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## U.S. Department of State

### Liberia Country Report on Human Rights Practices for 1998

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#### LIBERIA

Liberia is a centralized republic dominated by a strong presidency. Although the Constitution provides for three branches of government, there is no effective system of checks and balances, and presidents traditionally have wielded extraordinary power. Americo-Liberians, descendents of freed African-American slaves from the United States and the Caribbean who make up about 5 percent of the population, dominated the country's government through the True Whig Party until 1980, when Sergeant Samuel K. Doe, a member of the indigenous Krahn ethnic group, seized power in a military coup. Doe was killed by rebels in 1990 at the start of a 7-year-long ethnically divisive civil war, which was ended by the Abuja Peace Accords in 1996, and from which forces led by Charles G. Taylor, who is of both indigenous and Americo-Liberian ancestry, emerged dominant. In July 1997 Taylor won the presidency, and his National Patriotic Party (NPP) won three-quarters of the seats in the Congress, in elections that were administratively free and transparent, but were conducted in an atmosphere of intimidation, as most voters believed that Taylor's forces would resume fighting if Taylor were to lose. The leaders of the former warring factions, including Taylor, did not make any serious attempt to reconcile their differences. In his first year in office, Taylor restored the trappings and ceremony customarily associated with the presidency, but his NPP Government did not pass any significant legislation. The judiciary is subject to political influence, economic pressure, and corruption.

The regular security forces included: the armed forces; the national police, which have primary responsibility for internal security; the Special Security Service (SSS), a large and heavily armed executive protective force; as well as numerous other irregular security services attached to certain key ministries and parastatal corporations, the responsibilities of which appeared poorly defined. The

national army, which fought against Taylor's faction during the civil war, has yet to be downsized and restructured as required by the Abuja Peace Accords, although a restructuring plan exists. Only a few contingents have been deployed to maintain security in parts of rural areas. The many, newly created security services absorbed Taylor's most experienced civil war fighters. Armed units within these services consisted almost exclusively of undisciplined Taylor loyalists. Remnants of ECOMOG, the West African peacekeeping force deployed around greater Monrovia, interceded on several occasions to contain violence triggered in part by the government security forces. While civilian authorities generally maintained control of the security forces, there were frequent instances in which the security forces acted independently of government authority. Members of the security forces committed numerous human rights abuses.

Liberia is a very poor country with a market-based economy that is only beginning to recover from the ravages of the civil war. There is no reliable data on average per capita income, but it is estimated at only a small fraction of the prewar level. Prior to 1990, the cash economy was based primarily on iron ore, rubber, timber, diamond, and gold exports. Eighty-five percent unemployment, a 15 percent literacy rate, the continued internal displacement of civilians, and the absence of infrastructure throughout the country continued to depress productive capacity, despite the country's rich natural resources and potential self-sufficiency in food. Government officials and former combatants continued to exploit the country's natural resources for personal benefit. Extortion is a widespread phenomenon in all strata of society.

The Government's human rights record was poor, with serious problems in many areas. The security forces committed many extrajudicial killings. Police shot and killed suspects in custody, and security forces on September 18 encircled and killed perhaps hundreds of ethnic Krahn who were affiliated with a faction that opposed Taylor during the civil war. Members of the SSS were implicated in the disappearance and apparent murder of a market woman. Security forces tortured, beat and otherwise abused or humiliated citizens. The Government investigated some of the alleged abuses by the security forces, but in all cases in which officers were charged, they either were treated leniently or exonerated. Prison conditions in all 13 counties were harsh, and in the case of Gbarnga Central Prison, life threatening. Security forces continued at times to use arbitrary arrest and detention, and lengthy pretrial detention remained common. The judicial system, hampered by inefficiency, corruption, and a lack of resources, was unable to ensure citizens' rights to due process and a fair trial. In some rural areas where the judiciary had not been reestablished, clan chieftains administered criminal justice through the traditional practice of trial-by-ordeal; at times authorities tacitly condoned this practice. The security forces violated citizens' privacy rights, conducting warrantless searches and looting homes. The Government restricted freedom of the press, temporarily closing private newspapers and radio stations, stopping the printing of a private newspaper, flogging a journalist, and threatening other journalists critical of the Government. Security forces restricted freedom of movement, using roadblocks to extort money from travelers and returning refugees. The Government postponed local elections. Security forces frequently harassed human rights activists. Violence and discrimination against women, and violence against children remained problems. The education and care of children remained widely neglected, and the civil-war-era decline in female genital mutilation (FGM) began to be reversed. Societal ethnic discrimination remained widespread, ethnic differences continued to generate violence and political tensions, and the Government continued to discriminate against indigenous ethnic groups that had opposed Taylor in the civil war, including the Krahn ethnic group. Forced labor, including by children, persisted in rural areas. Child labor remained widespread. Ritualistic killings also persisted.

## **RESPECT FOR HUMAN RIGHTS**

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

#### a. Political and Other Extrajudicial Killing

Security forces committed a substantial number of extrajudicial killings during the year; most were killings of ethnic Krahn on or after September 18.

On the night of January 8-9, a police unit tasked with curbing a wave of armed robberies, went to the home of a former rebel commander, Mannah Zekay. Eyewitnesses claim that the police took Zekay, clad only in underwear, into custody along with an associate, Weah Saydee. At one stage during his detention, Zekay broke free from the police and ran to an ECOMOG checkpoint for protection. The French-speaking soldiers on duty did not understand Zekay's plea for help and returned him to police custody. On the morning of January 9, the police displayed the bullet-riddled bodies of two men at police headquarters and announced that the antirobbery task force had killed them in a heavy exchange of gunfire. No policemen were wounded. Zekay's skull appeared to have been fractured with a blunt instrument. There was no official investigation and no autopsy.

On the night of February 8, the antirobbery task force went to a displaced persons camp in Brewerville in search of an alleged armed robber, John Nimely. They found Nimely and took him to police headquarters for questioning. The following morning, the police displayed his body and announced that he had been killed while trying to escape from police custody. The cause of death appeared to be a single gunshot to the back of Nimely's head. According to the police, Nimely admitted under interrogation to a string of armed robberies and the rape of two women. He volunteered to accompany a squad of officers to a cemetery where he had a weapons cache. At the cemetery, Nimely allegedly removed a loaded weapon from the cache and opened fire on the police officers. The police allegedly returned fire, killing Nimely. No policemen were injured. There was no official investigation and no autopsy.

During the year, many persons were killed in clashes between government forces and the forces of Roosevelt Johnson, the only one of the warlords who had fought against Taylor during the civil war and still remained in the country. Until September Johnson and a substantial number of his former fighters were based on Camp Johnson Road in downtown Monrovia just six blocks from President Taylor's office in the Executive Mansion. Mutual suspicions and misperceptions by these men and their former fighters resulted in widespread unrest on four occasions between February and August. Johnson's followers, almost all members of the Krahn minority, frequently harassed motorists and pedestrians passing through their neighborhood at night. When the security forces were sent to deal with these problems, undisciplined and heavily armed former combatants within the SSS and the Liberian National Police (LNP) Special Task Force used excessive force, thereby further provoking the Krahn. Altogether, at least four persons were killed in these clashes. In each case ECOMOG stepped in to restore order.

On September 18, security forces in the capital conducted a military assault, codenamed Operation Camp Johnson Road, against Johnson's base. Hundreds of SSS officers and members of the police Special Task Force, joined by scores of irregular former combatants of Taylor's former faction, employed automatic weapons, rocket-propelled grenades, and mortars. Much of the shooting occurred at nighttime and was indiscriminate. Credible reports indicate that as many as 300 persons, most of them Krahns, many of them women and children, were killed in a 17-hour battle, and in subsequent house-to-house searches and summary executions by government forces. On the night of September 18, ECOMOG peacekeepers reported witnessing a double execution of unidentified males on the eastern outskirts of Monrovia. Krahn leader Roosevelt Johnson survived the initial attack and sought refuge in a Western embassy on September 19; police opened fire on Johnson and seven supporters in the entryway of the embassy, killing two members of Johnson's party, and wounding other members of his party as well as two embassy employees. One hour later and three blocks away, several international NGO workers witnessed an execution of an unidentified male by security force members. Five senior officers

and several junior officers of the Krahn-dominated Armed Forces of Liberia (AFL) were interrogated and tortured on September 21 at a military stockade in central Monrovia. They were then taken to a military base outside the capital and executed. The Government falsely claimed that the men had been caught in crossfire during the September 19 fighting. Eleven persons reportedly were tortured before being killed on October 1 (see Section 1.c.). Following these events, about 9,000 persons, most members of the Krahn ethnic group, fled from the country to neighboring Cote d'Ivoire. Although the Government agreed to the demands of the international community for a United Nations investigation of these events, no inquiry had begun by year's end.

Five SSS officers were charged in January with the November 1997 murder of opposition political leader Samuel Saye Dokie and three family members. The LNP had detained the Dokies at a police checkpoint in Gbarnga on November 28, 1997. On the following day, the five accused officers forcibly removed the Dokies from police custody. The Dokies' mutilated, burned bodies were discovered 3 days later. The director of the SSS publicly admitted that he had ordered the Dokies' arrest, but he disavowed participation in or knowledge of the murders. Although Dokie had been a renegade from Charles Taylor's National Patriotic Front, the President promised to bring the Dokies' murderers to justice. When the trial of the five SSS officers began on February 25, the prosecutor dropped charges against three of the five men, who agreed to turn state's evidence against the other two. The Government also issued arrest warrants for four other individuals, including the SSS regional commander, who allegedly fled to Cote d'Ivoire. There were numerous procedural irregularities in the ensuing trial. On April 8, the jury unanimously found the two accused men not guilty. The Government made no serious attempt to locate or extradite the other suspects in the case.

Ritualistic killings, in which body parts used in traditional rituals are removed from the victim, continued to occur (see Sections 2.c. and 3). The number of such killings is difficult to ascertain, since police often describe deaths as accidents even when body parts have been removed. Deaths that appear to be natural or accidental sometimes are rumored to be the work of ritualistic killers.

#### b. Disappearance

On the night of June 28, nine members of the SSS allegedly abducted Nowai Flomo from her residence near Monrovia. The

37-year-old market woman, whose sister is an SSS officer, allegedly engaged in a heated discussion with her abductors before being taken from the house. After several persons claimed to have witnessed Flomo's ritual murder, a coalition of women's groups threatened a massive protest march to demand the arrest of SSS officer David Daniel. Daniel was arrested on July 7, but was released 3 weeks later for lack of evidence. Daniel was arrested again on August 27 and detained in connection with Flomo's disappearance, but was not brought to trial.

On June 6, six former fighters of the ULIMO-Krahn faction allegedly disappeared at Roberts International Airport while waiting for a flight to Banjul, The Gambia. Widespread reports that they had been tortured and killed by government security forces proved to be incorrect. There were in fact only five men, not six, and they subsequently turned up in Banjul, where they denied having been detained.

Scores of victims of Operation Camp Johnson Road and persons subsequently killed during house-to-house searches were buried secretly by the security forces, leaving their next of kin in doubt as to their whereabouts.

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

The Constitution prohibits torture and other degrading treatment; however, government security forces tortured, beat and otherwise abused or humiliated citizens. A local human rights organization claimed that security personnel often use torture in interrogating those they suspect of criminal activity. There were also reports that as many as 11 officers of the armed forces detained at the Barclay Training Center, among 27 persons detained pending trial on treason charges, were tortured on September 21 before being taken to another location and killed (see Section 1.a.). Other evidence also indicated that government claims that they were killed in a gun battle were disingenuous. There were numerous credible reports that security forces subjected citizens to cruel, inhuman or degrading treatment. On several occasions during the year, security forces publicly disrobed, flogged, and humiliated perceived opponents of the administration. In April the Director of Police ordered the flogging of a member-designate of the Liberia Human Rights Commission for an alleged traffic violation. J. Kormah Bryemah sustained multiple contusions from the flogging. President Taylor appointed a commission to investigate the matter, but refused to publicize its findings, claiming that he had ordered the probe for his personal information. The Senate subsequently declined to confirm Bryemah's appointment to the commission.

The Government often dispatched security force units to rural areas without paying or provisioning them. There were many incidents in which members of the security services and the armed forces serving in rural parts of the country harassed and extorted money and goods from civilians. There were many credible reports that security forces harassed returning refugees, displaced persons, and refugees from Sierra Leone, especially in the border areas (see Section 2.d.).

In July, August, and October, while dismantling several-thousand market stalls used by small traders, police manhandled numerous marketers and confiscated thousands of dollars worth of money and goods. The campaign, which was carried out in the name of urban beautification, was suspended in September but resumed in December.

Clan chieftains continued to use the traditional practice of trial-by-ordeal to resolve criminal cases in rural areas. Although the Supreme Court ruled that trial-by-ordeal--commonly, the placement of a burning metal object on a suspect's body to determine whether he or she is telling the truth--is unconstitutional, the Ministry of Internal Affairs continued tacitly to condone the practice in an unknown number of cases in 1998. In April four young men in Nimba County who were accused of stealing gin distillery equipment were admitted to a local clinic with third degree burns on the bottoms of their feet. The injuries were the result of trial-by-ordeal carried out by a clan chief on the orders of the local army commander. A lawsuit brought in 1994 for injuries resulting from trial-by-ordeal still was pending before the Supreme Court at year's end.

Armed supporters of Roosevelt Johnson, the last of the warlords who had opposed Taylor in the civil war, also regularly harassed citizens and subjected them to extortion, according to numerous reports. However, Johnson and many of his supporters left the country after the Government's attack on them in September (see Section 1.a.).

Prison conditions were harsh, and in some cases life threatening. The Government did not provide prisoners with adequate food or medical care. Cells at Monrovia Central Prison occasionally were overcrowded with prisoners awaiting trial. The Deputy Minister of Justice for Corrections welcomed and supported initiatives by the International Committee of the Red Cross (ICRC), the Catholic Justice and Peace Commission, and other NGO's to make improvements to prison facilities in Monrovia and Kakata. President Taylor visited Monrovia's Central Prison in December and subsequently ordered the release of some prisoners being held without charge.

Women, who constituted about 5 percent of the prison population, were held in separate cells. A jailer raped a female inmate in August in Saniquellie, Nimba County. A local magistrate ordered the severe

flogging of the jailer. There were no separate facilities for juvenile offenders.

Human rights groups were granted frequent access to prisoners in Monrovia, and these groups often obtained needed medical treatment for prisoners. In a number of cases, human rights groups and interested individuals achieved the release of prisoners.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, security forces continued at times to arrest and detain persons arbitrarily. The Constitution provides for the rights of the accused, including warrants for arrests, and the right of detainees either to be charged or released within 48 hours. Although the Government generally adheres to these standards, warrants were not always based on sufficient evidence, and detainees, especially those without the means to hire a lawyer, often were held for more than 48 hours without charge.

Lengthy pretrial detention is also a serious problem. Two armed robbery suspects from Rivercess were detained for over 2 months before they were charged. Eighteen persons arrested in Vai Town in October 1997 and charged with a single murder remained in pretrial detention for over a year. The police have only limited logistics and forensic capabilities, and cannot adequately investigate many crimes, including murder cases. When the courts release known criminals for lack of evidence, police officers often rearrest them on specious charges.

In September, following Operation Camp Johnson Road, the Government arrested some members of the armed forces and 19 civilians, including some senior Krahn leaders, on charges that included treason and sedition in some cases. The Government dropped charges against 5 of the civilian suspects in return for their testimony as state witnesses; the trial of the remaining 14 civilian detainees was just beginning at year's end. The military personnel arrested at the same time remained in detention, uncharged, at year's end.

The Government did not use forced exile, but the security forces frequently harassed and threatened opposition figures to the point that a number of them departed the country due to fear for their personal safety or that of their families. Several times during the year, President Taylor publicly alleged that some of these opposition figures had gone abroad to conspire in the overthrow of his Government. The effect of such statements was to keep numerous prominent opposition figures and former warlords out of the country indefinitely.

#### e. Denial of Fair Public Trial

Although the Constitution provides for an independent judiciary, judges always have been subject to political, social, familial, and financial pressures. Corruption and lack of professionalism remained a recurrent problem.

The judiciary is divided into four levels, with the Supreme Court at the apex. All levels of the court system in Monrovia, including the Supreme Court, functioned, though erratically. A new juvenile court, the first in the country's history, was established in 1997, but it tried no cases during the year. A criminal court established late in 1997 specifically to handle armed robbery cases heard only one case during 1998. Outside Monrovia the judiciary did not function in most areas due to an acute lack of trained personnel, infrastructure, and resources. In some parts of the country, refugees returning from abroad found squatters occupying their houses, but had no legal recourse to evict them. Several localities reverted to traditional forms of justice administered by clan chieftains (see Section 1.c.).

Under the Constitution, defendants have due process rights that conform to internationally accepted standards. However, in practice these rights are not always observed. Courts regularly received kickbacks on damages awarded in civil cases. Defense attorneys often suggested that their clients pay a gratuity to appease judges, prosecutors, and police officers, and ensure a favorable ruling.

In August the Chief Justice of the Supreme Court summarily sentenced a Deputy Minister of Information to 5 days in the central prison for criminal contempt after he said in a radio interview that he felt that the judiciary was "rotten." In December the President called for reform of the judiciary and dismissed a number of magistrates and justices of the peace accused of incompetence or malfeasance.

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

The Constitution provides for the right of privacy and the sanctity of the home; however, authorities regularly infringed on these rights. The Constitution provides that police must obtain a warrant, or have a reasonable belief that a crime is in progress, or is about to be committed, before entering a private dwelling. In practice, police and SSS officers frequently entered private homes and churches without a warrant to carry out arrests and investigations. For example, in April armed SSS officers entered the home of a former minister of commerce with the stated purpose of killing him. The former minister was not at home, but the SSS officers nonetheless manhandled his female friend. Police searched scores of homes without warrants following Operation Camp Johnson Road, in several cases triggering gun battles with the Krahn inhabitants.

The security forces regularly harassed and threatened opposition figures and their families by surveilling, and in some cases, entering their homes, usually at night. Several journalists and human rights activists slept in the homes of friends or relatives for months at a time due to fear that the security forces might follow through with their threats. These incidents of harassment increased significantly in the immediate aftermath of Operation Camp Johnson Road. In rural areas, armed security forces illegally entered homes, most often to steal food, money, or other valuables (see Section 1.c.). This problem was especially prevalent in remote parts of Lofa County during the first half of the year.

### **Section 2 Respect for Civil Liberties, Including:**

#### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government restricted this right in practice. The Government temporarily closed newspapers and radio stations, and harassed and threatened journalists, many of whom practiced self-censorship.

The Government took several steps in the beginning of the year that appeared to be part of a concerted effort to limit freedom of the press. However, in each case the Government subsequently reversed course. For example, on March 20, the Ministry of Information announced new media guidelines that, if enforced, would have driven most private newspapers and radio stations out of business. The guidelines established liquidity requirements, minimum education and experience standards for editors, and a minimum daily circulation level that would have forced cash-strapped newspapers to double their output. The Press Union of Liberia challenged the guidelines as unconstitutional, because they restricted freedom of expression. After discussing the issue with the press union, the Ministry agreed to revise the guidelines to the satisfaction of the private media. In May, journalists raised concern about the fact that Decree 88-A, promulgated by President Samuel Doe in the 1980's, remained in force and could be invoked by the Government to restrict press freedom. The Justice and Peace Commission researched the matter and found that an interim legislature had repealed the decree in August 1993. However, to allay

lingering concern, President Taylor formally repealed the decree in July.

Despite the Government's reversal in these areas, it took a number of actions that restricted press freedom. On January 5, the Ministry of Information ordered Monrovia's only printing press to cease publication of *Heritage*, a twice-weekly private newspaper. The Ministry claimed that a *Heritage* editorial was inflammatory. The opinion piece in question innocuously chided the Government for apparent ingratitude towards ECOMOG, the Nigerian-led peacekeeping force. The Government permitted the newspaper to resume publication after the managing editor formally apologized to the Ministry.

On January 22, the head of the police Special Task Force severely flogged Hassan Bility, the managing editor of *The National*, a twice-weekly private newspaper, while escorting him to police headquarters for questioning. President Taylor promised to take disciplinary action against the police officer concerned, but no action was taken by year's end.

Security forces periodically threatened private print media editors and journalists throughout the year. In April a group of police officers used a charge of reckless driving as a pretext to harass the managing editor of a private daily. In May security officers threatened to burn alive the staff of another private daily, and in August they warned the same staff, "neither God nor Satan can save you this time." Several leading private journalists did not sleep in their own homes for extended periods because of frequent nighttime visits and verbal threats by security officers. The harassment of private journalists intensified greatly following Operation Camp Johnson Road, resulting in a high degree of self-censorship, particularly with regard to security issues.

Seven private newspapers were published regularly in the country. Two were dailies and five appeared once or twice weekly. Some of them carried articles that were critical of the Government. However, their editors admitted to practicing self-censorship by withholding news reports that reflected unfavorably on--and commentary that was highly critical of--the President, the security services, and official corruption.

Due to limited literacy and the relatively high costs of newspapers and television, radio remained the most important medium of mass communication. Six private FM radio stations located in the capital broadcast to the greater Monrovia area and in some cases beyond. The Monrovia Communications Network, affiliated with President Taylor's National Patriotic Party and reportedly financed by the President personally, operated one of these stations, and also maintained a short-wave station that broadcasts to the entire country from the town of Totota, near the center of the country. Its programming was not critical of the executive branch of the Government. Of the five other privately owned domestic FM radio stations, two were owned by nationals of the country, one was operated by the Catholic archdiocese, one was an evangelical station, and one was foreign owned. The Catholic Church also operated a weak short-wave transmitter. Programming on these private stations, largely domestically produced, was occasionally critical of the Government. Telephone talk shows were popular. In September police arrested a prominent businesswoman and questioned her about comments she made on a telephone talk show. In her remarks, she suggested that the Government apologize to a foreign government for a shooting incident in which security forces trespassed on the premises of that government's embassy and wounded two members of the embassy's staff (see Section 1.a.).

On January 7, the Government ordered the closure of Star Radio, a private station operated by a Swiss NGO. It later relented and allowed the station to continue broadcasting. However, in October the Government prohibited Star Radio from posting its news bulletins on the Internet and broadcasting on short wave. The Government reversed its position shortly thereafter and permitted the station to resume use of the Internet, but at year's end it continued to prohibit its use of short-wave frequencies. The

Government's limitation of Star Radio to FM broadcasts prevented its broadcasts from reaching audiences outside the immediate Monrovia area.

Two television stations operated in the country; both were privately owned. They broadcast to an apparently small number of viewers in the greater Monrovia area. One was very irregular due to technical difficulties. The other, financed by President Taylor, broadcast for a couple of hours every evening, usually showing coverage of government events or old movies. News reports and editorials on the more independent station were seldom critical of the Government, but were not known to have been restricted by the Government. No international cable or satellite television services were available. There were no known restrictions on personal satellite receivers.

Two private Internet service providers—the country's first—began operations during the year. Several government officials publicly criticized citizens who disseminated damaging information and criticism of the Government to Liberians living abroad. However, there have been no known attempts to disrupt or otherwise limit access to the Internet. The Government maintained its own website, which it used to counter what it considered false allegations propagated on the Internet.

The Liberian Broadcasting Corporation (LBS) operates one FM station that covers the greater Monrovia area and a short-wave station that reaches outside the country. News programming is informative and generally balanced, but seldom critical of the Government. At least one reporter was suspended during the year for broadcasting news considered uncomplimentary to the Government. During the 1997 general and presidential elections, candidates enjoyed equal access to the state-owned radio station. LBS also owns a television transmitter, which was inoperative. The Ministry of Information publishes a newspaper that generally appears once a week. Reports and editorials were strictly progovernment, and occasionally were stridently adversarial towards critics of the Government.

Academic freedom was generally respected at the University of Liberia. In July and August, speakers at a 3-week long national conference on the future of the country were openly critical of the Taylor administration's first year in office. There were no known reprisals.

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

The Constitution provides for the right of peaceful assembly, and the Government generally respected this right in practice. The Government used objective criteria to approve or disapprove permits for public meetings. Approvals for marches and gatherings were sometimes contingent upon rerouting or changes in venue. Several permits were denied during 1998 on security grounds. These actions did not appear to be discriminatory towards any particular group. In September the Justice Minister denied a permit for a demonstration at a foreign embassy that had been instigated by President Taylor, following the embassy's decision to provide temporary refuge to Roosevelt Johnson.

The Constitution provides for the right of association and the Government generally respects this right in practice. Registration requirements can be onerous, but do not appear to be discriminatory towards any specific group.

#### c. Freedom of Religion

The Constitution recognizes freedom of religion as a fundamental right, and the Government generally respects this right in practice. There is no established state religion. Although Islam is gaining adherents, as much as 40 percent of the population profess to be Christian. A significant portion of the population follows traditional animism or blends traditional religions with Christianity or Islam. Little reliable

information appears to be readily available about traditions associated with ritual killings (see Section 1.a.).

Although the law prohibits religious discrimination, Islamic leaders complained of societal discrimination against Muslims (see Section 5).

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

The Constitution provides for freedom of movement throughout the country as well as the right to leave or enter; however, the Government restricted freedom of movement by means of numerous joint security checkpoints where travelers routinely were subjected to arbitrary searches and petty extortion. Security forces also extorted money from returning refugees.

In June the Government repealed an exit visa requirement for all residents, and no longer required foreign visitors to register with the immigration service within 48 hours of arrival.

The law includes provisions for granting refugee/asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government provided first asylum. There was a large influx of refugees from neighboring Sierra Leone due to the political violence in that country.

Although no official census has been taken, it is estimated that there are more than 120,000 Sierra Leoneans living along the western border of the country. The Taylor administration cooperated with the office of the United Nations High Commission for Refugees (UNHCR) and other humanitarian organizations in attempting to assist these refugees. However, inaccessibility due to poor road conditions and the limited capacity of local NGO's severely restricted the amount of relief assistance that could be provided. A large number of refugees were moved from the least accessible camp in Vahun to a newly established camp in Kolahun, which was farther from the border and more accessible. Many refugees, among them families and camp followers of a Sierra Leonean rebel group, the Revolutionary United Front, remained in Vahun voluntarily.

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

The Constitution provides for the right to vote in free and fair elections, and citizens exercised this right in 1997 in elections that international observers deemed free and transparent. However, the elections were conducted in an atmosphere of intimidation, as most voters believed that the forces loyal to Charles Taylor would resume the civil war if Taylor were to lose the election. Since the legislative election was held on the basis of proportional representation, Taylor's National Patriotic Party won control of the legislature by the same 75 percent majority that Taylor received in the popular vote for the presidency. The 1997 legislative and presidential elections were held under a special election law in accordance with the terms of the Abuja peace process.

In July the chairman of the Election Commission issued a warning that candidates for public office who engaged in ritualistic killing, in the belief that it would enhance their electability, would be disqualified and would face criminal prosecution for murder (see Section 1.a.) This appeared to be a response to a genuine social problem rather than an attempt by the Government to create a pretext for restricting political competition.

The Congress did not exercise genuine independence from the executive branch. Opposition legislators, who controlled only one-quarter of the seats in the House of Representatives and in the Senate, were

generally more docile than some maverick members of the ruling NPP. Although all representatives and senators had been elected by proportional representation and did not campaign in their individual districts, most demonstrated a strong sense of responsibility towards their constituents. However, Congressional committees failed to develop expertise in their respective areas of responsibility. No major legislation was passed into law during the year.

The State is highly centralized. The President appoints the governors of the 13 counties. Municipalities and chieftancies elect their own officials. Subnational governments at all levels have no independent revenue base and rely entirely on the central Government for funds. Education, health, and public works are provided by central Government civil servants. Local officials serve mainly as lobbyists to the central Government.

Municipal and chieftaincy elections were to have been held in May. Due to disorganization, poor planning, and financial mismanagement, polls were held in just one county, where a by-election was required to fill a vacant senate seat. The election commission spent \$480,000 on the Lofa County election, in which only 40,000 citizens cast ballots. Disgruntled poll workers who claimed that they did not get paid held a member of the Election Commission hostage for several weeks to dramatize their demands. Polling in the country's 12 other counties was at first put off until October, and then postponed until the spring of 1999.

There are no restrictions on the participation of women in politics, but they nevertheless remained underrepresented in government. The sole female candidate in the 1997 presidential election finished a distant second behind President Taylor. The overall numbers of women in high-ranking positions in the Taylor administration and in the various political parties are low. Two of the 20 cabinet positions are held by women, a woman serves as Chief Justice of the Supreme Court, and a woman chairs the National Reconciliation Commission.

Muslims also tend to be underrepresented in government; only one cabinet minister is a Muslim.

No ethnic or regional group was conspicuously overrepresented in the Government. President Taylor has described himself as one-third Americo-Liberian, two-thirds indigenous. During the year, he appeared to rely on Americo-Liberian support less than he did in previous years. Personal loyalty to President Taylor appeared increasingly important in the allocation of high public office.

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

Until mid-September, the Taylor administration permitted domestic and international human rights groups to operate largely without interference, but members of the security forces frequently harassed individual democracy and human rights activists. Although the Government routinely criticized these actions, and pledged to investigate them and punish the perpetrators, it did not follow through on these pledges. Harassment increased significantly during the last 3 months of the year as domestic human rights groups and international NGO workers attempted to gather data on the number of persons who were killed, wounded, and remain missing as a result of Operation Camp Johnson Road.

Domestic human rights organizations were underfunded, understaffed, and their personnel lacked adequate training. There are two coalitions of human rights groups: the National Human Rights Center of Liberia has 12 member organizations, while four other groups joined together to form the Liberia Federation of Human Rights Organizations. Both of these organizations sought to further public discussion of human rights problems.

Some of the human rights groups paid regular visits to detainees at police headquarters and prisoners at the central prison. Several domestic human rights organizations have established branches outside of the capital and perform similar monitoring functions there. There was no discernible pattern of government interference with these activities.

The Government created a Human Rights Commission in 1997, but it caused considerable controversy by limiting the commission's investigatory power to future abuses only, restricting its ability to compel testimony or gather evidence, and denying it budgetary support. Four members were named to the commission in 1997. When the Senate finally held a confirmation hearing in July, it rejected two of these four individuals (see Section 1.c.). However, the Senate passed a bill that strengthened the commission by, among other things, giving it the right to subpoena witnesses. The President failed to nominate persons to fill the three vacancies on the commission, and it remained inactive for all of 1998.

### **Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status**

The Constitution prohibits discrimination based on ethnic background, race, sex, creed, place of origin, or political opinion, but discrimination exists. There are no laws against gender discrimination, ethnic discrimination, or female genital mutilation (FGM). Differences involving ethnic groups, notably the Krahn group, continued to contribute to serious political violence and abuses.

#### **Women**

Domestic violence against women was extensive but never was addressed seriously as an issue by the Government, the courts, or the media. Several NGO's in Monrovia and Buchanan continued programs to treat abused women and girls and increase awareness of their human rights.

The status of women varies by region, ethnic group, and religion. Before the outbreak of the civil war, women held one-fourth of the professional and technical jobs in Monrovia. On the whole, women have not recovered from the setbacks imposed by the civil war, when most schools were closed and they could not carry out their traditional roles in the production, allocation, and sale of food.

In urban areas, women can inherit land and property. In rural areas, where traditional practices are stronger, a woman normally is considered the property of her husband and his clan and usually is not entitled to inherit from her husband or retain custody of her children if her husband dies. There continued to be few programs to help former combatants reintegrate into society, and there were none specifically to benefit former female combatants. However, several women's organizations advanced family welfare issues, helped promote political reconciliation, and assisted in rehabilitating both former female combatants and women who were victims of the civil war.

Throughout the year, professional women's groups--including lawyers, marketers, and businesswomen--remained vocal about their concerns. Government officials often responded negatively to public criticism. There were credible reports of harassment and possible surveillance of outspoken critics. Security officers forcibly brought a prominent women's rights activist to police headquarters for questioning and detained her for several hours after she revealed to the media that there were witnesses to the killing and secret burial of Nawai Flomo (see Section 1.b.). The activist eventually was set free, but only after thousands of women threatened to march on police headquarters to demand her release.

#### **Children**

Due to the poor condition of government schools, most children who attended school went to private

institutions. Since many private schools had to be refurbished due to wartime damage, school fees were increased greatly, thereby making education unattainable for many school-age children. In both public and private schools, children often were asked to provide their own books, pencils, and paper. No data were known to be available on either school enrollment or government expenditure on education.

Young persons were victimized seriously during the civil war. An estimated 50,000 children were many more were wounded, orphaned, or abandoned. Nearly all youths witnessed terrible atrocities and some committed atrocities themselves. Twenty-one percent (4,306) of the combatants who disarmed under the provisions of the Abuja Peace Accords were child soldiers under the age of 17. Many youths remain traumatized and some still are addicted to drugs. The number of street children in Monrovia and the number of abandoned infants increased significantly following disarmament. NGO's and UNICEF continued retraining and rehabilitation programs for a limited number of former child fighters. A new juvenile court was established in Monrovia in 1997, but it lacked the resources and personnel to function. Children continued to be incarcerated with adults, and there were long delays in deciding cases involving minors.

Female genital mutilation is widely condemned by international health experts as damaging to both physical and psychological health. FGM traditionally has been performed on young girls by northern, western, and central tribes, particularly in rural areas among traditional societies. Prior to the onset of the civil war in 1989, approximately 50 percent of women in rural areas between the ages of 8 and 18 were subjected to FGM. In some instances, female health professionals in the tribes participated in the practice to the extent of providing postoperative care.

The war totally disrupted traditional village life. Most of the population fled to neighboring countries or became displaced within the country. Social structures and traditional institutions, such as the secret societies that often performed FGM as an initiation rite, also were undermined by the war. While many experts believe the incidence of FGM had dropped to as low as 10 percent by the end of the war, traditional societies are reestablishing themselves throughout the country, and a rise in the incidence of FGM is expected. The most extreme form of FGM, infibulation, is not practiced. The Government has taken no action against FGM.

### People With Disabilities

As a result of the civil war, there is a large number of persons with permanent injuries in addition to those disabled by accident or illness. It is illegal to discriminate against the disabled, but in practice they do not enjoy equal access to public buildings. There are no laws mandating accessibility to public buildings or services.

### Religious Minorities

The law prohibits religious discrimination. However, Liberian secular culture gives preference to Christianity in civic ceremonies and observances, and discrimination spills over into areas of individual opportunity and employment. Although there are some Muslims in senior government positions, many Muslims believe that they are bypassed for highly desirable government jobs.

Many Muslim business proprietors believe that the Taylor Government's decision to enforce an old statute prohibiting business on Sunday discriminated against them.

Between April and June, unknown persons set fire to six mosques in Lofa, Bong, and Nimba counties; these mosque burnings apparently were part of a conflict between the predominantly Muslim Mandingo

ethnic group and other non-Muslim ethnic groups. President Taylor criticized the arson attacks, blamed them on religious hatred, and promised to investigate. Although no arrests were made, there were no further arson incidents during the year.

In December there was a small number of violent clashes between Muslim and Christian youth groups in Monrovia during a Christian evangelical crusade.

#### National/Racial/Ethnic Minorities

Although the Constitution bans ethnic discrimination, it also provides that only "persons who are Negroes or of Negro descent" may be citizens or own land. Many persons of Asian descent who were born or lived most of their lives in Liberia are denied full rights as a result of this racial distinction. It appeared that the issue of national and ethnic origin would be a major topic on the agenda of the July-August National Conference on the Future of Liberia. However, in his remarks at the opening of the conference, however, President Taylor declared that the issue would be addressed in a national referendum and should not be discussed by delegates.

The country, although small, is ethnically diverse. The population of about 3 million is made up of 16 indigenous ethnic groups as well as the Americo-Liberian minority--descendants of freed African slaves from the United States and the Caribbean--which until 1980 dominated the Government and the public sector through the True Whig Party. The indigenous ethnic groups generally speak distinct primary languages and are concentrated regionally. No ethnic group constitutes a majority of the population.

A very large but undetermined number of innocent citizens who happened to be of the Krahn ethnic group were victimized during house-to-house searches following Operation Camp Johnson Road. Government security forces also turned away from hospitals virtually every Krahn who sought treatment for wounds received during the fighting.

Many members of the predominantly Muslim Mandingo minority encountered hostility when they sought to return, after the end of the civil war, to their villages in Lofa, Bong, and Nimba counties. Many Mandingos were unable to reoccupy their own homes, which had been taken over by squatters. Arsonists burned six mosques in the region between April and June, in what appeared to be a pattern of violence against the Mandingos by members of rival ethnic groups. Members of the Lorma, Gio, and Mano minorities generally held all Mandingos responsible for atrocities committed by the ULIMO-Mandingo faction during the civil war. The lack of competent security forces and a fully functioning judiciary in these areas prevented many Mandingos from seeking redress.

### **Section 6 Worker Rights**

#### a. The Right of Association

The Constitution states that workers, except members of the military and police, have the right to associate in trade unions. The Constitution also states that unions are prohibited from partisan political activity. Government interference in union activities, especially union elections and leadership struggles, was common both before and during the civil war.

Although most economic activity was interrupted by the war, unions proliferated. Thirty-two functioning unions were organized loosely under two umbrella groups--the Federation of Liberian Trade Unions and the Congress of Liberian Trade Unions--with the common objective of protecting the rights of their 60,000 members, who largely were unemployed. The actual power that the unions exercised was

extremely limited, since the country's work force is largely illiterate and the labor laws tend to favor management.

The Constitution is silent on the right to strike, but labor laws protect this right. A decree passed by the People's Redemption Council in 1984 outlawed strikes, but it was not enforced during the year. Due to the destruction of the economy and the estimated 85 percent unemployment rate, strikes were infrequent. However, on April 12, the Firestone Rubber Plantation Agricultural Workers' Union went on strike over a proposed wage increase. The strike was settled 7 weeks later.

The Taylor Government strictly enforced the union registration requirements that had fallen into disuse during the war. Its failure to make civil service salary payments on time produced conflicts in several government departments and agencies.

Labor unions traditionally have been affiliated with international labor groups such as the International Confederation of Free Trade Unions.

The United States suspended Liberia's status as a beneficiary under the Generalized System of Preference (GSP). The program was suspended in 1990 as a result of the Doe government's failure to provide internationally recognized workers' rights.

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

With the important exception of civil servants, workers (including employees of public corporations and autonomous agencies) have the right to organize and bargain collectively. In the past, agreements were negotiated freely between workers and their employers without government interference. These rights were largely moot because of the lack of economic enterprise.

There were no export processing zones. All those previously existing were destroyed during the civil war.

#### c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced labor, but even before the civil war this prohibition was widely ignored in rural areas where farmers were pressured into providing free labor on "community projects" that often benefited only local leaders. In many parts of the country, this practice continued. Two domestic NGO's reported cases of forced labor in the southeast.

The Constitution prohibits forced and bonded labor by children. However, in January an international NGO reported from Sinoe County in the southeast that former combatants "adopted" former child soldiers and used them for forced labor, primarily in farming activities. The Government appointed a commission, consisting largely of security personnel, which reported after a cursory investigation in the southeast that it had discovered no evidence of the practice. A leading local NGO sent a separate mission, which it said confirmed that this practice does exist.

#### d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits the employment of children under the age of 16 during school hours in the wage sector, but enforcement traditionally has been lax. Throughout rural areas, but particularly where there were no schools, small children continued to assist their parents as vendors in local markets or on the streets, to take care of younger brothers and sisters, and to work on family subsistence farms.

The Constitution prohibits forced and bonded labor by children; however, there were reports of its use (see section 6.c.).

e. Acceptable Conditions of Work

The Labor Law provides for a minimum wage, paid leave, severance benefits, and safety standards, but enforcement was targeted solely against profitable firms that generally observed these standards. The Ministry of Labor assessed heavy fines against these firms in order to generate revenue. Due to the country's continued economic problems, most citizens were forced to accept any work they could find regardless of wages or working conditions.

The 1977 Labor Law requires a minimum wage of approximately \$0.25 per hour not exceeding 8 hours per day, excluding benefits, for unskilled laborers. Agricultural workers are paid \$1.50 for an 8-hour day, excluding benefits. Skilled labor has no minimum fixed wage, but industrial workers usually received three or four times the wage paid to agricultural workers. The

much-sought-after minimum wage jobs provided a decent standard of living for a worker and family. However, there were very few such jobs. Families dependent on minimum wage incomes also engage in subsistence farming, small-scale marketing, petty extortion, and begging.

The Ministry of Labor did not have the resources to monitor compliance with the labor laws.

The Labor Law provides for a 48-hour, 6-day regular workweek with a 30-minute rest period per 5 hours of work. The 6-day workweek may extend to 56 hours for service occupations and to 72 hours for miners, with overtime pay beyond 48 hours. Prior to 1990, there also were government-established health and safety standards, enforced in theory by the Ministry of Labor. During the war, these regulations were not enforced. Even under the Labor Law, workers did not have a specific right to remove themselves from dangerous situations without risking loss of employment.

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