

# Child Labor in Sierra Leone: The Intersection between International Law and Local Regulations

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## Abstract

Child labor represents a significant challenge for many developing countries worldwide. Local and international laws and regulations establish standards that governments must comply with. However, due to a lack of proper monitoring systems, many countries permit children to engage in the most egregious forms of labor without restraint. The absence of proper control mechanisms leaves children vulnerable to exploitation and other forms of mistreatment. This study aims to investigate the level of compliance with human rights and child labor laws in diamond mines located in Sierra Leone. The mining industry has been plagued with reports of human rights violations, particularly those related to child labor. The objective of this case study is to provide a comprehensive analysis of the extent of compliance with relevant laws and regulations in the diamond mining sector in Sierra Leone. Through a combination of desk research and fieldwork, this study examines the current state of compliance with diamond mines' human rights and child labor laws. The research methodology included an extensive literature review of relevant laws and regulations and interviews with key stakeholders, including government officials, civil society organizations, and industry representatives. The findings reveal that despite the existence of laws and regulations prohibiting child labor, the practice persists in some diamond mines in Sierra Leone. Moreover, there are concerns about miners' working conditions, including health and safety issues and the lack of adequate compensation for their work. Despite the introduction of child rights laws, the issue of child labor in Sierra Leone remains a significant challenge. While the country has implemented several anti-child labor laws, it continues to have one of the highest rates of child labor in diamond mines. The persistence of this problem is a cause for concern as it undermines the country's efforts to promote sustainable development and achieve its economic goals. The study indicates

that while child labor laws are in place in various countries, there are discrepancies between domestic laws and international laws and standards. In instances where international laws are at odds with local laws, child labor may go unmonitored. It is crucial to bridge the gap between domestic and international laws and adhere to international standards to ensure the protection of children's rights in the workforce.

### **Keywords**

Law, Human Rights, Child Labor, International Law, Diamond, Mines, Child Soldiers, War, Slums

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## **1. Introduction**

Sierra Leone has pledged its commitment to uphold children's rights by signing several conventions and protocols on child labor (Abdulai, 2010). The country has ratified International Labor Conventions, including the Minimum Age Convention (Convention No. 138) and the Worst Forms of Child Labour Convention (Convention No. 182) (Sierra Leone, 2005). These Conventions serve as legal frameworks for child labor laws and work towards regulating and preventing violations of children's rights. The Convention on the Rights of the Child (CRC), regarded as the most widely ratified children's convention globally, has been signed and approved by the country (Fontana & Grugel, 2015). In 2007, the country took a significant step by enacting the Child Rights Act 2007 after incorporating the CRC into domestic law. The Child Rights Act 2007 is akin to the CRC in its provisions (Adeola, 2015).

Despite numerous international and domestic laws addressing child labor, Sierra Leone struggles with child labor violations (Dohn & Pimer, 2015). Reports of child labor and hazardous working conditions have marred the issue of diamond mining in Sierra Leone (Sierra Leone, 2003). Despite efforts to eradicate these practices, they persist, leaving children vulnerable to exploitation and harm. The prevalence of such practices underscores the need for greater regulation and enforcement of labor laws, as well as increased awareness and education to promote more responsible and ethical practices within the diamond mining industry.

## **2. Overview of Sierra Leone and Child Labor**

Sierra Leone is a country that has only recently emerged from a decade-long civil conflict, and the remnants of war can still be seen throughout the nation (Cohen, 2013). According to many Sierra Leoneans, one of the critical factors that contributed to the conflict was the unequal distribution of state resources, particularly those derived from the country's diamond mines (Williams, 2001). Diamonds have been identified as one of the primary drivers of the long-standing civil conflict that engulfed Sierra Leone for over a decade (Richards, 2001).

The civil war was so brutal that torture, rape, and the conscription of child combatants into the fighting forces became routine behavior (Garbarino, 2011). Children were not just made child combatants but were meant to work in diamond mines and hazardous conditions (Garbarino, 2011). In the aftermath of a conflict, numerous children were forced to flee their homes and seek refuge in other countries (Sierra Leone, 1992). These children become refugees who were left to fend for themselves in a new and unfamiliar environment. As a result, many of these displaced and refugee children faced challenges that threatened their safety, well-being, and education (Sierra Leone, 1992). The civil war that spanned a decade in the country ended in 2002, bringing about relative peace. However, the aftermath of the war has left the country with serious socio-economic challenges (Collier & Duponchel, 2013). The Ebola outbreak was one of the numerous challenges the country has faced since the end of the conflict. These challenges have continued to impact the country's development and progress (Adeola, 2015).

Diamond mining has always been a significant source of youth employment in Sierra Leone, but unfortunately, it has also been associated with child labor (Williams, 2001). The civil war in the country has been attributed to the avarice of politicians who sought to profit from the sale of diamonds to foreign countries (Richards, 2001). This has affected the country's economy and contributed to the war's instability. Exploiting these precious minerals has had detrimental effects on the socio-economic and political landscape of the country (Sierra Leone, 2010). Diamonds continue to be a significant revenue source for the government. Diamond mines lure many children to engage in mining activities voluntarily or involuntarily (Sierra Leone, 2007). Sometimes, children as young as thirteen are allowed to do mining with their parent's permission (Sierra Leone, 2007). Many children work in these mines for long hours (Forest, 2007). Some engage in activities like digging, breaking rocks, sifting, and shifting big rocks (Forest, 2007).

According to a United States Department of State report, children are involved in various mining activities (U.S. Department of Labor, 2022). These include carrying sacks on their heads, loading gravel into sacks or basins, and washing and sieving gravel (U.S. Department of Labor, 2022). Such activities are categorized as being part of the worst forms of child labor, as characterized by the International Labor Organization (ILO) (Pal, 2014). In some mining communities, children are employed to carry out various tasks, such as running errands and delivering food to the miners, and in some cases, girls are subjected to prostitution (Pal, 2014).

This practice is highly concerning and goes against international labor laws and standards that aim to protect the welfare of children (Dorman, 2002). Children are often exposed to hazardous conditions in mines not just in Sierra Leone but in some other parts of the world (Hanson & Vandaele, 2003). In some cases, these conditions result in the collapse of pits on the children (Thomas,

2014). For example, in some villages where the poverty rate is high, children are given loads to carry, severely affecting their growth and personal development (Collier & Duponchel, 2013). The prolonged civil war that ravaged Sierra Leone for over a decade left many challenges that the populace is still grappling with, including child labor. This predicament has continued to hinder the nation's development, and addressing it is crucial to the advancement of society (Collier & Duponchel, 2013).

### 2.1. International Legal Laws Regulating Child Labor

Several internationally recognized laws govern the regulation of child labor. These laws are designed to protect the rights and welfare of children and to ensure that they are not exploited or subjected to hazardous working conditions. Among the most widely recognized of these laws are those related to child labor. These laws impose strict standards on employers, prohibiting the employment of children below a certain age and mandating safe working conditions for those who are legally allowed to work. Among the various international laws that safeguard children from engaging in labor activities, some of the most renowned ones are as follows:

1) The Convention on the Rights of the Child (CRC) is a United Nations General Assembly resolution 44/25 adopted on 20 November 1989, signifying a significant breakthrough in the global recognition of children's rights (LeBlanc, 1991). The convention was opened for signature and ratification on the same day and came into force on 2 September 1990. Sierra Leone ratified the convention on June 18, 1990, underscoring the country's commitment to promoting and protecting children's rights (Engle, 2011).

2) The African Charter on the Rights and Welfare of the Child was developed and adopted by the Organization of African Unity (OAU) members, and it officially took effect on November 29, 1999 (African Charter on the Rights and Welfare of the Child, 1991). This charter outlines the fundamental rights and welfare of the African child. Sierra Leone ratified the charter on May 13, 2002, thus becoming a party to its provisions (Detrick, 1995). The African Charter seeks to promote and protect children's rights in Africa, including their right to education, health, and protection from abuse and exploitation. The charter is a crucial framework for promoting the welfare of children on the African continent and serves as a reference point for child rights advocacy in Africa.

3) The Minimum Age Convention, a significant international labor agreement, was adopted during the 56<sup>th</sup> International Labor Convention 1973 (Mavunga, 2013). This convention came into force on June 19, 1976. The convention outlines the minimum age requirements for employment and sets standards to protect the rights of young workers. On June 10, 2011, Sierra Leone ratified this convention, affirming its commitment to the principles of the agreement.

4) The Worst Forms of Child Labor Convention was adopted during the 87<sup>th</sup> session of the International Labor Convention (Noguchi, 2002). It came into

force on 19 November 2000 to eliminate the worst forms of child labor. On June 10, 2011, Sierra Leone ratified the Convention, joining the global efforts to end child labor.

## **2.2. National Laws Regulating Child Labor in Sierra Leone**

Sierra Leone has adopted and incorporated several international laws related to child labor into its local laws. Although these regulations have been domesticated, they have yet to fully influence how businesses comply with the laws and regulations in the country. Despite the adoption of these regulations, children still engage in hazardous labor. Some of these domesticated laws are as follows:

1) Government of Sierra Leone, Child Rights Act 2007. This Act incorporated most sections of the CRC ([The Government of Sierra Leone, 2007](#)).

2) Government of Sierra Leone, Mines and Minerals Act 2009. This Act regulates the conduct of mining in Sierra Leone ([The Government of Sierra Leone, 2009](#)).

3) Government of Sierra Leone, Employer and Employee Act 1960. This Act regulates employer and employee relationships in the country ([The Government of Sierra Leone, 1960](#)).

4) Government of Sierra Leone, Education Act 2004. The Act was enacted to reform education with a special provision for pre-primary education and technical and vocational institutions ([Government of Sierra Leone, 2004](#)).

## **2.3. ILO's Conceptualization of the Worst Forms of Child Labor**

The International Labour Organization (ILO) has identified various forms of child labor that are considered to be the worst due to their harmful effects on children's health, safety, and overall development ([Henne & Moseley, 2005](#)). Addressing these practices is crucial to protect children's rights and promote sustainable economic growth. Therefore, it is essential to take necessary measures to eradicate child labor and create a safe and secure environment for children to flourish.

The ILO Convention on the Worst Forms of Child Labor (No. 182) outlines the forms of child labor that are considered to be the most egregious. Specifically, articles 3 (a), (b), (c), and (d) provide a comprehensive list of these forms. According to Article 3 (d), work in mining operations is categorized as the worst form of child labor ([Tang et al., 2017](#)). This is because such work is likely to harm children's health, safety, and morals due to the nature of the work or the circumstances in which it is carried out ([International Labour Organization \(ILO\), 1999](#)).

According to the International Program on the Elimination of Child Labor (IPEC), child labor is characterized as work that deprives children of their childhood, potential, and dignity and damages their physical and mental development ([ILO, 2009](#)). Most national and international legislation is focused on child labor remediation. Although some activities that contribute to a child's

development may be categorized as child labor, they do not fall under the category of the worst forms of child labor. For instance, if a child engages in domestic work, particularly girls who often assist their parents in cooking and other household chores, this type of work is considered light work and not the worst form of child labor (ILO, 2009).

### **3. The Legal Analysis of the Conflict of Laws Regulating Child Labor in Sierra Leone**

Sierra Leone has implemented and integrated several international laws that regulate child labor. However, certain inconsistencies exist between the provisions of the national laws and those of the international laws governing child labor. These variations challenge the country's effective regulation and enforcement of child labor laws.

Article 7 of the International Labor Organization's (ILO) Minimum Age Convention permits children between 13 and 15 to participate in light work (ILO, 2000). By this convention, Article 127 of the Child Rights Act (CRA) establishes 13 as the minimum age for children to engage in light work (The Government of Sierra Leone, 2007). This aligns directly with the provisions of Article 7 of the Minimum Age Convention. As such, it is essential to recognize that these legal frameworks permit children between the ages of 13 and 15 to engage in light work, provided that it is not detrimental to their health, education, or development. It is crucial to ensure that these provisions are interpreted and enforced correctly to safeguard the well-being of children and support their growth and development (ILO, 1973). The CRC and CRA have provisions for children between 13 and 15 to engage in light work. However, the Employers and Employed Act CAP 212 1960 23 allows children below 12 years old to perform domestic work, considered light work. This Act conflicts with the CRC and the Minimum Age Convention, prohibiting children under 12 years old from engaging in any work.

It is essential to acknowledge that the Employers and Employed Act CAP 212 1960 23 does not conform with international labor standards, specifically the Minimum Age Convention and the CRC. The provisions of these conventions aim to shield children from exploitation and harmful labor practices. Therefore, it is incumbent upon businesses and employers to comply with these standards and ensure that children are not subjected to work that could endanger their well-being. The dichotomy between the need for education and the demand for skilled labor in specific industries can lead to exploitative practices (Reinert, 2000). In Sierra Leone, this conflict has resulted in the employment of children below the minimum age requirement for labor. UNICEF reports that 63 million girls and 97 million boys are engaged in various forms of child labor globally (ILO, 1973).

This alarming statistic highlights the critical need for immediate action in addressing this pervasive problem. It is pertinent to note that child labor is a com-

plex issue with far-reaching implications for the affected children and their communities. This practice is a clear violation of both national and international laws on child labor (ILO, 2021). It is common for children under 12 to be employed in diamond mines, fishing industry, and agricultural fields in Sierra Leone (Sierra Leone, 2007).

Section 135 of the (CRA) stipulates that the minimum age requirement for children to engage in any apprenticeship is at least 15 years. However, section 57 of the Employers and Employed Act excludes this rule, allowing children as young as 13 to start an apprenticeship. It is important to note that this exception is subject to the consent of the child's partner or guardian. Despite the discrepancy between these two provisions, it is paramount that any apprenticeship program adheres to the age requirement of 15 years old to ensure the safety and well-being of children. Such provision could be a recipe for problems in interpreting the different Acts dealing with child labor. These conflicting Acts are causing interpretation problems, making child rights advocacy difficult. While the CRA discusses employing a child as an apprentice at age 15, the Employer and Employee Act discusses using a child at age 13.

Research conducted in the North and East of the country in 2010 shows that fifty-six percent (56%) of children in primary schools drop out of school early, while over sixty percent (60%) of secondary school children also drop out of school without completing their high school and are employed in different sectors (IBIS in Sierra Leone, 2010). However, this is a severe violation of both the CRC and the CRA, which have provisions that say the welfare and interest of the child should be a priority for state governments.

It is worth noting that section 54 (2) of the Employers and Employed Act allows children as young as 16 to participate in mining activities. However, it is concerning that there needs to be provisions in place for such children to receive vocational or formal training to undertake these activities. This starkly contrasts Article 3 (3) of Convention No. 182, which advocates eliminating the worst forms of child labor, including hazardous work, and providing vocational training to enable children to access safe and viable alternatives.

Mining activity is widely considered one of the most egregious forms of child labor. Therefore, children under 18 must only engage in such activities if they have received appropriate vocational training or an equivalent education. This is essential to ensure that children are not subjected to physical or psychological harm and their long-term well-being is not compromised (Reinbold, 2014). It is imperative to provide young people with the necessary skills and knowledge to safeguard their rights and facilitate their transition to adulthood.

Section 54 (2) of the Employers and Employed Act does not specify any provisions related to vocational training. On the contrary, the Act emphasizes the health status of a minor to determine their ability to engage in such activities. This highlights the challenge of conflicting provisions within the law. The employment of minors in mining activities below 18 constitutes a severe violation

of their rights. Despite this fact, hundreds of minors are fully employed in such mines (International Human Rights Clinic, 2009).

### **3.1. How Companies Exploit the Loopholes in Child Labor Laws in Sierra Leone**

The legal analysis above highlights numerous loopholes in Sierra Leone's labor and employment laws, which some companies exploit to employ children in hazardous work, including diamond mining. Many companies use local laws susceptible to exploitation, contrasting them with international legal provisions (Nilsson, 2017). These practices have hindered children from accessing quality education, as they are engaged in work that is not age-appropriate (Bulanda & Jalloh, 2019). Additionally, some children undertake work that negatively affects their health and well-being (Bulanda & Jalloh, 2019).

The issue of child exploitation in Sierra Leone is a complex one with significant implications. Despite the presence of laws that regulate labor for children, the lack of enforcement has resulted in rampant exploitation (Nilsson, 2017). Diamond mining is a substantial industry in Sierra Leone, and many diamond mines employ children to work in the pits (Nilsson, 2017). In some cases, children are even made to work during school hours, depriving them of the opportunity to receive an education. This is a grave violation of their rights and has far-reaching consequences for their prospects.

### **3.2. How Child Labor Violates Children's Rights to Education in Sierra Leone**

The issue of child labor is a significant problem that arises from the inability of children to protect their individual and collective rights effectively (Godha, 2020). In Sierra Leone, the compulsory age for schooling is 15 years, as stipulated in section 2 (1) (a) (b) and (c) of the Education Act of 2004. Children must be allowed to pursue an education and protect their rights, as it is critical to their well-being and the development of a just society. It is a matter of concern that many children in Sierra Leone need to attend school, although primary education is free (Bolten, 2018). The latest estimates indicate that out-of-school children are between fifteen and seventeen thousand (U.S. Department of Labor, 2022).

These statistics indicate a severe violation of the educational rights of children as enshrined in Article 28 1 (b) of the Convention on the Rights of the Child. The right to education is guaranteed in the Convention on the Rights of the Child and adopted by many countries worldwide (LeBlanc, 1991). The failure to provide access to education to these children represents a critical challenge to attaining universal primary education and realizing the right to education for all (UN General Assembly, 1990). In some cases, some children are enrolled in school, but because of child labor, many leave school prematurely (UNICEF, 2015). This is a violation of children's rights, which leaves them with some pernicious consequences.



The Child Rights Act prohibits children from engaging in hazardous work in Sierra Leone. Any such activity is deemed part of the worst forms of child labor. According to section 128 (3) (b) of the Act, mining is classified as hazardous work, and children are only permitted to engage in such activities upon reaching the age of 18 years. This is in line with the regulations governing the mining sector concerning the employment of minors. However, the scenario is quite different from what is expected. Children under 13 are employed in diamond mines, which is a grave violation of children's and human rights (Sierra Leone, 2007).

It has been estimated that approximately one-third of children who are employed are engaged in hazardous labor, which is not only in violation of the provisions outlined in the Convention on the Rights of the Child (CRC) and the Child Rights Act (CRA) but also poses a significant threat to their physical and emotional well-being (UNESCO, 2011). In the UN General Comment No. 11 (2009), further elaboration was made to Article 29 of the CRC: "education of the child shall be directed to the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance..." (UN General Comment No. 11, 2009). The General Comment underscores the importance of Articles 28, 29, and 31 of the Convention on the Rights of the Child, particularly about the child's education (UN General Comment No. 11, 2009). Article 28 of the UN Convention on the Rights of the Child (CRC) highlights the importance of providing primary education to all children (Mittal, 2022).

It emphasizes the obligation of state parties to make education compulsory. Additionally, in the UN General Comment No. 1 (2001), the Committee clarified that Article 29 of the CRC complements and reinforces Article 28 by emphasizing the qualitative aspects of education and highlighting the significance of children's education. It is thus evident that the CRC places great emphasis on ensuring that every child has access to quality education, and state parties have a responsibility to ensure the implementation of this fundamental right (UN General Comment No. 1, 2001). The susceptibility to violation is a pressing issue without adequate accountability mechanisms and enforcement measures. According to the United Nations Children's Fund (UNICEF), the number of out-of-school children is estimated to exceed three hundred thousand, with fifty-two percent comprising orphans (UNICEF, 2008). The infringement upon a child's right to education as per the Convention on the Rights of the Child is a severe breach of fundamental human rights.

According to Gulnara Shahinian, *UN Special Rapporteur on contemporary Slavery in Mining Activities*, "Irrespective of the fact that International Conventions provide for primary education to be free of no cost, some parents are required to pay for uniforms, books and stationery of which most parents cannot afford" (UN Human Rights Council, 2011). The fact that many children worldwide are denied the opportunity to receive an education is a serious concern (Reinbold, 2014). In Sierra Leone, for instance, primary school education is free,

but the cost of additional expenses related to schooling is often out of reach for many families. This financial burden may prevent children from attending school, which highlights the need for more significant support to ensure that all children have access to quality education, regardless of their socioeconomic status.

The exploitation of child labor in diamond mines remains a pressing issue in many parts of the world (Vetter, 2007). The absence of robust legal measures to address this problem has resulted in egregious violations of children's rights, particularly their right to education (McGrath, 2023). Inadequate working conditions and hazardous environments are common in these mines, perpetuating a cycle of poverty and depriving these children of opportunities for growth and development. This situation demands urgent attention from policymakers and stakeholders, who must work together to establish adequate safeguards that protect the rights and well-being of these vulnerable children (Reinbold, 2014).

### **3.3. Child Labor Contributes to the Violation of Children's Rights to Health in Sierra Leone**

The Parliament has enacted laws protecting children's healthcare access rights in Sierra Leone. However, it is widely believed that these laws require more effective implementation to offer assistance to vulnerable children. Section 128 (2) of the Child Rights Act stipulates: "Work is hazardous when it poses a danger to a person's health, safety or morals." This section places a significant emphasis on safeguarding the health and welfare of the child, thereby prohibiting any form of hazardous labor involving children.

Article 24 (1) of the Convention on the Rights of the Child (CRC) recognizes children's right to the highest attainable standard of health and to receive adequate treatment for illness and rehabilitation of health. However, despite the legal framework, children in Sierra Leone are still exposed to hazardous conditions associated with artisanal mining, which can adversely affect their health and overall development. This situation is in contravention of the principles established by the CRC and requires urgent attention to ensure the protection of children's rights and well-being (International Human Rights Clinic, 2015).

According to the UNICEF Country Report on Sierra Leone, the country has one of the highest child mortality rates in the world, rating at 104.7 per every 1000 live births (UNICEF, 2023). This is primarily due to malnutrition and lack of access to adequate healthcare for vulnerable children (UNICEF, 2023). These unfortunate circumstances starkly contrast the legal provisions to promote children's health in Sierra Leone. The maternal mortality rate is further compounded by the dangerous working conditions that children are exposed to, putting their lives at risk. Children are often involved in physically demanding tasks, such as shoveling large amounts of gravel, carrying heavy loads on their heads, and assisting in transporting stones in diamond mines. Regrettably, these activities can severely affect the children's health and cause significant bodily discomfort, violating their fundamental human rights.

The UN General Comment No. 11 (2009) elaborates on Article 24 of the CRC,

stipulating that “State parties shall ensure that all children enjoy the highest attainable standard of health and have access to healthcare services.” (United Nations, 2009). This implies that governments are responsible for ensuring that children receive the best possible healthcare services and are accessible to all. The UN General Comment No. 11 (2009) emphasizes the importance of providing access to healthcare services appropriate to the child’s age and considering the specific needs of children with disabilities or from marginalized communities.

The UN General Comment No. 11 (2009) also highlights the importance of a comprehensive approach to children’s health, including physical, mental, and social well-being.” To ensure that indigenous children are not subjected to discrimination and can enjoy the highest standard of health, the Committee recommends that state parties take appropriate measures (Mittal, 2022). Section 128 of the Child Rights Act 2007 also emphasizes prioritizing children’s health. Section 128 of the Child Rights Act states: “Every child should not be deprived of his/her health hence should not be subjected to hazardous work or working environment.” It cannot be denied that the violation of children’s right to healthcare is rampant across the country. According to a report by Humanium, a non-governmental organization dedicated to child welfare, the under-5 mortality rate was approximately 18.5% in 2015 (Cordeiro, 2015). That number is higher, as indicated by the United Nations International Children’s Fund. These figures show a dire situation wherein the health and well-being of the nation’s most vulnerable members are in jeopardy. Sierra Leone has one of the highest infant mortality rates in the world. The issue of healthcare, particularly as it pertains to children, represents a violation not only of their inherent rights but is also inconsistent with the fundamental tenets of human rights (Sylkina et al., 2018). This matter is of great importance and requires immediate attention and resolution.

In artisanal mining operations, children are frequently exposed to the consumption of stagnant water, which can severely impact their health and well-being (Parker, 1999). In certain instances, these mines may need to be structurally unsound. Some children often die from mines collapsing on them with little or no help (International Human Rights Clinic, 2009). In mining areas, children are susceptible to various tropical diseases, and some are left to perish due to the lack of adequate healthcare facilities (International Human Rights Clinic, 2009). Such facts and statistics contradict the provisions in international laws and local regulations on child labor.

#### **4. Suggested Remedies to Curb Child Labor in Sierra Leone**

Child labor has become a prevailing practice in various developing economies (Kilic, 2001). As a result, numerous states require assistance establishing effective measures to address this issue. It is essential to create mechanisms that can effectively remedy the prevalence of child labor, thereby ensuring the protection and well-being of children and promoting sustainable economic growth. Companies must establish policies to address the issue of child labor, incorporating

mechanisms for monitoring and evaluation and implementing programs to reduce or eliminate such practices.

The Ruggie principles serve as an appropriate framework for companies and governments seeking to address the issue of child labor. Judicial remedies have a crucial role in combating child labor, particularly in developing economies. Legislative remedies, in the form of laws against child labor and their practical implementation by vigilant governments, are another effective means of eliminating or reducing child labor. These remedies are discussed in detail below.

#### **4.1. The Ruggie Principles as Remedies to Solving Child Labor**

A potential starting point for addressing the issue of child labor is adopting the Ruggie principles for business and human rights (Blitt, 2012). This framework, developed by the United Nations, centers on the notion that businesses are responsible for respecting human rights, including those of vulnerable groups such as children (Ferrey, 2010). By adhering to these principles, businesses can take steps to identify and mitigate any potential negative impact their operations may have on child labor (Ruggie, 2013). By doing so, they can help to create a more sustainable and ethical business environment that promotes the well-being of all individuals.

In 2008, the United Nations Human Rights Council unanimously adopted the principles presented by the UN Secretary-General's Special Representative on Business and Human Rights (Ruggie, 2011). These principles offer guidelines on the relationship between transnational corporations and the obligation to respect human rights (Černič, 2010). The principles aim to ensure that businesses operate in a manner that respects human rights while also recognizing the importance of corporate social responsibility (Macrory, 2014). Businesses have widely adopted the principles and are now considered a benchmark for responsible corporate behavior (Johnson Jr. et al., 2019). Those principles have guidelines on the operations and accountability of transnational corporations.

Based on these principles, the UN brought up a legal framework called "Protect, Respect and Remedy" to guide companies on how to end child labor (Macrory, 2014). The UN framework could be an effective remedy mechanism states can incorporate into their state laws, thereby streamlining the roles of the companies and their responsibilities in ensuring that children are not employed at a certain age to do work hazardous to their development (United Nations, 2012). Human rights activists use these guiding principles in different countries as a framework to campaign against child labor and for these corporations to maintain quality labor standards (Oxfam, 2013). The principle of due diligence, which is the identification, mitigation, prevention, and accounting for human rights violations, has worked out for some countries (Oxfam, 2013). Countries like Sierra Leone can implement some of these frameworks in the mining industry to serve as an accountability mechanism for corporations engaging in mining activities and prevent them from employing child laborers.

#### **4.2. The Tackle Project Serves as a Remedy to Child Labor in Sierra Leone**

The Tackle Project is another excellent remedy if states implement it. The Tackle Project is by the International Programme on the Elimination of Child Labor (IPEC) (ILO, 2013). The European Commission (EC) and the International Labor Organization (ILO) jointly launched the project. This project aims to eliminate the worst forms of child labor through educational strategies. The Tackle Project monitors the implementation of the ILO Minimum Age Convention and the Worst Forms of Child Labor Convention (U.S. Bureau of International Labor Affairs, 2013). In Sierra Leone, the Child Labor National Steering Committee was formed through the support and guidelines of the Tackle Project. The Steering Committee looks into child labor activities and helps prevent them where necessary. It is believed that if children are given the opportunity for education, there may be little or no room to do hazardous work. Tackle could be a good remedy for tackling some of these challenges if implemented well.

#### **4.3. Judicial Remedies to Solving Child Labor in Sierra Leone**

There are both national and international anti-child labor laws in Sierra Leone. But those laws are weak, and there are no specific action plans to give enforceable measures if those laws are breached. Adopting anti-child labor laws is very important, but robust implementation and enforceability can render those laws active. For example, in Sierra Leone, although the government has anti-child labor laws, the Employer and Employee Act still has a section providing for children below the age of 12 years to engage in agricultural and horticultural activities (Government of Sierra Leone, 1960). It is evident that the anti-child labor laws need more vigorous enforcement. The implementation and enforcement of national and international laws against child labor can significantly contribute to the fight against this issue. In this regard, Human Rights and Civil Society Organizations are encouraged to initiate public interest litigation against the most egregious forms of child labor in their respective countries. These organizations can increase public awareness and advocacy efforts to end child labor by bringing more cases to the courts.

#### **4.4. Legislative Remedies to Solving Child Labor in Sierra Leone**

The government should consider allocating a more significant amount of funds towards the implementation and enforcement of laws that aim to eliminate the issue of child labor. Establishing a uniform and comprehensive legal framework that regulates child labor practices across all industries and regions is essential. Such measures will not only help protect the rights and well-being of children but also contribute to the country's long-term social and economic development.

The government needs to do more to create laws that the state conducts that can be regarded as child labor in a consistent system (U.S. Bureau of International Labor Affairs, 2013). The government needs to allocate more funds to-

wards the fight against child labor (U.S. Bureau of International Labor Affairs, 2013). When communities are aware of the social stigma associated with child labor, it creates room for eliminating it. If a child's parents realize that some other community members would frown at them for allowing the child to engage in bad labor practices, such parent(s) can quickly desist from such action (Oxfam, 2013). The strategy of enacting laws that stigmatize child labor has been very effective in the fight against child labor (Oxfam, 2013).

#### **4.5. Government Actions as Remedies to Curb Child Labor in Sierra Leone**

To combat child labor, the government has assigned the responsibilities of dealing with child labor to a unit attached to the Ministry of Labor (U.S. Department of State, 2015). That unit is responsible for making sure that child labor laws are effectively implemented, and they are also responsible for monitoring compliance (U.S. Department of State, 2015). In the diamond mines, the Ministry of Mines and Mineral Resources enforces all laws prohibiting child labor in mining sectors. These are excellent practices by the Sierra Leone government to ensure that child labor is eliminated in diamond mines. The U.S. Department of Labor, in its 2013 Report on human rights issues in Sierra Leone, wrote that these ministries empowered the inspectors to investigate labor issues (U.S. Department of State Bureau of Democracy, 2013). However, the inspectors primarily focused their work on the city, and little or no work was done in the rural areas where these violations are most prevalent (U.S. Department of State Bureau of Democracy, 2013). This work recommends that the ministries named above should be more proactive in monitoring the works of these inspectors.

According to the U.S. Department of Bureau of Democracy, Sierra Leone's 2013 started a training program to train mines and factory inspectors (U.S. Department of State Bureau of Democracy, 2013). The training was purposely conducted to train these inspectors in investigating child labor. The ILO also contributed immensely to these trainings conducted across the country. That is a good practice by the government. However, this research will recommend that those training should not just be limited to training but should be backed up with implementations. The report noted that inspectors had difficulty carrying out their duties due to severe capacity constraints such as limited access to vehicles and fuel. That reemphasizes that the training should be backed by implementation, monitoring incidences of child labor and child labor-related issues in any country (Woodhead, 2004). In Sierra Leone, for example, the government should allocate more budgets to the ministries dealing with child labor and all child labor issues, but that did not stop child labor.

Furthermore, with the help of some other child labor agencies, the government has established some form of enforcement mechanism. Child labor issues can be reported to the police, and in some cases, arrests can be made (U.S. Department of State, 2015). The Child Rights Act 2007 provides for forming Child Welfare Committees. In 2014, this was implemented by forming about 70 Child

Welfare Committees (U.S. Embassy-Freetown, 2014). This research commends the inclusion of families of children in a participatory manner so that these committees can work well. The families of these children know precisely the issues of child labor because they are part of it; educating them and having them participate actively in the elimination will serve a great purpose.

The Ministry of Social Welfare Gender and Children's Affairs, in collaboration with some NGOs, has instituted a new line of action to conduct a head count on street children. In 2012, when the head count was concluded, it was reported that two-thirds of the 50,000 street children discovered in the country were engaged in some form of child labor. This is another crucial step the government and NGOs take.

## 5. Conclusion

The analysis provided above indicates that, despite efforts to eradicate child labor, Sierra Leone still needs to work on this issue at both national and international levels. Particularly in the diamond mining industry, the country has a notable number of child laborers. This pervasive practice has had a serious impact on children's education in the area. In certain mining regions of the country, there exist a significant number of children who have abandoned their educational pursuits in favor of diamond mining. In these mining sites, children are exposed to various hazardous activities such as digging, rolling stones, and shoveling gravel. Some of these children are involved in diamond mining of their own volition, while others are coerced into it by their parents as a means of survival.

Unfortunately, the presence of these children in the mines renders them susceptible to severe health risks. The issue of child labor in the mining industry is a matter of great concern. Children working in mines are exposed to hazardous working conditions, including the risk of diamond pits. Additionally, the lack of proper sanitation facilities in these mines often leads to illness among child miners. While the government and various Non-Governmental Organizations (NGOs) are committed to eradicating child labor practices, the challenge lies in the limited resources available to fund ant-child labor measures. As a result, implementing effective strategies to combat this issue has become increasingly difficult.

## Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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