



[Home](#) » [Under Secretary for Democracy and Global Affairs](#) » [Bureau of Democracy, Human Rights, and Labor](#) » [Releases](#) » [Human Rights Reports](#) » [2010 Country Reports on Human Rights Practices](#) » [Africa](#) » [Liberia](#)

2010 Human Rights Report: Liberia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2010 Country Reports on Human Rights Practices

April 8, 2011

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 1989-2003 civil war, the UN Mission in Liberia (UNMIL) peacekeepers and the UN international police (UNPOL) have had primary responsibility for maintaining security. Efforts to train personnel for the Liberia National Police (LNP) and Armed Forces of Liberia (AFL) continued. While security forces reported to civilian authority, there were instances in which elements of the security forces acted independently.

Human rights abuses included one report of mob killing; reports of ritualistic killings; reported incidents of trial by ordeal; police abuse, harassment, and intimidation of detainees and others; harsh prison conditions; arbitrary arrest and detention; judicial inefficiency and corruption; lengthy pretrial detention and denial of due process; official corruption and impunity; violence against women, including rape, and widespread domestic violence; female genital mutilation (FGM); child abuse and sexual violence against children; human trafficking; continued racial and ethnic discrimination; and child labor.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, on February 27, an LNP officer shot and killed a man reportedly over a personal dispute. The killing led to mob violence in which a crowd doused the LNP officer with a flammable liquid and set him on fire. The officer died of his injuries. An AFL soldier not involved in the dispute but at the scene was also injured and died on March 10. Seven persons were charged with murder and were on trial at year's end.

In April three AFL soldiers were accused of killing two civilians. The case was dismissed due to lack of evidence, and the soldiers returned to their unit.

In June eight security officers of the Liberian Agricultural Company were acquitted of the July 2009 beating to death of a man in Grand Bassa County.

There were reports of ritualistic killings in which body parts used in indigenous rituals were removed from the victim. The total 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. Protests against such killings occurred and sometimes resulted in riots, injuries, and deaths.

In March police arrested 18 suspects in connection with the November 2009 suspected ritualistic killing of a pregnant woman discovered in Harper. To lead the investigation, local authorities hired a "witch doctor" who identified the suspects, including prominent county citizens. The minister of justice intervened to bring the investigation into the formal judicial system; nine of the suspects were awaiting trial at year's end.

There were no developments in the July 2009 case of a high school girl in Maryland County found dead with body parts missing.

There was one reported incidence of mob violence during the year. In April a mob beat to death two men allegedly involved in an armed robbery in Paynesville.

On February 26, the body of a missing Christian girl was found at or near a mosque in Lofa County, which led to the belief that the perpetrator was Muslim. Subsequent riots between members of the predominantly Christian Lorma and Muslim Mandingo ethnic groups resulted in four deaths and 18 injuries. Eight persons were arrested in connection with the riots and were awaiting trial at year's end.

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 other security officials employed them. Police sometimes abused, harassed, and intimidated persons, particularly during attempts to extort money on the streets. Cases of reported police brutality were referred to the attention of police commanders. The Professional Standards Division was responsible for investigating allegations of police misconduct and referring cases for prosecution. In June the LNP began conducting performance appraisals to foster professional development among officers and to identify areas for improvement.

On March 3, LNP officers beat a foreign citizen who was photographing police conducting a search. The police also confiscated her camera and took her to LNP headquarters where she was beaten again but never arrested. The inspector general of police and diplomatic representatives intervened, and the LNP returned her camera and apologized.

In May Representative George W. Blamoh allegedly beat an LNP officer who attempted to impound his vehicle for improper parking and traffic violations. An investigation was completed and submitted to the Ministry of Justice, and Blamoh was awaiting trial at year's end.

On July 10, Deputy Speaker of the House Togbah Mulbah allegedly ordered the beating of LNP officer Lexington Beh for impounding a truck belonging to the lawmaker. The incident became politicized when partisans from the lawmaker's

political party, the Congress for Democratic Change, surrounded Mulbah's residence the next day as police attempted to arrest him. Upon further investigation, an 11-count indictment was issued in July, and Mulbah was awaiting trial at year's end.

The C
Affair
the U
Exter
cons:
polici

Despite being illegal, the practice of trial-by-ordeal, which involves actions such as the 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. In April the government conducted a national conference focusing on efforts to harmonize the traditional and formal justice systems.

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

Prison and Detention Center Conditions

Inadequate provisions for food, sanitation, ventilation, temperature, lighting, basic and emergency medical care, and access to potable water contributed to harsh and in some cases life-threatening conditions in the country's 15 prisons and detention centers. While the government provided some food, many prisoners supplemented their daily meals by purchasing additional food at the prison or receiving food from visitors. With the support of the International Committee of the Red Cross (ICRC), the Bureau of Corrections undertook rehabilitation activities to improve access to clean water and sanitation facilities at Monrovia Central Prison, the Zwedru Correctional Palace, and the Robertsport and Voinjama facilities.

The UN and nongovernmental organizations (NGOs) continued to provide medical services and improve basic sanitary conditions. The ICRC also conducted an assessment on access to medical care in all 15 prisons and detention facilities.

The county prison in Voinjama, Lofa County, remained in a state of disrepair following the prison break which occurred during the February 26 violence.

According to statistics from the Bureau of Corrections, half the country's 1,524 prisoners were held at Monrovia Central Prison, which operated at more than twice its capacity due to the large number of pretrial detainees. The total prison population included 31 women and 69 juveniles. Prisons remained understaffed. Men and women were held in separate cells in larger facilities, however they were held together in some counties or cities that had only one prison cell. In many counties juveniles and adults were held together, and pretrial detainees were generally held with convicted prisoners. During the year some counties without adequate prison facilities transferred their prisoners to Monrovia.

Regular visitation hours and religious observances were generally respected. Officials from the Human Rights Division of the Ministry of Justice and Bureau of Corrections visited prisons to monitor conditions during the year. Internal reports and investigations into inhumane conditions were not publicly accessible.

The government permitted the independent monitoring of prison conditions by local human rights groups, international NGOs, the UN, 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. The ICRC visited all of the 15 prisons and detention centers in the country and ICRC visits were in accordance with standard modalities.

No ombudsman system was in place to serve on behalf of prisoners and detainees.

During the year the government and international partners continued renovations at several county prisons. In July UNMIL, in collaboration with the Ministry of Justice, completed construction of a modern prison in Sanniquellie.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The Ministry of Justice has responsibility for enforcing laws, maintaining order within the country, and overseeing the LNP and the National Bureau of Investigation. An estimated 8,100 UNMIL peacekeepers and 1,300 UNPOL officers had primary responsibility for maintaining security. Approximately 460 UNPOL officers and 845 officers in the UN Formed Police Units (armed foreign police detachments assigned to UNMIL) assisted with monitoring, advising, and training the LNP. During the year 293 LNP officers were recruited, screened, trained, and deployed, primarily to Monrovia. As a result, a total of 4,039 LNP officers were in country by year's end, with 1,233 deployed outside of Monrovia and Montserrado County.

The LNP operated independently and retained arrest authority; however, the Special Security Service, which is responsible for the security of the president and other senior government officials, UNPOL, and armed UN Formed Police Units, accompanied LNP officers in joint patrols around Monrovia. There were 45 LNP Women's and Children's Protection Section (WCPS) offices with 21 of them outside of Montserrado County.

Officers of the Police Support Unit received additional training in weapons and crowd and riot control. At the end of the year 150 new officers were in training to join the 148-member unit.

Members of the Emergency Response Unit (ERU), which was established in 2008, received specialized training and were armed, unlike most LNP patrol officers. The ERU was charged with conducting special police operations in antiterrorism, hostage rescue, internal security, tactical anticrime, and search and rescue situations. The ERU increased its membership from 288 officers at the end of 2009 to 331 by year's end.

In October the LNP created an inspectorate responsible for ensuring all officers received training in revised standards of procedure, duty manuals, and policies.

The Liberian Coast Guard was commissioned in February and is responsible for enforcement of the country's maritime laws. The guard consisted of 50 members by year's end.

LNP officers were poorly equipped, ineffective, and slow to respond to criminal activity, although the police foot patrol program showed signs of improvement in strategic areas. LNP salaries were generally paid on time, but were low, contributing to widespread corruption. Police had limited transportation, logistics, communication, and forensic capabilities, and did not have the capacity to investigate adequately many crimes, including murders. Due to the lack of a crime lab and other investigative tools, prosecutors blamed losing cases in court on inadequate police investigation and evidence gathering.

Arrest Procedures and Treatment While in Detention

The constitution requires warrants to make arrests and provides that detainees either be charged or released within 48 hours; however, arrests were often made without warrants, or warrants were sometimes issued without sufficient evidence, and detainees, particularly those without the means to hire a lawyer, often were held for more than 48 hours without charge. Detainees generally were informed of the charges against them upon arrest. Detainees have the right to prompt determination of the legality of their arrest, but in practice, this did not always occur. 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 always observe such rights.

Although the law provides for the right of a defendant to receive an expeditious trial, lengthy pretrial and prearrest detention remained serious problems. An estimated 85 percent of prisoners were pretrial detainees, 858 of whom were released during the year as a result of actions by the Fast Track Court to reduce prison overcrowding. Beginning in February the Ministry of Justice's notifications to the court of its intention not to prosecute in cases lacking sufficient evidence also resulted in the release of detainees.

However, with the incarceration of new detainees, prisons remained overcrowded. In some cases the length of pretrial detention exceeded the maximum length of sentence that could be imposed for the alleged crime. Judicial inefficiency, corruption, and the lack of transport, court facilities, attorneys, and qualified judges caused trial delays.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, the judicial system was corrupt and functioned slowly (see section 4). Judges were subject to political, social, familial, and financial pressures. 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. The Professional Magistrates Training Program began in March to train university graduates for entry into magisterial courts throughout the country to improve judicial efficiency and access, particularly in the counties.

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 behalf, and to appeal adverse decisions, but many of these protections were not available to defendants who could not pay bribes or afford an attorney. 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.

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 to reduce court caseloads. There is no specialized court to address lawsuits seeking damages for human rights violations. As with criminal courts, specialized courts were inefficient and corrupt. On September 16, legislation was passed to establish a commercial court with jurisdiction over debts incurred from commercial transactions.

Property Restitution

Violence arising from land disputes decreased during the year. The Land Commission, established in August 2009, worked to resolve disputes and to harmonize traditional and formal land ownership laws. On July 26, President Sirleaf declared that the government will exercise the right of eminent domain over disputed land in Ganta, Nimba County, after failed efforts to implement a 2007 ruling that the disputed land occupied by Gio and Mano persons should revert to the original Mandingo owners.

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.

Individuals could generally criticize the government publicly or privately without reprisal; however, in August the senate summoned the leaders of three civil society organizations, the Center for Democratic Empowerment, the Liberia Democracy Watch, and the Institute for Democracy and Development, for referring to the legislature's decision on the electoral threshold bill as "mentally impoverished" and "mischievous." The senate ordered the organizations to issue a letter of apology published in at least 10 newspapers and read on local radio stations for five consecutive days. The leaders were summoned once again to appear on August 26 after the apologies were not issued as directed. Although the leaders were once again ordered to issue the apologies as mandated within 48 hours or face arrest, the senate accepted the organizations' efforts to publish the apology in some of the newspapers, and no further action was taken.

The media could generally criticize the government publicly or privately without reprisal. However, the government did seek redress for alleged libel in the courts.

The Supreme Court directed Rodney Sieh, editor of the newspaper *Front Page Africa*, to appear before the court on November 1 to explain an article the newspaper published that the court contended was inaccurate. The case was pending at year's end.

On December 8, the senate leadership committee ordered Darius Dillon, the chief of staff to a senator, to retract derogatory statements made earlier against a senior senator from the ruling Unity Party within 72 hours or face further disciplinary action. Dillon defied the order, and the committee suspended him for 90 days without pay.

The December 2009 case, involving charges against the publisher and printer of *The Plain Truth* newspaper for sedition and libel of the president, was dropped since it exceeded the statutory period of two terms of court without being resolved.

In December 2009, the Ministry of Information allowed the *New Broom* newspaper to resume publishing following its August 2009 closure for failing to register properly. However, on November 2, the *New Broom* was ordered to pay \$5 million for damages in the September 2009 libel case filed by President Sirleaf. The newspaper had reported that she had accepted a bribe of 143 million Liberian dollars (\$2.91 million). The *New Broom* was absent during the proceedings and was ordered closed until payment of damages was received; it remained closed at year's end.

The independent media were active and expressed a wide variety of views without restriction; however, journalists commonly accepted payments to publish articles, and did not always fact check their sources.

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, newspaper distribution was limited to Monrovia.

Radio remained the primary means of mass communication, and stations operated without government restrictions.

During the year the radio journalist who alleged in May 2009 that the senate president pro tempore struck him did not press charges, and no action was taken.

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. Due to high cost, high illiteracy, and lack of infrastructure, less than 1 percent of the country's inhabitants used the Internet, according to International Telecommunication Union statistics for 2009.

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, and the government generally respected it in practice. However, on August 18, LNP officers forcibly dispersed and arrested seven residents of the Ducor Hotel area who were marching to the Capitol Building to petition lawmakers regarding a government eviction order. Those arrested were released, and no further action was taken.

There were no further developments in the March 2009 destruction of property case involving several demonstrators in Gbarnga.

Freedom of Association

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

c. Freedom of Religion

For a description of religious freedom, please see the Department of State's 2010 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.

Protection of Refugees

The country's laws provide for the granting of asylum or refugee status, and the government had an established system for providing protection to refugees and granted refugee status and asylum during the year. In practice, the government provided 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 refugee convention or its 1967 protocol. The government generally cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers.

Due to fears arising from the contested presidential run-off elections in Cote d'Ivoire, Ivoirian refugees began entering the country on November 29. At year's end, the UNHCR had registered 20,804 new Ivoirian refugees, many of whom had ethnic or economic ties to Liberians and were absorbed by local communities along the border.

During the year the UNHCR assisted in the voluntary repatriation of 1,278 Liberian refugees from other West African countries.

The Land Commission's review of land disputes between returning landowners and internally displaced persons who took over their land during the civil war and its review of disputes between villages trying to accommodate returning refugees resulted in decreased violence during the year.

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 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, and the head of state appoints county superintendents. Local governments had no independent revenue base and relied entirely on the central government for funds. As a result there were very limited government services outside of Monrovia. Local officials were provided funds through the County Development Fund, but in some cases these funds were allegedly misused by country government officials.

In August the National Elections Commission publicized its schedule for the conduct of national elections scheduled for October 2011. Registration of political parties and independent candidates took place during the year, and by year's end there were approximately 20 registered parties.

There were five female ministers and eight female deputy ministers. There were five women in the 30-seat Senate and nine women in the 64-seat House of Representatives. There were two female associate justices on the five-seat Supreme Court. 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.

Section 4 Official Corruption and Government Transparency

The law does not provide criminal penalties for corruption, which remained systemic throughout the government, although criminal penalties do exist for economic sabotage, mismanagement of funds and other corruption-related acts. Official corruption and the sense of a culture of impunity were exacerbated by low pay levels for the civil service, lack of job training, and a lack of court convictions. The government dismissed officials for alleged corruption and recommended others for prosecution. The Liberian Anti-Corruption Commission (LACC) and the Ministry of Justice are responsible for exposing and combating official corruption. The LACC is empowered to prosecute any case that the Ministry of Justice declines to prosecute; however, the Ministry had not declined to prosecute any such cases during the year.

The LACC, which had a minimal budget and insufficient staff, investigated eight cases and recommended four for prosecution. Included in the recommendations were former Inspector General of Police Beatrice Munah Sieh for irregularities in the appropriation of uniforms and two Ministry of Finance officials for their alleged roles in misappropriating civil service salary checks. The LACC reported 21 additional corruption cases were pending investigation by year's end.

Former Liberia Telecommunications Authority chair Albert Bropleh was acquitted on a technicality for alleged misuse of \$71,022; however, the case was under review by the Supreme Court at year's end.

Judges were susceptible to bribes 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 judges, prosecutors, jurors, and police officers or to secure favorable rulings from them. Jurors were also susceptible to bribes, and the Ministry of Justice increased its calls to reform the jury system.

Despite her strong emphasis on decentralization, President Sirleaf froze County Development Funds pending ongoing audits due to evidence of frequent misuse; such funding was intended to support local projects to reduce poverty. The move to recentralize administration of local development projects was widely seen as a result of inadequate local management, which often funneled development funds to support political interests of legislators rather than to reduce poverty.

The government dismissed or suspended a number of officials for corruption. For example, in April the comptroller for the Ministry of Foreign Affairs and a senior financial officer were dismissed for allegedly stealing \$4,500 intended for the country's embassy in Nigeria.

In May the Bureau of Immigration and Naturalization recommended six officers for prosecution for collusion in the escape of six Bangladeshi detainees. The case was pending investigation at year's end.

In June the National Security Agency arrested three Ministry of Finance officials for soliciting bribes of \$10,000 each from the Cocopa Rubber Plantation Company. The case was pending investigation at year's end.

On September 24, the government dropped the 2007 economic sabotage case against former National Transitional Government of Liberia chair Charles Gyude Bryant due to a lack of evidence.

On October 12, President Sirleaf recommended senior officials for dismissal and referred others for further investigation for their involvement in the Carbon Harvesting Corporation deal, a carbon-credit agreement containing irregularities that would have resulted in significant loss of government revenue.

The investigation of the former assistant superintendent for development in Grand Cape Mount County was pending at year's end following his October 2009 dismissal for involvement in the disappearance of approximately \$90,000 from the Grand Cape Mount County Development Fund.

The March 2009 case against the former minister of information Lawrence Bropleh was dismissed with prejudice on December 7. The dismissal cited the prosecution's alleged failure to appear in court; however, the Ministry of Justice contested the judge's claim. A writ of prohibition to undo the judge's decision was before the Supreme Court at year's end.

Police corruption was a problem. During the year the LNP investigated reports of police misconduct or corruption, and authorities suspended or dismissed several LNP officers. For example, in August an LNP officer was charged with property theft and was awaiting trial at the end of the year.

In June a senior LNP official was accused of assaulting an individual over a personal misunderstanding. The official was suspended and ordered to pay restitution; however, no restitution was made and he remained suspended by the end of the year.

On October 9, the LNP director announced the implementation of complaint forms to be submitted by the public to report incidents of bribery or unethical practices.

In November an LNP officer was arrested for allegedly permitting his acquaintances to use his police uniform to commit acts of armed robbery. He was released and returned to duty due to a lack of evidence.

There were no developments in the September 2009 case of the former Monrovia chief of patrol indicted for looting the house of a private prosecutor.

During the year the government continued to take steps to improve transparency.

The General Audit Commission continued its ministerial audits and referred findings to the legislature. However, the legislature did not recommend any cases to the Ministry of Justice for prosecution.

The Ministry of Finance published the national budget and quarterly financial results, and state-owned enterprises published financial statements. Periodic, short-term advisors continued to support the Ministry of Finance and other government entities during the year. Advisers 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 government made strides in adhering to the principles of the Liberia Extractive Industries Transparency Initiative.

The act establishing the LACC empowers it to create laws and regulations to combat official corruption. One such law requires public officials to disclose publicly their finances. By the end of the year, 79 officials had complied, bringing the total number since 2008 to 197 officials.

On September 2, the legislature passed the Freedom of Information Act, which provides that the government should release government information not involving national security or military issues upon citizens' requests.

Section 5 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.

In September the legislature confirmed the seven commissioners to the government's Independent National Commission on Human Rights (INCHR).

There were no developments in a Ministry of Justice investigation into the April 2009 allegation of police abuse of an NGO official.

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.

The Truth and Reconciliation Commission (TRC) closed its office in July.

President Sirleaf submitted two of four quarterly reports mandated by the TRC Act on the government's progress in implementing TRC recommendations. In the first report submitted in March, the president explained she was seeking the advice of the Ministry of Justice and the Law Reform Commission regarding the report's recommendations for prosecution.

The second report, due in June, was submitted to the legislature on August 30. The delay was attributed to the convening of a presidentially organized civil society task force charged with formulating a road map on how to respond to and implement the TRC's recommendations. The task force advised the president that, considering the legal, political, and security implications of the TRC's recommendations, which included the president for public sanction, implementation should not be the exclusive responsibility of the executive as the TRC act requires. The legislature delayed discussion of the report until it reconvenes in 2011.

On November 30, Richelieu "Archie" Williams, the Director General of the Liberia Civil Aviation Authority, filed a petition against the minister of justice and the INCHR chair to nullify the TRC report's recommended list of individuals to be publicly sanctioned. Williams, who appears on the list, argued the imposition of the 30-year ban would deny him due process and was therefore unconstitutional. The case was pending at year's end.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

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

The constitution, however, 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.

Women

Rape continued to be a widespread problem. The 2006 rape law legally defined rape; however, the government did not always effectively enforce the law. The government worked during the year to sensitize women and men on the prevention, treatment, and prosecution of rape. The government and NGOs attributed increased reporting of rape due to an improved understanding of what constitutes rape. The Sexual Pathways Referral program, a combined effort of the government and NGOs, improved access to medical, psychosocial, legal, and counseling assistance for victims. The maximum sentence for first-degree rape is life imprisonment and 10 years for second-degree rape, although presiding judges had discretion to sentence less than the maximum. Accused first-degree rapists were not eligible for bail. The law does not specifically criminalize spousal rape. The WCPS unit of the LNP stated that approximately 277 rape cases were reported to the unit, of which 114 were prosecuted.

As mandated by the 2008 Gender and Sexually-Based Violence Bill, the special court for rape and other violence has exclusive original jurisdiction over cases of sexual assault including abuse of minors in Montserrado County, which includes Monrovia. In the six cases prosecuted during the year, the government won two convictions. One perpetrator was sentenced to jail for 10 years and the other for 15 years.

In August the Liberia Bar Association called for the removal or revision of the 2006 rape law based on an argument that the provision of making first-degree rape a nonbailable offense was a violation of the rights of the accused.

The Sexual and Gender Based Violence Crimes Unit within the Ministry of Justice continued to coordinate with the special court and collaborate with NGOs to increase sensitization of sexual and gender based violence issues.

Outside of Montserrado County, 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 other publicity campaigns.

The law prohibits domestic violence; however, it remained a widespread problem. The maximum penalty for domestic violence is six months' imprisonment, but the government did not enforce the law effectively, and cases, if reported, were generally treated as either simple or aggravated assault. 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 September the Gender Based Violence Secretariat began a review of the national action plan for domestic violence.

During the year the Ministry of Gender and Development organized workshops and seminars to combat domestic violence.

The law does not prohibit sexual harassment, and it was a major problem, including in schools and places of work. Government billboards warned against harassment in the workplace.

There are no laws restricting couples and individuals from deciding freely and responsibly the number, spacing, and timing of their children; however, information and assistance on family planning topics relevant to these issues was difficult to obtain, particularly in rural areas, where there were few health clinics. In Bong County, for example, women had to walk from one to four hours to reach a clinic, while in River Cess and Grand Kru counties, the walk could take one or two days. In Bong County 86 percent of women surveyed reported knowing about contraception, although only 35 percent reported using it, and only 20 percent had requested information or treatment about sexually transmitted diseases.

There was no indication of discrimination between men and women in diagnosis or treatment of sexually transmitted infections, including HIV. The maternal mortality rate was 994 deaths per 100,000 live births.

Women have not recovered from the setbacks caused by the war, when almost all 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.

While women experienced some economic discrimination based on historic traditions, the government worked to promote women in the economic sector through programs and NGO partnerships to conduct workshops and micro-credit lending programs. 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

Citizenship can be derived through parentage if at least one parent is a Liberian citizen or by birth in the country if the child is of "African" descent. If a child born in the country is not of African descent, the child cannot acquire citizenship. As a result, non-African residents, such as members of the large Lebanese community, cannot acquire or transmit citizenship. The law requires parents to register their infants within 14 days of birth; however, fewer than 5 percent of births were

registered. In July the government successfully launched a new birth registration and certification program focused on six counties.

While primary education is compulsory and tuition-free, many schools still charged informal fees to pay unpaid teachers and to cover operating costs that prevented many students from attending. Fees continued for secondary school, and the government was unable to provide for the needs of the majority of children. In both public and private schools, families of children were required to provide their own uniforms, books, pencils, paper, and even desks.

Widespread child abuse continued, and reports of sexual violence against children increased during the year. According to an August 11 UNMIL report, 70 percent of rape victims during the preceding six months were under the age of 16. Civil society organizations reported increased incidence of rape of girls under 12, and there were 53 reported cases of child endangerment during the year.

FGM was common and traditionally performed on young girls in northern, western, and central ethnic groups, particularly in rural areas. The most extreme form of FGM, infibulation, was not practiced. The law does not specifically prohibit FGM. Traditional institutions, such as the secret Sande Society, often performed FGM as an initiation rite, making it difficult to ascertain the number of cases. To combat harmful traditional practices like FGM, the government trained community leaders and women's groups during the year and provided training in alternative income generating skills to FGM practitioners.

Young women and girls engaged in prostitution for money, food, and school fees. The minimum age for consensual sex is 18, and 46 out of 95 reported cases of statutory rape were brought to court in the year. Statutory rape is a first-degree rape offense and the maximum sentence for perpetrators is life imprisonment. Child pornography is also prohibited by law, with a penalty of up to five years imprisonment for violators.

Despite international and government attempts to reunite children separated from their families during the civil war, there were still children who lived on the streets in Monrovia. It was difficult to tell who were street children, former combatants, or internally displaced persons. Nearly all children over 10 had witnessed atrocities during the 14-year civil war, and some children had committed atrocities.

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 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. In September, 19 children were reportedly starving due to having only one meal per day in an orphanage in Maryland County. The government closed the facility and it remained closed at year's end.

Liberia is not a party of the 1980 Hague Convention on the Civil Aspects of International Child Abduction. To address issues of child adoption and international child abduction, the moratorium on child adoption imposed by the government in January 2009 continued during the year. For information on international parental child abduction, please see the Department of State's annual Report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html.

Anti-Semitism

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

Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual Trafficking in Persons Report at <http://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.

The National Commission on Disabilities and the Ministry of Health and Social Welfare were responsible for protecting the rights of persons with disabilities; however, they did not do so effectively. During the year the commission and ministry conducted a series of sensitization programs 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 property rights as a result of this 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.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits sodomy, and the culture is strongly opposed to homosexuality. "Voluntary sodomy" is a misdemeanor with a penalty of up to one year's imprisonment; however, no convictions under the law occurred in recent years. There were no reported instances of violence based on sexual orientation. There were no lesbian, gay, bisexual, or transgender organizations in the country.

Other Societal Violence or Discrimination

There were no reports of societal violence against persons with HIV/AIDS.

Section 7 Worker Rights

a. The Right of Association

The law allows workers to form or join freely 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 the subsistence level.

The law does not prohibit retaliation against strikers. However, the requirement to notify the Ministry of Labor of the intent to strike, and the ministry's resulting involvement, were thought to mitigate retaliation and there were no such incidents during the year.

b. 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 prohibits antiunion discrimination, and 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; however, there were reports that such practices occurred. Families living in the interior sometimes sent young women and children to stay with relatives in Monrovia or other larger cities with the promise that the relatives would assist the women and children in pursuing educational or other opportunities. However, in some instances, these women and children were forced to work as street vendors or domestic servants.

When victims were identified, the WCPS unit of the LNP, along with partnering NGOs, worked to reunite victims with their families in the interior or referred them to safe homes.

Also see the Department of State's annual Trafficking in Persons Report at <http://www.state.gov/g/tip>.

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, child labor was widespread in almost every economic sector. The government did not effectively enforce child labor law, and there were inconsistencies between the minimum employment age and compulsory educational requirements. For example, the minimum age for children to work at sea is 15.

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 tapped rubber on smaller plantations and private farms. There were also reports that children worked 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 Child Labor Commission is responsible for enforcing child labor laws and policies; however, the commission was understaffed and underfunded. The Child Labor Commission coordinated efforts to provide scholarships for children to enroll in school. The Ministry of Labor's Child Labor Secretariat, the Ministry of Justice's Human Rights Division, the Ministry of Gender and Development's Human Rights Division, the Ministry of Health and Social Welfare's Department of Social Welfare, and the LNP's Women and Children Protection Section were also charged with investigating and referring for prosecution allegations of child labor. International NGOs continued to work to eliminate the worst forms of child labor by withdrawing children from hazardous work and putting at-risk children in school. Other local and international NGOs worked to raise awareness of the worst forms of child labor.

In September a special task force began confiscating goods from children peddling on the streets in Monrovia to curb child labor during school hours. The children received notes informing their parents that their goods had been confiscated. The effort included a "Back to School" rally to raise awareness of the exercise.

e. Acceptable Conditions of Work

The national law requires a minimum wage of 15 Liberian dollars (\$0.30) per hour, not exceeding eight hours per day, excluding benefits, for unskilled laborers. The minimum wage laws apply only to the formal economic sector.

The law does not fix a minimum wage for agricultural workers but requires that they be paid at the rate agreed to 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 5,600 Liberian dollars (\$114) per month.

The national minimum wage 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 for every 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.

The Ministry of Labor's Labor Inspection Department enforced government-established health and safety standards. Officials conducted unannounced visits of consistent violators to improve standards. Enforcement of standards and inspection findings was not always consistent. 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.

[Back to Top](#)