



2008 Human Rights Report: Liberia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

[2008 Country Reports on Human Rights Practices](#)

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Liberia is a constitutional republic with a population of approximately 3.5 million. In 2005 Ellen Johnson Sirleaf won multiparty presidential elections, which domestic and international observers considered generally free and fair. Since the 2003 signing of the Comprehensive Peace Agreement, which ended the 1999-2003 civil war, the UN Mission in Liberia (UNMIL) peacekeepers and UN international police (UNPOL) have had primary responsibility for maintaining security. Efforts to select and train personnel for the Liberia National Police (LNP) and the Armed Forces of Liberia (AFL) continued. While civilian authorities generally maintained effective control of the security forces, there were instances in which elements of the security forces acted independently of government authority.

The government generally respected the human rights of its citizens; however, problems continued. Mob violence and land disputes resulted in deaths, and ritualistic killings occurred. Police abused, harassed, and intimidated detainees and citizens. Prison conditions remained harsh, and arbitrary arrest and detention occurred. Lengthy pretrial detention and denial of due process and fair public trial were problems. Some incidents of trial-by-ordeal were reported. Corruption and impunity continued in most levels of the government. Violence against women, including rape, was a problem, and domestic violence was widespread. Some ethnic groups continued to practice female genital mutilation (FGM). Child abuse and sexual violence against children were problems, and a few cases of human trafficking were reported. Racial and ethnic discrimination continued, and instances of child labor were reported, especially in the informal sector.

The Truth and Reconciliation Commission (TRC) held public hearings in all 15 counties, sent psychosocial teams throughout the country to help civil war victims, and collaborated with nongovernmental organizations (NGOs) to foster reconciliation in many communities.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed any politically motivated killings; however, a land dispute between Margibi Senator Roland Kaine and Charles Bennie, director of foreign trade at the Ministry of Commerce, resulted in the deaths of at least 17 persons. Bennie hired youths from Monrovia to clear land on his farm along the border of Margibi and Grand Bassa counties. Local residents subsequently attacked the youths with guns and machetes, resulting in 17 deaths and numerous injuries. Senator Kaine was indicted for ordering the attacks, and he remained in prison awaiting trial at year's end.

On August 11, an agent of the Special Security Service (SSS) shot and killed one man and wounded two others in the red light neighborhood of Monrovia. The government claimed that SSS agents, along with LNP officers, were responding to a reported armed robbery in progress, and that the SSS returned fire only after being fired upon by

the alleged thieves. An investigation of the incident was ongoing at year's end.

Land disputes--exacerbated by pressure from returning landowners and refugees as well as unclear land titles--resulted in numerous deaths during the year (see section 2.d.).

Unlike in the previous year, there were no reports that criminal gangs killed workers at the Sinoe rubber plantation, although reports continued of gang violence, theft, and other crimes against plantation workers.

Ritualistic killings, in which body parts used in traditional indigenous rituals were removed from the victim, reportedly occurred. The number of such killings was difficult to ascertain since police sometimes described such deaths as homicides, accidents, or suicides, even when body parts were removed. There were no prosecutions for ritualistic killings during the year.

There were continuing reports of mob violence. On February 13, a mob burned down a police station in Margibi County, resulting in the death of a detainee. On February 13 and April 3, angry mobs in Monrovia killed suspected criminals. On August 11, clashes between market vendors and criminals outside Monrovia resulted in several deaths.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution prohibits such practices, but there were reports that police officers and security officials employed them. Police sometimes abused, harassed, and intimidated persons, particularly during attempts to extort money on the streets. Several cases of reported police brutality were referred to the attention of police commanders; however, no action had been taken against the police officers by year's end.

In May four LNP police officers of the antitheft unit were arrested and indicted for torturing suspects in January. On November 18, a judge dismissed the case during trial, citing the prosecutor's request to subpoena witnesses as justification for the dismissal.

Unlike in the previous year, there were no reports that LNP members and UNMIL troops forcibly dispersed demonstrators and strikers.

The UNMIL investigation into the June 2007 beating by LNP officers and UNMIL peacekeepers of students and journalists was ongoing at the end of the reporting period.

Colonel Andrew Dorbor, who was arrested by Ivoirian security officers in February 2007 and extradited to Liberia to face treason charges, dropped his allegations of torture against the National Security Agency (NSA).

The practice of trial by ordeal, which involves placement of a heated metal object on a suspect's body or the insertion of an extremity into hot oil to determine whether the defendant is telling the truth, continued in rural areas. Despite President Sirleaf's April 2007 vow to punish perpetrators of trial by ordeal, no perpetrators were punished during the year. On June 28, the Ministry of the Interior banned the issuance of licenses for trial by ordeal, which the ministry had continued to issue despite the presidential ban.

Mob violence and vigilantism--which resulted in part from the public's lack of confidence in the police and judicial

system--resulted in injuries.

During the year the UN Office of Internal Oversight Services and the UNMIL Conduct and Discipline Unit investigated eight reports of sexual exploitation and abuse by UN peacekeepers, UNMIL staff, UN private contractors, and implementing partners. Two cases were substantiated; the other six remained under investigation at year's end.

Prison and Detention Center Conditions

Prison conditions were harsh and in some cases life threatening. Women and juveniles were subject to abuse by guards and other inmates. Monrovia Central Prison held almost four times its capacity due to the large number of pretrial detainees. Prisons remained understaffed.

On December 2, approximately 100 prisoners at Monrovia Central Prison overpowered guards and escaped. UNMIL Police Commissioner Henrik Stiernblad attributed the escapes to security lapses and the prison's old infrastructure.

During the year some counties without adequate prison facilities transferred their prisoners to Monrovia; unlike in the previous year, there were no reports that containers with bars at one end were used for cells in some counties. The government relied on the World Food Program and various NGOs to provide food to the prisons. The UN and NGOs continued to provide medical services. During the year both the government and international partners continued renovations at several county prisons. Men and women were held together in some counties or cities with only one prison cell. In many counties juveniles and adults were held together, and pretrial detainees were generally held with convicted prisoners.

The government permitted the independent monitoring of prison conditions by local human rights groups, international NGOs, and the media. Some human rights groups, including national and international organizations, made regular visits to detainees held in police headquarters and to prisoners in Monrovia Central Prison.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; however, the government did not always observe these prohibitions.

Role of Police and Security Apparatus

The Ministry of Justice has responsibility for enforcing laws and maintaining order within the country and oversees the LNP and the National Bureau of Investigation. Approximately 12,000 UNMIL peacekeepers and 1,100 UNPOL officers had primary responsibility for maintaining security. Initial training of new AFL recruits was completed during the year with the provision of basic and advanced training to 2,133 soldiers; trainees were scheduled to assume duty in 2009. Approximately 600 UNPOL officers and UN Formed Police Units (armed foreign police detachments assigned to UNMIL) assisted with monitoring, advising, and training the LNP. Since 2004 UNPOL has recruited, screened, trained, and deployed 3,500 LNP officers; most were deployed in Monrovia, but 1,200 had deployed to the counties by year's end. The LNP operated independently and retained arrest authority; however, the SSS, which is responsible for presidential security, UNPOL, and armed UN Formed Police Units accompanied LNP officers on joint patrols around Monrovia. The LNP Women's and Children's Protection Section (WCPS) continued to establish offices outside Monrovia during the year.

Members of the Emergency Response Unit (ERU), which was established during the year, received specialized training and were armed, unlike other LNP units. The ERU has 139 officers and is charged with conducting special

police operations in antiterrorism, hostage rescue, internal security, tactical anticrime, and search and rescue.

LNP officers were slow to respond to criminal activity and often ineffective, which resulted in an increase in armed robberies during the year. LNP salaries were low and not always paid on time, contributing to widespread corruption. Police had limited logistics, communication, and forensic capabilities and did not have the capacity to adequately investigate many crimes, including murders.

During the year the LNP investigated reports of police misconduct and corruption, and authorities suspended or dismissed several LNP officers. For example, in December a grand jury indicted the deputy commissioner for criminal investigations and the chief of narcotics for theft and false statements; both cases were ongoing at year's end.

Unlike in the previous year, there were no conflicts between police with overlapping jurisdictions; during the previous year 22 security officers were injured as a result of fighting between the LNP and Liberian Seaport Police.

Arrest and Detention

The constitution requires warrants to make arrests and provides that detainees either be charged or released within 48 hours; however, warrants were not always based on sufficient evidence, and detainees, particularly those without the means to hire a lawyer, often were held for more than 48 hours without charge. In general most detainees are informed of the charges against them when they are arrested. The law provides for bail for all offenses except rape, murder, armed robbery, and treason. Detainees have the right to prompt access to counsel, visits from family members, and if indigent, to an attorney provided by the state, but the government did not ensure such access for all detainees.

Government officials were responsible for the arbitrary arrest and detention of citizens during the year.

Acting on orders of House Speaker J. Alex Tyler, security forces on February 26 detained Darius Dillion, a member of the House of Representatives who was suspended for six months for testifying in court that House members had received bribes; Dillion was charged with bringing the House into public disrepute (see section 3). On March 1, Dillion was released by order of the Supreme Court.

In June, in Buchanan, a foreign citizen was jailed after he publicly claimed to have received death threats for refusing to bribe local officials; he was charged with "criminal malevolence."

Although the law provides for the right of a person who is charged to receive an expeditious trial, lengthy pretrial and prearrest detention remained serious problems. Approximately 93 percent of prisoners at Monrovia Central Prison were pretrial detainees. In some cases the length of pretrial detention exceeded the length of sentence that could be imposed for the crime. Trial delays were caused by judicial inefficiency, corruption, and lack of transport, court facilities, and qualified judges.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, judges were subject to political, social, familial, and financial pressures, and corruption persisted. The judicial system was largely nonfunctional and plagued by corruption. Judges regularly received bribes or other illegal gifts from damages that they awarded in civil cases. Judges sometimes requested bribes to try cases, release detainees from prison, or find defendants not guilty in criminal cases. Defense attorneys and prosecutors sometimes suggested that defendants pay a gratuity to appease or secure favorable rulings from judges, prosecutors, jurors, and police officers. By law magistrates must

be lawyers; however, some were not.

The judiciary is divided into four levels, including justice-of-the-peace courts, magistrate courts, circuit and specialty courts, and the Supreme Court. In 2005 the Supreme Court ordered the closure of all justice-of-the-peace courts; however, some still operated during the year since no replacement courts had been established. The Supreme Court appointed judges to counties outside of Montserrado County (which includes Monrovia), but many judges and magistrates continued to abandon their posts, preferring to remain in Monrovia. Military and security tribunals cannot try civilians.

Uneven application of the law and the unequal distribution of personnel and resources remained problems throughout the judicial system. Some judges were unable to hold court due to lack of security, supplies, equipment, or a courthouse. There was no effective system to provide public defenders in rural areas; however, government officials worked with international aid agencies to set up functional public defenders, raising the national total to approximately 17 qualified prosecutors and 13 public defenders. Four full-time public defenders were responsible for cases in Montserrado County.

Traditional forms of justice administered by clan chieftains remained prevalent in some localities.

Trial Procedures

Trials are public, and juries are used in circuit court trials but not at the magistrate level. Under the constitution, defendants have the right to be present, to consult with an attorney in a timely manner, and to have access to government-held evidence relevant to their case; however, these rights were not always observed. Defendants enjoy a presumption of innocence and have the right to an attorney, to confront or question witnesses against them, present evidence and witnesses on their own behalf, and to appeal adverse decisions, but many of these protections were not available to defendants who could not pay bribes. Some local NGOs continued to provide legal services to indigents and others who had no representation. There continued to be long delays in deciding cases.

The treason trials of George KouKou, the former speaker of the National Transitional Government, Colonel Charles Dorbor, and General Charles Julu all ended during the year; the three were accused in 2007 of plotting to overthrow the Sirleaf government. On January 28, President Sirleaf announced that the government was dropping its case against KouKou due to insufficient evidence; however, on January 29, a jury found Dorbor and Julu guilty of conspiring to stage a coup against President Sirleaf. Defense lawyers charged that the prosecution had bribed jurors to convict the defendants, and the presiding judge admitted that he, too, had been offered a bribe in exchange for a guilty verdict. A new trial was granted, and on May 2, both Julu and Dorbor were acquitted for lack of evidence.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent civil law court in Monrovia, but circuit courts in each county function as both criminal and civil courts. Specialty courts, such as the tax court, probate court, and labor court, also address civil matters. NGOs and the government continued to establish mediation centers that worked on reducing court caseloads. There is no court to address lawsuits seeking damages for human rights violations. As with criminal courts, specialized courts were inefficient and corrupt. Administrative and judicial remedies were available to settle alleged wrongs.

Property Restitution

Despite a February 2007 ruling that the disputed land in Nimba County currently occupied by Gio and Mano persons should revert to the original Mandingo owners, no action was taken by year's end to assist the Mandingos in removing squatters. Efforts to make other acceptable land available were ongoing at year's end.

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

The constitution prohibits such actions, and the government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press, and the government generally respected these rights in practice; however, persons were arrested for criticizing the government, and there were some reports of security officials harassing journalists during the year.

On September 27, the NSA arrested Mulbah Morlu, leader of the NGO Forum for the Establishment of a War Crimes Court in Liberia, for calling President Sirleaf a "rebel" on local television. Morlu was held at NSA headquarters until the president ordered him released on September 29.

During the year the House of Representatives imprisoned a colleague for testifying in court about official bribery (see sections 1.d. and 3).

The independent media was active and expressed a wide variety of views without restriction; however, journalists commonly accepted payments to publish articles.

In Monrovia there were approximately a dozen newspapers that published during the year with varying degrees of regularity; six were independent dailies, and five were independent biweekly newspapers. The government published the New Liberian newspaper. Due to the price of newspapers and transportation, the 55-75 percent illiteracy rate, and road conditions elsewhere in the country, newspaper distribution generally was limited to the Monrovia region.

On January 30, Godfrey Beyan, a former general in the rebel National Patriotic Front, offered to pay an accomplice 60,000 Liberian dollars (approximately \$1,000) to kill Sam O. Dean, the publisher of the Independent Newspaper, which was briefly closed in 2007 after it published explicit photos of a government minister. No action was taken against Beyan.

Unlike in the previous year, the government did not revoke the license of any newspaper, close offices, or force journalists to delete photos from their digital cameras. However, the chief justice ordered his security guards to confiscate the camera of a reporter who had taken his photograph at an official event. After a public outcry over the event, the chief justice apologized to the reporter and returned the camera.

The investigation into the 2007 disturbance at the University of Liberia in which members of the media were beaten by LNP officers and UNMIL troops was ongoing at year's end.

In October 2007 the chief justice of the Liberian Supreme Court summoned newspaper editors to his court and threatened to jail them for 30 days if they misspelled his name or had his photo next to articles that did not

mention him; however, no journalists were jailed for these issues, and no similar threats were made during the year.

Radio remained the primary means of mass communication, and stations operated without government restrictions. UNMIL Radio and Star Radio provided nationwide coverage. In addition there were 13 independent radio stations that regularly broadcast in Monrovia and reached neighboring counties, including the government station LBS. There were approximately 24 local "community radio" stations that provided a combination of local programs and relay of programs in Monrovia.

There were three local television stations; however, television was limited to those who could afford to purchase sets, generators, and fuel to provide electricity. For those persons and businesses with satellite capability, CNN, BBC, Skynews, Al Jazeera and SABC Africa generally were available.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Internet access was not widely available due to high cost and lack of infrastructure. High illiteracy also limited public exposure to the Internet.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for the right of peaceful assembly; however, LNP officers forcibly dispersed demonstrators during the year, resulting in injuries.

For example, on April 9, police forcibly disbursed students of Kendeja high school, which had been demolished to make room for a hotel. The students were demonstrating because construction of a replacement school had not been finished.

Despite findings by a justice ministry panel in 2007 of police use of excessive force during a March 2007 demonstration by the Liberia Timber Workers Union, no action was taken against responsible LNP members.

Freedom of Association

The constitution provides for the right of association, and the government generally respected this right in practice.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice. Christianity was the dominant religion, and most meetings, including official government meetings, began and ended with Christian prayers. Islamic leaders complained of some discrimination against Muslims.

Societal Abuses and Discrimination

Tension between the Christian majority and Muslim minority continued, particularly in Nimba County, where unresolved land disputes resulted in conflicts between Muslim Mandingos and Christian Gio and Mano groups. Throughout the year the Interreligious Council and other religious organizations promoted dialogue between religious groups.

There were reports of ritual killings--the killing for body parts for use in traditional rituals--throughout the country. On July 16, a boy was found dead in Harper with missing body parts; on July 23, Patricia Patrick was found dead with body parts missing, and on October 1, Vanie Boima was found dead with body parts missing in Margibi County. The government treated such killings as homicides and investigated them accordingly, although there were no prosecutions during the year. There were multiple reports of protests against ritual killings, which at times led to riots and loss of life.

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

For a more detailed discussion, see the 2008 International Religious Freedom Report at www.state.gov/g/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. However, LNP and Bureau of Immigration officers occasionally subjected travelers to arbitrary searches and petty extortion at checkpoints.

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

The law prohibits forced exile, and the government did not use it.

Internally Displaced Persons (IDPs)

A few former IDPs remained in closed camps throughout the year, although UNHCR assistance was no longer provided.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. The government granted refugee status and asylum during the year. In practice the government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention or the 1967 protocol. The government generally cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers.

Land disputes between returning landowners who fled the war and IDPs who took over their land as well as between villages trying to accommodate refugees resulted in violence and death during the year.

For example, on May 8, two persons were killed in a dispute after the residents of Wetchuken Village, Maryland County, accused the residents of nearby Rock Town of annexing farm land between the two settlements to build houses for returning refugees; authorities arrested 24 persons for involvement in the deaths. Approximately 1,000

Wetchuken villagers staged a four-day protest in the county administration building in Harper to demand the dismissal of both the county superintendent and the police commissioner, both of whom they blamed for allegedly siding with the residents of Rock Town. An investigation was ongoing at year's end.

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

The law provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

In 2005 Ellen Johnson Sirleaf won the national presidential elections with 59.4 percent of the vote in a runoff election; voters also selected 30 senators and 64 representatives.

The state is highly centralized. The law provides that the head of state appoint county superintendents. Local governments had no independent revenue base and relied entirely on the central government for funds. As a result, there was very limited government functioning outside of Monrovia. Local officials served mainly to lobby the central government for funds to develop the counties they represented.

During the year the Supreme Court ruled that the constitution authorizes the president to appoint county superintendents and mayors, thus relieving the government of the expense of holding municipal elections; in 2007 the government claimed it did not have sufficient money to hold municipal and chieftaincy elections.

There were four female ministers, 12 female deputy ministers, five women in the Senate, nine women in the House of Representatives, five female county superintendents, and a female mayor of Monrovia. There were two female supreme court associate justices. Women constituted 33 percent of local government officials and 31 percent of senior and junior ministers.

Muslims occupied senior government positions, including one minister, one deputy minister, three senators, six representatives, one supreme court justice, and one county superintendent.

Government Corruption and Transparency

On August 21, the Anticorruption Act, which established the Anticorruption Commission, was signed into law; however, the law does not provide criminal penalties for corruption, which remained systemic throughout the government. On September 17, the five members of the commission were sworn in, but at year's end the commission had only a minimal budget and was still creating its office. Official corruption was exacerbated by low pay levels for the civil service, lack of job training, and a culture of impunity. The General Auditing Commission and Ministry of Justice are responsible for combating official corruption. During the year the commission conducted the country's first comprehensive audits of government ministries, which were published and made available to the public. Political appointees were directed to submit financial disclosures, but few complied.

Financial mismanagement decreased but was still a problem, along with lack of accountability, within government agencies. The government dismissed or suspended a number of officials and was actively prosecuting former high-level government officials for corruption.

During the year the House Judiciary Committee held hearings on former speaker Edwin Snowe's 2007 accusation that the executive branch paid 300,000 Liberian dollars (approximately \$5,000) to each member of the House of

Representatives to vote for his removal as speaker; Snowe, who supported Liberian diplomatic relations with Taiwan, claimed the money came from the Chinese government, a charge the Chinese government denied. On June 12, the committee ruled inadmissible Snowe's recordings of four accused representatives admitting they had accepted bribes, noting the recordings were taken without the defendants' knowledge. Both Snowe and Representative Samuel Bondo were suspended for one month for "bringing the House into public disrepute." NGOs publicly expressed concern about the House's lack of independence and credibility in its investigation of Snowe and suggested that committee members were among those who received bribes.

Approximately 12 corruption cases remained pending at year's end, including the 2007 embezzlement cases of Edwin Snowe, David Zarlee, J.D. Slinger, former finance minister Kamara, and former National Transitional Government of Liberia chairman Charles Gyude Bryant.

During the year the government continued to take steps to improve transparency. The Ministry of Finance published the national budget and quarterly financial results, and state-owned enterprises published financial statements. International financial controllers, placed in key ministries and state-owned enterprises under the Governance and Economic Management Assistance Program, continued to operate. Controllers helped improve financial management, purchasing, and contracting practices, and instituted financial controls that increased government revenues and helped to curb corrupt practices. However, government ministries and agencies did not always adhere to public procurement regulations, particularly with natural resource concessions.

The law provides for "no limitation on the public right to be informed about the government and its functionaries," but little government information was available, and there were few procedures for obtaining it.

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

A number of domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

There were three coalitions of human rights groups: the National Human Rights Center of Liberia with nine member organizations; the Network of Human Rights Chapters with eight groups; and the Human Rights and Protection Forum, an umbrella organization of 70 to 80 groups. Approximately 40 groups, including members of the three coalitions, formed a civil society collective called the National Civil Society Organization. These coalitions sought to increase public discussion of human rights problems. Civil society NGOs continued to develop.

During the year the government worked to facilitate the free and safe passage of relief supplies by international NGOs and permitted visits by a UN panel of experts, the International Committee of the Red Cross, and various UN agencies.

The nine commissioners appointed in 2007 by the president to the government's Independent National Commission on Human Rights still awaited confirmation by the legislature at year's end.

The investigation into the alleged 2006 LNP assault of an employee of the NGO Forum for Human Rights and Democracy was still ongoing at year's end.

The case against former president Charles Taylor, whom the government in 2006 transferred to the Special Court for Sierra Leone in The Hague to face war crimes charges, was ongoing at year's end.

On January 8, the TRC initiated public hearings for the first time. The hearings, which continued through July 31, carried the theme "Confronting our Difficult Past for a Better Future" and were conducted in all 15 counties. Traditional leaders organized forgiveness and reconciliation ceremonies in each county during the hearings, many of which reportedly had a profound effect on local citizens. During the year the TRC also sent psychosocial teams to help victims to all counties. The TRC held additional thematic hearings in Monrovia related to specific massacres and other conflict issues. Approximately 17,000 witness statements from citizens inside and outside of the country were being coded and processed for analysis at year's end.

Effectiveness of the TRC, which has been hampered by poor management, staff shortages, and disharmony among commissioners, improved during the year, although conflicts between commissioners continued.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on ethnic background, race, sex, creed, place of origin, disability, ethnic origin, or political opinion; however, the government did not enforce these provisions effectively.

The constitution enshrines discrimination on the basis of race, and only persons who are "Negroes" or of "Negro descent" can become citizens or own land. Differences stemming from the country's civil war continued to contribute to social and political tensions among ethnic groups, notably the Congos, Krahn, Mano, Gio, and Mandingo.

Women

On August 4, the president signed into law the Gender and Sexually Based Violence Bill, which designates a specialized court for rape trials and expedites rape cases through the court system. Sentences for rapists range from seven years to life imprisonment, and accused rapists are ineligible for bail; however, the government did not effectively enforce the law. The law does not specifically criminalize spousal rape. The WCPS unit of the LNP stated that approximately 275 rape cases were reported to the unit during the year, of which 202 were prosecuted, resulting in 21 convictions and 181 cases still pending; approximately 400 rape cases were reported in the previous year. The stigma of rape contributed to the pervasiveness of out-of-court settlements and obstructed prosecution of cases. Inefficiency in the justice system also prohibited timely prosecution of cases, although local NGOs pushed for prosecution and sometimes provided lawyers to indigent victims. The government raised awareness of the issue of rape through billboards, radio broadcasts, and publicity campaigns.

The law prohibits domestic violence; however, it was a widespread problem. The maximum penalty for domestic violence is six months' imprisonment, but the government did not enforce the law effectively. The government and the media made some efforts to publicize the problem, and several NGOs continued programs to treat abused women and girls and to increase awareness of their rights. LNP officers received training on sexual offenses as part of their initial training. In 2007 the Gender Based Violence (GBV) Secretariat completed a national action plan, and during the year the Ministry of Gender and Development organized workshops and seminars to create awareness of GBV.

Although prostitution is illegal, it was widespread.

The law does not prohibit sexual harassment, and it was a major problem, including in schools and at places of work.

Women have not recovered from the setbacks caused by the war, when many schools were closed, and they were prevented from maintaining their traditional roles in the production, allocation, and sale of food. Thousands of

women remained displaced, preventing them from pursuing livelihoods or education.

Women and men enjoy the same legal status. Women can inherit land and property, receive equal pay for equal work, and were allowed to own and manage businesses. A number of businesses were female-owned or operated. The government prohibits polygyny; however, traditional laws permit men to have more than one wife. No specific office exists to ensure the legal rights of women, but the Ministry of Gender and Development was generally responsible for promoting women's rights.

Children

The government did not fully provide for the education and health of children, but it continued to improve these services, and the budget for children's health and education increased during the year.

Many parents of children born at home did not register their children, which sometimes resulted in denial of public services. During the year the Ministry of Health worked to increase birth registrations.

The government eliminated fees for primary school, but fees continued for secondary school, and the government was unable to provide for the needs of the majority of children. School-related costs remained high, thereby making education unattainable for significant numbers of school-age children. In both public and private schools, families of children often were asked to provide their own uniforms, books, pencils, paper, and even desks. For primary education, the national enrollment ratio was 53 percent for boys and 47 percent for girls.

Widespread child abuse continued, and reports of sexual violence against children increased during the year. Civil society organizations reported increased incidence of rape of girls under 12.

On June 26, the government sentenced Issac Carr and Alphonso Kerkula to life imprisonment for the gang rape of a child in Monrovia, and on July 21, a child rapist was convicted in Bong County.

On September 22, Grand Bassa County Senator Nathaniel Innis was indicted for aggravated assault on his niece in July. Although Innis denied attacking the girl, who sustained numerous bruises, he publicly blamed "the devil" and accused the media of exaggerating the incident for political purposes. Several local human rights groups called for the senator's prosecution; however, charges against the senator were dropped in November.

The law does not specifically prohibit female genital mutilation (FGM), and the government took no action against FGM during the year. FGM traditionally was performed on young girls belonging to northern, western, and central ethnic groups, particularly in rural areas. The most extreme form of FGM, infibulation, was not practiced. Victims of FGM died from the procedure during the year. Traditional institutions, such as the secret Sande Society, often performed FGM as an initiation rite, making it difficult to ascertain the number of cases.

During the year there were reports that young women and girls engaged in prostitution for money, food, and school fees.

Despite international and government attempts to reunite children separated from their families during the civil war, there were still many children who lived on the streets in Monrovia. It was difficult to tell who were street children, former combatants, or IDPs. Nearly all children had witnessed atrocities during the 14-year civil war, and some children had committed atrocities.

The government continued to close unregistered orphanages during the year; however, regulation of orphanages continued to be very weak. Many unofficial orphanages also served as transit points or informal group homes for

children, some of whom had living parents who had given up their children for possible adoption. Orphanages were underfunded and had difficulty providing basic sanitation, adequate medical care, and appropriate diet. They relied primarily on private donations and support from international organizations, such as the UN Children's Fund and the World Food Program, which provided food and care throughout the year. Many orphans lived outside these institutions.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were police reports that persons were trafficked within the country, particularly for domestic work and other labor. Although no national database on trafficking exists, seven trafficking cases were recorded between March 2007 and February 2008, according to the National Antitrafficking Task Force. Of the seven, three persons were charged with criminal facilitation, and all were being prosecuted at year's end. Young women and children were at a particularly high risk for trafficking, especially orphans or children from extremely poor families. Trafficking victims often were subjected to harsh living and working conditions.

Traffickers enticed their victims with promises of a better life. Victims generally were not related to traffickers, although they were often from the same village. Parents of trafficking victims were persuaded that their children would have better food and educational opportunities and would eventually return home.

Penalties for trafficking range from one year to life in prison. Monetary restitution to victims is also provided for in the law. The law was widely disseminated among law enforcement personnel, although lawyers and judges were often unfamiliar with it. The ministries of Justice and Labor have primary responsibility for combating trafficking, but enforcement efforts were weak, and there were no convictions for trafficking during the year.

In December authorities arrested three suspects for allegedly recruiting 33 children in Liberia, Sierra Leone, and Guinea. One of the suspects, Francis Dogbyou, recruited 50 schoolchildren in Bong, Margibi, Bomi, and Grand Cape Mount counties. Two other suspects, who described themselves as imams, were arrested in Lofa County with 65 children allegedly recruited in Guinea, Sierra Leone, and Liberia. The case against the man arrested in 2007 for trying to sell a child in Monrovia remained pending at year's end.

The government had limited capacity to provide services to victims; however, NGOs and church groups provided shelter for abused women and girls, including trafficking victims.

International NGOs, local NGOs, and churches worked with the government to raise awareness about trafficking, and the WCPS continued to address trafficking issues. The National Antitrafficking Task Force appointed by the president in 2006 continued to meet during the year; however, it had no program budget. The task force held a three-day workshop for government officials and NGOs during the year.

The State Department's annual Trafficking in Persons Report can be found at www.state.gov/g/tip.

Persons with Disabilities

Although it is illegal to discriminate against persons with physical and mental disabilities, such persons did not enjoy equal access to government services. No laws mandate access to public buildings. Streets, schools, public buildings, and other facilities were generally in poor condition and inaccessible to persons with disabilities. Many citizens had permanent disabilities as a result of the civil war. Persons with disabilities faced societal discrimination, particularly in rural areas; however, unlike in the previous year, there were no reports that babies with deformities were sometimes abandoned.

The Ministry of Health and Social Welfare is responsible for protecting the rights of persons with disabilities. During the year the ministry conducted a series of sensitization programs for government social workers about persons with disabilities. NGOs provided some services to persons with disabilities.

National/Racial/Ethnic Minorities

Although the law prohibits ethnic discrimination, racial discrimination is enshrined in the constitution, which provides that only "persons who are Negroes or of Negro descent" may be citizens or own land. Many persons of Lebanese and Asian descent who were born or lived most of their lives in the country were denied citizenship and the right to own property as a result of this racial discrimination.

The country has 16 indigenous ethnic groups; each speaks a distinct primary language and was concentrated regionally. Differences involving ethnic groups continued to contribute to social and political tensions.

Other Societal Abuses and Discrimination

There were no reports of societal violence based on sexual orientation or against persons with HIV/AIDS.

Section 6 Worker Rights

The Right of Association

The law allows workers to freely form or join independent unions of their choice without prior authorization or excessive requirements. The law also provides workers, except members of the military, police, and civil service, the right to associate in trade unions, and workers exercised this right in practice. The law allows unions to conduct their activities without interference, and the government protected this right in practice. The law prohibits unions from engaging in partisan political activity. Workers, except members of the civil service, have the right to strike. Union power increased during the year through increased membership at major plantations; however, the country's largely illiterate workforce engaged in few economic activities beyond subsistence level.

Unlike in the previous year, the government did not interfere with union elections; in 2007 the minister of labor suspended the leadership of the Aggrieved Workers Union.

The law does not prohibit retaliation against strikers; however, there were no such incidents during the year.

The Right to Organize and Bargain Collectively

Collective bargaining is protected by law, and these laws were effectively enforced. With the exception of civil servants, all workers have the right to organize and bargain collectively.

The law does not prohibit antiunion discrimination, but there were no reports of such discrimination during the year.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and there were no reports that such practices occurred.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment and apprenticeship of children under the age of 16 during school hours; however, the government did not effectively enforce the law. Child labor was widespread in almost every economic sector, in large part due to extreme poverty. Throughout rural areas, particularly where there were no schools, small children continued to take care of younger brothers and sisters and to work on family subsistence farms. In urban areas children assisted their parents as vendors in markets or hawked goods on the streets. During the year there were reports that children were tapping rubber at smaller plantations and private farms. There were also unconfirmed reports that children were forced to work in conditions that were likely to harm their health and safety, such as stone cutting or work that required carrying heavy loads. Some children were engaged in hazardous labor in the alluvial diamond industry and in agriculture.

The Ministry of Labor's Child Labor Commission was responsible for enforcing child labor laws and policies; however, the commission was understaffed and generally focused on awareness. There were no government programs to prevent child labor or to remove children from such labor. International NGOs continued to work to eliminate the worst forms of child labor by putting at-risk children in school. Other local and international NGOs worked to raise awareness about the worst forms of child labor.

e. Acceptable Conditions of Work

The national law requires a minimum wage of 15 Liberian dollars (approximately \$0.25) per hour, not exceeding eight hours per day, excluding benefits, for unskilled laborers. The law does not fix a minimum wage for agricultural workers but requires that they be paid at the rate agreed in the collective bargaining agreement between workers' unions and their management, excluding benefits. Skilled labor has no minimum fixed wage, and the minimum wage for civil servants was raised during the year from 3,300 Liberian dollars (\$55) to 4,200 Liberian dollars (\$70) per month.

The relatively scarce minimum wage jobs did not provide a decent standard of living for a worker and family. Families dependent on minimum wage incomes also engaged in subsistence farming, small scale marketing, and begging.

The law provides for a 48-hour, six-day regular workweek with a 30-minute rest period per five hours of work. The six-day workweek may be extended to 56 hours for service occupations and to 72 hours for miners, with overtime pay beyond 48 hours. The law also provides for pay for overtime and it prohibits excessive compulsory overtime.

The law provides for paid leave, severance benefits, and safety standards, but enforcement was targeted solely at foreign-owned firms that generally observed these standards.

The Ministry of Labor lacked the ability to enforce government-established health and safety standards. The law does not give workers the right to remove themselves from dangerous situations without risking loss of employment.

Due to the country's continued severe economic problems, most citizens were forced to accept any work they could find regardless of wages or working conditions.