Labour, Forced and Bonded Labour:

The Convention on the Right of the Child (CRC) defines a 'Child' as any individual below the age of eighteen (18), and therefore any such individuals are by law prohibited from being formally of informally recruited for work. Children, under international law and even certain national legislation like Sierra Leone, are entitled to the basic right to education and must not be enrolled in any place of work before completing their compulsory education. Where a company or an employer becomes aware about recruitment of underage in their establishment, suppliers

or subcontractors, immediate remedial action is therefore required. Such action must however be done in a humane manner not to cause further harm, since in poor societies this may lead to further consequences like prostitution, starvation, drug addiction and homelessness, to name but a few.

In other scenarios, children being employed (especially migrant workers) are often subjected to seizure of their travel and other essential documents by their employers. This situation exposes them to certain inconveniences like restriction on movement and preventing them from gaining other employment opportunities. All of these relate to three fundamental rights protected under international law: freedom of movement (ICCPR, Article 12), prohibition of debt bondage and forced labour (ICCPR Article 8) and the right to work (ICESCR Article 6(1): "the right to work...includes the right of everyone to the opportunity to gain his/her living by work which he/she freely chooses or accepts"). These three rights are intrinsically linked in the business environment because company/employer practices may lead to restrictions on workers' freedom of movement and choice to work and employment opportunities. Such practices may cause restrictions either directly or indirectly. Practices directly causing restrictions include restricting workers' movement during or even after working hours by threat or use of force. Companies/employers can limit workers' ability to use the toilet, eat, drink, and take breaks. Workers could also be locked inside the workplace or company/employer-provided housing facilities. Moreover, workplaces could at times be monitored by security guards carrying handcuffs and electric batons, creating an atmosphere of intimidation and harassment. Even after working hours, workers could be restricted in going in and out of the factory premises.

Applicable International Laws and Standards: Minimum Age (Non-Industrial Employment) Convention (Revised) (C33, 1932); ILO Minimum Age (Sea) Convention (Revised) (C58, 1936); ILO Minimum Age (Industry) Convention (Revised) (C59, 1937); ILO Minimum Age (Non-Industrial Employment) Convention (Revised) (C60, 1937); ILO Minimum Age (Fishermen) Convention (Revised) (C112, 1959) ; ILO Minimum Age (Underground Work) Convention (Revised) (C123, 1965). Universal Declaration of Human Rights (1948), Article 4, 12, 13 and 23; International Covenant on Civil and Political Rights (1966), Article 8, 11(2) and 12 (1); Convention on the Protection of the Rights of All Migrant Worker and Members of Their Families (1990), Article 21; ILO Forced Labour and Servitude Convention (C29, 1930); ILO Abolition of Forced Labour Convention (C105, 1957), Article 1.

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991 section 19, Abolition of Forced Labour Convention (Application to Merchant Seamen) Act No.18 of 1966, Prohibition of Forced Labour Act, 1956, Cap 215 of the Laws of Sierra Leone 1960, The Child Right Act (2007), Section 32, The Persons with Disability Act 2011, Section 22, Employment Act 2023 Sections 95 & 96 (protection of Child Labour), Section 16 (forced labour prohibited), Overseas Employment and Migrant Workers Act 2023.

1.8 Freedom of Association and Collective Bargaining:

The right to organize, assemble and associate with the trade union of choice is intrinsic to the strengthening of employees' welfare and relationships at work place. Therefore, the company/ employer must not attempt to influence the right to organize by encouraging participation in a

trade union favourable to the company/employer, nor may the company/employer discriminate against a particular trade union because its policies and projects are not favoured by the company/ employer. Unions also have the right to operate independently and to associate with whom they please in order to strengthen their position in negotiations with companies/employers. The company/employer must refrain from attempts to interfere with a union's right to associate with national and international affiliations.

Sierra Leone laws permit employees in the private sector and selected areas of the public sector to join unions of their own choosing. At present, provisions in the Constitution of Sierra Leone, Act No. 6, 1991, the Employment Act 2023 and Industrial Relations and Trade Union Act 2024 are all in support of the Right to Freedom of Association, which are in line with the Core ILO Conventions.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Article 20 and 23(4); International Covenant on Civil and Political Rights (1966), Article 22; International Covenant on Economic, Social and Cultural Rights (1966), Article 8 ; Convention on the Protection of All Migrant Workers and Members of Their Families (1997), Article 26(b); ILO Right to Organize and Collective Bargaining Convention (C98, 1949), Article 2 (2) and 5; ILO Discrimination (Employment and Occupation) Convention (C111, 1958, Article 1, ILO Social Policy (Basic Aims and Standards) Convention, (C117, 1962), Article 14 (1); ILO Right to Organise and Collective Bargaining Convention (C98, 1949), Articles 2, 3 and 4; ILO Tripartite Declaration concerning Multinational Enterprises and Social Policy (1977), Article 48; African Charter on Human and People's Rights.

Applicable National Laws and Policies: Constitution of Sierra Leone (section 26) (1991), The Public Order Act, 1965 Section 45, Employment Act 2023 (Sections 12, 13 and 14); The Employment Regulations 2023 (Section 4); The Industrial Relations and Trade Union Act 2024 (Sections 27 – 38); Relevant Collective Agreements applicable to specific Trade Groups.

1.9 Worker Privacy and Data Protection:

Worker privacy in any place of employment should be considered as the right to maintain dignity, safety and security of employees. The company/employer should refrain from undue interference into personal matters that have nothing inimical/illegal to do with the smooth operations of the company/employer, the security and well being of co-workers, the general public and/or the state.

However, it is important to note that the company/employer will almost certainly need to gather information about its workers for legitimate purposes such as determining tax liability, providing health insurance and complying with lawful government requests for information. These practices must comply with international standards aimed at safeguarding workers' right to privacy. Hence, when gathering and maintaining personal information, the company/employer must ensure that the collection of data has a legitimate business purpose and that the worker is aware of the purpose for providing the information. Personal

information about a worker must be collected directly from the worker unless he/she consents, in writing, to the third- party release of personal information.

Almost all businesses monitor the workplace for conduct of workers. This can range from periodic performance appraisals to electronic monitoring of output production and computer usage. Again, international standards are established to ensure that such practices do not violate workers' right to privacy. Hence, regardless of how the company/employer decides to monitor its workers, its monitoring practices must be reasonable, proportional and justifiable to the business needs.

Company/employer manuals must outline exactly how the organisation intends to audit its staff and detail whether there will be periodic or random checks, or whether monitoring will occur only when corporate officers have reasonable suspicion of inappropriate activity. The scope of the policy should also be defined. The policy should clarify whether monitoring applies anytime a worker is using company/employer equipment, such as a company/employer laptop at home, or only when a worker is at the workplace using the company/employer system.

Applicable International Laws and Standards: UDHR (1948), Article 12; ICCPR (1966), Article 17; Convention on the Rights of the Child (1989), Article 16; ILO Code of Practice: Protection of Workers' Personal Data (1997), Sections 5, 6 (14) and 12 (2b); UN Guidelines for the Regulation of Computerized Personal Data Files (1990), Article 3 (a); OECD Guidelines: On the Protection of Privacy and Transborder Flows of Personal Data (1980), Article 9.

Applicable National Laws and Policies: Constitution of Sierra Leone (section 26) (1991), The Employment Act 2023, The Employment Regulations 2023 (Section 16-j), The Public Order Act, 1965 Section 45 Trade Union Act 1940 Cap 221 of the Laws of Sierra Leone 1960, Trade Disputes (Declaration of Law) (Amendment) Acts (No. 47 of 1964, No.29 of 1972), Relevant Collective Agreements applicable to specific Trade Groups, The Industrial Relations Trade Union Act 2024 and Overseas Employment and Migrant Workers Act, 2023.

1.10 Employee Grievance Redress Mechanisms:

Work place grievance redress mechanism is the process to settle work related disputes either between and among employees, or between an employee or group of employees and their administration and/or between employee and the host community. This constitute a work place/internal conflict resolution process to promote a cohesive, peaceful, smooth and unhindered operations of the business/company.

According to international standards, workers must have the right to submit grievances regarding workplace concerns without the threat of adverse employment action or prejudice. Complaints may range from dissatisfaction with work hours and rest periods, to claims of coercion, intimidation or abuse. In order to facilitate the expression of these complaints, the company/employer must work with workers' organisations or representatives (Shop Stewards) to establish and maintain an effective grievance redress mechanism through which workers can lodge complaints.

The grievance mechanism should serve three key functions. First, it should serve as a focal point of communication across the organisation where workers can report and receive advice on their concerns and grievances, and through which concerns and grievances are channeled to management. Second, the mechanism should have the mandate to identify remedies in accordance with internal procedures for corrective action through mediation, settlement or dispute resolution. Third, the mechanism should have the capacity to direct complainants or hand over cases to appropriate external mechanisms, including state-based mechanisms, such as labour offices or courts. The company/employer's internal mechanism should not in any way prejudice the complainant's ability to seek recourse through external mechanisms. The company/employer must examine all grievances pursuant to its pre-established grievance procedure. Any worker filing a grievance must receive notice of the company/employer's findings regarding his or her particular complaint and whether corrective action will be taken.

Applicable International Laws and Standards: UDHR (1948), Articles 23, 24 and 25; ICESCR (1966), Article 7 (b); ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (1977), Articles 57 and 58; ILO Examination of Grievances Recommendation (R130, 1967), Article 2, UN Guiding Principles on Business and Human Rights (art. 29 & 30)

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991, Section 8(3), The Employment Act 2023; The Employment Regulations 2023; Overseas Employment and Migrant Workers Act 2023, The Industrial Relations and Trade Union Act 2024; Collective Agreements for specific trade groups; Employers and Employed Act of the Laws of Sierra Leone 1960 Cap 212 Volume IV The High Court (Industrial Division) Procedural Rules 2000; The Mines and Minerals Development Act (2023), Section 145, National HIV/AIDS Commission Act 2011,The Persons with Disability Act 2011, The Investment Board Act 2022.

1.11 Employer/company provided facilities:

As part of the company's/employer's due diligence actions to the workforce is the provision of work related facilities that promote hygienic environment and the total well-being of employees without discrimination. Accordingly, companies/employers that operate under conditions where workers' access to food and potable water is inadequate, limited or nonexistent have an obligation to provide either dining facilities—on or close to the worksite— or a sanitary area where workers can bring and consume their own food during scheduled breaks.

In addition, the company/employer should comply with national and international standards for adequate housing when providing dormitories or similar housing facilities for workers. This is particularly important because when workers are reliant on company/employer housing, either because their residence status does not give them the option of choosing alternative housing facilities or because they work in isolated areas. Adequate housing should be

understood in a broad sense where adequacy is determined by a range of factors such as social, economic, cultural, climatic and ecological conditions.

Applicable International Laws and Standards: UDHR (1948), Article 12; ICCPR (1966), Article 17; Convention on the Rights of the Child (1989), Article 16; ILO Code of Practice: Protection of Workers' Personal Data (1997), Sections 5, 6 (14) and 12 (2b); UN Guidelines for the Regulation of Computerized Personal Data Files (1990), Article 3 (a); OECD Guidelines: On the Protection of Privacy and Transborder Flows of Personal Data (1980), Article 9.

Applicable National Laws and Policies: Constitution of Sierra Leone (section 26) (1991), The Employment Act 2023, The Employment Regulations 2023 (Section 16-j), The Public Order Act, 1965 Section 45, Trade Disputes (Declaration of Law) (Amendment) Acts (No. 47 of 1964, No.29 of 1972), Relevant Collective Agreements applicable to specific Trade Groups, The Industrial Relations Trade Union Act 2024 and Overseas Employment and Migrant Workers Act, 2023.

1.12 Migrant workers' rights and welfare:

Migrant workers are basically people who move across borders for work, or within a country. These category of people include domestic workers, construction, agriculture, manufacturing, hospitality, etc. Very often, people from low-income countries from Africa and Asia form a large percentage of migrant workers. They are hired by recruitment agencies and usually plan to stay for a short time ranging from weeks, months or specified number of years, rather than seeking permanent settlement.

Migrant workers are often confronted with several human rights risks ranging from low pay and long hours of work; lack of legal protection; separation from family; discrimination in treatment with nationals of the host countries; sometimes female are subjected to sexual and gender based violence, etc.

This situation therefore calls for action to protect rights and promote the well-being of those subjected under such inhumane conditions. Please see below the key human rights risks and indicators migrant workers are confronted with.

1. **Recruitment & Entry (Debt Bondage Stage):**
   - ✓ ***Recruitment fees:*** Workers pay a huge amount fee to agents (raging $1000-$5000). This often Lead to debt bondage and forced labour
   - ✓ ***Contract substitution:*** Promised $400, contract says $200 on arrival
   - ✓ ***Document fraud:*** Fake visas, false job descriptions
   - ✓ ***Passport retention:*** Employer/agent holds passport "for safekeeping"
2. **Working Conditions:**
   - ✓ ***Wage theft:*** Unpaid overtime, deductions for housing/food, late payment.
   - ✓ ***Excessive hours:*** 12-16hrs daily, 7 days/week. No rest days.
   - ✓ ***Occupational Health and Safety (OHS) Risks:*** Construction, agriculture, factories - no PPE and often expose hazardous chemicals.
   - ✓ ***Living conditions:*** Overcrowded camps, no water, poor sanitation.

- ✓ ***Restriction of movement:*** Locked in, tied visa/work permit to 1 employer.

3. Discrimination & Protection:

- ✓ ***Exclusion from labour law:*** Domestic workers often not covered.
- ✓ ***GBV & Harassment:*** Especially domestic workers and women in factories.
- ✓ ***No freedom of association:*** Can't join unions. Threat of deportation if they complain.
- ✓ ***Xenophobia:*** Discrimination in pay, promotion, housing and sometimes exposed to violent situation like in South Africa.

4. End of Employment & Remedy:

- ✓ ***Arbitrary dismissal and deportation:*** Fired; visa canceled; and must leave in 30 days.
- ✓ ***No access to remedy:*** Fear of reporting. Courts too expensive/slow.
- ✓ ***Stranded workers:*** Company bankrupt, workers unpaid and can't go home.

Applicable International Laws and Standards: UDHR (1948); ICCPR (1966); ICESCR (1966); Convention on the Rights of the Child (1989); ILO Conventions 29, 87, 97, 98, 101, 143, 155, 181 &189; ILO Code of Practice: Protection of Workers' Personal Data (1997), Sections 5, 6 (14) and 12 (2b); IFC Performance Standards 2; UN Migrant Workers Convention; UN Guidelines for the Regulation of Computerized Personal Data Files (1990), Article 3 (a); UN Guiding Principles on Business and Human Rights (25 - 31); OECD Guidelines: On the Protection of Privacy and Transborder Flows of Personal Data (1980), Article 9; Maputo Protocol;

Applicable National Laws and Policies: Constitution of Sierra Leone (section 8(3)) (1991); The Employment Act 2023, The Employment Regulations 2023; Overseas Employment and Migrant Workers Act 2023; The Industrial Relations and Trade Union Act 2024; Child Rights Act 2007; Sexual Offences Act (as amended) 2019

1.13 Domestic Workers' Rights and Welfare

Domestic workers are individuals employed to work in private homes. Employment can be formal or non-formal depending on the type of work or agreement sought between the employer and employee. Domestic work is the worst form of invisible workforce and often exposed to the highest human rights risks. The types of jobs usually available in domestic households include cleaning, cooking, nannies, care-giving, gardening, driving, etc.

Persons employed under this category are protected under the following international conventions, guidelines and principles like ILO Convention 189 - Decent Work for Domestic Workers (2011), UNGPs (2011), and IFC PS2, as well as under domestic laws of various countries. Sierra Leone is yet to enact specific law to domestic workers. They are only covered by the Constitution and the pieces of labour laws currently in place.

Key human rights risks in which domestic workers are exposed to include:

1. **Legal Exclusion & Informality:**
   - ✓ ***Excluded from labor law:*** 60% of countries exclude domestic workers from minimum wage, Occupational Health and Safety (OHS), working hours, social security.
   - ✓ ***Informal contracts:*** No written contract. Terms changed verbally.
   - ✓ ***No union rights:*** Isolated in private homes, can't organize.
2. **Working Conditions & Abuse:**
   - ✓ ***Long hours / No rest:*** 14-16hrs daily, 7 days/week. No day off. "On call 24/7".
   - ✓ ***Wage theft & low pay:*** Below minimum wage, deductions for food/housing, months unpaid.
   - ✓ ***Live-in abuse:*** Employer controls food, movement, phone, visitors.
   - ✓ ***OHS risks:*** Cleaning chemicals, lifting, no PPE, no insurance for injury.
   - ✓ ***No privacy:*** Sleeping in kitchen, no lock on door.
3. **Violence, Exploitation & Trafficking:**
   - ✓ ***Physical/sexual/GBV:*** Isolated in home = high risk. Especially women and migrant domestic workers.
   - ✓ ***Forced labour:*** Passport retention, threats, debt bondage to recruitment agency.
   - ✓ ***Child domestic labour:*** Under 18 in hazardous work = worst form of child labour.
   - ✓ ***Restriction of freedom:*** Locked in, confiscated phone, no contact with family.
4. **End of Job & Remedy:**
   - ✓ ***Arbitrary dismissal:*** Fired with zero notice, zero severance.
   - ✓ ***No grievance redress avenues:*** Fear of retaliation, deportation for migrants.
   - ✓ ***No social protection:*** No pension, health, maternity, unemployment benefits.

Applicable International Laws and Standards: UDHR (1948); ICCPR (1966); ICESCR (1966); Convention on the Rights of the Child (1989);ILO C189 - Decent Work for Domestic Workers, 2011; ILO C190 - Violence and Harassment Convention, 2019; ILO Domestic Workers Convention Supplement R201; UNGPs: Applies to households as "business enterprises" if hiring is systematic; UN Guiding Principles on Business and Human Rights (25 - 31); Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy; Maputo Protocol;

Applicable National Laws and Policies: Constitution of Sierra Leone (section 8(3)) (1991); The Employment Act 2023, The Employment Regulations 2023; Overseas Employment and Migrant Workers Act 2023; The Industrial Relations and Trade Union Act 2024; Child Rights Act 2007; Sexual Offences Act (as amended) 2019

2.14 Monitoring Checklist:

INDICATORS	YES	NO	COMMENTS
General			
1. Does the company/employer maintain a Human Resource Manual (HRM) or Policy in the workplace?			
2. Does the HRM policy receive any approval (Attestation) from the Ministry of Employment Labour and Social Security (MELSS)?			
Employment Status and Dismissals			
3. Do all workers have a written contract with the company/employer which outlines, in a transparent manner, the rights and obligations of each party, in full compliance with national labour laws or international best practices?			
4. Does the company/employer ensure all rules and procedures relating to disciplinary matters and dismissals are formulated and operated in a fair, consistent, non-discriminatory and transparent manner?			
Work Hours, Rest Periods and Leave			
5. Does the company/employer ensure the workweek is limited to 40 hours; overtime is voluntary and paid for, infrequent and does not exceed 36 hours a month?			
6. Does the company/employer ensure that workers are given reasonable breaks while working, including sufficient rest periods between shifts?			
7. Are all workers entitled to appropriately-paid minimum holiday leave of at least three weeks each year?			
8. Does the company/employer provide maternity and paternity leave to employees with a newborn or newly adopted child, without retaliation or discrimination?			
9. Does the company/employer allow for flexible working arrangements to ensure equal opportunities for employees with family			

responsibilities?			
Wages and Benefits			
10. Does the company/employer provide a living/minimum wage that enables workers to meet the basic needs of themselves and their dependents as provided for in the UNGPs and the relevant ILO Convention?			
11. Are the procedures around payment of salary and extra remuneration transparent for the workers and properly authorized?			
12. Does the company/employer maintain benefit schemes (like End-of-Service Benefit) as provided for by law?			
13. Does the company/employer contribute to national unemployment, sickness and pension benefit schemes, workers compensation and invalidity/disability schemes, or establish such schemes if none exists at the national level (e.g. NASSIT)?			
Non-Discrimination and Diversity			
14. Does the company/employer have a non-discrimination and equal opportunities policy commitment in place?			
15. Does provisions in this policy also speak against harassment against female employees?			
16. Does the company/employer apply relevant and objective criteria when making decisions related to hiring, promotions, compensation and benefits?			
17. Does the company/employer ensure the recruitment, promotions, compensation and benefit are conducted in a fair and transparent manner and in accordance with the HRM policy?			
18. Has the company/employer implemented measures to prevent and address harassment, violence and other forms of discrimination in the workplace?			
Employers'/Management/Expatriate Staff's Welfare and Safety			
19. Does the company put in place measures that promote and protect			

the welfare and safety of employer, expatriate and management staff in instances of violent demonstration/strike or attacks by junior staff or local community?			
20. Are there structures in your company/agency where aggrieved employers/management/expatriate staff can seek redress when confronted with violent attacks from the local workforce or host communities?			
Workplace Health and Safety Standards and Systems			
21. Does the company/employer have a health and safety standards policy in place?			
22. Does the company/employer ensure that its workers are afforded with appropriate safe, suitable and sanitary work facilities?			
23. Does the company/employer provide appropriate additional compensation, benefits, services and facilities to night workers?			
24. Does the company/employer reduce or eliminate risks to the health and productive capacity of employees, pregnant and nursing women and their newborn children?			
25. Does the company/employer provide employees with the opportunity to fully participate in occupational health and safety-related management and monitoring processes at the workplace, without fear of retaliation?			
26. Is company/employer equipment as well as the working environment inspected and monitored regularly for hazard and malfunctions?			
Training and Personal Protective Equipment			
27. Does the company/employer supply its workers with the appropriate protective equipment and training necessary to perform their tasks safely?			
28. Do employees receive adequate and appropriate training for carrying			

out all work safely?			
29. When was the last training conducted?			
Child Labour, Forced and Bonded Labour			
30. Does the company/employer have a policy commitment prohibiting child, forced and bonded labour?			
31. Does the policy include minimum age standards for all workers?			
32. Does the company/employer take immediate remedial action when underage workers are employed either directly or through their subcontractors?			
33. Does the company/employer ensure that workers' employment does not imply restrictions on their freedom of movement, right to and choice to work or employment opportunities?			
Freedom of Association and Collective Bargaining			
34. Does the company/employer allow workers to join a trade union of their choice?			
35. Does the company/employer policy allow multiple trade unions to operate in their establishment?			
36. Does the company/employer remain neutral as regards employees' membership in any particular trade union and allow trade unions to operate independently?			
37. Does the company/employer provide union representatives with access to company/employer property to meet with employees, and provide them with the information required for carrying out their responsibility?			
38. Does the employer/company effectively prohibit intimidation, harassment, retaliation and violence against union members and union representative?			
39. Does the company/employer recognize the elected worker representatives, and their trade unions, and engage with them in good			

faith in collective bargaining concerning all important workplace concerns?			
40. Does the employer/company refrain from dismissing union officials during their office tenure for anything other than serious misconduct, and does not accept the burden of justifying the validity of such dismissals?			
41. Are there instances of dismissal that does not amount to serious misconduct, if yes explain how ?			
Worker Privacy			
42. Does the company/employer respect the privacy rights of its workers whenever it gathers private data or implements worker-monitoring practices?			
Employee Grievance Mechanisms			
43. Does the company/employer have a grievance redress mechanism policy?			
44. Does the employer/company have mechanisms for the hearing, processing and settling of workers' grievances?			
Employer/Company- Provided Facilities			
45. Does the employer/company ensures that any dining facilities provided are sufficiently spacious, clean and secure?			
46. Does the company/employer ensure that the food served is affordable and of adequate nutritious value, quality, and variety for the needs of the workers?			
47. Does the employer/company ensure that housing and camp facilities provided are safe, habitable, affordable, accessible and contractually secure, and that the utilities provided are available, affordable and adequate to the needs of the workers and their families?			
Migrant Workers Rights and Welfare			
48. Does your company/agency have formal registration with the state to			

engage in the recruitment of workers for overseas employment?			
49. Does your company/agency have any policy commitment to protect the rights and welfare of those employed in their places of work overseas?			
50. Do all migrant workers recruited by your company/agency in possession of valid passport, visas, work permits and other necessary documents appropriate for the country for which they are recruited?			
51. Does your company/agency retain travel document for workers for safe-keeping on arrival at the countries of their recruitment?			
52. Does your company/agency levy recruitment fee on newly employed workers that often lead to debt bondage/forced labour?			
53. Are there written contracts for all migrant workers done in the language they understood?			
54. Are the migrant workers clearly informed and agreed on their terms and conditions of work regarding wages, hours of work, benefits and others prior to signing their contract?			
55. Does your company have any internal redress mechanism for migrant workers when they suffer human rights abuse from your administration?			
Domestic Workers' Rights and Welfare			
56. Does your company/agency formally registered to undertake recruitment of domestic workers?			
57. Does your company/agency have a policy commitment that speak to the rights and welfare of domestic workers?			
58. Does your company/agency conduct routine monitoring of households to observe the welfare conditions of domestic workers and take appropriate remedial action where abuses are identified?			
59. Does your/agency provide structures to handle grievances emanating			

domestic work environment?			
60. Does your company/agency provide compensation to victims of domestic work for harm suffered in the course of their employment?			
Basis of assessment:			
Follow-up points:			

SECTION TWO: ENVIRONMENT AND COMMUNITIES

Description:

This section deals with the human rights impacts caused by operations of companies to the environment and host communities. Company operations have significantly changed the natural world and close-by communities. Though company activities bring about economic growth, yet they also cause dare consequences on the environment like pollution, health risks, and social stress for local residents.

Key human rights risks and impacts caused on the environment and communities include but not limited to:

Environmental Impacts:

a. ***Air Pollution:*** Factories, vehicles and thermal engines release toxic gases that cause breathing illnesses and climate change.
b. ***Water Contamination:*** Industrial waste flows into rivers, destroying aquatic life and poisoning drinking water.
c. ***Land Degradation:*** Mining and clear-cutting strip the soil of nutrients and destroy animal habitats.
d. ***Waste Generation:*** Toxic chemicals and plastic trash pile up in landfills or open spaces.
e. ***Unreclaimed Land:*** Pits and dog-out holes left behind by mining operations prevent agricultural work and thus negatively impact on food security. The pits and holes/ditches also pose a threat to human safety and security, as well as those of the wild.

Host Community Impacts:

a. ***Health Risks:*** Residents face higher rates of asthma, cancer, and water-borne diseases.
b. ***Economic Shift:*** Local jobs open up, but traditional jobs like farming, hunting and fishing often disappear due to ruined land and water.
c. ***Social Conflict:*** Noise, heavy traffic and unfair wealth distribution create tension between companies and locals.
d. ***Displacement:*** Communities sometimes lose their homes or ancestral lands to make space for industrial projects.

In addition to the above, this section will specifically look at the following:

i. Environment, Social and Human Rights Due Diligence
ii. Community Engagement and Consultation

iii. Environmental Health and Safety
iv. Land Acquisition, Lease and Use
v. Social Impacts
vi. Community Complaints and Grievance Resolution Mechanism
vii. Displacement and Resettlement
viii. Waste Management
ix. Climate Mitigation Projects

Below is a brief description of the above human rights indicators discussed under this section, indicating the applicable international and regional human rights laws and standards as well as national laws and policies.

2.1 Environment, Social and Human Rights Due Diligence:

The responsibility to respect human rights is a fundamental expected conduct of companies under the UN Guiding Principles (UNGPs) on Business and Human Rights. It is the process companies and Development Finance Institutions (DFIs) use to identify, prevent, and fix harms before they happened. Companies carryout one of such responsibilities through exercising 'due diligence' in their operations.

The 'corporate responsibility to respect human rights' is a global baseline standard for responsible business conduct and thus make companies refrain from causing harm. This means it applies to all companies, in all sectors and locations. This is true even though it is recognised that the scale and complexity of the measures taken by a company to meet its responsibility to respect human rights will vary depending on factors such as the size of the company, its business sector and the seriousness of human rights impacts to which the company's activities can give rise.

Under Principle 15 of the UNGPs (2011), Corporate Responsibility to Respect Human Rights, means that companies must exercise 'due diligence', refrain from causing harm directly or through its business relationships, mitigate impacts and provide remedy where avoidance is impossible.

Companies undertake 'due diligence' to identify, prevent, mitigate and account on how they address adverse environmental, social and human rights impacts caused by their operations. Corporate human rights due diligence therefore comprises the following:

- Assessing actual and potential impacts on human rights of the business activities;

- Acting on the findings of the assessment, including by integrating appropriate measures to address potential impacts into its internal policies and practices;
- Tracking how effective the measures it takes in preventing or mitigating adverse human rights impacts, and
- Communicating to the outside world about its due diligence processes and result.

Applicable International Laws and Standards: UN Guiding Principles on Business and Human Rights: Implementing the UN "Protect, Respect and Remedy Framework, Principle 14, 16, 17 - 21; OECD Due Diligence Guidance; IFC Performance Standard 1-8; EU Corporate Sustainability Due Diligence Directives (CSDDD); ILO Tripartite Declaration for Multinational Enterprises

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991 Sections 7 & 8, Environment Protection Agency Act 2022 Part VI, The Environment Protection (Mines and Minerals) Regulations 2013, Part II, Part III, IV, V & VII, Environmental Protection Agency (Environment Impact Assessment License) Regulations 2010, The Mines and Minerals Development Act (2022), Sections 145 -149, Petroleum (Exploration and Production) Act 2011, The National Minerals Agency Act 2012, Section 11.

2.1 Community Engagement and Consultation:

Community engagement and consultation are important aspects to enable a company have clear understanding on how its operations directly impact members of the host communities. Meaning a company cannot manage environmental, social and human rights risks without talking to those directly affected by their operations. In this way communities that are potentially impacted by the operations conducted by the company are given an opportunity to express opinions and objections regarding major company decisions affecting them. Stakeholder/rights-holder engagement, in particular engagement with local communities and individuals, should apply the principles of a 'human rights-based approach'. The human rights-based approach originates from international development practices. It can effectively inform a company's engagement and consultation processes and activities. In summary, a human rights-based approach rests on four key principles:

- ✓***Explicit link to human rights:*** A human rights-based approach implies that practices are guided by human rights principles and standards. For example, whereas ordinary approaches to land acquisition might only involve compensation to formal legal title holders, a human right-based approach would consider impacts on the rights and livelihoods of all impacted individuals, including both formal and informal title holders and usage and passage rights of non-owners.
- ✓***Equality and non-discrimination:*** This includes paying particular attention to vulnerable and marginalised groups, as well as gender. It also involves taking steps to ensure that all

impacted (for instance) women and men, girls and boys, able and disable, land owners and land users, etc. are empowered to understand and participate in decisions that affect them.

- ✓***Participation and inclusion:*** In a human rights-based approach, participation is both an objective, as well as a means of development. Participation should aim to create genuine ownership by people over the development processes with which they are involved and which impact on them. Participation should be 'active, free and meaningful'. From a rights-based perspective, participation is more than consultation, or a technical add-on to development activities; it is an integral part of shaping these.
- ✓***Accountability, transparency and the rule of law:*** In a human rights-based approach to development, development is seen as an entitlement rather than an act of charity. This has certain implications for how the company relates to its community stakeholders. For example, in a rights-based approach, the individuals impacted by the project would be seen as rights-holders rather than as stakeholders. That is, as people who have entitlements for which they can hold a relevant duty-bearer accountable. A rights-based approach delineates between rights-holders and duty- bearers, and seeks to ensure that rights-holders have the capacity to claim their rights, and that duty-bearers correspondingly uphold these rights.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Article 25; UN Declaration on the Rights of Indigenous Peoples (UNDRIP) on FPIC Principles; IFC Performance Standards 1; UNGPs 18; Convention on Environmental Impact Assessment in a Trans boundary Context (1991), Article 3; ILO Prevention of Major Industrial Accidents Convention (C174, 1993), Article 4; OECD Guidelines for Multinational Enterprises (2000), s. V., Article 2; Permanent Peoples' Tribunal Charter on Industrial Hazards and Human Rights (1994), Article 10; Rio Declaration on Environment and Development (1992), Principle 10; Office of the UN High Commissioner for Human Rights, Frequently Asked Questions on a Human Rights-Based Approach, to Development Cooperation (2006).

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991 Sections 7 & 8, Environment Protection Agency Act 2022 Part VI, The Environment Protection (Mines and Minerals) Regulations 2013, Part II, Part III, IV, V & VII, Environmental Protection Agency (Environment Impact Assessment License) Regulations 2010, The Mines and Minerals Development Act,(2022), Sierra Leone Local Content Policy 2012, Petroleum (Exploration and Production) Act 2011 , Sexual Offences Act 2019, Child Rights Act 2007, Devolution of Estates Act 2007, Customary Land Rights Act 2022 (Sections 11, 28 & 29), The Persons with Disability Act 2011, The National Youth Commission Act 2009, The National Minerals Agency Act 2022.

2.3 Environmental Health and Safety:

This is how companies protect workers, communities and environment from physical harm and pollution. It is about people and planet safety. In order to achieve this, the company should first have an environmental policy commitment in place that describes in sufficient detail the standards that the company complies with. At minimum, the company's environmental standards should comply with the law and where relevant, any gaps in the law should be addressed with reference to industry or international standards and best practices. The company needs to implement its environmental policy commitment through a sound environmental management system that is sufficiently resourced to address any potential or actual environmental impacts.

In the areas of emissions, waste and harmful substances caused by companies, many states in compliance with international laws and standards, set acceptable levels for the release of emissions and toxins into the air and environment. Careful compliance with these laws is essential for ensuring public health. In addition, the company must continuously strive to decrease its emissions wherever technology allows.

Environmental health and safety can be viewed in two ways as shown below:

- ✓ Firstly, **Occupational Health and Safety** directed towards the protection of employees; and
- ✓ Secondly, **Community Health and Safety** directed to protect communities and the environment.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Article 25; International Covenant on Economic, Social and Cultural Rights (1966), Article 12 (2b); ILO Prevention of Major Industrial Accidents Convention (C174, 1993), Articles 18 and 19, ILO OHS Conventions C155, C187; OECD Guidelines for Multinational Enterprises (2000), s. V., Article 1; Permanent Peoples' Tribunal Charter on Industrial Hazards and Human Rights (1994), Articles 11 and 14; WHO Guidelines on Air Quality and Water Quality; IFC Guidelines: Sector-specific - Air, Water, Noise limits; IFC PS 3-4; UNGPs.

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991 Sections 7 & 8, Environment Protection Agency Act 2022 Part VII; The Environment Protection (Mines and Minerals) Regulations 2013, Part II, Part III, IV, V & VII; Environmental Protection Agency (Environment Impact Assessment License) Regulations 2010; The Mines and Minerals Development Act (2022), Part XVII Sections 133 - 139; Sierra Leone Local Content Policy 2012; Petroleum (Exploration and Production) Act 2011;

2.4 Land Acquisition, Lease and Use:

Land is a very strategic component in all investment processes as all operations of companies (be it mining, agribusiness, manufacturing, construction, etc.) are carried out on land. Usually companies start by acquiring land in massive scale and in the process they are obliged to do so with a human rights lens, thereby taking into consideration the rights of all stakeholders linked with acquisition and lease of land mostly in traditional settings.

Land acquisition, lease and use by investment entities often pose the following human rights challenges on local communities including forced evictions, economic displacement, unfair compensation, customary land ignored, no Free Prior and Informed Consent (FPIC), loss of cultural heritage, loss of livelihoods, etc.

In all land transactions, the company should investigate land ownership and consult with all individuals whose livelihoods will be impacted by the company's use of land, including both persons holding contractual rights to the land and customary or traditional users of the land. The company should seek local communities' voluntary and informed agreement by explaining the business operations planned to be carried out on the land and by clarifying any claims or disputes over the land. At no point should coercive measures be used against communities living on the land to compel them to give up their legal or traditional rights over the land.

Under Sierra Leone law, Sections 31 - 35 of the Customary Land Rights Act (2022) extensively make provision for land acquisition under customary settings. All customary lands are the subject of negotiation between landowners and the investors prior to the commencement of operations. In addition, the Mines and Minerals Development Act (2022) addresses large-scale mining licence holders, with regard to the acquisition of surface rights. According to sections 34-36 of the Act, holders of a large-scale mining licence are entitled to a land lease or to use the land covered by the mining lease, but only on the terms agreed by the owner or lawful occupier. As such, licence holders are bound to pay the legitimate land owner or occupier a reasonable compensation for any disturbances of the rights of such person, and any damage caused to the surface of the land. However, if the land owner or lawful occupier and the licence holder cannot reach agreement, and all other lawful attempts to acquire the land have been taken, the Government of Sierra Leone, "…may also compulsorily acquire private property" (including land) under Section 21 (1)(a) "… to promote the public benefit or public welfare of citizens of Sierra Leone…". When property/land is acquired in a compulsory manner, those rights-holders who have a claim or interest in the property/land must be either awarded adequate compensation or resettled on suitable alternative land at the expense of the mining licence holder. Sections 32, 35, 37 and 38 of the Mines and Minerals Development Act 2022 require the holder of mineral rights to respect the surface rights of those living within or in close proximity to the mining area. These sections outline the need to: obtain consent from lawful land owners and occupiers prior to entering land; allowing lawful landowners and occupiers to graze livestock and cultivate land; pay fair compensation for land use and disturbances; and when necessary, providing a resettlement option equivalent or better than current living environment. In

addition, sections 13-16 of the Environmental and Social Regulations for the Mining Sector (2011) clearly outline the obligations of the holder of mineral rights with regard to the need for access to information, public participation and public consultation in all stages of mining operations.

International guidelines are also relevant, for example, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (2012), of the Food and Agriculture Organisation of the UN. The Guidelines articulate clear principles and internationally accepted standards for practices for the responsible governance of tenure. IFC Performance Standards 5, 7 and 8 also provide guide to development projects and business entities to consider livelihoods, shelter, culture and identity in the process of leasing land from traditional communities.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Article 17; UN Declaration on the Rights of Indigenous peoples (Arts. 9,10,11, and 12); African Charter on Human and People Rights (article 14); ; Convention on the Elimination on All Forms of Discrimination against Women (1979), Article 15 (2) and 16 (h); UNGPs; IFC Performance Standards 5,7,&8; VGGT; UN Guidelines on Development-Based Evictions and Displacement;

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991 Sections 7. 8, & 21; Customary Land Rights Act 2022; Mines and Minerals Development Act 2022; National Development-Induced Resettlement Act 2023; Environment Protection Agency Act 2022; Sierra Leone Local Content Policy 2012, Petroleum (Exploration and Production) Act 2011 , Devolution of Estates Act 2007; Non-Citizen (Interest in Land Act) 1966, The State Lands Act 1960, The Unoccupied Lands (Ascertainment of Title) Act Cap 117 of 1960;

2.5 Social Impacts:

Social impacts is about the positive changes that occur in people's lives, culture, livelihoods and other relationships due to projects undertaken by companies or development initiatives of a country. The company's responsibility to respect human rights is how it creates those changes and the steps taken to assess and mitigate the effects on host communities. One such step is that consultations must be held with the local community both before and during company operations to determine and mitigate any negative effects. Disruptions that might force local communities and individuals to relocate include company activities producing substantial air, water or land pollution, loud and disturbing noise, and disruptions to natural land use patterns. During the course of its operations, the company must monitor its pollution output and regulate its work processes in order to prevent harmful pollutants and other detrimental effects on local communities.

If the company decides to purchase large tracts of local farmland or if it attracts a large numbers of foreign employees to an area, its presence may burden the local food supply and create a need for extra food production which cannot be met locally. In such situations, the company should undertake special measures to help bolster local food production or source food from outside the area to cover the food intake of its own employees. In locations where the

company's property ownership or leasing inflates real estate or rental prices such that the members of the local community are unable to obtain housing at an affordable price, the company might adversely affect local people's right to adequate housing. Naturally, a number of actors and new government policies can influence housing prices in a certain area, so the company may not be held solely responsible for the rise in prices. However, the company must do what it can to avoid flooding the housing market with its own employees or inflating prices by paying unreasonably high rents for local property. A company employing a significant number of foreign or non-local employees in an area with a lack of adequate housing should construct and provide its own housing units for those individuals and their families, rather than relying on the local market.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Article 25, 26; International Covenant on Economic, Social and Cultural Rights (1966), Article 11 (1) & (2), 13 (1); ILO Workers Housing Recommendation (R115, 1961), Articles 18 and 24; ILO Social Policy (Basic Aims and Standards) Convention (C117, 1962), Articles 1, 2 and 4 (c)

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991 Sections 7. 8, & 21; Customary Land Rights Act 2022; Mines and Minerals Development Act 2022; National Development-Induced Resettlement Act 2023; Environment Protection Agency Act 2022; Sierra Leone Local Content Policy 2012, Petroleum (Exploration and Production) Act 2011 , Devolution of Estates Act 2007; Non-Citizen (Interest in Land Act) 1966, The State Lands Act 1960, The Unoccupied Lands (Ascertainment of Title) Act Cap 117 of 1960;

2.6 Community Complaints and Grievance Resolution Mechanism:

Anyone whose rights are violated/abused by the company's operations/activities must have access to a grievance redress mechanism where they can report any concerns about the company's activities without discrimination or fear of retaliation. The mechanism should handle complaints ranging from dissatisfaction with company operations resulting in noise or pollution, to claims of intimidation or abuse by company security guards, or to any other issue relating to the company's human rights impact on the community. This grievance redress mechanism in this sense should be 'external' because it deals with matters affecting local people living on the land or in the vicinity of the business operations. 'Internal' grievance mechanisms deal with matters affecting the company's workers, and are described in Section 1, Employment Practices.

The external grievance mechanism should have the mandate and capacity to hear, process and settle complaints and disputes concerning the company's human rights impact on the community. Non-judicial in nature, such mechanisms should have the capacity to direct complainants or turn cases over to appropriate external third-party mechanisms, including state-based mechanisms, such as courts, where appropriate. Moreover, the external grievance mechanism should not in any way prejudice the complainant's ability to seek recourse through such third-party mechanisms.

The grievance mechanism should be established and function according to the following eight 'effectiveness criteria' outlined under Guiding Principle 31 of the UN Guiding Principles on Business and Human Rights.

A. *Legitimate:* enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes;

B. *Accessible:* being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access;

C. *Predictable:* providing a clear and known procedure with an indicative timeframe for each stage, and clarity on the types of process and outcome available and means of monitoring implementation;

D. *Equitable:* seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms;

E. *Transparent:* keeping parties informed about its progress when handling complaints and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake;

F. *Rights-compatible:* ensuring that outcomes and remedies accord with internationally recognized human rights;

G. *A source of continuous learning:* drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms;

Operational-level mechanisms should also be based on **engagement and dialogue**: consulting stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances.

Applicable International Laws and Standards: Universal Declaration of Human Rights, Articles 1,7, and 10, International Covenant on Civil and Political Rights (1966) Article 2(3); UDHR (1948), Article 25; ICESCR (1966), Article 12 (b); ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (1977), Articles 57 and 58; UN Guiding Principles, Principle 31.

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991 Sections 7. 8, & 21; Customary Land Rights Act 2022; Mines and Minerals Development Act 2022; National Development-Induced Resettlement Act 2023; Environment Protection Agency Act 2022; Sierra Leone Local Content Policy 2012, Petroleum (Exploration and Production) Act 2011 , Devolution of Estates Act 2007; Non-Citizen (Interest in Land Act) 1966, The State Lands Act 1960, The Unoccupied Lands (Ascertainment of Title) Act Cap 117 of 1960;

2.7 Displacement and Resettlement:

Displacement and Resettlement are two major aspects companies and governments are always confronted with in the course of their operations/development projects. Displacement basically forces people from their homes or land (physical), or from their means of livelihoods or income generation to support their welfare, immediate family members or community (economic). Resettlement on the other hand is the process of moving people to new location (physical) or restoring their livelihoods or welfare conditions (economic), after being adversely affected by large business/development projects like mining, dam construction, infrastructure, etc.

Sometimes forced evictions and relocation do occur in limited circumstances where governments for the purposes of national security, economic development or to protect the health of the population carried out such actions. However, forced relocation risk turning into forced evictions when a relocation is inconsistent with international and national law and people are forced to leave their places of residence without having access to legal and other forms of protection.

In short, Displacement means when companies or governments take land, people lose their homes, farms and traditional way of life that support their well-being. Resettlement is when project try to replace those lost homes with new sites, housing, and adequate financial support.

Very often, resettlement fails to fully replace what people lost, leading to deeper poverty and social breakdown. This failure brings about serious human rights risks/implications on the affected population, which include the following:

- ✓ ***Right to Housing*** **-** Forced evictions destroy safe and stable places to live, leaving families homeless or in poor conditions.
- ✓ ***Right to Livelihood*** **-** Preventing people from accessing their farm land or fishing areas formally used to earn money and feed their families.
- ✓ ***Right to Culture*** **-** Moving indigenous or local groups away from ancestral lands destroys their community bonds, sacred sites and shared history.
- ✓ ***Right to Health*** **-** Poor living conditions, stress, and polluted water at new sites cause physical and mental illness.
- ✓ ***Right to Information*** **-** Affected groups are often left out of project plans and denied a real voice in the decisions taken about their own land.
- ✓ ***Inadequate compensation*** - Cash paid below market value, no replacement of land/housing of the same value.
- ✓ ***Participation/Consultation*** - No participation or consultation for affected people.
- ✓ ***Lack of remedy*** - No functioning grievance redress mechanism, intimidation of people who complain.
- ✓ ***Indigenous People*** - No Free Prior and Informed Consent (FPIC) done.
- ✓ ***No ESHIA or RAP*** - No Environmental Social and Health Impacts Assessment or Resettlement Action Plan (RAP) done.
- ✓ ***Vulnerable groups hit harder*** - Indigenous peoples lose ancestral land, women lose land rights if title only in husband's or male child's name, youth, aged and land users often left out in consultations.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Article 17; UN Declaration on the Rights of Indigenous peoples 2007 (Arts. 9,10,11, and 12); African Charter on Human and People Rights 1981 (article 14); Guiding Principles on Large Scale Land Land-Based Investment in Africa 2010; Convention on the Elimination on All Forms of Discrimination against Women (1979), Article 15 (2) and 16 (h); UNGPs 2011; IFC Performance Standards 5,7,&8; VGGT 2012; UN Basic Principles and Guidelines on Development-Based Evictions and Displacement 2007; World Bank Operational Principles 4.12;

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991 Sections 7. 8, & 21; Customary Land Rights Act 2022 (Sec 43); National Land Commission Act 2022; Mines and Minerals Development Act 2022; National Development-Induced Resettlement Act 2023; Environment Protection Agency Act 2022; Sierra Leone Local Content Policy 2012, Petroleum (Exploration and Production) Act 2011 , Devolution of Estates Act 2007; Non-Citizen (Interest in Land Act) 1966, The State Lands Act 1960, The Unoccupied Lands (Ascertainment of Title) Act Cap 117 of 1960;

2.8 Waste Management:

Waste management has also been a very important aspect during operations of companies. Where this is not properly done has the tendency to negatively impact on the enjoyment of human rights. Therefore, in business and human rights, Waste Management means the duty of companies to handle, store, and get rid of trash and toxic materials safely so they do not harm people's freedoms and well-being. Usually, companies generate waste from offices, factories and construction. Poor waste management therefore causes serious harm to local communities and workers. When companies dump dangerous waste carelessly, it affects several core human rights as shown below:

- ✓ ***Right to Health:*** Toxic chemicals from electronic or chemical waste leak into soil and drinking water. This causes breathing problems, skin diseases, and long term illnesses.
- ✓ ***Right to a Clean Environment:*** Piles of trash and burning plastic pollute the air and ruin the land where people live and farm.
- ✓ ***Worker Rights:*** many waste pickers and recycling workers do dirty, low-paid jobs without gloves, masks, or legal protection. They face high risks of cuts, infections and toxic exposure. They are also often discriminated against, taunted and dehumanized by the public.
- ✓ ***Right to Life and Safety:*** Landfills that collapse or catch fire can destroy nearby homes and hurt or kill residents.
- ✓ ***Indigenous and Minority Rights:*** Companies often dump waste in poor or minority areas because these groups have less political influence to fight back.

In all of the above, companies are strongly advised to take concrete and remedial actions to address adverse human rights impacts caused by the irresponsible disposal of waste in communities as thus:

- ✓ ***Respect Rights:*** Ensure their pollution (chemical/noise), emissions (air) do not disturb host communities and garbage does not poison local neighbourhoods or water supplies.
- ✓ ***Protect Workers:*** Keep waste safe from toxic materials and dangerous equipment.
- ✓ ***Fix Harm:*** Clean up pollution if their waste damages local land or health. Adjust emissions or pollution (air/noise) to acceptable standards or as required by law. Sometimes provide incinerators to destroy waste or carbon offsets - planting large forests or protecting trees to absorb carbon dioxide in operational areas.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948); International Covenant on Economic Social and Cultural Rights; OHCHR Human Rights Indicators Guide on Right to Health; ; ILO Guidelines for Waste Sector; IFC Environmental Health and Safety Guidelines for Waste Management; UN Report of the Special Rapporteur on the Implications for Human Rights of the Environmentally Sound Management and Disposal Hazardous Substances and Waste on His Mission to Sierra Leone 2018; Human Rights Council BHR WG Report on the Role of NHRIs in Facilitating Access to Remedy for BHR related Abuses 2021; Basel Convention (Hazardous Waste); Rotterdam Convention (Hazardous Chemicals Trade); Stockholm Convention (Persistent Organic Pollutants); Minamata Convention (Mercury)

Applicable National Laws and Policies: Constitution of SL 1991 (sec 7&8); EPA Act 2022; MMD Act 2022 (sec 141); Employment Act 2023; Employment Regulations 2023; FCC Waste Collection Bye-laws 2024;

2.9 Climate Mitigation Projects:

This aspect defines Climate Mitigation Projects in Business and Human Rights and further describes the human rights risks associated with such projects. This generally means actions designed to reduce Green-House Gas (GHG) emissions or enhance sinks. This include renewable energy, energy efficiency, carbon capture, forest protection, transport electrification, etc. Climate mitigation projects in the realm of business and human rights are ***"corporate actions, investments or transition strategies designed to reduce greenhouse gas emissions or enhance carbon sinks, managed in alignment with standards that respect human dignity and fundamental rights"*** (Maria Ploug Petersen of Danish Institute for Human Rights).

Guided by the UNGPs, these projects require companies to ensure that their low-carbon transitions do not create new human rights abuses. Essentially, while stopping catastrophic global warming, erratic rain falls, flash floods and other attendant ramifications, poorly executed green projects can interfere with the enjoyment of human rights, referred to as 'Just Transition Risk'. Below are the human rights risks linked with green projects inadequately executed:

- ✓ ***Land Grabbing and Displacement:*** Large-scale renewable energy installations (like mega-hydro dams or solar farms) and massive tree-planting or forestry conservation projects often displace indigenous communities and local farmers, violating the right to adequate housing, food security and self-determination.
- ✓ ***Threats to Food and Water Security:*** Often, companies buy large acreage of land for carbon-offset and biofuel. Altering agricultural practices or dedicating fertile land to biofuel or carbon-offset crops can diminish local food production and deplete local water supplies.
- ✓ ***Silencing Environmental Defenders:*** Communities or local leaders who protest against corporate green projects that damage their local environment frequently face intimidation, legal harassment, or violence.
- ✓ ***Exclusion from Decision-Making:*** Failing to secure Free, Prior and Informed Consent (FPIC) marginalizes vulnerable groups and strips them of procedural rights.

2.10 Monitoring Checklist

INDICATORS	YES	NO	UPDATE
Environmental, Social and Human Rights Due Diligence			
1. Does the company have policy commitments to identify and address environmental, social and human rights impact throughout the project lifecycle?			
2. Does the company have board oversight to ensure the implementation of this policy?			
3. Does the company undertake any environmental, social and human rights impact assessment prior to the commencement of operations?			
4. Does the company conduct any disclosure of the environmental social and health impact assessment to the affected communities?			
5. Was the disclosure process broad-based, inclusive, non-discriminatory and participatory by all affected groups and communities?			
6. Does the company periodically assess its environmental, social and human rights impacts?			
7. Does the company have processes and systems in place for the effective management of environmental, social and human rights impacts?			
8. Does the company report and communicate about its assessment and management of environmental, social and human rights impacts?			
Community Engagement and Consultation			
9. Does the company regularly engage with local communities about			

environmental, social and human rights impacts and management?			
10. What is the method of community engagement does the company/employer adopt?			
Environmental, Health and Safety			
11. Does the company/employer have in place and environmental, health and safety policy?			
12. Does the company/employer comply with environmental regulations and industry specific codes of practice?			
13. Is such compliance regularly communicated to relevant stakeholders?			
14. Does the company adequately control and monitor its work processes and emission to avoid subjecting the local community to harmful substance?			
15. Does the company provide all relevant environmental information to the authorities and the public, including impact assessments, information about its safety record and any potential hazardous activities?			
16. Does the company have emergency procedures to effectively prevent and manage industrial accidents affecting the community?			
Land Acquisition, Lease and Use			
17. When purchasing, leasing or using land or property, does the company identify all legitimate property interests and ensure that the seller/lessor is legitimate?			
18. Does the company ensure that women are included in all land arrangement as provided for by law? NOTE Gender representation?			
19. What is the mode of payment of lease rent to landowners and/or land-users?			
20. Does the company ensure that it does not participate in or benefit from forced evictions, and ensure that all former inhabitants and			

legitimate land owners are provided with adequate land, housing and/ or compensation?			
21. Does the company exercise due diligence to ensure that its facilities are not established on land which has been wrongfully obtained by means of coercion?			
22. Does the company take measures to ensure that its activities did not damage or destroy cultural heritage?			
23. When the company decommissions its operations, does it leave the land in suitable condition for future habitation or use?			
Social Impacts			
24. Does the company have a policy to address social issues within its operational areas?			
25. Does the company avoid, minimize and mitigate the effects of disruptive or harmful activities in residential areas near the operation's location?			
26. Does the company ensure that its operations do not make housing and food scarce or too expensive for local communities?			
27. Does the company ensure that the local communities are not deprived of basic services and public natural resources as a result of its use of land?			
28. Does the company have a purchasing and recruitment policy that favors the communities in which it operates?			
29. Does the company identify and address any adverse impacts that its operations may have upon women and girls?			
30. Are community development projects/ strategic social investment projects that are supported or implemented by the company are selected and implemented on the basis of clear community needs-based criteria, considering transparency, vulnerable groups and consultation?			

Community Complaints and Grievance Resolution Mechanism			
31. Does the company have in place a grievance redress mechanism (GRM) policy?			
32. Does the company's GRM policy allows for the setting up of separate committee to address issues that may come up as a result of the operations of the company?			
33. Is the GRM Committee broad-base, inclusive and gender sensitive in it composition?			
34. Does the GRM Committee have a reasonable time frame to address complaints directed to them by victims?			
35. Is the GRM effective in receiving, processing and finding resolutions to grievances raised by local communities and individuals affected by your operations?			
Displacement and Resettlement			
36. Does the company have in place a policy that allows for safe and secured resettlement of local communities affected by their operations?			
37. Does the company ensure that project-related relocation and resettlement meet all applicable international, regional and domestic standards.			
38. Are the affected communities/individuals consulted and participated in all the processes and arrangements (like identification of land for suitability, negotiation, building plans, etc.) leading to their relocation?			
39. Does the company resettlement policy calls for the involvement of local/government authorities in any proposed relocation of affected communities?			
40. If any resettlement has taken place, was it monitored and by who?			
Waste Management			
41. Does the company have a waste management policy?			

42. does the policy calls for human rights-based approach in the management of waste within their operational site?			
43. Does the policy have a provision to ensure and enforce compliance by the work force in the management of waste?			
44. Does the company ensure that those directly involved in waste gathering and dumping have adequate and appropriate protective gears?			
45. Dose the company ensure that landfill/dump sites are not located close to local communities water sources?			
46. Does the company ensure that landfill/dump sites are fully secured to prevent access from local communities scavenging around?			
47. Does the company have in place remedy mechanism for local communities to address irresponsible deposit by the company or its workers?			
Climate Mitigation Projects			
48. Does the company have in place a climate mitigation policy?			
49. Does the company policy fully comply with the EPA Act 2022 and other relevant procedures and policies?			
50. Does the policy calls for human rights-based approach during implementation of climate projects?			
51. Does the company follow all legal procedures and processes to acquire land meant for climate mitigation project?			
52. Are local/affected communities included, consulted and participated in climate projects carried out in their communities?			
53. Does the climate projects have in place grievance redress mechanism for victims affected during implementation of such projects?			

Basis of assessment:
Follow-up points:

SECTION THREE: SECURITY

Description:

Security in business and human rights refers to the policies, personnel and physical or digital measures a company uses to protect its staff, assets, operations and facilities (UNDP - A Guide for Integrating Human Rights into Business Management). In other words, how companies protect their physical assets, personnel and operations using private or public security providers without violating fundamental human rights. At times companies also make informal arrangement with host communities to provide security especially so during the inception stages and where they have developed strong social licenses to operate. Under the UNGPs, companies have a responsibility to ensure that their security arrangements do not lead to abuse.

When corporate security arrangements only prioritised protection of company assets over employees or host communities often lead to high human rights risks of such groups. They include:

- ✓ ***Infringements on the Right to Life and Physical Safety:*** The use of excessive or lethal force by private security contractors or state forces guarding corporate property (such as mines, oil pipelines or large plantations) frequently leads to injuries, unlawful killings or arbitrary arrests and detention. Their presence further create a sense of threat to the safety and well-being of members of local communities.
- ✓ ***Suppression of Freedom of Expression and Assembly:*** Local residents, labour unions and environmental activists who protest against industrial pollution, land displacement or unfair labour practices are often targeted, harassed or criminalized by security forces acting on behalf of or alongside corporate entities.
- ✓ ***Displacement and Loss of Livelihoods:*** Heavy militarization of corporate project sites can restrict freedom of movement, cut off access to vital community resources like water and traditional land, and forcibly displace indigenous or rural populations.
- ✓ ***Erosion of the Rule of Law:*** When companies rely on corrupt or abusive state security aparatuses to maintain operational control, it weakens local justice systems, breeds impunity for human rights and deepens social conflict.

However, well planned, properly vetted, highly trained security personnel who integrate human rights due diligence and proportional use of force in their operations can help stabilize regions, foster trust with local communities and safeguard the universal right to safety, security and dignity of all beyond the assets, facilities and operations of the hiring companies.

In this section, attention will be paid to the following:

1. Security Management
2. Private security Services

3. Public Security Forces
4. Monitoring Checklist

3.1 Security Management:

Here, it is important to note that at the inception stage of setting up a sound security management structure whether risk assessment was done, relevant stakeholders consulted, monitoring structures put in place and remedial processes made available to adequately address credible allegations of human rights abuses by security personnel. In addition, the use of security cameras and other surveillance devices in the workplace must not unnecessarily invade the right to privacy of individuals/workers.

The purpose of the security risk assessment is to provide an overview of the different types of security threats, which will inform the company of the probability of involvement in human rights abuses or violations and the potential severity of these arrangements. Furthermore, the risk assessment will form the backdrop for determining the nature and scope of the security arrangement so that it is proportional to the threat envisaged.

When establishing its security arrangements, local community members should be included in the consultations and engagement to the extent possible, in order to anticipate, manage and mitigate any potential negative impacts. Stakeholder engagement and consultation are essential elements of the Voluntary Principles on Security and Human Rights, and the company should engage in regular consultations with a number of different stakeholders regarding its security arrangements.If the security arrangements involve public security forces, key stakeholders include: the government; government officials from the company's home-country; other companies using security in the same region; public security and local community members. In its consultations with the government and other stakeholders, the company should take all appropriate measures to promote observance of international standards on policing and law enforcement, such as the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials.

The monitoring should include an overall assessment of the impact of the security arrangement on project-affected communities and individuals, and consider issues such as: proportionality of the security arrangement to the risks; conflict potential entailed in the security arrangement; and investigations of security incidents where force has been deployed. Adjustments and remedial actions should be undertaken if found necessary by the monitoring. Consultations with members from the local community should constitute an inherent part of the monitoring. Measures should be taken to ensure that monitoring is gender-sensitive and includes attention to vulnerable individuals and groups, for example, ethnic minorities, children, the elderly or others, depending on the context of the project.

Allegations about human rights abuses committed by company security personnel can have serious consequences for the company and should be managed with great care. The company should have a formal process in place (e.g. grievance mechanism) in order to capture allegations. The process should be accessible to all relevant stakeholders, including security forces, staff, and people in the local community. The grievance mechanism should also meet the eight effectiveness criteria outlined in UN Guiding Principle 31.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Articles 3 and 5; International Covenant on Civil and Political Rights (1966), Articles 6(1), 7 and 9(1); Voluntary Principles on Security and Human Rights: Risk Assessment; UNGPs (2011);

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991, Sections 5, 6, 7, 15-29, 155-158, 165-169, National Security and Central Intelligence Act (2023), Section 4, 19 &31; Human Rights Commission Act 2004 section 24; Truth and Reconciliation Commission (TRC) Act 2000; TRC Report 2004; Sierra Leone Conference Report on Development and Transformation 2012 (www.transformsl.org); Police Act 1964; Sierra Leone Police Policies and Rules of engagement; Constitutional Instrument No. 11 of 2013 Independent Police Complaints Board Regulations 2013; Arms and Ammunition Act 1955 (Arms and Ammunition Amendment Acts and Rules 1972, Act No. 10 of 1972, Act No.8 of 1969, Act No. 16 of 1968, Act No 17 of 1974, Act No.92 of 1993), Sierra Leone National Action Plan (SilNAP) on United Nations Security Council Resolutions 1325 &1820 (Women's Peace and Security) 2010; Mines and Minerals Development Act 2022; EPA Act 2022;

3.2 Private Security Services:

Private security services is an important aspect in securing assets, facilities, personnel and operations of companies. This is usually carried out by either Private Security Companies (PSCs) or internal security arrangement by establishing a unit or department within the company to provide security for their operations. Often times when personnel of PSCs are not well trained in handling situations, risk harming basic rights of its work force or local communities. On the other hand personnel of PSCs face labour exploitation with low wages, excessive work hours, lack of proper training and poor workplace safety.

When providing security services, PSCs must be thoroughly vetted, subjected to formal contractual agreement that specifies respect for human rights, ensure due diligence approach during investigation of alleged wrongdoings of personnel, personnel not subjected to labour exploitation, are well trained on their response to the prevailing security situations and provided with adequate protective gears and conducive work environment.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Articles 3 and 5; International Covenant on Civil and Political Rights (1966), Articles 6(1), 7 and 9(1); UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990), Articles 18; The Voluntary Principles on Security and Human Rights: Interactions Between Companies and Private Security; ECOWAS Code of Conduct for Armed Forces and Security Services in West Africa; African Charter on Human and Peoples' Rights, (1982) 21 ILM 59; UNGPs (2011); Voluntary Principles on Security and Human Rights;

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991, Sections 5, 6, 7, 15-29, 155-158, 165-169; National Security and Central Intelligence Act (2023), Section 4, 19 &31; Human Rights Commission Act 2004 section 24, Truth and Reconciliation Commission (TRC) Act 2000, TRC Report 2004, Police Act 1964, Constitutional Instrument No. 11 of 2013 Independent Police Complaints Board Regulations 2013, The Standard Operating Manual for Security Companies in Sierra Leone, Section 2.1(III).

3.3 Public Security Services:

Public Security Services (provided by the police, military or paramilitary forces) is another aspect of security arrangements utilized by business enterprises to protect their assets, facilities, personnel and operations. While their primary mandate is to protect the rule of law, secure economic infrastructure, their deployment to protect corporate assets often create a friction point sometimes leading to severer human rights challenges. This dynamic is particularly prevalent in high-risk zones, conflict-affected areas, and the extractive or natural resource sectors (like mining, oil and gas).

The intersection created by the use of public security services in business entities is such that states have the primary responsibility to protect lives and property, including commercial interests, through the national security structures. Therefore, extending the role of the police or military personnel to protect assets of businesses duly fall within their security mandate as companies are considered by law as 'Corporate Persons', in addition to their contribution in the national revenue generation of the state.

However, where private multinational companies provide funding, housing, transport or equipment to public security forces protecting their sites, such support most often than not skew the loyalty of the forces and thus shifting their mandate from protecting public interest to corporate profits. This often lead to the many human rights vices perpetrated by public forces against workers and/or host communities in the guise of protecting corporate assets, operations or facilities from ill-motivated individuals.

In addition to the above, it is also important to note how transparent and accountable states are during arrangement for providing security services to companies; whether the forces will be in compliance to best practices and international human rights standards; when companies provide equipment for use by the forces should be in strict compliance with laid down principles and for and not to abuse/violate rights and as well providing adequate training for the forces in line with the Voluntary Principles on Security and Human Rights in their interaction with the public.

Applicable International Laws and Standards: Universal Declaration of Human Rights (1948), Articles 3 and 5; International Covenant on Civil and Political Rights (1966), Articles 6(1), 7 and 9(1); UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990); UN Code of Conduct for Law Enforcement Officials (1979); Voluntary Principles on Security and Human Rights – Interactions Between Companies and Public Security; Interactions Between Companies and Public Security and Interactions Between Companies and Public Security; UN/AU/ECOWAS Peacekeeping Operations;

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991, Sections 5, 6, 7, 15-29, 155-158, 165-169, National Security and Central Intelligence Act (2023), Police Act 1964, Constitutional Instrument No. 11 of 2013 Independent Police Complaints Board Regulations 2013, Anti-Corruption Act 2019.

3.4 Monitoring Checklist:

INDICATORS	YES	NO	UPDATE
Security Management			
1. Does the company undertake a risk assessment prior to setting up its security arrangements?			
2. Does the company monitor its security arrangement and impact on its operational/local communities?			
3. Does the company consult with relevant stakeholders regarding its security arrangement?			
4. Does the company have a process in place to adequately respond to credible allegations of human rights abuses committed by security personnel?			
5. Which type of security arrangement does the company have (own, private/govt/community arrangement)?			
6. Does your company maintain own security other than hiring services from private security agency?			
Private Security Services			
7. Does the company have a clause in its contractual agreements with private security personnel and/or providers that commit them to respecting human rights?			
8. Does the company engage with due diligence in investigations of security personnel and/or private security providers before they are hired/contracted?			
9. Does the company/employer provide maternity and paternity leave to security employees with a newborn or newly adopted child, without retaliation or discrimination?			
10. Does your company seek clearance from the Office of National Security (ONS)? (as per the NaSCIA Act Sec. 31) prior to recruiting any PSC?			
11. Does your company ensure that PSCs formally renew their operational license with the Office of National Security?			
12. Are private security personnel trained to use appropriate level of force and respect the human rights of others while on duty?			
13. Does your company follow up with security agencies on refresher training for personnel?			
14. Does the company clearly define the responsibilities of private security personnel, and seek to			

minimize their exposure to danger by providing sufficient training and protective gear; establishing clear guidelines and lines of responsibilities; and giving instructions about when to withdraw from dangerous situations?			
15. Does your company provide sufficient training and appropriate personal protective equipment (PPE) in minimizing exposure to danger?			
16. Does the company ensure that private security personnel are trained in the bounds of their authority and mandate, and prevent them from exceeding it?			
17. Are the private security personnel using arms and ammunition in the course of protecting your company? If yes where do they get the authorization?			
18. How many PSC personnel does your company have, including their gender dis-aggregation?			
Public security forces			
19. Does the company encourage the government to permit transparency regarding the company's security arrangements?			
20. Are there any armed personnel provided by the government to protect your operations? If yes how many?			
21. Does your company provide support to those government armed personnel? If yes, what kind of support?			
22. Does the company promote the Voluntary Principles on Security and Human Rights in its interactions with public security forces?			
23. If the company provides equipment to public security forces, does it take all reasonable steps to mitigate any foreseeable consequences, including human rights abuses?			
24. Does the company encourage the government to implement adequate training for public security forces?			
Basis of assessment:			
Follow-up points:			

SECTION FOUR: LEGAL AND GOVERNMENT AFFAIRS

Description:

This is another major aspect of discussion in business and human rights where the focus is specifically on how companies navigate state laws, public policy and international human rights frameworks without becoming complicit is abuses. The implication is such that corporate relationship with state governments must be guided by ensuring that human rights and the welfare of local communities in operational areas are upheld. In doing so, the following core principles must be considered.

- ✓***State Duty Vs Corporate Responsibility:*** States hold the primary obligation to protect human rights under international law, while businesses carry an independent corporate responsibility to respect human rights (UNGPs).
- ✓***Avoiding Complicity:*** Companies must refrain from endorsing or supporting government policies that violate international human rights law. This includes refusing to share employee or customer data that enables state crackdowns on protesters or dissidents.
- ✓***Public Security Risk:*** Businesses must ensure that state security forces protecting corporate assets or operations do not abuse human rights defenders or local community members.
- ✓***Anti-Corruption Control:*** Businesses must ensure that all their dealings with the state and its officials must be done in an open, transparent and accountable manner. All stakeholders and affected persons of any projects undertaken including investment contracts must be adequately informed about such deals and information made accessible for public consumption and questioning.

In the ensuing discussion under this Section, the following areas will be looked into.

4.1 Anti-Corruption Risk Assessment
4.2 Anti-Corruption Policy and Procedure
4.3 Anti-Bribery and Corruption Training
4.4 Combating Bribery and Corruption
4.5 Investment Agreements/Contracts
4.6 Monitoring Checklist

4.1 Anti-Corruption Risk Assessment:

Here, the company/employer is expected to conduct a systematic process to identify, evaluate and mitigate how bribery and corruption risks intersect with and exacerbate human rights violations across global supply chains and operations. It is important to note that companies frequently engage with government officials in the course of establishing and maintaining operations. For example, a company may engage with different areas of government related to: licensing and permitting; environmental and social impact assessments; tax and revenue; and others. In some instances, engagement between the company and government officials may

involve disagreement, attempts to explain a viewpoint or attempts to persuade a governmental actor to agree with a company position, proposal or policy. Discussions of this nature are an inevitable part of the process of business, and do not generally constitute a violation of the right to take part in government or the right to a fair trial. However, companies may also encounter bribery and corruption risks.

Key steps in anti-corruption risk assessment include:

- ✓ ***Establishing Scope and Baseline:*** define operational boundaries, legal frameworks and local human rights context.
- ✓ ***Identifying Risks and Red Flags:*** Gather internal and external data to map where business activities - like licensing, public procurement or third-party intermediaries - create vulnerabilities for both corruption and rights abuses.
- ✓ ***Evaluating Likelihood and Impact:*** Rate the severity of potential harms to the company (legal, financial) alongside the impact on affected local communities or workers.
- ✓ ***Reviewing and Testing Controls:*** Assess existing preventive and detective measures to calculate residual risk and deploy targeted mitigation.

Applicable International Laws and Standards: UDHR (1948), Articles 6, 7, 8, 9, 10, 11 and 21; ICCPR (1966), Article 25; OECD Convention on the Combating of Bribery of Foreign Public Officials in International Business Transactions (1997), Article 1; OECD Guidelines for Multinational Enterprises (2000), Section 6; UN Convention Against Corruption (2003), Article 12; OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones; UN Global Compact 2000; UNGPs 2011;

Applicable National Laws and Policies: Anti-Corruption Act, 2019,Criminal Procedure Act 1965,The Constitution of Sierra Leone 1991 section 6 ,Companies Act 2009, section 462.

4.2 Anti Corruption Policy and Procedure:

An effective anti-corruption policy and procedure in business and human rights requires a zero-tolerance approach to bribery, clear internal controls and active alignment with international human rights frameworks. Ensuring a culture of anti-corruption involves formulating anti-corruption standards and implementing these in company procedures so that employees are equipped with the appropriate information to identify and address any bribery and corruption risks and incidents that they may encounter in their workplace, in compliance with the company's anti-corruption policy commitment. Clearly communicating pro-active measures taken by the company to address bribery and corruption risks and incidents to stakeholders and partners is strongly advised in order to prevent bribery and corruption demands or requests.

To ensure that the policy is effective must have the following four (4) core elements:

- ✓ ***Top-Level Commitment:*** Leaders and boards of directors must set a clear tone at the top, proving visible dedication to ethical conduct and integrity.
- ✓ ***Scope and Prohibitions:*** Explicitly ban direct and indirect bribes, kickbacks, facilitation payments and improper gift or political contributions.
- ✓ ***Risk Assessment:*** Regularly evaluate operations, high-risk sectors and geographic regions prone to corruption and human rights abuses.
- ✓ ***Third-Party Due Diligence:*** Perform background checks on business partners, agents and suppliers to verify their integrity before entering relationships.

Applicable International Laws and Standards: UDHR (1948), Articles 6, 7, 8, 9, 10, 11 and 21; ICCPR (1966), Article 25; OECD Convention on the Combating of Bribery of Foreign Public Officials in International Business Transactions (1997), Article 1; OECD Guidelines for Multinational Enterprises (2000), Section 6; UN Convention Against Corruption (2003), Article 12; OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones; UN Global Compact 2000; UNGPs 2011;

Applicable National Laws and Policies: Anti-Corruption Act, 2019,Criminal Procedure Act 1965,The Constitution of Sierra Leone 1991 section 6 ,Companies Act 2009, section 462.

4.3 Anti-Bribery and Corruption Training:

Anti-bribery and corruption training in business and human rights teaches organizations how to stop illegal payments while respecting human rights and ethical standards. Awareness-raising is essential for the long-term success of fighting bribery and corruption. Awareness is not established instantly, but created through on-going dialogue, training and information about bribery and corruption, its impact and how to prevent and address it. It is critical that employees of the company are adequately trained in their roles and responsibilities with regards to the company's anti-bribery and corruption policy and procedure(s). This includes that employees are made aware of any bribery and corruption risks specific to their job-function, as well as the operating context. Topics to cover in such training should include zero tolerance, risk assessment, due diligence and speaking up.

Applicable International Laws and Standards: UDHR (1948), Articles 6, 7, 8, 9, 10, 11 and 21; ICCPR (1966), Article 25; OECD Convention on the Combating of Bribery of Foreign Public Officials in International Business Transactions (1997), Article 1; OECD Guidelines for Multinational Enterprises (2000), Section 6; UN Convention Against Corruption (2003), Article 12; OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones; UN Global Compact 2000; UNGPs 2011;

Applicable National Laws and Policies: Anti-Corruption Act, 2019,Criminal Procedure Act 1965,The Constitution of Sierra Leone 1991 section 6 ,Companies Act 2009, section 462.

4.4 Combating Bribery and Corruption:

Combating bribery and corruption in business protects human rights by ensuring fair resource distribution, upholding the rule of law and preventing structural harm to vulnerable groups. Anti-bribery and corruption commitments in suppliers, contractors and other business partners need to be effectively managed by the relevant entity. However, the company should also apply attentiveness and ensure that all reasonable measures are undertaken to improve and promote anti-bribery and corruption management in suppliers, contractors and other business partners. This includes setting clear standards and expectations in the business relationship, appropriately monitoring the adherence of business partners to these standards, and taking steps to address any gaps or incidents identified

4.5 Investment Agreements/Contracts:

An Investment Agreement/Contract is the basis to commence business operations in any state. It is a legally binding agreement where an investor provides capital, money or resources to a company or government project with the expectation of earning a financial return or profit. Simply put, a 'state-investor contract' is a contract made between a state (like Sierra Leone) as the host country and a foreign business investor or investors, often made in the areas of resource exploration or exploitation such as in oil, gas or mining; large agricultural projects; manufacturing; energy; transport; infrastructure/construction projects, such as for the construction of highways, railways, ports, dams; or those for the development and operation of water and sanitation systems.

For the effective ongoing management of human rights risks and impacts throughout the project, it is important that the roles and responsibilities of state and company are clearly articulated, and associated costs for human rights management are included and assigned in the investment contract. Essentially, the contract should reflect that the state is the primary duty-bearer to protect human rights, and that the company has a responsibility to respect human rights.

When these contracts (especially large state-investor or public concession agreements) are poorly designed or heavily weighted toward financial protection, they create significant human rights risks as shown below:

- ✓ ***Freezing Public Protection via Stabilization Clauses:*** Many contracts use stabilization clauses to freeze existing laws for the investor. This stops the host government from updating labour, environmental, health or anti-discrimination laws without facing heavy financial penalties or international arbitration. However, under the UNGPs and the Principles for Responsible Contracts (Principle 4), stabilization clauses or freezing of laws

must not affect the state ability to comply with its international human rights obligations in the areas of labour rights, health, environment and others.

- ✓***Displacing Local Communities:*** Large scale businesses in infrastructure, mining, or land projects often force local or indigenous communities off their traditional lands. Contracts rarely include adequate prior consultation or fair compensation protocols.
- ✓***Suppressing Labour and Safety:*** If a contract fails to explicitly mandate compliance with international labour rights, investors may cut corners of fair wages, safe working conditions and the right to unionize.
- ✓***Damaging the Local Environment:*** Industrial or resource extraction projects can pollute local water sources and ruin arable land. Weak oversight in the contract lets operators degrade ecosystems that local population rely on for survival.
- ✓***Lack of Grievance Remedies for Third Parties:*** Affected local communities are rarely parties to the investment contract. When harm occurs, these third parties often lack accessible legal tools or non-judicial grievance redress mechanisms to hold the corporate investor accountable.
- ✓***Opacity and Lack of Transparency:*** Secret or confidential contract terms prevent the public from knowing what environmental or social commitments the investor agreed to, stopping CSOs from monitoring compliance.

Applicable International Laws and Standards: Principles for responsible contracts: integrating the management of human rights risks into State-investor contract negotiations: guidance for negotiators (A/HRC/17/31/Add.3).

Applicable National Laws and Policies: The Constitution of Sierra Leone section 6, Agenda for Prosperity (PRSP3) 2013.

4.6 Monitoring Checklist:

INDICATORS	YES	NO	UPDATE
Anti-corruption risk assessment			
1. Does the company assess and address the risk of bribery and corruption when doing business?			
Anti-corruption policy and procedure			
2. Does the company have in place a written policy commitment against bribery and corruption? If yes how effective is the implementation process? If no why?			
3. Does the company ' s internal procedure support its anti-corruption policy commitment?			
4. Does the company ' s anti-corruption policy and procedure(s) cover agents, intermediaries, consultants and third party companies?			
Anti-bribery and corruption training			
5. Does the company ensure that staff know the company ' s anti-bribery and corruption policy and procedure(s) and are properly trained to comply with these?			
Combating bribery and corruption			
6. Does the company promote its anti-bribery and corruption commitment in its interactions with suppliers and other business partners?			
7. How does the company ensure that its suppliers and other business partners understand its anti-bribery and corruption commitments?			
8. Does the company ensure that there mechanisms and structures in place to combat bribery and corruption?			
9. Does the management of the Community Development Fund (CDF) done in an open, transparent and accountable manner?			
10. How does the company manages surface rent between and among landowners?			

Investment agreements			
11. Does the state/company/investor consider human rights in negotiating contracts?			
12. Does the state/company allow public scrutiny/participation, ensuring transparency during contracts negotiations by especially members of host communities or their representative?			
13. Does parties to contracts negotiations ensure that **Stabilization-Clauses** do not negatively affect human rights?			
14. Or does the **Umbrella Clauses** in the investment contract include the state's international human rights obligations?			
15. Does the finalized investment contracts have specific period for review?			
16. Does the finalized contract agreement made accessible or disclosure of terms to the public?			
17. Does the contract address grievance redress mechanisms for human rights harm done to third parties?			
18. Does the contract include provisions for the physical security for company's facilities, installations or personnel be consistent with human rights principles?			
19. Does the contract accommodate issues of compensation for third parties for human rights harm caused during company operations?			
20. Does the contract include provisions for frequent community engagement throughout the project's life cycle?			
Basis of assessment:			
Follow-up points:			

SECTION FIVE: PUBLIC PROCUREMENT, CONTRACTORS AND SUPPLY CHAIN

This section deals with another very important aspect in business and human rights. It shows the link between purchasing power of governments, using private vendors or companies and the manner in which such items, services and infrastructure purchased affect the enjoyment of human rights generally. The discussion will specifically focus on the following:

5.1 Public Procurement - Transparency, Accountability and Inclusivity;

5.2 Due Diligence for Contractors and Supply Chain Management;

5.3 Performance Standards;

5.4 Monitoring Checklist;

5.1 Public Procurement - Transparency, Accountability and Inclusivity:

Public Procurement in business and human rights is the practice of company/governments using their massive purchasing power to ensure that the private companies or vendors supplying the items, services and infrastructure purchased respect human rights. It is expected that because company/public bodies do buy so much, must therefore have the leverage to influence their suppliers to be compliant with the states human rights obligations. It is so because under the UNGPs, states have the duty to protect rights by enacting relevant laws and policies, creating and supporting structures to deliver such mandate, provide remedy for victims of corporate human rights harms and preventing harm in their commercial supply chains.

Transparency in Public Procurement is the open and accessible disclosure of information throughout the entire company/government contracting cycle, from initial planning to contract execution. This could be through ***'Ex-Ante Transparency'*** by publishing procurement plans in advance; ***'Open Bidding'*** by sharing clear closing dates and evaluation criteria; ***'Beneficial Ownership'*** by disclosing the real owners of the bidding companies to prevent favouritism; and ***'Digital Integration'*** by using web-based portals and e-procurement platforms to make data searchable.

Accountability in Public Procurement is when company/public officials involved in purchasing for public bodies are held responsible for their decisions and must explain how they use public money (from the Consolidated Fund or Development Projects). This is so because when accountability is promoted, its protect public funds from corruption and wastage; build trust as it proves to citizens that public funds are spent fairly; and as well ensures quality as value for money will be achieved.

Inclusivity in Public Procurement means opening company/governmental purchasing processes to under-represented businesses, such as those owned by women, minorities, youth, persons

with disabilities and small-and-medium enterprises (SMEs). By so doing, it promotes economic growth through diversification of vendors and reducing unemployment; ensuring innovation by introducing fresh and new ideas and competitive pricing; and promoting fairness by cutting down corruption through transparent and accessible bidding processes for everyone.

Public Procurement is often confronted with the following human rights risks:

- ✓***Modern Slavery:*** Forced labour or human trafficking hidden deep inside global manufacturing chains.
- ✓***Child Labour:*** Young children working illegally to produce raw materials or cheap goods.
- ✓***Unfair Working Conditions:*** Unsafe factories, extreme working hours, and forced overtime driven by unrealistic government delivery deadlines.
- ✓***Discrimination:*** Vendors sometimes selected based on political influence or their relationship with high placed government officials. Also, vendors sometimes mistreat or underpay minority groups like women, youth or disable workers.
- ✓***Lack of Remedy:*** Workers having no way to report abuse or get justice from contractors.
- ✓***Conflict areas:*** Procurement from companies operating in occupied territories without Human Rights Due Diligence (HRDD);

Applicable International and Regional Laws and Standards: UNGPs (2011);UN Global Compact (2000); SDGs Target 12.7 (2015); ILO Conventions; OECD Due Diligence Guidance (2011);African Union Convention on Preventing and Combating Corruption; Sub-Regional Economic Communities like ECOWAS, EAC, SADC;

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991; The Public Procurement Act 2016; Public Procurement Regulations 2020; Financial Management Act 2016; Local Content Act 2016; Local Content Guidelines to promote economic participation by qualified local contractors and suppliers;

5.2 Due Diligence for Contractors and Supply Chain Management:

Human Rights Due Diligence (HRDD) for contractors and supply chain management is an ongoing process where businesses identify, prevent, mitigate and account for how they address adverse impacts on people across their operations and business relationships.

Under this aspect, businesses have a corporate responsibility to ensure that their suppliers and contractors promote international best practices and human rights standards in their operations. A policy commitment that make clear rules of conduct be adopted. In addition, there must be risks assessment for all suppliers and contractors to identify possible human rights risks of their operations. The parent company should also be able to monitor, track and communicate, take mitigation actions and provide remedies for those seriously impacted by the operations of their suppliers and contractors.

The UN Guiding Principles on Business and Human Rights require companies to pay attention not only to those impacts that are directly caused by the business, but also to those human rights impacts that the company contributes to, or that may be directly linked to the business through goods, products or services. This means that taking steps to identify any actual and potential human rights impacts in the supply chain is a critical aspect of human rights due diligence, the process companies are expected to undertake to implement their respect for human rights. Most companies maintain numerous business partners. As a result, they are exposed to the risk of being connected to a wide range of human rights abuses and violations. Of those rights which are at greatest risk in the particular context, companies are advised to inform local partners of their commitment to good human rights practices and reinforce this message, through standard human rights clauses in contractual agreements, requests for information and on-site monitoring.

Applicable International and Regional Laws and Standards: UNGPs (2011);UN Global Compact (2000); SDGs Target 12.7 (2015); ILO Conventions; OECD Due Diligence Guidance (2011); EU Corporate Sustainability Due Diligence Directives (CSDDD); African Union Convention on Preventing and Combating Corruption; Sub-Regional Economic Communities like ECOWAS, EAC, SADC;

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991; The Public Procurement Act 2016; Public Procurement Regulations 2020; Financial Management Act 2016; Local Content Act 2016; Local Content Guidelines to promote economic participation by qualified local contractors and suppliers;

5.3 Performance Standards:

This aspect requires companies to ensure that their suppliers and contractors integrate ethical practices in all their operational programmes by observing applicable laws, policies and regulations concerning labour rights, environmental standards, their interactions with private and public security forces, bribery and corruption, and engagement and interaction with local communities.

As is applicable in all human resource manuals, environmental policies, community relations policies, policies on contracting private/public security agencies and anti-corruption policies, companies need to ensure they uphold international labour standards; sound environmental and community standards, strict security compliance and anti-corruption measures that promote best practices and the related domestic and international laws and standards. This also means that contracting and procurement processes need to ensure that any contractors or suppliers engaged by the company have sound policies and management practices that are in accordance with international labour, environmental, community relations, anti-corruption and security standards.

Applicable International and Regional Laws and Standards: UDHR (1948); ICCPR (1966); ICESCR (1966); UNGPs (2011);UN Global Compact (2000); SDGs (2015); ILO Conventions; RIO Declaration on Environment and Development (1992); OECD Guidelines for Multinational Enterprises (2000); UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990); The Voluntary Principles on Security and human Rights; The African Charter on Human and People's Rights (1981);

Applicable National Laws and Policies: The Constitution of Sierra Leone 1991; Employment Act 2023; Customary Land Rights Act 2022; Land Commission Act 2022; EPA Act 2022; Mines and Minerals Development Act 2022; ACC Act 2019; National Security and Central Intelligence Act 2023;

5.4 Monitoring Checklist:

INDICATORS	YES	NO	UPD
Public Procurement			
1. Does your company have a procurement policy that comply with the law and international best practices?			
2. Are procurement practices in your company transparent, inclusive, accountable, non-discriminatory and gender sensitive?			
3. Does your company procurement practices take note of human rights risks associated with the chain of suppliers and vendors?			
Due diligence for contractors and supply chain management			
4. Does the company have in place a policy commitment that compel their contractors and suppliers to adopt human rights best practices in their operations?			
5. Does the company policy promote international human rights standards in its contractor and supply chain managements?			
6. Does the company sub-contractors policy provide remedy provision in the event of human rights abuse caused during their operations?			
7. Does the company policy calls for routine monitoring of the operations of sub-contractors and suppliers to assess their human rights compliance?			
Performance Standards			
8. Does the company seek to ensure that its suppliers and contractors observe applicable laws and regulations concerning labour rights?			
9. Does the company seek to ensure that its suppliers and contractors observe applicable laws and regulations concerning environmental standards?			
10. Does the company/employer provide maternity and paternity leave to employees with a newborn or newly adopted child, without retaliation or			

discrimination?			
11. Does the company seek to ensure that its suppliers and contractors observe applicable laws and regulations concerning engagement and interaction with local communities?			
12. Does the company seek to ensure that its suppliers and contractors observe applicable laws and regulation concerning interaction with public security forces or engagement of private security staff or providers?			
13. Does the company seek to ensure that its suppliers and contractors observe applicable laws and regulations concerning bribery and corruption?			
Basis of assessment:			
Follow-up points:			

SECTION SIX: SPECIFIC BUSINESS SECTORS/COMPANIES

Here we specify key human rights risks with sample indicators for each business sector. The sample indicator table identify 'type' which contain Structural, Process and Outcome Indicator columns. They are explained as follows:

a. **Structural** Check if laws/policies exist. Use OHCHR/ILO treaty databases, as well as relevant regional and domestic legal frameworks.

b. **Process** Track what government/company is doing. Use project audits, inspection Reports, etc.

c. **Outcome** Track actual impact on people. Use surveys, HR Defender reports, Grievance data, etc.

The purpose of having specific business sectors under this section, is to promote a simplified and more direct approach to the monitoring process, where the officer responsible can find it easy to identify, at a glance, the human rights risks associated to the business sector targeted. The business sectors identified are mostly those common to Sierra Leone in order to provide a picture of the of the challenging human rights situation under which our local communities and other disadvantage groups are subjected to.

These sectors include but not limited to the following:

1. Blue Economy (Fisheries Management, Offshore Oil Drilling and Maritime Industry);
2. Energy (Electricity Generation and Distribution Sectors);
3. Agribusiness;
4. State-Owned Enterprises (SOEs);
5. Banking Services & Other Financial Institutions;
6. Cyber/Digital Space & Tele-Communication;
7. Transportation (Land, Air and Water);
8. Tourism and Hospitality/Entertainment Industry;
9. Construction;
10. Manufacturing;
11. Small and Medium Enterprises (SMEs);
12. Mining & Quarrying;
13. Learning Institutions (Private Schools and Colleagues/Universities);
14. Health and Medical Institutions (Private Hospitals, Pharmacies and Laboratories);

6.1 BLUE ECONOMY – Fisheries, Offshore Oil, Maritime Industry:

The Blue Economy in business and human rights refers to the sustainable use of ocean and marine resources for economic growth, better livelihoods and ocean health. It balances business development in sectors like fishing, tourism, offshore oil drilling and shipping, with protection of marine ecosystems. Suffice to note that the global ocean economy generates trillions of dollars annually and employs hundreds of millions of people.

The World Bank and the United Nations also defined the ***Blue Economy*** as the sustainable use of ocean resources for economic growth, improved livelihoods, and jobs while preserving the health of marine ecosystems. Unlike traditional, purely extractive maritime industries, the Blue Economy explicitly aims to decouple economic development from environmental degradation by integrating economic growth, environmental protection, and social equity.

While the concept is designed to be socially inclusive, the implementation of large-scale maritime projects often carries severe, cross-cutting implications for the enjoyment of ***human rights.***

The Blue Economy has three dimensions: Economic, Social and Environmental.

1. ***Economic Dimension:*** *Drives Growth* by boosting financial prosperity through marine industries; *Supports Sectors* which relies on fisheries, aquaculture, shipping and offshore renewable energy; and *Fostering Innovation* by promoting efficient resource use and green supply chains.
2. ***Social Dimension:*** *Improves Livelihoods* by supporting coastal populations that depend on the sea for survival; *Creates Jobs* by generating fair employment and reduces local poverty; and *Ensures Equity* by promoting inclusive access to ocean benefits for local and indigenous communities.
3. ***Environmental Dimension:*** *Protects Ocean Health* by safeguarding marine biodiversity and delicate coastal habitats; *Combats Pollution* by reducing marine litter, plastics and toxic runoff; and *Restores Ecosystems* by repairing damaged marine life systems to maintain natural capital.

Key Human Rights Risks:

When implemented without strict human rights safeguards, Blue Economy policies can result in what critics call "blue washing"—using conservation and sustainability vocabulary to mask corporate land-grabbing, resource privatization, and displacement. These initiatives impact several fundamental human rights:

1. Right to Livelihood, Food, and an Adequate Standard of Living

Many coastal communities depend entirely on small-scale artisanal fishing for food security and income. The expansion of commercial aquaculture, industrial fishing, large-scale marine protected areas (MPAs), offshore wind farms, or deep-seabed mining can restrict local access to traditional fishing grounds. This economic exclusion directly disrupts the right to work and the right to food.

2. Rights of Indigenous Peoples and Cultural Rights

For many Indigenous and coastal populations, the ocean holds profound ancestral, spiritual, and heritage value. Mega-projects—such as major trans-shipment ports or large-scale tourism zones—frequently encroach upon tribal land and ancestral waters without securing Free, Prior, and Informed Consent (FPIC). This undermines the right to cultural identity and self-determination.

3. Right to a Clean, Healthy, and Sustainable Environment

While the Blue Economy champions conservation, certain sub-sectors pose localized environmental risks. Deep-seabed mining, offshore oil/gas developments, or intensive marine infrastructure can cause ecosystem collapse, habitat destruction, and chemical pollution. This degrades the local environment and compromises the fundamental human right to a healthy ecosystem.

4. International Investment Law vs. State Human Rights Obligations

A major systemic conflict exists between international economic treaties and domestic human rights. When national governments sign international agreements to protect foreign investments in ocean energy or infrastructure, they create separate legal obligations. If a state later tries to halt a project to protect local communities' human rights, foreign investors can sue the government under investor-state dispute mechanisms, effectively restricting the state's judicial capability to safeguard its own citizens.

5. Labour Rights and Gender Equality

The maritime sector is prone to hazardous working conditions, human trafficking, and forced labor—particularly in unregulated industrial fishing fleets. Furthermore, while women make up a massive portion of the workforce in seafood processing and coastal tourism, they are frequently marginalized in high-level blue governance and decision-making, impacting rights to equal opportunity and fair labour standards.

Summary of Key Human Rights Risks:

- ***Labour*** – Forced labour, human trafficking on fishing vessels, debt bondage for migrant fishers;
- ***Safety*** – death/injury from unsafe vessels, abandonment of seafarers;
- ***Land/Natural Resources*** – loss of livelihood for coastal communities, no FPIC for indigenous people near offshore drilling;
- ***Environment*** – oil spill violating right to water/health, threatens marine life, beaches become unusable, overfishing threatening right to food;
- ***Blue Washing:*** Companies sometimes use conservation words to hide harmful extraction or privatization of coastal areas;
- ***Inequality:*** Traditional fishing communities and vulnerable groups often not consulted and sometimes face displacement or loss of income due to large industrial fishing or offshore oil drilling activities or projects. Small scale fishers threatened or fishing nets destroyed with remedy.

Sample indicators:

Type	Indicator
Structural	- Availability of internal company policies on working condition, environmental protection and social protection; - Availability of domestic laws and policies on fisheries, shipping management and offshore drilling; - Ratification of ILO convention relating to work in Fishing C188 and Maritime Labour Convention;
Process	- % of fishing vessels inspected for labour conditions in the last 12 months; - Existence of FPIC protocol for offshore projects affecting indigenous territories;
Outcome	- Number of verified cases of forced labour on vessels per year; - % of coastal households reporting reduced access to food/fisheries post project;

6.2 ENERGY - ELECTRICITY GENERATION AND DISTRBUTIONS SECTORS:

Energy generation and distribution refers to the industrial processes of creating usable power from raw energy sources and physically transmitting that power to end-users. Because energy underpins almost all modern economic, social, and technological activities, the way it is generated and distributed directly impacts the realization and protection of international human rights.

- **Energy Generation:** The process of converting primary energy sources (such as coal, natural gas, uranium, solar, wind, or hydro power) into electrical energy or heat. This phase typically requires large facilities like power plants, solar fields, wind farms, or dams.
- **Energy Distribution:** The infrastructure and mechanisms—such as high-voltage transmission lines, transformers, localized grids, and localized pipeline networks—used to transport the generated energy over long distances safely into individual homes, hospitals, schools, and industrial facilities.

In Sierra Leone, three main types of energy generation are noticeable. They are Thermal (include oil and diesel plants), Hydro Dams (include large, small and mini hydro) and Solar (include photovoltaic and concentrated solar) energy generation. These energy generation types are derived from two major energy sources: Renewable (Clean/Sustainable Energy Source) and Non-Renewable (Conventional). Hydro Dams and Solar are Renewable, while Thermal is under Non-Renewable.

Energy generation and distribution shape economic viability and human dignity, directly influencing corporate obligations, community welfare and fundamental rights. In other words, access to safe, clean and reliably distributed energy is a fundamental prerequisite for the effective enjoyment of fundamental rights.

- ✓ Powers vital hospital equipment, preserves life-saving vaccines via refrigeration, and replaces toxic indoor cooking fuels.
- ✓ Powers clean groundwater pumps, water purification systems, and agricultural irrigation to boost crop yields.
- ✓ Provides lighting for children to study at night, powers digital classrooms, and connects schools to the internet.
- ✓ Inclusive community-owned setups can offer direct revenue, local development, and localized self-determination.
- ✓ Eradicates structural poverty, provides reliable heating/cooling, and drives economic productivity and stable livelihoods.

Below are several cross-cutting human rights risks across all types of energy generations.

Key Human Rights Risks Across All Types of Energy Generation:

1. Right to Health

Fossil fuel extraction, thermal generation and burning generate severe air pollution and water contamination from ash/chemicals. Mining raw materials (like uranium or lithium) can poison local water; and noise from wind and dam failures also risk the right to health, death, safety and security of local communities.

2. Right to Food & Clean Water

Large-scale renewable projects (e.g., mega-dams or massive solar arrays) and fossil extractions often consume or contaminate local water tables and displace fertile farmlands and herders.

3. Right to Education

Energy deficits force youth in developing regions to spend daylight hours gathering traditional fuels (wood, dung) instead of attending school.

4. Indigenous & Land Rights

Power plants and transmission need large areas. Aggressive "land-grabbing" for green or fossil projects frequently risk forced evictions and displaces indigenous peoples from their traditional and culturally sensitive places without their Free, Prior, and Informed Consent (FPIC).

5. Adequate Standard of Living Through Accessibility and Affordability

Regressive pricing or exclusionary grid rollouts trap marginalized communities in permanent energy poverty. Projects export power while local communities sometimes lack electricity; tariffs unaffordable for poor households.

6. *Labour Rights*

High-risk construction & Operations and Maintenance (O&M) involve severe workplace electrical hazards, work at height, confined spaces, exposure to chemicals/radiation. Forced

and child labour in supply chain in solar polysilico, cobalt mining for batteries, uranium mining and in quarries for construction materials can also be experienced. Also under ***Just Transition,*** Coal/nuclear plant closure lead to mass job loss which violates right to work.

7. *Safety and Security*

Plants are critical infrastructure guarded by police/military. This often risks the use of excessive force against communities who protest against the human rights harms they suffer from or Human Rights Defenders (HRDs) who agitate on behalf of victims.

8. *Climate impacts*

Thermal emissions drive climate change affecting rights to food, water, livelihoods, housing globally.

Summary of Risks by Generation Types:

A. Thermal Electricity Generation - Coal, Gas, Oil, Diesel Plants:

Key Human Rights Risks:

- ***Right to health*** - Air pollution with Particulate Matter (PM2.5), Sulfur Oxides (SOx),Nitrogen Oxides (NOx) - causes respiratory disease, premature deaths in nearby communities;
- ***Right to water*** - water intake/thermal discharge harms fisheries; ash ponds contaminate groundwater;
- ***Climate impact*** - CO2 emissions contribute to climate change affecting right to food, water and housing globally;
- ***Labour*** - High risk Occupational Health and Safety (OHS) - explosions often occur in confined spaces and coal dust affecting workers; contract workers also suffer from lack of benefits;
- ***Land and resettlement*** - Plant footprint and transmission lines displace farmers (crop and cattle) with inadequate compensation;
- ***Just transition*** - Plants closure leaves workers and communities without livelihoods or restraining;

Sample Indicators:

Type	Indicator
Structural	- National law sets emissions limits aligned with WHO Air Quality Guidelines; - Environmental permit requires cumulative impact assessment on air and water;
Process	- % of community with 5km consulted on ESIAs before construction; - Continuous emissions monitoring data publicly disclosed; - % of workers with Occupational Health and Safety (OHS) training and PPE; - Ratio of safety officers;
Outcome	- Measured PM2.5/SOx levels Vs baseline at fence-line monitors; - Cases of respiratory illness in local population Vs control area;

	- Number of households displaced by plant/transmission & % with livelihood restored; - Fatality/injury rate per 1,000 workers in operations;

Ref: Benchmark: IFC EHS Guidelines for Thermal Power Plants & IFC PS4 on Community Health. OHCHR on right to healthy environment.

B. Hydro Dams - Large, Small and Mini Hydro:

Key Human Rights Risks:

- ***Mass displacemen***t - Reservoirs flood villages, farmland, sacred sites; violates right to housing, food and culture;
- ***Indigenous Peoples*** - Dams on ancestral rivers without FPIC; loss of fisheries and traditional livelihoods;
- ***Downstream impacts*** - Altered flow destroys agriculture and fisheries; increased flooding or drought;
- ***Labour*** - Forced labour in construction; deaths from tunnel collapse and dam failure;
- ***Gender*** - Women lose land and water access; increased GBV in construction camps;
- ***Security*** - Dams guarded by military and police personnel often lead to repression of anti-dam protests;
- ***Trans-boundary:*** Dam affects rivers in other countries - right to water of downstream communities;

Sample Indicators:

Type	Indicator
Structural	- Law requires FPIC and cumulative basin assessment for dams; - Ratification of ILO C169 on Indigenous Peoples and UNDRIP;
Process	- % of affected people consulted on resettlement and compensation options pre-dam; - Number of downstream flow release agreements in place and monitored; - % of workers in dam construction with contracts and safety training;
Outcome	- Number of people resettled & % with improved living standards 5 yrs. post-dam; - Change in fish catch/income for downstream communities; - Number of cultural/religious sites flooded & mitigation provided; - Dam safety rating & emergency prepareness plan tested;

Ref: Benchmark: World Bank (Operational Policy) OP 4.37 Safety of Dams & OP 4.12 Involuntary Resettlement. World Commission on Dams (WCD). IFC PS 7 on Indigenous Peoples.

C. Solar Energy - Utility-Scale Photovoltaic (PV) and Concentrated Solar:

Key Human Rights Risks:

- ***Land*** - Large land take for solar farms displaces harders and crop farmers; “land grabbing” for renewables;
- ***Supply chains*** - Forced labour in polysilicon/quartz mining; child labour in cobalt for batteries;
- ***Indigenous rights*** - Projects on Indigenous land without FPIC; impacts on cultural landscapes;
- ***Labour*** - Migrant workers in construction with wage theft; unsafe electrical work at height;
- ***E-waste*** - Solar panels and batteries create hazardous waste at end-of-life; informal recycling with community right to water;
- ***Water*** - Concentrated solar uses water in arid areas; conflicts with community right to water;
- ***Access*** - Projects don’t benefit local communities; electricity exported while locals lack access;

Sample Indicators:

Type	Indicator
Structural	- Company has solar chain traceability policy & prohibits forced labour; - Land acquisition law requires community consent & avoids prime agricultural land;
Process	- % of polysilicon/quartz suppliers audited for forced labour per OECD Guidelines; - Hectares of land acquired & % with documented community agreement/compensation; - % of construction workers with OHS training for electrical work & fall protection; - End-of-life panel recycling plan in place;
Outcome	- Number of verified forced labour cases in Tier 1-2 solar suppliers; - % of households near project with improved electricity access; - Number of grievances from land use & % resolved with remedy; - Water use per MWh Vs local water scarcity index;

Ref: Benchmark: OECD Due Diligence Guidelines for Responsible Mineral Supply Chains & IFC EHS Guidelines for Solar. BHR Resource Centre Renewable Energy Benchmark.

6.3 AGRIBUSINESS - Crops, Livestock and Forestry Supply Chains:

Agribusiness is the integrated system of all commercial activities, industries and enterprises involved in the production, processing and distribution of agricultural goods. It goes beyond traditional farming to include every step required to bring food, fibre and bio-based products from the ground to the final consumer.

In Sierra Leone the most common aspects of agribusiness include crops, livestock and forestry. Key components of the value chain for these include:

1. ***Agricultural Inputs:*** Include companies that supply seeds, fertilizers, pesticides and high-tech farm machinery like tractors and GPS-guided harvesters.

2. ***Production:*** The actual farming, ranching, forestry and fishery operations that raise and harvest raw crops and livestock.
3. ***Processing:*** Facilities that clean, package, mill, or transform raw agricultural goods into consumer-ready food products, textiles or biofuels.
4. ***Distribution & Retail:*** The logistics, warehouse, transportation networks, supermarkets and restaurants that deliver products safely to the public.

Key Human Rights Risks:

- ***Land rights*** - Large-scale land acquisition without FPIC; forced eviction of indigenous peoples or smallholders; violates right to food and housing, livelihoods and culture;
- ***Labour*** - Forced labour or debt bondage on plantations; child labour in cocoa, coffee, palm oil, tobacco; hazardous pesticides exposure; economic pressure in agric supply chain lead to low wages;
- ***Migrant workers*** - Seasonal workers with no contracts; recruitment fees; passport retention; wage theft;
- ***Food security*** - Land converted from food crops to biofuels/export crops; water diversion affecting community right to water;
- ***Gender*** - Women denied land titles; sexual harassment on farms; unpaid family labour; environment - Pesticide runoff contaminating water; deforestation affecting right to healthy environment;
- ***Indigenous Peoples*** - Loss of ancestral territory, sacred sites, traditional livelihoods;
- ***Water and Environmental Degradation:*** Heavy use of agrochemicals and intensive water extraction deplete local resources and pollute ecosystems, undermining the right to a clean environment and safe drinking water.
- ***Suppression of Defending Voices:*** Local communities and human rights defenders face intimidation, threats, and legal harassment when protesting corporate environmental or land abuses.

Sample Indicators:

Type	Indicator
Structural	- Ratification of ILO C138/182 ob child labour and C184 safety in Agriculture and UNDRIP; - National law requires FPIC for projects on indigenous/customary land; - Company policy prohibits land acquisition without due process and no deforestation;
Process	- % of farms/plantations audited for labour conditions in the last 12 months; - % of land acquired with documented FPIC and fair compensation paid before operations; - % of workers with contracts, PPE, access to clean water/sanitation;

	- Hectares of high conservation value forest set aside; - % reduction in hazardous pestsicides,
Outcome	- Number of households involuntarily displaced for agribusiness projects; - Verified cases of child/forced labour per 10,000 workers; - % of smallholders reporting improved food security/income after out-grower scheme; - Cases of water contamination from agrochemical and remediation provided;

NB: Benchmark - ***IFC PS 5 on Land & PS& on Indigenous Peoples. FAO Voluntary Guidelines on Land Tenure. OECD-FAO Guidance for Responsible Agricultural Supply Chains;***

6.4 STATE-OWNED ENTERPRISES (SOEs):

State-owned Enterprises (SOEs) are businesses that have their own legal personalities (corporate persons) which are fully or partially owned, controlled and operated by national or local government. They are also known as ***Instrumentalities*** and ***Parastatals.***

Sierra Leone currently has 18 of such SOEs or parastatals of various kinds of business ranging from utilities and energy companies like the Sierra Leone Water Company (SALWACO), Guma Valley Water Company (GVWC), Electricity Distribution and Supply Authority (EDSA), Electricity Generation and Transmission Company (EGTC); transportation (Sierra Leone Road Transport Corporation (SLRTC), Air Sierra Leone (ASL), Sierra Leone Airport Authority (SLAA); other financial and banking services like (National Insurance Company (NIC), Sierra Leone State Lottery (SLSL), Sierra Leone Commercial Bank (SLCB), Rokel Commercial Bank (RCB).

Though business enterprises are generally profit focused, SOEs are most often than not, established to provide critical or essential goods and services for citizens and often run on low profit or cost-recovery basis. Besides states are sometimes compelled to undertake certain business endeavours to ensure equal access of critical/essential goods and services to remote and/or low income communities and relieve citizens from unfair pricing by private companies. SOEs also help states to adhere to their international and regional human rights obligations like right to health, right to clean and safe drinking water, right to food, etc. It is therefore important to note that SOEs occupy a dual role under the UNGPs between state duty to protect human rights and corporate responsibility to respect rights and thus hold a heightened commitment to prevent, address and mitigate human rights abuses committed by their operations.

However, there are human rights risks and challenges associated with the operations of SOEs as stated below.

Key Human Rights Risks:

- ***State Duty to Protect Failure*** - Due to their dual role in protecting and respecting human rights, SOEs are often exempted from direct oversight by the relevant government MDAs and thus impinging on the state duty to protect rights. Besides, "commercial confidentiality" blocks transparency;
- ***Labour and Workers Rights Violation*** - SOEs frequently operate in large-scale sectors like mining, energy and infrastructure where poor labour conditions, inadequate safety standards and restriction on freedom of association are evident;
- ***Elite capture*** - SOE contracts awarded without tender, benefits don't reach public;
- ***Extraterritorial Abuse*** - State oil/gas SOEs operating abroad with weak standards;
- ***Community and Land Dispossession:*** Large scale infrastructure or extraction projects managed by state-backed firms often lead to forced evictions, indigenous land rights violation and environmental degradation that destroys local livelihoods.
- ***Suppression of Civic Space:*** Allegations against SOEs globally include the intimidation or defamation of human rights defenders and local community members who protest against environmental or social damages.
- ***Corruption and Lack of Transparency:*** Opaque governance within state portfolios can misallocate public resources, indirectly starving public sectors responsible for fulfilling economic, social and cultural rights (such as healthcare and education)

Sample Indicators:

Type	Indicator
Structural	- Law requires SOEs to undertake human rights due diligence per UNGPs; - SOE board has explicit human rights oversight mandate;
Process	- % of SOEs that publish annual human rights/environmental report; - % of SOE procurement contracts with human rights clauses and supplier audits; - Number of stakeholder consultations held by SOEs on high-risk projects;
Outcome	- Number of adverse human rights findings against SOEs, NHRIs/courts; - % of SOE workforce covered by collective bargaining agreements;

NB: Benchmark - ***UNGP 4: States should take additional steps to protect against abuses by SOEs; OECD Guidelines CH, II apply to SOEs;***

6.5 BANKING SERVICES & OTHER FINANCIAL INSTITUTIONS:

Banking and finance is a broad field that focuses on managing money, financial transactions, investments, credit and financial institutions. It encompasses banking services, financial planning, lending, risk management and investment activities that help individuals, businesses and governments achieve their financial objective. Banking services like the commercial banks, retail banks and credit unions manage day-to-day money transactions, while other financial institutions manage investments and capital.The sector plays a vital role in economic development and financial stability.

Banking services significantly shape human rights by enabling, financing, or restricting economic activities globally. Banks rarely "cause" abuse directly. Under UNGP 13, they are "directly linked" via lending, investing, and financial services to clients who cause impacts.

Below are the human rights risks associated with banking services and other financial institutions.

Key Human Rights Risks:

A. Risks through Clients & Financing

i. Project finance / Corporate lending:

Loans and capital from commercial banks can directly fund projects like dam, mine, plantation, factory, oil pipeline, infrastructure, which often lead to forced eviction and displacement, pollution, labour abuse and environmental degradation, etc.

ii. Supply Chain Complicity and Financial Intermediaries:

Financial institutions are increasingly held accountable under frameworks like the UNGPs for adverse human rights impacts linked to companies they finance or hold shares in, on behalf of clients. Bank lends to Microfinance Institution (MFI) or local bank or on-lending to high-risk SMEs with forced/child labour.

iii. Export finance / Trade finance:

Bank lending if not properly checked often lead to Financing arms sales, surveillance tech, or commodities linked to land grabs.

B. Risks in Own Operations

i. Financial Inclusion: Discrimination in lending against women, minorities, persons with disabilities, rural clients violates right to equality;

ii. *Labour: Bank employees* - excessive hours, union suppression, discrimination in hiring/promotion, marketers often exposed to high-risk of GBV;

iii. *Data privacy & surveillance:* Selling customer data, enabling government surveillance via Know Your Client (KYC), cyber fraud;

iv. *Predatory products:* Mis-selling, high-interest microloans causing debt bondage, foreclosure without due process;

v. *Access:* Closing rural branches lead to impacts on right to financial inclusion for vulnerable groups;

vi. *Debt & privacy* - Predatory lending to low-income clients; data misuse from credit scoring; debt collection harassment;

vii. *Supply chain* - Bank's own procurement of IT, uniforms, cleaning services with forced/child labour;

viii. *Conflict areas* - Banking services enable illegal settlements, arms trade, or sanctions invasion;

C. **Emerging risks:**

i. *Fintech/Digital lenders:* Algorithmic bias, data harvesting, harassment in debt collection

ii. *Insurance:* Insuring fossil fuels, arms, or projects with severe HR impacts

iii. Asset management: Investing pension money in companies with forced labour or climate harm;

Sample Indicators:

Type	Indicator
Structural	- Bank has public human rights policy aligned with UNGPs and OECD Guidelines for Multinational Enterprises; - Public commitment to UNGPs + Human Rights Policy approved by Board - Environmental & Social Risk Management System screens all corporate loans/project finance for human rights; - Exclusion list: No financing for forced labor, tobacco, weapons, drug trade, terrorist financing, illegal logging, conflict areas, harmful chemicals, etc. - Environmental and Social (E&S) Management System in place for all lending above $10M
Process	- % of project finance transactions subject to enhance human rights due diligence; - % of high-risk clients engaged on human rights action plans; - Number of loan covenants with HR conditions; - Number of staff trained on human rights/E&S risk & responsible lending per year; - % of fintech loan applicants rejected due to algorithmic bias - monitored by gender/region - Existence of grievance mechanism for customers + communities impacted by clients
Outcome	- Number of financed projects suspended/exited due to human rights violations; - % of women/minority-owned SMEs receiving loans Vs application rate; - Number of verified complaints of discrimination in access to banking services; - % volume of lending to sectors with severe HR risks + mitigation actions taken; - % of complaints received via grievance mechanism & % resolved; - % of client relationships exited due to unmitigated human rights impacts;

	- % of branches in rural/underserved areas; % of women borrowers

NB: Benchmark - ***UNGP 13/17: Banking should conduct HRDD on clients. OECD Due Diligence for Responsible Corporate Lending. UNEP FI Human Rights Guidance Tool for Banks;***

UNGP & OECD expectations for Banks

i. ***UNGP 13 - Responsibility to respect:*** Avoid causing/contributing. If directly linked, use leverage with client.

ii. ***Due diligence:*** Integrate HRDD into client onboarding, credit risk, and portfolio monitoring. Not just at "project finance".

iii. ***Leverage:*** Use covenants, engagement, capacity building. As last resort, exit responsibly.

iv. ***Remedy:*** If bank contributed, participate in remedy. If linked, encourage client to provide remedy.

v. ***Transparency:*** Public reporting on portfolio HR risks per OECD + TNFD/SFRD expectations

6.6 CYBER/DIGITAL/ONLINE SPACE AND TELE-COMMUNICATION:

Cyber or Digital or Online Space (often called Cyberspace) is the virtual environment created when computers, devices, and networks connect to share information and communicate. It is not a physical place you can touch. Instead, it is a global borderless network where data moves and people interact through technology. This means there are no physical borders and distance does not matter, allowing instant connection across the world. Only what matters include physical hardware (like computers and cables and other devices like android/smart phones), software (code and programmes), and human interaction (social connections). Millions of such devices send and receive information simultaneously every second.

These devices do communication by sending and receiving emails, chatting on messaging apps, and using social media platforms. The space further allows buying and selling goods and services through online marketplaces and digital banking. The cyberspace also allows for browsing websites, streaming of videos and storing data in cloud services.

Telecommunication on the other hand is the transmission of information over significant distances using electrical, electronic, or electromagnetic technologies. The ***Transmitter*** takes information (like your voice or data) and turns it into a signal. This is done through a ***Medium*** which carries the signal through physical wires (like copper or fibre optics) or wireless airwaves (radio and microwaves). The ***Receiver*** takes the signal at the other end and turns it back into usable information. All of the processes of transmitting voice, data, video/multimedia and broadcasting occur (for voice) through Landlines, Cellphones, and internet voice calls (Volp);

data through text messages and web browsing over the internet; video & multimedia through video conferencing, TV broadcasting, and streaming services; and broadcasting through one-way mass transmission like radio and television.

The intersection between cyberspace and telecommunication forms the physical and virtual backbone of modern digital infrastructure, where telecommunications provide the physical transmission networks (fibre optics, cellular towers, satellites) and cyberspace represents the digital realm of data, applications and user interactions that flow across them. Below are the areas of critical intersection:

1. ***Critical Infrastructure Protection:*** Telecommunication networks are designated as **critical national infrastructure** because an outage in telecom systems instantly disables the flow of data, commerce, and emergency services across the cyberspace.

2. ***Dual-Use Access (Espionage and Defense):*** The same network pathways and lawful intercept gateways used by telecommunication providers for data routing or compliance (such as wiretaps) present vulnerabilities that can be exploited for state-level cyber espionage or pre-positioned attacks.

3. ***Security and Threat Landscapes:*** Telecommunication companies are prime targets for cybercriminals due to the vast amount of sensitive customer data, billing information and routing control they manage, leading to risks like **Distributed Denial of Service (DDoS)** attacks and malware.

4. ***Next-Generation Integration (AI and Quantum):*** Emerging networks like 6G and modern mobile systems integrate **Artificial Intelligence (AI)** for automated management alongside **quantum security** protocols to harden the overlapping frontier between physical telecom hardware and cyber software.

Key Human Rights Risks:

Digital and telecommunication spaces profoundly impact the enjoyment of human rights by expanding access to expression and association while simultaneously introducing unprecedented risks to privacy, security and equality.

The core human rights implications span several major areas:

1. Freedom of Expression and Information:

- ✓ **Censorship and Blockades:** Governments frequently use online filtering, content removal mandates, censorship of HR content, blocking websites,
- ✓ and targeted internet shutdowns to stifle dissent and limit access to independent news.
- ✓ **Repressive Laws:** Broadly defined cybercrime or national security laws are often deployed to criminalize online speech, arrest journalists and silence activists.
- ✓ **Information Integrity:** The unchecked spread of disinformation and algorithmic manipulation can distort public debate and undermine democratic processes.

2. Right to Privacy and Surveillance:

- ✓ **Mass Data Collection:** Digital networks and telecommunication tools enable state and corporate entities to harvest, store, and analyze personal data at a scale never seen before. This often lead to unlawful surveillance and mass data collection without consent.
- ✓ **Intrusive Technologies:** Spyware, automated tracking, and weakened encryption standards expose individuals - particularly human rights defenders and journalists - to unlawful monitoring.

3. Equality, Non-Discrimination and Security:

- ✓ **Algorithmic Bias:** Automated decision-making systems and artificial intelligence can perpetuate or amplify existing societal prejudices, harming marginalized or vulnerable communities.
- ✓ **Digital Harassment:** Online spaces give rise to new forms of abuse, including cyberbullying, targeted shaming, and digital gender-based violence that disproportionately affect at-risk groups.
- ✓ **Security:** online harassment of journalist/HR Defenders; doxxing, reprisals for online speech; female sales promoters exposed to sexual harassment; telecom towers installed close to homes/communities expose residents to safety issues in the event of collapse.

4. Economic, Social and Cultural Rights:

- ✓ **Digital Divide:** Unequal access to reliable internet and telecommunications infrastructure can exclude persons with disabilities, remote/rural or impoverished populations from education, healthcare, and employment.
- ✓ ***Health*** - Radiation caused by masts of telecom towers installed close to homes/communities cause respiratory issues and vomiting by children.

Sample Indicator:

Type	Indicator
Structural	- Provisions in law protecting right to privacy and freedom of expression online;
Process	- %of reported cases of media censorship effectively remedied; - Number of government requests for user data received Vs disclosed by tel-coms, with legal basis;
Outcome	- Reported cases of internet shutdowns per year; - % of persons with disabilities reporting accessible websites/public information;

6.7 TRANSPORTATION - Land, Air & Water:

Transportation is the movement of people, goods and services from location to another using various modes like roads, rail, air (including cable cars) and water.

Far from being just a technical or economic utility, transportation is a critical enabler of human rights, directly affecting how individuals experience and enjoy their fundamental freedoms.

Transportation intersects with business and human rights across two major dimensions: the working conditions within transport and logistics (T&L) supply chains, and public access to mobility as a fundamental socioeconomic right. While there is yet to be an explicit codified "human right to transportation" in major international and human rights treaties, it serves as an indispensable "gateway right". Without accessible, affordable and safe transport, many other protected human rights cannot be realized.

Nonetheless, transportation structure and policy have direct implications on several articles of the Universal Declaration of Human Rights (UDHR) and international covenants:

- ✓ ***Freedom of Movement (Art 13, UDHR):*** this is the most direct link. Citizens have the right to freely within their country. High cost, lack of infrastructure in rural settings, or discriminatory transit policies directly restrict this freedom.
- ✓ ***Right to Health (Art. 12, ICESCR):*** Transportation is a social determinant of health. A lack or reliable transport prevents individuals from reaching hospitals, clinics and emergency care, particularly in rural or maginalized communities.
- ✓ ***Right to Education (Art. 13, ICESCR):*** Children cannot exercise their right to education if they cannot safely reach school. Long, dangenrous commutes or a total lack of school transit disproportionately cause higher dropout rates, especially among girls.
- ✓ ***Right to Work and Adequate Standard of Living (Art. 23, UDHR):*** Affordable transit connects people to employment hubs. When public transit is absent or expensive, it creates "spatial mismatch" - where low-income workers cannot access available jobs, trapping them in economic stagnation.

Key Human Rights Risks:

Poorly planned or inequitable transportation systems can actively violate human rights in the following ways:

- ✓ ***Environmental and Health Violation:*** Transportation is a massive driver of air pollution and climate change. Communities living near major highways or freight hubs - often lower-income or minority neighbourhoods - suffer from disproportionate rates of asthma, cardiovascular disease, and reduced life expectancy, infringing on their right to a healthy environment. Noise pollution from air crafts cause impair hearing and disturb schooling (right to health and education).

- ✓ ***Displacement and Property Rights:*** the construction of massive transit infrastructure (like highways or airport of seaports) historically involves land acquisition. If done without fair compensation, legal protections, or community (including coastal) free prior and informed consent, violates housing, property, livelihoods and cultural rights.
- ✓ ***Physical Safety and Security of Persons:*** Road traffic accidents, sea accidents and plane crashes cause over a million deaths annually worldwide. A systemic failure by governments to provide safe infrastructure (pedestrian pathways, protected lanes, life jackets, regulated transits and other safety measures) fails the state's duty to protect the right to life and personal security. Disabled persons are at risk. Harassment of women on public transport and racial profiling at airports are also often evident.
- ✓ ***Accessibility to People with Disabilities:*** Inaccessible buses, trains, and sidewalks violate the Convention on the Rights of Persons with Disabilities (CRPD). It isolates individuals, preventing them from participating equally in society.
- ✓ ***Gender-Base Discrimination:*** Women and gender minorities use transit differently than men, often making multiple short trips ("trip-changing") rather than single commute. A lack of safety, poor lighting, and widespread harassment on public transit restrict women's mobility, limiting their public life and economic independence.
- ✓ ***Socioeconomic Segregation:*** High transit fares or the prioritization of car-0centric infrastructure over public transit discriminate against low-income populations, effectively cutting them off from urban opportunities.

Sample Indicators:

Type	Indicator
Structural	- Ratification of Maritime Labour Convention and ILO C188 for fishing/sea transport; - National law mandates universal design/accessibility for public transport;
Process	- % of transport projects with road safety audits and community health assessment; - % of seafarers/air crew with contracts meeting ILO standards; - Number of gender safety audits conducted on public transport systems;
Outcome	- Road traffic fatalities per 100,000 population; - % of public transport vehicles/stations accessible to persons with disabilities; - Reported cases of forced labour/abandonment on vessels;

NB: Benchmark - ***IFC EHS Guidelines for Ports, Airport, Roads and OHCHR right to health indicators and CRPD Art. 9 on accessibility;***

6.8 TOURISM AND HOSPITALITY/ENTERTAINMENT INDUSTRY:

The hospitality industry is a broad sector of service-oriented businesses dedicated to customer satisfaction, comfort, and the positive reception of guests.
The industry comprises four main areas:

- ✓ **Lodging (Accommodation)**: Places where travelers stay temporarily, such as hotels, motels, resorts, and inns.
- ✓ **Food and Beverage (F&B)**: Establishments that serve meals and drinks, including restaurants, bars, cafes, and catering services.
- ✓ **Travel and Tourism**: Services that facilitate movement and trips, such as airlines, cruise lines, and travel agencies.
- ✓ **Recreation and Entertainment**: Leisure activities, wellness services, and events, such as day spas, theme parks, and conference centers

For the purpose of this discussion, we limit ourselves only to tourism and entertainment which significantly impacts human rights by promoting economic development and cultural exchange, while simultaneously risking labor exploitation, community displacement, and cultural commodification.

Positive Implications (Fulfillment of Human Rights)

- ✓ **Economic Empowerment**: Generates local employment, raises incomes, and supports infrastructure development that can uplift marginalized communities.
- ✓ **Right to Rest and Leisure**: Fulfills the foundational social right to rest, leisure, and paid holiday, promoting personal well-being and cross-cultural understanding.
- ✓ **Cultural Appreciation**: Encourages mutual respect, preservation of heritage, and global interconnectedness when managed ethically.

Key Human Rights Risks:

Negative Implications (Human Rights Violations and Risks)

- ✓ **Labour Abuses**: Exposes workers to substandard working conditions, low wages, forced labor, excessive hours, and modern slavery, particularly among migrant populations.
- ✓ **Land Rights and Displacement**: Causes forced evictions of local and indigenous communities to clear land for large resorts, restricting access to essential resources like clean water and traditional lands. Denial of FPIC for indigenous population
- ✓ **Exploitation of Vulnerable Groups:** Heightens risks of human trafficking, child labor, and commercial sexual exploitation in tourism hotspots.
- ✓ **Cultural Commodification**: Disrespects local traditions and reduces sacred or indigenous cultural practices into commercial entertainment, undermining self-determination
- ✓ **Cultural rights:** Desecration of sacred sites, loss of cultural heritage;

- ✓ **Privacy/Security: *S***urveillance of guests, harassment of LGBTQ and travelers;

Sample Indicators:

Type	Indicator
Structural	- National tourism law references UNGPs and Code of Conduct for Protection of Children from Sexual Exploitation; - Legal framework requires FPIC for tourism projects on indigenous land;
Process	- % of hotels with human rights policy and staff training on trafficking/child protection; - Number of labour inspections in tourism sector per year, disaggregated by region;
Outcome	- Reported cases of forced eviction for tourism development; - % of tourism workers on formal contracts with social security coverage; - Number of identified and assisted victims of sexual exploitation in tourism;

NB: Benchmark – ***UNWTO Global Code of Ethics for Tourism and OHCHR Guide on Human Rights in Tourism***

6.9 CONSTRUCTION:

Construction companies are commercial enterprises that plan, design, and build infrastructure, residential properties, and industrial facilities. They are of various types and can be:
1. **General Contractors:** Oversee entire building projects, manage budgets, and hire specialized subcontractors.
2. **Subcontractors:** Specialized firms or workers (such as electricians, plumbers, or masons) performing specific parts of a larger project.
3. **Developers and Engineering Firms:** Entities that fund, plan, and design the physical structures before and during construction.

The sector significantly impact human rights both positively (by creating housing, hospitals, and public infrastructure like roads, bridges, ports, etc.) and negatively (through labour exploitation, displacement, and environmental hazards). According to the UN Global Compact, the construction companies frequently faces complex challenges regarding human rights accountability due to multi-tiered subcontracting and opaque supply chains.

General Impacts on Human Rights

The Global Compact on National Action Plans notes that the construction sector has direct, profound effects on human rights across several key areas:

Key Human Rights Risks:

1. **Workers' Rights and Labour Conditions**

- ✓ **Health and Safety:** Dangerous worksites, lack of proper safety gear, and structural failures or building/trench collapse can lead to severe injuries or loss of life, violating the right to life and safe working conditions.
- ✓ **Fair Compensation:** Chronic issues with late, irregular, or withheld wages, or wage theft for migrant workers increase worker vulnerability and constitute economic exploitation. No contracts or social security for daily labourers.
- ✓ **Modern Slavery and Forced Labour:** Heavy reliance on low-skilled or migrant workforces in complex subcontracting chains creates high risks for passport retention, excessive recruitment fees, human trafficking, and involuntary labour.

2. **Community and Land Rights**

- ✓ **Forced Evictions and Displacement:** Large infrastructure projects (such as dams or urban renewal or ports) without FPIC, can lead to the displacement of local populations and destruction of cultural heritage sites with no adequate compensation or alternative housing and livelihoods.
- ✓ **Access to Basic Services:** Disruptions caused by heavy building activity can block community access to clean water, safe roads, and sanitation.

3. Environmental and Health Impacts on Public Well-being

- ✓ **Environmental Degradation:** Industrial pollution, dust, noise, and water contamination degrade the local environment, infringing upon communities' rights to health and an adequate standard of living. There can also be frequent traffic accidents and influx of workers leading to SGBV.
- ✓ **Accessibility Failures:** Buildings or public spaces constructed without proper accessibility standards (such as ramps for people with disabilities) restrict equal community participation and movement.

Sample Indicators:

Type	Indicator
Structural	- Ratification of ILO C167 on Safety in Construction and C182 Worst Forms of Child Labour; - National law requires written contracts and prohibits recruitment fees for migrant workers;
Process	- % of construction sites with labour inspection in last 12 months; - % of workers with PPE provided and safety training;

	- Ratio of safety officers to workers; - % of migrant workers with passport in their possession;
Outcome	- Fatal/non-fatal occupational injury rate per 100,000 workers in construction; - Number of verified cases of forced labour/child labour in supply chain; - % of project-affected people reporting restored/improved living conditions post-construction;

NB: Benchmark - ***IFC PS 2 on Labour and PS 4 on Community Health. IDB ESPS 2. ILO Guidelines for Labour Inspection in Construction***

6.10 MANUFACTURING BUSINESSES:

Manufacturing companies are commercial enterprises that transform raw materials, components, or parts into finished goods on a large scale using machinery, labor, and chemical processing.

Manufacturing companies impact the enjoyment of human rights both positively and negatively across their operations, supply chains, and surrounding communities. According to the United Nations Guiding Principles on Business and Human Rights (UNGP), corporate actions directly shape fundamental rights.

Positive Impacts on Human Rights

- ✓ **Economic Opportunity:** Job creation provides stable employment, fair wages, and financial security, helping lift workers and their families out of poverty and supporting an adequate standard of living.
- ✓ **Skill Development and Empowerment:** Training programs and capacity building improve worker proficiency, while intentional corporate policies can advance gender equality and non-discrimination in the workforce.
- ✓ **Access to Essential Goods:** Producing safe, affordable, and essential goods—such as medical devices, clean-energy technology, or nutritional products—can actively support the realization of health and living standards.

Key Human Rights Risks:

Negative Impacts on Human Rights

- ✓ **Labour and Workplace Rights:** Unsafe factory conditions (machine accidents and amputations), factory fires/collapse, toxic exposure to chemicals, excessive working hours, no union or union controlled, wage theft, delayed payment, poverty-level wages, discrimination and forced overtime to meet buyers' deadlines can violate the right to just

and favorable work conditions and threaten the right to health and life. Migrant workers subjected to Tied visas, passport retention, overcrowded dormitories, no freedom of movement, etc.

- ✓ **Supply Chain Exploitation:** Sourcing raw materials from high-risk sectors or in tier 2-3 suppliers is frequently linked to severe abuses, including child labour, forced/bonded labour, and the exploitation of migrant workers.
- ✓ **Environmental Degradation:** Industrial waste, toxic emissions, and improper disposal or hazardous waste dumping pollute local air, soil, and water supplies, harming nearby communities' rights to health, an adequate standard of living, and clean water and safe environment.
- ✓ **Community Displacement:** Land acquisition for large-scale manufacturing plants or industrial zones can result in forced evictions and the displacement of indigenous or local populations.
- ✓ **Gender:** Women concentrated in low-paid lines; GBV; no maternity protection; no childcare

Risks by Manufacturing Sub-Sectors:

No.	Sub-Sector	Top Specific Risks
1.	**Textile/Garments**	- Rana Plaza-type building collapse; - Forced overtime; - Sexual harassment; - Cotton supply chain forced labour;
2.	**Electronics**	- Chemical Exposure (benzene, n-hexane); - Student forced labour; - Excessive hours of work; - Conflict minerals;
3.	**Automotive**	- Metal processing, - forced labour in steel/aluminum chain; - Exposure to paint fumes;
4.	**Food Processing**	- Child labour in fisheries/agriculture inputs; - Repetitive strain injuries; - Cold chain hazards
5.	**Chemicals/Pharma**	- Toxic exposure; - Explosions; - Community air/water contamination; - Clinical trial ethics

Sample Indicators:

Type	Indicator
Structural	- Ratification of ILO C29/105 Forced Labour, C138/182 Child Labour, C87/98 Union Rights - Factory has written policy prohibiting child/forced labour, discrimination, harassment; - License to operate requires fire safety/building certificate and labour inspection
Process	- % of workers with written contracts in language they understand; - % of migrant workers who paid zero recruitment fees and hold their own passports; - % of workers covered by collective bargaining agreement or elected worker committee; - Number of health & safety audits/year; - % of hazards corrected within 30 days; - % of Tier 1-2 suppliers mapped and audited for labour/ environment conditions; - Existence of anonymous grievance channel and anti-retaliation policy;
Outcome	- Factory injury/fatality rate per 200,000 hours worked; - % of workers paid at least legal minimum wage and on time; - Average working hours/week in peak and low season; % exceeding 60 hours/week; - Number of verified cases of child/forced labou in own operations of direct suppliers; - Number of union leaders dismissed in last 2 years; - Measured waste water/air emission and community complaints;

UNGP Expectations for Manufacturers:

A. UNGP 17 - **Due Diligence:** Map risks in own factory and supply chain. Prioritize by severity: where could workers die or be enslaved;

B. UNGP 18 - **Leverage:** If supplier violates rights, use leverage to prevent/mitigate. don't justcut-and-run if that makes things worse for workers.

C. UNGP 22 - **Remedy:** If factory causes harm/injury, wage theft - provide remedy. Can be back pay, medical care, compensation;

D. UNGP 14 - **Proportionality:** SME factory can have 2-page policy, not 50-page system. But responsibility is same;

6.11 SMALL AND MEDIUM ENTERPRISES (SMEs):

Small and medium enterprises (SMEs) are businesses that maintain revenues and employee headcounts below certain thresholds, generally operating as the backbone of global economies. They are independent firms defined by size criteria such as the number of employees (typically fewer than 250) and annual turnover or balance-sheet totals.
According to the **European Union** and global bodies like **UNIDO**, they make up over 90% of all businesses worldwide, drive localized innovation, and generate the vast majority of jobs.

A large portion of smaller enterprises in developing regions operate within informal economies, characterized by largely unrecorded and unregulated activities. In order to improve on the small and medium investment environment, Section 12(1) of the SMEs Development Agency Act No.2, 2016, of Sierra Leone, stated as such: "***The object for which the Agency is established is to promote a conducive business environment including an efficient and effective service delivery network in order to empower and develop Small and Medium Enterprises for growth, productivity and competitiveness.***"

Why SMEs are different from big/large Companies?

A. ***Capacity:***	No HR/legal team, owner handles everything; cant absorb cost of audits;
B. ***Leverage:***	Large buyers dictate price and delivery;SME cant push back on bad terms;
C. ***Informality:***	Many SMEs not registered; workers invisible to labour inspectors;
D. ***Awareness:***	Don't know the New Growth Paths (NGPs) policy or national labour law exist;

Positive Impacts on Human Rights

- ✓ **Economic Empowerment**: By providing jobs and generating household income, SMEs directly support the right to work, an adequate standard of living, and social security.
- ✓ **Community Resilience**: Localized business operations help build robust regional economies and foster interpersonal trust and social cohesion.
- ✓ **Grassroots Inclusion**: Smaller businesses can adapt flexibly to community needs and support social rights through localized engagement and inclusive hiring practices.

Key Human Rights Risks:

Negative Impacts and Vulnerabilities

- ✓ **Labour Rights Gaps**: Due to informality and resource constraints, smaller firms frequently struggle with labour standards, resulting in unregistered work, sub-minimum wages, excessive hours to meet buyer deadlines, no social security, a lack of employment contracts and Workers fired for trying to unionize, no worker committees.
- ✓ **Health and Safety Shortfalls**: SMEs often lack capital to invest in adequate workplace safety protocols, protective gear, or sanitary facilities.
- ✓ **Exclusion and Leverage Challenges**: Because international frameworks like the United Nations Guiding Principles on Business and Human Rights historically focus on multinational corporations, SMEs often lack the commercial leverage or specialized compliance resources to manage supply chain human rights risks effectively.
- ✓ **Child/Forced Labour:** Hidden in lower tiers of supply chains - e.g. small workshops subcontracted by larger factories.
- ✓ **Occupational Health and Safety:** High injury/fatality rates due to lack of training, PPE, or safety systems, violates right to life/health.
- ✓ **Discrimination:** Hiring discrimination against women, persons with disabilities, migrants; sexual harassment with no grievance redress channels.
- ✓ **Access to remedy:** Workers/communities harmed have nowhere to complain; SME lacks resources for compensation.
- ✓ **Supply chain pressure:** Buyers impose low prices/short lead times that force SMEs into labour violation to survive.
- ✓ **Environment:** Informal dumping of waste/pollution affecting community right to health and water.

Sample Indicators:

Type	Indicator
Structural	- SME is registered business with written employment policy referencing national labour law; - Existence of simplewritten policy prohibiting child/forced labour and discrimination;
Process	- % of workers with written contracts, stating wage, hours of work, leave; - % of workers covered by social security/health insurance where legally required; - Number of health & safety trainings provided per year; - PPE provided to all at-risk workers; - Existence of suggestion box or designated person for worker complaints;
Outcome	- Occupational injury/fatality rate per 100 workers; - % of workers paid at least minimum wage and paid on time; - Number of verified child labour/forced labour cases in operations or direct suppliers - % of workers reporting they can refuse overtime without penalty;

6.12 MINING & QUARRYING - Artisanal, Small Scale and Large Scale:

Mining and quarrying companies extract solid minerals—such as coal, metallic ores, precious stones, sand, gravel, and stone—from the earth, and they frequently impact human rights through environmental degradation, labour disputes, and community displacement.

Mining companies extract underground or surface metallic ores (like gold, iron, and nickel) and non-metallic minerals or energy-producing materials (like coal).

Quarrying companies extract non-metallic rocks and aggregates used in construction, such as sand, gravel, limestone, and dimension stone, typically from open-pit surface sites.

General Impacts on Human Rights

Extractive operations can infringe upon fundamental civil, political, economic, social, and cultural rights.

- ✓ **Right to Health and a Safe Environment:** Heavy blasting, dust, and toxic runoff (such as mercury or sulfuric compounds) contaminate local air and water sources, leading to severe health complications and reduced life standards for neighboring residents.
- ✓ **Land Rights and Displacement:** Large-scale projects often forcibly evict or displace local and indigenous populations from their ancestral lands, cutting them off from traditional livelihoods, housing, and food security.
- ✓ **Labour Rights Violations:** Workers face occupational hazards due to inadequate safety gear, lack of basic sanitation or drinking water on site, suppression of unionization efforts, and unfair wages or contract labor abuses.
- ✓ **Infringement on Indigenous Self-Determination:** Projects launched without free, prior, and informed consent violate indigenous groups' rights to control their territories and cultural heritage.
- ✓ **Community Conflict and Security Abuses:** The deployment of private or state security forces to protect mining assets has historically resulted in the harassment, intimidation, or violent suppression of community protesters and striking workers.

Key Human Rights Risks:

- ***Resettlement*** - Villages relocated for open-pit mines; inadequate compensation; loss of livelihoods;
- ***Labour*** - Worst forms of child labour in artisanal mining; forced labour in quarries; deaths from tunnel collapse;
- ***Occupational health*** - Silicosis from dust; mercury exposure in artisanal gold mining; violates right to health/life;
- ***Environment*** - Acid mine drainage poisoning water; tailings dam failure killing communities; tailing spread cover swamplands which negatively impact on food production;

- ***Conflict*** - Mining finances armed groups; security forces commit abuses; violates right to security of person;
- ***Indigenous rights*** - Mining on sacred land with FPIC; destruction of cultural heritage;
- ***Gender*** - Sexual exploitation around mine sites; women excluded from compensation/consultation;
- ***Security*** - Private security uses excessive force; intimidation of HRDs protesting mines;

Sample Indicators:

Type	Indicator
Structural	- Ratification of ILO C176 Safety in Mines & Minamata Convention on Mercury; - Law requires Environmental & Social Impact Assessment and FPIC for mining on Indigenous land; - Company commits to Voluntary Principles on Security & Human Rights;
Process	- % of affected communities consulted before exploration; - % with benefit=sharing agreement; - % of workers with safety training & PPE; - Air quality monitoring in place; - Number of security personnel trained on human rights/use of force; - % of tailings dams with independent safety audit & emergency plan;
Outcome	- Fatality rate per 1,000 workers; - Cases of silicosis/mercury poisoning reported; - Number of households resettled & - % with livelihood restored 3 years post-resettlement; - Number of violent incidents between security/companies and communities; - Hectares of land rehabilitated post-mining;

NB: Benchmark - ***IFC PS 1-8 & OECD Due Diligence Guidance for Responsible Mineral Supply Chains; UN Voluntary Principles on Security & Human Rights; EITI Standard.***

6.13 LEARNING INSTITUTIONS (Private Schools and Colleges/Universities):

Learning institutions—encompassing private schools, colleges, universities, and educational corporate entities—are formal organizations designed to provide instruction, structured training, and academic degrees.

Private schools, colleges and universities are businesses when they are run for profit or as private corporate entities. Even non-profit private institutions act like companies when they charge fees, hire staff, and own property. This dual nature - education provider and business actor - means they have human rights responsibilities.

Private schools/universities are not just service providers. They are businesses that shape who gets to learn, who gets to work, and who gets left behind. When unregulated, they can deepen inequality and violate children's and workers' rights. When regulated under the UDHR, ICESCR and UN Guiding principles on Business and human Rights and regional standards like the Abidjan Principles and national laws, they can support the right to education.

Types of Learning Institutions

- ✓ **Private schools:** Non-state primary and secondary institutions funded largely through tuition fees rather than public taxation. They also include faith-based private and low-fee private schools.
- ✓ **Colleges, TVETs and universities:** Post-secondary or higher education establishments offering undergraduate, graduate, and professional degrees. They include Private vocational, nursing and teacher training colleges and universities like UNIMAK, Limkokwing, etc. in Sierra Leone context.
- ✓ **Educational companies:** Corporate entities, EdTech firms, and private providers that deliver proprietary training, digital courses, or outsourced educational services for profit (e.g. online schools, tutoring centers that sell learning).
- ✓ **School Supply Chains:** Companies that provide uniforms, books, catering, transport, cleaning, security.

All are subject to **UN Guiding Principles on Business and Human Rights:** They must respect human rights in their operations.

Impact on the Enjoyment of Human Rights

Learning institutions heavily influence the realization of the right to education (ensured under international frameworks like Article 26 of the Universal Declaration of Human Rights and CRC Article 28) and act as catalysts for other fundamental freedoms.

- ✓ **Empowerment and awareness:** Quality education equips individuals with critical thinking skills, literacy, and direct Human Rights Education (HRE) that foster respect for equality, free speech, and non-discrimination.
- ✓ **Social stratification and exclusion:** Commercialized or heavily privatized education can restrict access based on an individual's ability to pay, creating socioeconomic divides that marginalize low-income groups and violate principles of non-discriminatory access.
- ✓ **Freedoms within institutions:** Academic environments shape civic freedoms, such as student free speech, institutional autonomy, and non-discriminatory labour practices for educators and staff.

- ✓ **National rebuilding and inclusion:** Expanding accessible higher learning empowers marginalized populations, migrants, and refugees to rebuild post-conflict societies and counter extremist narratives.
- ✓ **Right to Work & Development:** Create jobs for teachers, admin, support staff and skills that lead to employment.
- ✓ **Freedom of Choice:** Parents/Students freely choose curriculum, language, ethos.
- ✓ **Innovation:** Can introduce new teaching methods, STEM labs, digital learning faster than state.

Key Human Rights Risks:

Negative Impacts - **How They Can Harm Human Rights (Generally):**

This is where Business & Human Rights risks come in:

A. Right to Education - Access & Affordability

- ✓ **Exclusion of the poor:** High fees price out low-income families. Creates two-tier system - quality for rich, poor quality for poor. Violates principle of non-discrimination.
- ✓ **Geographic bias:** Private schools cluster in cities (Freetown, Bo) not rural areas. Widens urban-rural gap.
- ✓ **Profit over quality:** Cutting corners - unqualified teachers, overcrowded classes, unsafe buildings to save cost.

B. Children's Rights

- ✓ **Child labour & exploitation**: Children working in school farms/businesses as "practical"Corporal punishment / sexual abuse: Weak safeguarding in private institutions with less state oversight.
- ✓ **Discrimination:** Denying admission based on disability, gender, pregnancy, tribe, religion. Forcing girls out when pregnant.
- ✓ **Health & safety:** Unsafe structures, no water/sanitation, no fire exits, toxic paint/chemicals from labs disposed poorly - links to EPA Act 2022.

C. Labour Rights - For Staff.

- ✓ **Precarious work:** No contracts, late pay, below minimum wage, no NASSIT social security, no maternity or paternity leave.
- ✓ **Anti-union:** Threatening teachers who join unions, dismissing without due process.
- ✓ **Qualification fraud:** Hiring unqualified teachers to cut costs.

D. Land & Community Rights

- ✓ **Land grabs:** Private university/college takes community land without Free Prior and Informed Consent (FPIC) under Customary Land Rights Act 2022 of Sierra Leone.
- ✓ **Forced displacement:** Expanding campus without compensation.

- ✓ **Environmental harm:** No EIA, dumping sewage, lab chemicals, e-waste.

E. Governance & Discrimination

- ✓ **Lack of accountability:** No functional grievance mechanism for students/parents.
- ✓ **Commercialization:** Selling degrees, grade buying, "pay to pass".
- ✓ **Data privacy:** Selling student data to marketing/betting companies.
- ✓ **Freedom of expression:** Censoring students/teachers who speak out.

Checklist to Assess a Private Institution's Human Rights Impact

- ✓ **Access:** Can poorest 20% afford it? Scholarships? Inclusion of disabled students?
- ✓ **Quality:** Qualified teachers? Safe building? WASH facilities?
- ✓ **Non-discrimination:** Admission policy? Treatment of pregnant girls?
- ✓ **Labour:** Contracts, pay slips, NASSIT, maternity, grievance?
- ✓ **Land & Environment:** FPIC obtained? EIA done? Waste disposal plan?
- ✓ **Accountability:** Fee transparency? Complaints system? TEC/MBSSE license displayed?

6.14 HEALTH AND MEDICAL INSTITUTIONS (Private Hospitals, Pharmacies and Laboratories):

Private health and medical institutions—such as **private hospitals**, **diagnostic laboratories**, and **pharmaceutical companies**—comprise the non-State commercial and non-profit actors that deliver clinical care, conduct research, and manufacture medical products within global health systems.

Like private schools, private hospitals, labs and pharma companies are businesses with human rights responsibilities. Health is not just a service - it is a fundamental human right under Article 25 of the Universal Declaration of Human Rights (UDHR), Article 12 of the International Covenant on Economic Social and Cultural Rights (ICESCR), and Article 16 of the African Charter on Human and peoples Rights (ACHPR).When these institutions operate as companies for profit, they can either fulfil or violate the right to health and other related rights.

Private hospitals, labs and pharma companies hold life-and-death power. When profit comes before patients, they can violate the right to life, health, non-discrimination and a healthy environment. When regulated and responsible, they can help realize the right to health for everyone.

Overview of Private Health and Medical Institutions

- ✓ **Private Hospitals and Clinics:** Facilities owned and operated by for-profit corporations, non-profit entities, or faith-based organizations that provide ambulatory, emergency, and in-patient care.

- ✓ **Diagnostic Laboratories and Research Facilities:** Independent or corporate entities that process biological samples, conduct clinical pathology testing, and execute medical or epidemiological research.
- ✓ **Pharmaceutical and Biotechnology Companies:** Commercial enterprises responsible for the invention, clinical testing, manufacturing, patenting, and global distribution of medicines, vaccines, and medical devices.

Impact on the Enjoyment of Human Rights Generally

Private health institutions directly influence the Right to Health, which guarantees the highest attainable standard of physical and mental well-being, as well as intersecting rights like life, privacy, and non-discrimination. Their impact is split between positive advancements and systemic human rights challenges.

Positive Impacts (Advancement of Rights)

- ✓ **Expanded Availability and Relief of State Burdens:** Private providers increase the overall volume of functional facilities and specialized equipment, easing strained public health sectors and expanding physical access to care in urban or well-resourced areas.
- ✓ **Innovation and Rapid Development:** Pharmaceutical firms and labs drive advanced research and development (R&D), producing life-saving vaccines, diagnostics, and therapeutics that underpin the progressive realization of health rights during global crises.
- ✓ **Efficiency and Specialized Quality:** Private institutions often feature modern health information technology and streamlined patient services, raising clinical quality standards for those who can access them.

Negative Impacts and Systemic Risks

- ✓ **Economic Inaccessibility and Inequality:** For-profit models can introduce high user fees and out-of-pocket costs, creating financial hardship and excluding low-income or marginalized populations from essential care in violation of non-discrimination standards.
- ✓ **Intellectual Property and Medicine Scarcity:** Strict patent enforcement by major pharmaceutical companies can keep essential generic drugs and vaccines unaffordable or unavailable for billions of people, contributing to preventable suffering and mortality.
- ✓ **Erosion of Accountability and Cherry-Picking:** Private providers frequently concentrate services in profitable areas while avoiding high-cost, vulnerable groups (such as rural communities or chronic patients), fragmenting health systems and undermining universal health coverage.
- ✓ **Autonomy and Data Privacy Concerns:** Commercialized health setups or digital health tracking can compromise patient data privacy or enforce paternalistic and coercive clinical practices that disregard informed consent and individual dignity.

Key Human Rights Risks:

Negative Impacts - Human Rights Risks (General)

A. Right to Health: Affordability & Access

1. **Pricing out the poor:** High fees, "no money no treatment". Patients detained for non-payment. Emergency care denied - life-threatening. Violates core obligation that health must be affordable.
2. **Two-tier system:** Quality for rich, poor quality/expired drugs for poor. Deepens inequality.
3. **Geographic bias:** Private facilities cluster in cities like Freetown, Bo, Makeni - not rural districts where need is greatest
4. **Unnecessary care:** Over-prescription, unnecessary C-sections, scans, lab tests to maximize profit. Harms patients physically and financially.

B. Right to Life, Non-Discrimination, Dignity

1. **Discrimination:** Denying care to HIV patients, LGBTQ+, persons with disability, women seeking reproductive care.
2. **Obstetric violence:** Mistreatment during childbirth, lack of consent, forced procedures.
3. **Emergency refusal:** Refusing to stabilize patient because no deposit - violates medical ethics and right to life.

C. Patients' Rights & Privacy

1. **No informed consent:** Surgery, procedures done without clear consent in language patient understands.
2. **Data privacy:** Selling patient data to pharma marketers, insurers. HIV status disclosed.
3. **No grievance mechanism:** Patient complains -> no response, retaliation.

D. Labour Rights - For Health Workers

1. **Precarious work:** Nurses/lab technicians with no contracts, 12-24 hour shifts, below minimum wage, no NASSIT, no hazard pay.
2. **Unsafe workplace:** No PPE, no infection prevention training, exposure to chemicals, TB, blood-borne pathogens.
3. **Anti-union:** Dismissal for joining Sierra Leone Medical and Dental Association or nurses union.

E. Chemicals, Waste & Environmental Rights - Links to Sierra Leone Law

1. **Medical waste:** Infectious waste, sharps, blood, placentas dumped with municipal waste. Open burning releases dioxins/furans. Violates EPA Act 2022 which says EPA must "supervise generation, treatment, storage, transportation and disposal of waste" including "public health chemicals".

2. **Chemical & toxic substances:**
    a) *Lab chemicals:* formaldehyde, xylene, reagents poured down drain -> water pollution
    b) *Pharma waste:* Expired drugs dumped in landfill or water -> antimicrobial resistance, poisoning
    c) *Mercury:* From thermometers, dental amalgam - covered by Minamata Convention

d) *Controlled drugs:* Must be "destroyed beyond reclamation and witnessed" - but often not done

3. **Water pollution:** Untreated hospital sewage -> cholera, typhoid risk. Violates right to water and healthy environment

F. Pharmaceutical Companies - Specific Risks

1. **Access to medicines:** Patent monopolies, price gouging on essential drugs (e.g., insulin, cancer drugs). Withholding cheaper generics. Violates right to health
2. **Unethical marketing:** Bribing doctors to prescribe, pushing drugs not needed, marketing unregistered/banned drugs in Africa
3. **Counterfeit/substandard:** Importing fake or poor-quality drugs. Huge problem in West Africa - causes treatment failure, death
4. **Clinical trials:** Trials on poor communities without proper informed consent or benefit sharing
5. **Supply chain:** Active pharmaceutical ingredients made with poor labor conditions

Business Responsibility - Private hospital/lab/pharma must:

1. **Respect human rights:** Follow UN Guiding Principles on Business and Human Rights - do due diligence
2. **No denial of emergency care:** Stabilize first, ask payment later
3. **Affordability:** Transparent pricing, no price gouging, facilitate exemptions
4. **Quality:** Qualified staff, registered drugs, proper storage (cold chain), infection prevention
5. **Environmental compliance:**
    - Segregate waste by type
    - Stabilize/inactivate hazardous pharma waste before disposal
    - Use only written approved transporters for medical waste
    - No discharge of chemicals into drains
    - Consent & privacy: Informed consent, confidentiality of records
    - Remedy: Patient complaints desk, whistleblower protection for staff

SECTION SEVEN: EMERGING AREAS IN BUSINESS AND HUMAN RIGHTS

The collision of global commerce and social accountability has rapidly pushed the **Business and Human Rights (BHR)** framework—largely anchored by the UN Guiding Principles on Business and Human Rights (UNGPs)—into new frontiers.

Driven by shifting geopolitics, climate crises, and landmark regulations like the European Union's Corporate Sustainability Due Diligence Directive (CSDDD), emerging human rights priorities have distinct impacts across public-private partnerships, development finance, tech, and sports

This section discusses these emerging business and human rights frontiers:

1. Public Private Partnership (PPP)
2. Development Finance Institutions (DFIs) Projects
3. Tech Companies
4. Sports

1. Public-Private Partnerships (PPPs): Accountability in Public Goods

PPPs are increasingly being redefined as governance mechanisms rather than just funding tools. However, transferring public asset delivery to private entities introduces acute human rights risks:

2. Development Finance Institutions (DFIs): The Risk of High-Impact Capital

DFIs—such as the IFC or the African Development Bank—deliberately enter high-risk or post-conflict environments to stimulate growth, making them primary targets for BHR scrutiny:

3. Technology Companies: Algorithmic Exploitation and Geopolitical Ties

The tech sector has moved far beyond basic data privacy concerns, finding itself entangled in structural human rights crises across its entire supply chain and lifecycle:

4. Sporting Companies and Major Events: Sourcing and Megaproject Scrutiny

The sports ecosystem—comprising sportswear mega-brands, international governing bodies (e.g., FIFA, the IOC), and venue developers—faces rigorous BHR pressure:

How They All Connect - The Big Picture

Area	Main New Risk	Main Law/Standard
PPPs	State outsources but can't outsource human rights duty. Secret contracts, high fees	UNGPs, Sierra Leone PPP Act, CLRA 2022, EPA Act 2022
DFIs	Money launders risk through intermediaries. Weak remedy	IFC Performance Standards, World Bank ESF, Equator Principles
Tech	Data as new oil. Surveillance, AI bias, e-waste	UNGPs + B-Tech Principles, Data Protection Act SL 2023, EPA Act for e-waste
Sporting	Child exploitation, sportswashing, betting harms	FIFA Human Rights Policy, UNGPs, Child Rights Act

7.1 PUBLIC-PRIVATE PARTNERSHIPS (PPPs):

Who PPPs are?: Public-private partnerships (PPPs) are long-term contractual agreements between government authorities and private-sector entities to build infrastructure or deliver public services, combining public oversight with private investment and operational management.

PPPs are collaborative ventures where private companies finance, build, or manage traditionally public assets—such as roads, hospitals, water systems, or schools—while sharing financial and technical risks with the state. Common models include Build-Operate-Transfer (BOT), Design-Build-Finance-Operate (DBFO), and long-term concessions or leases.The public sector typically retains regulatory control and policy direction, while the private partner manages construction, daily operations, and commercial execution to generate a profit.

Key Human Rights Risks:

Implications for the Enjoyment of Human Rights

According to reports by United Nations experts and human rights organizations, PPPs create complex challenges and potential risks for the realization of fundamental rights:

- ✓ **Affordability and Economic Access**: Profit-driven private management can lead to higher tariffs or user fees for essential services like water, electricity, or healthcare, or road tolls, disproportionately marginalizing low-income populations and violating the principle of equitable access and thus leading to erosion of public welfare.
- ✓ **Shifting Accountability**: When governments delegate public services to private entities, lines of public accountability often become blurred. State dodging responsibility. Government says "it's private now" - but under international law, State still has **duty to protect rights**. Can't outsource obligation to provide health, education, water, etc. Citizens face complex corporate bureaucracies and commercial confidentiality clauses, making it harder to seek redress for service failures.
- ✓ **Marginalization of Vulnerable Groups**: Human rights frameworks prioritize equality, non-discrimination, and human dignity, whereas private partners prioritize commercial viability. This fundamental mismatch can lead to underinvestment in unprofitable, remote, or impoverished communities.
- ✓ **Labour and Worker Rights**: Transitions from public to private management frequently trigger anxieties or actual rollbacks regarding job security, workforce reductions, and collective bargaining protections for employees.
- ✓ **Positive Potential for Infrastructure**: Proponents note that when properly regulated with robust human rights due diligence, PPPs can rapidly mobilize capital and technology to fulfill economic and social rights, such as expanding clean water access or building functional public hospitals faster than the state could alone.

- ✓ **Corruption and Diluted Liability:** Bypassing standard public procurement can obscure transparency, facilitating bribery or rent-seeking that misdirects critical public funds.
- ✓ **Community Displacement:** Mega-infrastructure projects often lack deep municipal due diligence, leading to forced evictions, eminent domain abuse, and loss of local livelihood without fair judicial remedies.
- ✓ **Long lock-in:** 20-30 year contracts with stabilization clauses that freeze environmental/health laws. Investor can sue State if the new EPA Act 2022 standards hurt profit.
- ✓ **Opacity:** Contracts kept secret. No consultation with affected communities. No Human Rights Impact Assessment before signing.

Summary of key Human Rights Risks:

- ✓ ***Accountability gaps*** - Government and company both deny responsibility for abuses.
- ✓ ***User fees*** - Water/energy/health PPPs price out poor users; violates rights water/health;
- ✓ ***Land*** - PPP infrastructure causes displacement; private partner avoids resettlement cost;
- ✓ ***Labour*** - Private partner subcontracts to firms with child/force labour;
- ✓ ***Lack of consultation*** - PPPs designed without participation; contracts kept secret;

Sample Indicators:

Type	Indicator
Structural	- PPP law requires human rights impact assessment and disclosure of contract; - Contract clauses assign human rights responsibility to private partners;
Process	- % of PPP projects with stakeholder engagement plan and FPIC where relevant; - Number of independent audits of labour/land issues in PPP supply chain; - % of PPP with affordability measures for low-income users;
Outcome	- % of users reporting inability to afford PPP service; - Number of grievances filed about PPP projects Vs resolved with remedy; - % of PPP-affected households with livelihood restored post-resettlement;

NB: Benchmark - ***UNGP 5: State should exercise adequate oversight when they contract with businesses. World Bank PPP Reference Guide and OHCHR on privatization and human rights***

7.2 DEVELOPMENT FINANCE INSTITUTIONS (DFIs) PROJECTS:

Who DFIs are?: Development finance institutions (DFIs) are specialized state-owned or state-backed financial institutions that provide loans, equity investments, and guarantees to private sector companies operating in low- and middle-income countries. In other words, they are public or semi-public banks that finance private sector projects in emerging markets to achieve development impact.

Their core goal is to foster sustainable economic growth, create jobs, and address infrastructure or market gaps where commercial private investors are hesitant to engage. Examples include the International Finance Corporation (IFC) and various European and national development banks like the European Investment Bank (EIB), African Development Bank (AfDB), Development Bank of South Africa (DBSA), DEG (a German Development Finance Institution), British International Investment (BII), Inter-American Development Bank (IDB), US International Development Corporation (DFC), Asian Development Bank (ADB), Asian Infrastructural Investment Bank (AIIB), China Development Bank (CDB), Islamic Development Bank (IDB), etc.
DFIs lend/ invest in companies/projects. Under UNGP 13, they are "directly linked" to impacts via their financing. They don't cause them directly, but must prevent/mitigate.

Implications for Human Rights
The operations of DFIs carry profound, dual implications—both positive and negative—for the enjoyment of human rights globally.

Positive Impacts (Advancing Rights)

- ✓ **Access to Essential Services:** Funding infrastructure projects in energy, clean water, transport, education and information communications technology helps realize economic and social rights, such as the rights to health, education, and an adequate standard of living.
- ✓ **Poverty Reduction and Livelihoods:** By catalyzing private investment and job creation in fragile economies, DFIs help reduce systemic poverty, supporting the underlying conditions necessary for human dignity and stability.
- ✓ **Independent Accountability Mechanisms (IAMs):** The availability of IAMs in the governance of DFIs strengthens accountability and the provision of redress mechanisms for indigent groups and communities where development projects are implemented. This further serves to guide the implementation process of such projects and relieve funding institutions from unnecessary legal battles or image smearing for being complicit in human rights abuses/violations.

Key Human Rights Risks:

Negative Impacts (Risks and Violations)

- ✓ **Displacement and Land Grabs:** Large-scale agribusiness, infrastructure, and extractive mega-projects supported by DFIs frequently lead to forced evictions, land dispossession, and the destruction of indigenous and local communities' livelihoods.
- ✓ **Environmental and Health Hazards:** Inadequate environmental safeguards can lead to severe pollution or depletion of natural resources, violating the rights to health and a safe, clean and habitable environment.
- ✓ **Suppression of Civic Space:** Projects financed in politically volatile or repressive regions can coincide with the harassment of human rights defenders, community leaders, and local populations who protest project impacts.
- ✓ **Accountability and Remedy Gaps:** Many DFIs channel money through complex financial intermediaries (like commercial banks or private equity funds), diluting transparency and leaving affected communities without accessible, independent grievance redress mechanisms or a clear right to remedy when harm occurs.

Summary of key Human Rights Risks in DFI-financed Projects:

- ✓ ***Land & Resettlement*** – Dams, mines, roads, power plants displace people without proper compensation - violates right to housing/food;
- ✓ ***Indigenous Peoples:*** Projects on ancestral land without FPIC - violates right to culture/self-determination;
- ✓ ***Community health***: Pollution from factories, thermal plants, mines - right to health/water;
- ✓ ***Reprisals*** – intimidation of HR Defenders/communities who complain about project;
- ✓ ***Security:*** DFI client uses police/military to guard site → excessive force against protestors
- ✓ ***Labour*** – child/forced labour in the supply chains of DFI-financed agribusiness, OHS deaths in construction/operations DFI client;
- ✓ ***Remedy Failure*** – no functioning grievance redress mechanism; victims not compensated;
- ✓ ***Gender:*** GBV in construction camps; women lose land access in resettlement
- ✓ ***Migrant/domestic workers:*** Workers in DFI projects face recruitment fees, passport retention
- ✓ ***Climate:*** DFI finances fossil fuels leads climate impacts on rights globally
- ✓ ***Financial intermediaries:*** DFI lends to bank and bank lends to high-risk company as DFI has limited visibility.
- ✓ ***Governance risks:*** Client corruption, lack of grievance mechanism, retaliation against HR Defenders.

<u>Sample DFI indicators - Project Level:</u>

Used for monitoring during loan and implementation period

Type	Indicator
Structural	- DFI has policy referencing UNGPs and ILO Convention;

	- Project categorized A/B/C per IFC; ESIA publicly disclosed 120 days before Board - Client has policy aligned with UNGPs and ILO Core Conventions
Process	- % of actions in ESAP - Environmental & Social Action Plan - completed on time - Number of stakeholder consultations held and vulnerable groups included - % of security personnel trained on human rights and use of force - % of Tier 1 suppliers screened for forced labor/child labor - Project grievance mechanism: # complaints received + % resolved <60 days - % of category A project with human rights due diligence completed pre-approval; - %of project-related grievances registered Vs actual resolved;
Outcome	- % of people physically or economically displaced + % with restored livelihoods - Worker fatality/injury rate per 1M hours; # forced/child labor cases - % of verified human rights complaints + remedy provided - Change in air/water quality vs baseline; # community health incidents - Number of projects suspended due to human rights violations; - Restitution/compensation delivered to harmed people: type and amount;

<u>DFI-specific risk areas:</u>

I) ***Financial Intermediaries - FIs:*** 40-60% of DFI portfolios. Risk: DFI can't see end borrower. Mitigation: Require FI to have E&S Management System and exclude list.

II) ***Private Equity Funds:*** DFI invests in fund → fund invests in 10 companies. DFI requires fund manager to do HRDD.

III) ***State-Owned Enterprises:*** Higher risk of state complicity. UNGP 4: DFI must push state to protect rights.

IV) ***Conflict/Post-conflict:*** Higher risk of security abuses, corruption. Requires conflict analysis.

V) ***Climate finance:*** "Green" projects like solar/hydro/carbon forest can still displace people, disrupt food production. Just transition needed.

7.3 TECH COMPANIES - BUSINESS AND HUMAN RIGHTS:

Who Tech Companies are?: Tech companies are commercial businesses that focus on the development, supply, and servicing of digital infrastructure, software, hardware, and internet-based platforms like social media, cloud, AI, gig work apps, surveillance, fintech. According to Amnesty International, major firms—often called Big Tech—include global enterprises like Google (Alphabet), Meta, Microsoft, Amazon, and Apple.

Based on the UNGPs, OECD Guidelines, Global Network Initiative (GNI) Principles, and Santa Clara Principles, Tech Companies touch every right because it is the infrastructure for speech, work, money, and identity. They deeply influence human rights by both enabling and restricting fundamental freedoms globally.

Positive Implications (Advancement of Rights)

- ✓ **Freedom of Expression:** Digital platforms provide spaces for civic mobilization, public debate, and the sharing of diverse or marginalized viewpoints.
- ✓ **Access to Information and Education:** Online networks expand remote learning, healthcare access, and widespread availability of public knowledge.
- ✓ **Documentation of Abuses:** National Human Rights Institutions (NHRIs), Civil Society Organizations (CSOs), citizens and journalists use digital tools and social media to record and expose human rights violations in real time.

Key Human Rights Risks:

Negative Implications (Risks and Abuses)

- ✓ **Privacy Violations:** Mass data harvesting and surveillance-driven business models track user behavior and build invasive profiles for economic gain.
- ✓ **Freedom of Expression Harms:** Algorithmic gatekeeping, censorship, arbitrary content moderation, and government-compelled network shutdowns restrict public access to information.
- ✓ **Discrimination and Hate Speech:** Engagement-driven recommendation systems amplify polarized, extreme, or hateful content, often harming vulnerable communities. Products sometimes not user friendly to vulnerable groups like PWDs. Automated artificial intelligence tools can also embed historical biases into hiring and justice systems.
- ✓ **Labour Abuses:** Supply-chain exploitation affects vulnerable workers, including gig workers, migrant workers and overseas hardware assemblers or content moderators.

Supply-chain exploitation can also lead to child/forced/bonded labour in the mining for cobalt or lithium or factory workers making phones.

- ✓ **Safety and Security:** Tech companies often compromise the right to safety and security through structural negligence, prioritizing engagement and profit over user welfare. There is inadequate content moderation where platforms fail to proactively address harassment, cyber abuse and hate speech, often reducing or silencing internal trust and safety teams to cut cost. Mass surveillance through selling of data to government also pose security threat to critical voices against repressive/corrupt regimes.
- ✓ **Sexual and Gender-Based Violence (SGBV):** Online SGBV is most common through harassment and doxxing where information about women and girls (like pornographic photos or videos) is gathered and publicly displayed without their consent with the intent to harass, threaten or shame the victims.

Sample Indicators:

Based on Ranking Digital Rights, Global Network Initiative (GNI), IFC Performance Standards (PS) 1-4

Type	Indicator
Structural	- Public Human Rights Policy + Board oversight of HR risks - Commitment to UNGPs + GNI Principles for ICT sector
Process	- % of content moderation decisions appealed + % overturned - Human rights impact assessment done before launching new AI product - % of government requests for data/content that are challenged in court - % of algorithms audited for bias by gender/race/disability annually - % of content moderators with mental health support + max hours viewing - % of Tier 1-3 suppliers audited for forced/child labor + cobalt sourcing - Data minimization: types of data collected vs purpose stated
Outcome	- % of data breaches and users notified within 72 hours - % of accounts suspended due to government request and % of users notified - % of discrimination complaints from AI/ad system and remedy provided - Gig worker pay vs minimum wage + % with social security

7.4 SPORTS Vs BUSINESS AND HUMAN RIGHTS:

Sports as a business refers to the transformation of athletic activities from purely recreational or civic pursuits into a **highly commercialized multi-billion dollar global industry**. In other words sports is not 'just a game', it is a multi-billion-dollar global business with major human

rights implications across labour, governance and civil liberties. It functions through an interconnected ecosystem of Sports Governing Bodies (SGBs) (e.g., FIFA, the IOC), private corporations, media networks, and supply chains.

As a commercial entity, the sports industry operates on distinct revenue pillars:

- **Media Rights & Broadcasting:** Selling exclusive rights to television and digital networks to stream sporting events.
- **Sponsorships & Endorsements:** Corporate partnerships linking consumer brands to clubs, leagues, and star athletes.
- **Merchandising & Licensing:** Global manufacturing and supply chains that produce apparel, equipment, and consumer goods.
- **Mega-Sporting Events (MSEs):** The bidding, construction, and monetization of massive global tournaments (e.g., the World Cup or Olympic Games).

Because sports organizations are technically private-law entities rather than states, they historically escaped direct human rights obligations. However, as financial motivations have grown to eclipse traditional civic values, the business of sports has developed a profound and dual-sided footprint on human rights globally. Organizations involved in commercial sports activities therefore have a responsibility to respect human rights global frameworks like the UN Guiding Principles on Business and Human Rights. However, the intersection of business, mega-sporting events and athletics frequently gives rise to critical human rights risks as indicated below:

Key Human Rights Risks:

The intersection of sports commercialization and human rights creates a complex landscape. The business model can act as both a powerful vehicle for progressive rights and a catalyst for severe labour and civil violations. However, when the sports industry prioritizes corporate profits, commercial growth, or political capital, it frequently violates international human rights standards:

- ✓ ***Migrant Labour and Supply Chain Exploitation:*** The construction of stadiums and infrastructure for global tournaments frequently relies on cheap migrant labour which often involves unsafe working conditions, exorbitant recruitment fees, wage theft, human trafficking and restrictions on worker movement. Similarly, global sports merchandise is often produced in sweatshops across developing nations, directly violating fundamental labour rights.
- ✓ ***Forced Displacement and Land Rights:*** Host cities and governments have repeatedly evicted marginalized communities from homes and land without due process or adequate compensation (no FPIC) to make way for event venues.
- ✓ ***Sportswashing:*** Autocratic or repressive governments, or rogue businesses or non-compliant companies can use sponsorship to major leagues or purchase of major clubs or

major tournaments to polish their international reputations while masking ongoing operational areas or domestic rights abuses.

- ✓ ***Suppression of Free Speech:*** Media crackdowns, harassment of journalists, and limitations on peaceful protest affect local citizens, reporters, and participating athletes.
- ✓ ***Security Abuses:*** Excessive policing, surveillance, crackdowns on fans/protesters
- ✓ ***Waste:*** Mega events create plastic and chemical wastes and emissions around the event sites. This creates more compelling situation for recruitment of waste collectors and identification of landfill areas.
- ✓ ***Discrimination, Harassment and Abuse:*** Athletes and fans face racism, xenophobia, gender inequality, sexual abuse, bullying by coaches, online harassment and exclusion based on identity or religion, often with limited internal recourse. Usually, female footballers are paid for far less than the male footballers. Even the male leagues are far more exposed and advertised than the female ones. There is often lack of safeguards in youth academies.
- ✓ ***Corruption:*** Bribery in bidding for events, broadcasting rights and sponsorship.
- ✓ ***Inadequate Remedy:*** Federations and clubs often have weak redress mechanisms.
- ✓ ***Health and Safety:*** Concussions, unsafe playing surfaces, pressure to play injured, inadequate medical care.

Sportswashing is the "practice of using sports events, team ownership, or sponsorship to improve a tarnished reputation and distract from unethical or controversial behaviour".

Governments and corporations use the universal appeal and positive emotions of sports to wash away bad publicity. The goal is to create a positive public image and project modernity, openness or legitimacy. It acts as a form of propaganda or reputation laundering, steering attention away from human rights abuses, corruption and environmental harm.

Common methods in sportswashing include the following:

- ✓ ***Hosting Mega Events:*** Securing global tournaments like the FIFA World Cup or Olympic Games;
- ✓ ***Team Ownership:*** Purchasing major football clubs or other prominent sports franchises through state-backed funds.
- ✓ ***Sponsorship:*** Funding major leagues, racing series (like Formula 1) or high-profile athletes and global brand ambassadors.

8. ANNEX: REFERENCES

8.1 Relevant International and Regional Conventions, Treaties and Other Agreements to which Sierra Leone is a Party

The Republic of Sierra Leone is a member of the United Nations and the African Union (AU), including the Economic Community of West African States (ECOWAS) and the Mano River Union (MRU). It has ratified many UN Human Rights Conventions and those of African Union and has made binding international commitments to adhere to the standards laid down in these universal and regional human rights documents. Section 2 of the Human Rights Commission of Sierra Leone Act, 2004 states that the term "human rights" includes rights relating to life liberty, equality and dignity of the individual embodied in the international conventions, treaties and other agreements to which Sierra Leone is a party. These international and regional agreements are listed below:

A. International Human Rights Conventions:

Name	Signature	Ratification	Accession	Succession
International Covenant on Economic Social And Cultural Rights (1966)			23 Aug 1996	
International Covenant on Civil and Political Rights (1966)			23 Aug 1996	
ICCPR-OP1 - Individual Complaints		23 Aug 1996		
International Convention on the Elimination of All Forms of Racial Discrimination		2 Aug 1967		
Convention Against Corruption (2003)		30.09.04		
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984		25.04.01		
Convention on the Elimination of All Forms of Discrimination Against Women (1979)		1.11.88		

CEDAW Optional Protocol		8 Sep 2000		
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990	5.09.00			
Convention on the Rights of Persons with Disabilities (2007)		4 Oct 2010		
CRPD Optional Protocol		4 Oct 2010		
Convention on the Rights of the Child (1989)		8.06.90		
CRC-OP-AC - Children in Armed Conflict		15 May 2002		
CRC-OP-SC - Sale of Children		3 Sep 2002		
International Convention for the Protection of All Persons from Enforced Disappearance (2006)	2007			
Slavery Convention (1926)				13.03.62
UNECE [Aarhus] Convention on Access to Information, Public Participation in Decision-making and Access to Justice and Environmental Matters (1998)				
UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage (1972)		07.01.05		

B. International Human Rights Declarations:

Name	**Signature**	**Ratification**
Declaration of the Rights of the Child (1989)		8.06.90

Declaration on the Rights of Indigenous Peoples (2007)		
Rio Declaration on Environment and Development (1992)	1992	
Universal Declaration of Human Rights (1948)		

C. United Nations Resolutions/Guiding Principles

Name
Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990)
Business Principles for Countering. Bribery Transparency International (2002)
Guiding Principles on Business and Human Rights: Implementing the UN "Protect, Respect and remedy Framework" (2011)
Partnering Against Corruption - Principles for countering Bribery. Partnering Against Corruption Initiative (PACI), World Economic Forum (2004/5)
Principles on Housing and Property Restitution for Refugees and Displaced Persons (2005)
Voluntary Principles on Security and Human Rights (2000)
ICC Guide on Responsible Sourcing
ICC Guidelines on Whistleblowing
ICC Rules of Conduct and Recommendations (Combating Extortion and Bribery)
FAO/WHO Codex Alimentarius: Code of Ethics for International Trade in Food (1979)
UN Guidelines for the Regulation of Computerized Personal Data Files (1990)
UN Code of Conduct for Law Enforcement Officials (1979)
ICC Tools for Self-Regulation
UN Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights (2003)

Permanent Peoples' Tribunal Charter on Industrial Hazards and Human Rights (1994)
The Right to Adequate Housing, UN Office of the High Commissioner for Human Rights (2009)
Extractive Industries Transparency Initiative (Candidate 22nd February 2008 - Compliant Status 26th April 2014)

D. ILO Conventions

Employers' or workers' and certain other organizations (not individuals) of Sierra Leone may file complaints through the ILO procedure in the cases of those conventions which Sierra Leone has ratified.

Convention Name	Date	In Force
ILO Abolition of Forced Labour Convention (C105, 1957)	13.06.6	Yes
ILO Accommodation of Crews (Fishermen) Convention (C126, 1996)	06.11.67	Yes
ILO Discrimination (Employment and Occupation) Convention (C111, 1958)	14.10.66	Yes
ILO Forced and Compulsory Labour Convention (C29, 1930)	13.06.6	Yes
ILO Holidays with Pay (Agriculture) Convention (C101, 1951)	15.06.6	Yes
ILO Minimum Age Convention (C138, 1973) [minimum age specified: 15 years] – replaces C5, C7, C10, C15, C33, C58, C59, C60, C112, C123	10.06.1	Yes
ILO Minimum Wage-Fixing Machinery Convention (C26, 1928)	15.06.6	Yes
ILO Protection against Accidents (Dockers) Convention (Revised) (C32, 1932	15.06.6	Yes
ILO Protection of Wages Convention (C95, 1949)	15.05.6	Yes
ILO Right to Organize and Collective Bargaining Convention (C98, 1949)	13.06.6	Yes
ILO Underground Work (Women) Convention (C45, 1935)	13.06.6	Yes
ILO Worst Forms of Child Labour Convention (C182, 1999)	10.06.1	Yes

ILO Accommodation of Crews Convention (C133, 1970)		No
ILO Code of Practice: Protection of Workers' Personal Data (1997)		No
ILO Collective Bargaining Convention (C154, 1981)		No
ILO Convention Concerning Safety in the Use of Chemicals at Work Convention (C170, 1990)		No
ILO Equal Remuneration Convention (C100, 1951)		No
ILO Examination of Grievances Recommendation (R130, 1967)		No
ILO Forced Labour (Indirect Compulsion) Recommendation (R35, 1930)		No
ILO Forty-Hour Week Convention (C47 1935)		No
ILO Holidays with Pay (Revised) Convention (C132, 1970)		No
ILO Hours of Work (Commerce and Offices) Convention (C30, 1930)		No
ILO Hours of Work (Industry) Convention (C1, 1919)		No
ILO Hygiene (Commerce and Office) Convention (C120, 1964)		No
ILO Income Security Recommendation (R67, 1944)		No
ILO Indigenous and Tribal Peoples Convention (C169, 1989)		No
ILO Maternity Protection Convention (C183, 2000)		No
ILO Medical Care and Sickness Benefits Convention (C130, 1969)		No
ILO Night Work Convention (C171, 1990)		No
ILO Occupational Health Services Convention (C161, 1985)		No
ILO Occupational Safety and Health Convention (C155, 1981)		No
ILO Occupational Safety and Health Recommendation (R164, 1981)		No
ILO Prevention of Accidents (Seafarers) Convention (C134, 1970)		No
ILO Prevention of Major Industrial Accidents Convention (C174, 1993)		No
ILO Protection of Wages Recommendation (R85, 1949)		No

ILO Reduction of Hours of Work Recommendation (R116, 1962)		No
ILO Safety and Health in Construction Convention (C167, 1988)		No
ILO Social Policy (Basic Aims and Standards) Convention (C117, 1962)		No
ILO Social Security (Minimum Standards) Convention (C102, 1952)		No
ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (1977)		No

E. Environment & Chemicals - Relevant to Business & Human Rights

Convention	Status
Basel Convention - Hazardous Waste	Ratified 1 Nov 2016
Rotterdam Convention - Hazardous Chemicals	Ratified 30 Jan 2017
Stockholm Convention - Persistent Organic Pollutants	Ratified 2003
Minamata Convention - Mercury	Ratified 1 Nov 2016
UN Framework Convention on Climate Change (Paris Agreement)	Ratified 22 Jun 1995

F. African Regional Treaties

The Republic of Sierra Leone is a member of the African Union. This means that its citi- zens and NGOs may file complaints to the African Commission on Human and Peoples' Rights. It has ratified the following agreements.

Treaty Name	Ratification
African [Banjul] Charter on Human and Peoples' Rights (1982)	21.09.83
African Charter on the Rights and Welfare of the Child (1990)	3.05.02
Protocol the African Charter on Human and Peoples Rights on the Rights of Women in Africa (Maputo Protocol)	30 Oct 2015
Protocol on the African Court on Human and Peoples Rights	2025

Treaty Name	Ratification
African Mining Vision	
Economic Community of West African States	26th June 1975
ECOWAS Model Mining and Minerals Development Act (Mining Directives)	
The Supplementary Act on the Code of Conduct for Armed Forces and Security Services of ECOWAS (the Code of Conduct)	October 2006
Constitutive Act of the African Union (2000)	09.02.01
African Continental Free Trade Agreement (AfCFTA)	29th April 2019
Mano River Union	3rd October 1973

8.2 Relevant National Laws and Policies:

1. The Multi-Party Constitution of Sierra Leone Act No. 6 1991
2. Human Rights Commission of Sierra Leone Act 2004
3. National Investment Board Act 2022
4. Customary Land Rights Act 2022
5. National Land Commission Act 2022
6. The National Land Commission (Para-Surveyors and Paralegal) Operational Regulations 2023
7. Environment Protection Agency Act 2022
8. SMEs Development Act of 2016
9. Land rights (Customary Land Rights Act 2022 and Lands Commission Act 2022)
10. National Development-Induced Resettlement Act 2023
11. Gender Equality and Women's Empowerment Act 2023 (GEWE)
12. Employment Act 2023
13. Work Permit Act 2023
14. Industrial Relations and Trade Union Act 2024
15. Oversees Employment and Migrant Workers Act 2023
16. National Minerals Agency Act 2022
17. Mines and Minerals Development Act 2022
18. The National Security and Central Intelligence Act 2023
19. Ministry of Agriculture (policy on crop/tree compensation)
20. Fisheries and Marine Resources (Fisheries and Aquaculture Act No. 10 of 2018 and the Regulations of 2019)
21. Agribusiness' Investment Approval Process (AIAP)

22. Corporate Governance Code 2018
23. Cyber-Security and Crime Act 2021
24. The Insurance Act, 2016
25. Anti-Human Trafficking and Migrant Smuggling Act, 2022
26. Arbitration Act 2022
27. Consumer Protection Act 2020
28. Collective Bargaining Agreements
29. The Local Government Amendment Act 2022
30. The Child Right Act 2007
31. The Companies Act 2009
32. The Disability Act 2011
33. The Right to Access Information Act 2013
34. The Legal Aid Act, 2012
35. The Sierra Leone Public Transport Authority Act 2023