

# **LIBERIA 2020 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Liberia is a constitutional republic with a bicameral national assembly and a democratically elected government. The country held presidential and legislative elections in 2017, which domestic and international observers deemed generally free and fair. In December the country held midterm senatorial elections which observers deemed largely peaceful, although there were some reported instances of vote tampering, intimidation, harassment of female candidates, and election violence. Opposition candidates won 11 of the 15 Senate seats contested, according to election results announced by the National Election Commission on December 21.

The Liberia National Police maintain internal security, with assistance from the Liberia Drug Enforcement Agency and other civilian security forces. The Armed Forces of Liberia are responsible for external security but also has some domestic security responsibilities if called upon. The Liberia National Police and Liberia Drug Enforcement Agency report to the Ministry of Justice, while the Armed Forces of Liberia report to the Ministry of National Defense. Civilian authorities generally maintained effective control over the security forces. Members of the security forces committed some abuses.

Significant human rights issues included: arbitrary killings by police; cases of cruel, inhuman, or degrading treatment or punishment by police; harsh and life-threatening prison conditions; arbitrary detention by government officials; serious problems with the independence of the judiciary; serious restrictions on freedom of the press, including violence and threats of violence against journalists; official corruption; lack of investigation and accountability for violence against women; the existence or use of laws criminalizing consensual same-sex sexual conduct between adults; and the worst forms of child labor.

Impunity for individuals who committed human rights abuses, including atrocities, during the Liberian civil wars that ended in 2003, remained a serious problem, although the government cooperated with war crimes investigations in third

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countries. The government made intermittent but limited attempts to investigate and prosecute officials accused of current abuses, whether in the security forces or elsewhere in the government.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were occasional reports the government or its agents committed arbitrary or unlawful killings.

On January 26, bodyguards of President George Weah assaulted Zenu Koboi Miller, a local broadcast journalist, as he was leaving the Samuel Kanyon Doe Sport Stadium in Monrovia. On January 27, the case was highlighted in a statement by the Press Union of Liberia (PUL), an independent organization for media professionals, and later by the Committee to Protect Journalists. Miller wrote in a Facebook post that he had seen a doctor and was suffering from pains in his legs and chest after the “brutal attack.” Miller filed a complaint with the PUL, which met with police leadership on January 30 and called for a transparent investigation, according to a PUL statement. Miller died in a local hospital on February 15, after complaining of numbness in his left arm and legs, according to local news reports. While a direct link between the assault and death was never established, since an autopsy was not conducted, the family issued a statement saying Miller had died of hypertension and stroke.

On March 8, off-duty Liberia National Police (LNP) Sergeant Sensee Kowo, who was also the deputy commander of LNP Ganta City Detachment in Nimba County, allegedly flogged and choked 18-year-old motorcyclist Samuel Selleh after an argument; Selleh died shortly thereafter. Authorities fired Kowo and opened an investigation into the death. One account of the events suggested Selleh died as a result of stones thrown by friends who came to his defense. Sergeant Kowo (who originally fled the scene) was arrested and charged with murder. At the first hearing of the Eighth Judicial Circuit Court in Sanniquellie, Nimba County, during the August Term of Court, the former sergeant’s plea for a change of venue was

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granted, and the case was pending transfer to Grand Bassa County at year's end.

In June the Civilian Complaints Review Board, an independent body mandated by law to investigate police acts of violence against innocent persons, began an investigation into circumstances that resulted in the death of a three-year-old child, Francis Mensah, in the Township of West Point. The child died on April 20, reportedly as a result of an injury he sustained after six LNP officers allegedly kicked over a pot of hot water that fell on him. According to a press release issued by the review board chairman, Councilor Tiawan Gongloe, the officers were suspended. An LNP investigation found the death was not caused intentionally, but some LNP officers involved received suspensions due to irregularities in reporting the event.

There were no new developments in the June 2019 fatal shooting of 17-year-old Abraham Tumay by police officers during a protest demanding justice for the mysterious killing of two minors in May 2019. Four police officers were charged with negligent homicide, aggravated assault, and criminal facilitation in connection with Tumay's death. The officers allegedly fired live ammunition into the air in an attempt to disperse protesters, striking Tumay. The four officers were incarcerated at the Monrovia Central Prison awaiting trial.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution and law prohibit such practices; however, there were reports that government authorities allegedly abused, harassed, and intimidated persons in custody as well as those seeking protection.

On April 23, Mohammed Komara, a man reportedly suffering from mental illness, breached the perimeter of the president's private residence in Paynesville, outside Monrovia. LNP officers and agents of the Executive Protection Service kicked and used sticks to prod the individual while he lay prostrate, shirtless, and handcuffed, according to a widely circulated video of the incident. The Office of the President

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announced the launch of an investigation into the case.

Impunity was a problem in the security forces. Police and other security officers allegedly abused, harassed, and intimidated persons in police custody, as well as those seeking police protection. The penal code provides criminal penalties for excessive use of force by law enforcement officers and addresses permissible uses of force during arrest or while preventing the escape of a prisoner from custody. An armed forces disciplinary board investigates alleged misconduct and abuses by military personnel. The armed forces administer nonjudicial punishment. As of August the disciplinary board had three active cases. In accordance with a memorandum of understanding between the Ministries of Justice and Defense, the armed forces refer capital cases to the civil court system for adjudication.

### **Prison and Detention Center Conditions**

Prison conditions were at times harsh and life threatening due to food shortages, gross overcrowding, inadequate sanitary conditions, and poor medical care.

**Physical Conditions:** Gross overcrowding continued to be a problem. The Bureau of Corrections and Rehabilitation reported the prison population in the country's 16 facilities was almost twice the planned capacity. Approximately one-half of the country's 2,572 prisoners were at the Monrovia Central Prison, which was originally built for 374 detainees but as of December held 1,230. The local nongovernmental organization (NGO) Prison Fellowship Liberia reported that overcrowding in Block D of the Monrovia Central Prison required prisoners to sleep in shifts. The majority of juveniles were in pretrial detention. Pretrial detainees and convicted prisoners were held together. In some cases men and women were held together, and juveniles were held with adults.

According to the Bureau of Corrections and Rehabilitation, from January through September, there were 23 prison deaths in the country, including 13 deaths at the Monrovia Central Prison, four deaths each at the Gbarnga Central Prison and the Harper Central Prison, and one death each at the Tubmanburg Central Prison and the Buchanan Central Prison. According to the Bureau of Corrections and Rehabilitation, none of the deaths in prisons during the year resulted from prison violence or mistreatment of prisoners. The bureau attributed the deaths to medical

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reasons--other than COVID-19--including anemia, heart conditions, and infectious diseases. According to Prison Fellowship Liberia, however, Ministry of Health officials working in the prisons did not test the bodies of deceased prisoners for signs of COVID-19 infection.

Access to food and medical care was inadequate, according to the UN Standard Minimum Rules for the Treatment of Prisoners that “[e]very prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served,” but improved, relative to the preceding year. Bureau of Corrections and Rehabilitation administrators acknowledged interruptions to the food supply during the year and blamed poor road conditions and delayed budgetary allotments. Prison Fellowship Liberia reported prisoner diets overall remained poor even though rations had improved from the prior year. The Monrovia Central Prison sometimes served rice alone, with prisoners purchasing oil from vendors at the prison to supplement their diet. In some locations prisoners supplemented their meals by purchasing food at the prison or receiving food from visitors. Some prisoners grew their own rice and vegetables to supplement food rations.

Bureau of Corrections and Rehabilitation officials reported six of the country’s 16 prisons had medical clinics while the rest were visited by nurses. Nurses were scheduled to visit each of the prisons without a medical clinic once or twice a week but rarely adhered to the schedule, and facilities often went weeks without medical staff visits. The only location where medical staff was available Monday through Friday was the Monrovia Central Prison, from approximately 8 a.m. to 3 p.m.

The Ministry of Health and county health teams had primary responsibility for the provision of medicines, but the supply chain was weak throughout the country, and prison medical staff often did not have access to necessary medicines. Since replenishment sometimes took weeks or months, inmates often went without medication for lengthy periods. A variety of NGOs, including Serving Humanity for Empowerment and Development and the Rural Human Rights Activities Program, provided some medications for detainees. Prison Fellowship Liberia noted that in some instances family members were not notified when prisoners were seriously ill. There were reports of inadequate treatment for ailing inmates and inmates with disabilities. Authorities determined whether to release an ill

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prisoner on an ad hoc basis, and most were quarantined after presenting symptoms rather than being released. In June the newspaper *Front Page Africa* reported the Bureau of Corrections and Rehabilitation had implemented measures, including requiring handwashing and temperature checks of visitors, to prevent the spread of COVID-19 to the prison population.

In some locations the Bureau of Corrections and Rehabilitation lacked adequate vehicles and fuel and relied on the LNP to provide court and medical escorts.

Conditions for female prisoners were somewhat better than for males. Female inmates were less likely to suffer from overcrowding and had more freedom to move within the women's section of facilities. According to the Independent National Commission on Human Rights (INCHR), female detainees often lacked sanitary items unless provided by family; occasionally NGOs donated these items, but stocks ran out quickly.

**Administration:** The Bureau of Corrections and Administration noted the creation of an investigative board at Monrovia Central Prison to ensure reports of prisoner misconduct were reviewed for appropriate administrative action.

**Independent Monitoring:** The government permitted independent monitoring of prison conditions by local human rights groups, international NGOs, the United Nations, diplomatic personnel, and media. Some human rights groups, including domestic and international organizations, visited detainees at police headquarters and prisoners in the Monrovia Central Prison. The INCHR and Prison Fellowship Liberia had unfettered access to facilities. According to the Bureau of Corrections and Rehabilitation, Liberian New Hope Foundation Center, Serving Humanity for Empowerment and Development, Finn Church Aid, Serving Humanity for Development, UN Development Program (UNDP), and Rural Human Rights Activities also visited prisons during the year.

**Improvements:** Early in the year, the government established the Human Rights in Prison Coordination Platform to ensure the human rights of inmates or persons deprived of their liberty were protected. The coordination platform comprised representatives of the Protection Unit of the Ministry of Justice, Bureau of Corrections and Rehabilitation, Ministry of Health, donor partners, and civil

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society organizations working on access to justice programs and on programs in education, agriculture, and health. The platform acquired and distributed COVID-19 materials and medicine to prisons, through funding from the UNDP and two civil society organizations, Serving Humanity for Empowerment and Dignity and the Rural Human Rights Activist Program.

During the year Bureau of Corrections and Rehabilitation administrators reported expanding a rehabilitation center in Gbarnga, expanding tailoring and soap-making programs at Monrovia Central Prison, and setting up an investigation board. Prison Fellowship Liberia noted improvements in the provision of psychological counseling for prisoners and the treatment of prisoners by corrections officers. Psychological counseling was extended to 10 prisons across the country.

### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government did not always observe these prohibitions and rights. Police officers and magistrates frequently detained citizens for owing money to a complainant. The INCHR reported magistrate court judges continued to issue writs of arrest unilaterally, without approval or submission by the city solicitors.

#### **Arrest Procedures and Treatment of Detainees**

In general police must have warrants issued by a magistrate to make arrests. The law allows for arrests without a warrant if the necessary paperwork is filed immediately afterwards for review by the appropriate authority. Nonetheless, arrests often were made without judicial authorization, and warrants were sometimes issued without sufficient evidence. Police sometimes requested money to effect arrests for prosecuting authorities.

The law provides that authorities either charge or release detainees within 48 hours. Detainees generally were informed of the charges against them upon arrest but not always brought before a judge for arraignment within 48 hours. According to the INCHR, a detainee's access to a hearing before a judge sometimes depended on whether there was a functioning court or available transportation in the area. Those arraigned were often held in lengthy pretrial detention. Some detainees,

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particularly among the majority who lacked the means to hire a lawyer, were held for more than 48 hours without charge. The law also provides that, once detained, a criminal defendant must be indicted during the next succeeding 90-day term of court after arrest or, if the indicted defendant is not tried within the next succeeding court term and no cause is given, the case against the defendant is to be dismissed; nevertheless, cases were rarely dismissed on either ground. Approximately 50 percent of pretrial detainees nationwide had been incarcerated for more than two terms of court without a hearing.

There is a public defender's office at the Monrovia Central Prison. The Ministry of Justice assigned 12 public defenders to Montserrado County where Monrovia is located and one or two for each of the other counties. Under the public defender program, each police station is required to maintain an office of court liaison that works with the public defender's office in each county. According to the national coordinator of the program, the 41 public defenders, up from 39 in 2019, were insufficient to provide adequate access to justice for indigent persons across the country. Magistrates or police officers are responsible for contacting the public defender in cases where individuals are arrested on a warrant. In the instances when a warrantless arrest is made, the court liaison officer is responsible for contacting the public defender. In practice, however, some local public defenders relied on local jailers to provide notification of new arrestees. According to the INCHR, some jurisdictions occasionally lacked both a prosecutor and a public defender, and the magistrate judge proceeded without them.

The law provides for bail for all noncapital or non-drug-related criminal offenses; it severely limits bail for individuals charged with capital offenses or serious sexual crimes. Bail may be paid in cash, property, or insurance, or be granted on personal recognizance. The bail system was inefficient and susceptible to corruption. The INCHR reported judges misused the bail system, viewing it as punitive rather than a way to regulate appearance in court. Some judges used the possibility of bail as a way to solicit bribes. Aside from a few high-profile cases, house arrest was rarely used.

Detainees have the right to prompt access to counsel, visits from family members, and, if indigent, an attorney provided by the state in criminal cases. Public defender's offices remained understaffed and underfunded, and some allegedly



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charged indigent clients for their services. The Liberia National Bar Association (LNBA) reported logistical support frequently was not provided to public defenders. In Lofa County, for example, there were two public defenders to cover eight court districts. In some cases courts permitted legal apprentices to represent defendants.

Although official policy allows detained suspects to communicate with others, including a lawyer or family member, inadequate provision of telephone services resulted in many inmates being unable to communicate with anyone outside of the detention facility. The Bureau of Corrections and Rehabilitation reported that Finn Church Aid provided cell phones to some prisons to allow detainees to contact their families and lawyers.

**Arbitrary Arrest:** Security forces and the LNP continued to make arbitrary arrests. The Press Union of Liberia reported radio journalist David K. Yango was unjustly arrested, beaten, and jailed while conducting interviews with market sellers on May 7. Yango relayed to the Media Foundation for West Africa through a messaging app that he was taken to the police station and detained on the orders of Elijah Baysah, whom he described as the commander of the LNP Red Light Zone 9 Depot No. 2. Yango reportedly suffered injuries after the police used force. “I lost my recorder during the assault, and the police deleted my videos before returning my seized phone,” Yango said, after his release.

On June 26, National Security Agency authorities arrested and detained the CEO of Orange Liberia, allegedly to investigate whether he was involved in a protest and accused him of “trying to destabilize the country.” Some business leaders viewed the arrest as an attempt to pressure the company to drop its litigation against the government pending before the Supreme Court regarding the imposition of surcharges to tariffs. The company issued a statement denying the CEO was involved in the protests and underscored its corporate policy against political participation. Authorities released the CEO shortly after detention, and he soon departed the country.

**Pretrial Detention:** Although the law provides for a defendant to receive an expeditious trial, lengthy pretrial and prearrest detention remained serious problems. As of July pretrial detainees accounted for approximately 63 percent of

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the prison population across the country and 77 percent in the Monrovia Central Prison. In some cases the length of pretrial detention exceeded the maximum length of sentence that could be imposed for the alleged crime.

The use of detention as a punitive measure, failure to issue indictments in a timely manner, lack of a functioning bail system, poor court recordkeeping and missing files, failure of judges to assign court dates, failure of defense counsel to file motions to dismiss, and a lack of resources for public defenders all contributed to prolonged pretrial detention. For example, as of October the oldest pretrial detainee case dated to 2014.

In March as the first cases of COVID-19 were confirmed in the country, the LNBA increased its efforts to secure the release of pretrial detainees in order to reduce overcrowding in prisons. Over a two-month period, 200 pretrial detainees were released from the Monrovia Central Prison.

In April, *Front Page Africa* reported eight pretrial detainees accused of rape and statutory rape, nonbailable offenses, in Bong County were released without trial after spending a year in detention. The court released the suspects to the defense attorney, who said the state failed to provide sufficient evidence against the suspects, so the court had the right to release them. The Bong County Chief Prosecutor was unsuccessful in his plea to the court that releasing the eight individuals violated the law. There was reportedly one individual accused in the case who remained in custody at year's end on unrelated charges.

From January to July, 200 pretrial detainees had their cases dismissed and were released under the Magistrate Sitting Program.

The corrections system continued to develop its capacity to implement probation. During the year authorities doubled the number of probation officers to 50.

With UNICEF's support and in coordination with the Ministry of Gender, Children, and Social Protection, the Child Justice Section of the Ministry of Justice worked to remove children from the criminal justice system. During the year 66 children were removed from detention. In addition, another 248 cases, consisting

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of 182 boys and 66 girls, were mediated to avoid their detention altogether.

### **Detainee's Ability to Challenge Lawfulness of Detention before a Court:**

Persons arrested or detained, regardless of whether on criminal or other grounds, are entitled to challenge in court the legal basis or arbitrary nature of their detention and to request prompt release, although in reality few were able to do so because of inaction at the courts and because they lacked adequate counsel.

### **e. Denial of Fair Public Trial**

The constitution provides for an independent judiciary, but judges and magistrates were subject to influence and engaged in corruption. Judges sometimes solicited bribes to try cases, grant bail to detainees, award damages in civil cases, or acquit defendants in criminal cases. Defense attorneys and prosecutors sometimes suggested defendants pay bribes to secure favorable decisions from judges, prosecutors, and jurors, or to have court staff place cases on the docket for trial.

In August the *Global News Network* reported that Eva Mappy Morgan, chief judge of the Commercial Court and president of the National Trial Judges of Liberia, was the subject of an investigation for alleged malpractice. Judge Morgan was linked to a 2013 communication in which it was alleged the Commercial Court authorized the withdrawal, without the consent of one of the litigating parties, of an amount of \$3.4 million at the Liberian Bank for Development and Investment, which was being held in escrow pending final determination of a commercial dispute between Ducor Petroleum Inc. and the Monrovia Oil Trading Company. The court unilaterally ordered the withdrawal of more than three million dollars from the bank. The Judicial Inquiry Commission investigation of the case continued at year's end. The commission is an auxiliary group established within the judiciary with the exclusive power and authority to receive and investigate complaints against judges for violation of any provision of the judicial canons.

Some judicial officials and prosecutors appeared subject to pressure, and the outcome of some trials appeared to be predetermined, especially when the accused persons were politically connected or socially prominent. In July, Criminal Court C dismissed indictment charges against suspended Andrew Wonplo, the director of passports and visas at the Ministry of Foreign Affairs, after he was arrested in

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August 2019 for selling passports to foreign nationals from 2018 to 2019. The case was dismissed on a procedural ruling that the state did not proceed within the statutory period. On September 16, however, the government issued a second writ of arrest against Wonplo and 12 other suspects for fraudulent issuance of more than 4,000 passports, which the government alleged deprived it of more than \$30,000 in revenue.

While the Supreme Court made provision through the establishment of the Grievance and Ethics Committee for the review of unethical conduct of lawyers and suspended some lawyers from legal practice for up to five years, the public brought few cases. Both the Grievance and Ethics Committee and the Judicial Inquiry Commission lacked appropriate guidelines to deliver their mandates effectively and were perceived as nontransparent and subject to influence.

The government and NGOs continued efforts to harmonize the formal and traditional customary justice systems, particularly through campaigns to encourage trial of criminal cases in formal courts. Traditional leaders were encouraged to defer to police investigators and prosecutors in cases involving murder, rape, and human trafficking, as well as some civil cases that could be resolved in either formal or traditional systems.

### **Trial Procedures**

The constitution and law provide for the right to a fair and public trial, but judges and magistrates were subject to influence. By law defendants may opt for a jury trial or a trial by judge. Defendants have the right to be present at their trials and consult with an attorney (or be provided one at public expense) in a timely manner. Defendants have the right to be informed of charges promptly and in detail. If a defendant, complainant, or witness does not speak or understand English, the court is to provide an interpreter for the trial. The justice system does not provide interpreters throughout the legal process, however. For example, there were no sign language interpreters or other accommodations provided for deaf persons, and rarely is interpretation available unless paid for by the defendant.

Defendants also have the right to a trial without delay and to have adequate time and facilities to prepare their defense, although these rights often were not

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observed. Defendants are generally presumed innocent under the law, and they have the right to confront and question prosecution or plaintiff witnesses, present their own evidence and witnesses, and appeal adverse decisions. These rights were often not observed and were rarely enforced.

Some local NGOs continued to provide legal services to indigent defendants and others who had no representation. The Association of Female Lawyers of Liberia continued to run a legal aid project supported by the UNDP to promote and protect the rights of women, children, and indigent persons in two counties. The LBNA expanded its legal services to the indigent through legal aid clinics in five counties, working on approximately 200 cases.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

The constitution stipulates the creation of a claims court, but it had not occurred by year's end. There was no specialized court to address lawsuits seeking damages for human rights violations. Individuals or organizations may seek remedies for human rights violations through domestic courts or through administrative mechanisms. Human rights violations are generally reported to the INCHR, which refers cases to relevant ministries, including the Ministry of Justice. In some cases individuals and organizations may appeal adverse domestic decisions to regional human rights bodies after all domestic redress options have been exhausted. While there is an Economic Community of West African States (ECOWAS) Court of Justice to address human rights violations in member states, few citizens were aware of it or could afford to access this court. In 2019 the ECOWAS court heard a \$500 million suit brought on behalf of 823 ethnic Mandingoes who alleged they were displaced from their lands in Nimba County during the civil wars. In June the court heard the case of former supreme court associate justice Kabineh Ja'neh, who asserted that he was wrongfully impeached and removed from office in March 2019. On November 10, the ECOWAS Court of Justice ordered the Republic of Liberia to pay former associate justice Ja'neh \$200,000 as reparation for moral prejudice suffered for the violation of his rights. The court further ordered the

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judge's reinstatement as an associate justice of the Supreme Court. The court gave the government six months to report on the enforcement of the judgment. At year's end, however, it was unclear whether the government would choose to recognize the court ruling. In a November 17 statement, the Senate justified its decision to impeach Ja'neh.

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

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

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

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of expression, including for the press, and the government generally respected these rights, although with some unofficial limits.

**Freedom of Speech:** Individuals could generally criticize the government publicly or privately, but government officials used civil libel and slander laws to place limits on freedom of speech, and self-censorship was widespread. Some media outlets avoided criticizing government officials due to fears of legal sanction and potential loss of government advertising, which, according to the PUL, was the largest source of media revenue. Other outlets avoided addressing sensitive human rights issues such as female genital mutilation/cutting (FGM/C). Court decisions against journalists sometimes involved exorbitant fines.

**Freedom of Press and Media, Including Online Media:** Independent media were active and expressed a wide variety of views. According to the PUL, civil suits relating to libel, slander, and defamation were sometimes used to curtail freedom of expression and intimidate the press. The PUL also expressed concern that media outlets owned directly by politicians and government officials were crowding out privately owned media and advocated for legislation to prohibit

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ownership of media by public officials.

**Violence and Harassment:** Government officials occasionally harassed newspaper and radio station owners, as well as individual journalists, because of their political opinions and reporting.

On January 23, Police assaulted journalist Christopher Walker, a sports editor for *Front Page Africa*, at a soccer stadium, according to the PUL. Walker told the Committee to Protect Journalists (CPJ) that he was standing with other journalists in the assigned media area when two police officers approached him and demanded he leave the area despite having the proper press accreditation. The two officers then grabbed and shoved Walker while several other officers, including members of the Police Support Unit wearing helmets and body armor, pushed and shoved him to the ground. According to some media sources, Walker was targeted because of an article he wrote that accused the Youth and Sports Ministry of fixing a soccer match to favor the team from Grand Kru County, President George Weah's home county. Walker's article alleged Weah had requested the fix. In February, LNP spokesperson Moses Carter told the CPJ that the names of three implicated officers had been forwarded to the police force's professional standards division for investigation.

National Security Agency and Liberia Drug Enforcement Agency officials attacked or otherwise intimidated at least four journalists--Charles Bioma Yates, Joel Cholo Brooks, Frank Wornbers Payne, and Molley Trojan Kiazolu--in March and April while they reported on the COVID-19 pandemic, according to the CPJ and the PUL.

**Censorship or Content Restrictions:** Although generally able to express a wide variety of views, some journalists practiced self-censorship to avoid harassment. Journalists and media directors also practiced self-censorship to maintain advertising revenue from the government, the largest advertiser in the country. There were several reports that politicians and government agencies offered "transportation fees" to journalists to secure coverage of events. Some media outlets, journalists, and broadcasters charged fees to publish articles or host radio

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programs.

From approximately February to August 2019, the radio show of government critic Henry Costa was frequently unavailable. On several occasions the broadcast seemed to feature older, progovernment clips, leading to speculation by some that the station was being jammed or otherwise interfered with. In reaction Costa made several comments in his Facebook Live broadcasts about using force to defend himself should any agent of the government try to cause him harm. The government's reactions to these and other broadcasts from Costa, which the government deemed as inciting violence, included a suspension of Roots FM's broadcast license due to nonpayment of fees and inciting violence. In October 2019 sheriffs from the Monrovia Magisterial Court, escorted by armed police units with a "search and seizure" writ issued by the court at the request of Solicitor General Saymah Cyrenius Cephus, stormed the Roots FM studio, shut down Costa's broadcast, and seized the station's broadcasting equipment. At year's end Costa was broadcasting via social media from an overseas location.

Following the government's declaration of a state of emergency on April 8 related to the COVID-19 pandemic, Solicitor General Cephus threatened on April 29 to seize the equipment and revoke the license of any media institution spreading "fake news," arguing that the state of emergency suspended rights associated with freedom of speech. In April, Eugene Fahngon, deputy minister of information, cultural affairs, and tourism, introduced a new media credentialing system, declared existing credentials void, and stated that any journalists who did not use the new credentials would be subject to action by security services. At the time of the state of emergency, the PUL stated that "using the state of emergency to curtail other freedoms violates constitutional rights." The required use of new media credentials ended on July 21, when the government lifted the state of emergency.

**Libel/Slander Laws:** In February 2019 criminal libel and slander laws were repealed with the passage of the Kamara Abdullah Kamara Act of Press Freedom. Nonetheless, government officials occasionally used the threat of civil suits to intimidate critics. In April 2019 Minister of State for Presidential Affairs Nathaniel McGill filed a \$500,000 defamation suit against Roots FM and its radio hosts Henry Costa and Fidel Saydee, alleging the two radio personalities "slandered, badmouthed, vandalized, and vilified" McGill by accusing him of



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financial impropriety. Both the Media Foundation for West Africa and Center for Media Studies and Peace Building urged Minister McGill to withdraw the suit, which was later dropped.

In July, Sinoe Country Senator J. Milton Teahjay filed a \$4.7 million libel suit against the *Front Page Africa* newspaper for publishing an investigation alleging that Teahjay received a \$20,000 bribe to confirm Ndubusi Nwabudike as the chairperson of the National Elections Commission. A recording also emerged in which a voice allegedly belonging to Teahjay stated that he expected the nominees he confirmed to give jobs to one or two of his recommended applicants.

According to the newspaper, in October, Civil Law Court Judge Kennedy Peabody mandated that both parties present pretrial memoranda to set the stage for a jury trial, stating it would take a jury to determine whether libel had occurred as alleged in Senator Teahjay's complaint. The trial was pending at year's end.

The PUL continued efforts to self-regulate the media and ensure adherence to standards, including investigation and settlement of complaints against or by the press. The union's National Media Council, launched in 2017 to address court cases against the media, continued to mediate cases during the year.

### **Internet Freedom**

Unlike in the previous year, the government did not restrict or disrupt access to the internet during the year. In July 2019 in the lead-up to and during a planned protest, the government blocked usage of both Orange and Lonestar Cell MTN, the two mobile networks in the country. When protesters dispersed, access was restored.

There were no additional reports the government censored online content, and there were no credible reports the government monitored private online communications without appropriate legal authority.

There were reports of government officials threatening legal action and filing civil lawsuits in attempts to censor protected internet-based speech and intimidate

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content creators.

### **Academic Freedom and Cultural Events**

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

### **b. Freedoms of Peaceful Assembly and Association**

The constitution provides for the freedoms of assembly and association, and the government generally respected these rights.

#### **Freedom of Peaceful Assembly**

A variety of civil society groups conducted demonstrations throughout the year, including outside the legislature and the Ministry of Foreign Affairs. In some cases the Ministry of Justice requested that organizers of mass protests apply for permits before assembling in areas that would block traffic. The LNBA and INCHR stated the constitution and law requires prior notification, not application for a permit, to allow the government time to provide sufficient security to protect free assembly, and that a permitting process could restrict freedom of assembly. Many observers said the relevant laws and regulations required clarification.

On January 6, the Council of Patriots, an unregistered political opposition group, led a demonstration of approximately 1,500 supporters in Monrovia to protest poor economic conditions. The Ministry of Justice had denied the protest organizers a permit to hold the demonstration after the organizers refused to change the venue from the main road through the government quarter to a nearby stadium. Although the protest was peaceful, police used a water cannon and tear gas to disperse protesters at the end of the day when they attempted to set up a cookstove and pledged to camp overnight.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at

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<https://www.state.gov/international-religious-freedom-reports/>.

### **d. Freedom of Movement**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government restricted travel between neighboring countries and between counties within the country in an effort to prevent the spread of COVID-19. Security officials at road checkpoints throughout the country frequently requested bribes, which may have inhibited domestic travel.

### **e. Status and Treatment of Internally Displaced Persons**

The government promoted the safe, voluntary, dignified return, resettlement, or local integration of Internally Displaced Persons (IDPs). The government had policies and protections for IDPs in line with the UN Guiding Principle on Internal Displacement. The government did not deny humanitarian NGOs or international organizations access to IDPs.

### **f. Protection of Refugees**

The government cooperated with UNHCR, other humanitarian organizations, and donor countries in providing protection and assistance to IDPs, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

**Refoulement:** The LRRRC and UNHCR reported seven Ivoirian refugees remained in custody in the Monrovia Central Prison, pursuant to a 2013 request for extradition from the government of Cote d'Ivoire that alleged their involvement in "mercenary activities." The case began in 2013, and bail requests were denied. Three of the seven refugees were brothers, the youngest 16 years old at the time of arrest. The LRRRC and UNHCR continued to provide subsistence allowances, legal support, and medical and psychosocial support to refugees in custody.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

The law forbids the forced return of refugees, their families, or other persons who

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may be subjected to persecution based on race, religion, nationality, political opinion, or membership in a particular social group, and the government generally respected those rights for refugees. The government provided a prima facie mode of recognition for Ivoirian refugees, meaning Ivoirian refugees who arrived in Liberia because of the 2011 postelectoral violence in Cote d'Ivoire did not have to appear before an asylum committee to gain refugee status; the status was granted automatically. According to the Office of the UN High Commissioner for Refugees (UNHCR), in 2019 Liberia was host to 8,101 refugees from Cote d'Ivoire and 98 others of diverse nationalities.

As of December 23, UNHCR reported the arrival of 22,989 new Ivorian refugees who fled anticipated violence following Cote d'Ivoire's October 31 election. According to the Liberia Refugee Repatriation Resettlement Commission (LRRRC), the prima facie status continued to be automatic for Ivoirian refugees.

Any (non-Ivoirian) refugees denied asylum may submit their case to the appeals committee of the LRRRC. Asylum seekers unsatisfied with the appeals committee ruling may seek judicial review at the Supreme Court. The Alien and Nationality Law of 1974, however, specifically denies many of the safeguards for those wishing to seek asylum in the country under the Refugee Convention.

**Freedom of Movement:** Refugees enjoyed freedom of movement, since the country did not have a mandatory encampment policy. Government policy stated refugees wishing to receive material assistance should move to one of the three refugee camp locations in Bahn Town, Nimba County; Zwedru, Grand Gedeh; and Harper, Maryland County.

**Employment:** The law generally prohibits noncitizens from obtaining work permits when Liberian citizens are available to perform the labor, but this law was generally not enforced. As such, the LRRRC and UNHCR worked with partners to implement livelihood programs for Ivoirian refugees who wished to integrate. As an example, in July, five refugees requested work permits from the Ministry of Labor to work in the formal sector, and UNHCR paid the requisite application and processing fee. The work permits for the five refugees were pending at year's end.

**Durable Solutions:** During the year the government resettled, offered

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naturalization, and assisted in the voluntary return of refugees. Voluntary repatriation of Ivoirian refugees from Cote d'Ivoire's 2011 postelection violence continued. According to UNHCR, as of July, 149 Ivoirian refugees had voluntarily returned to their country. UNHCR and the LRRRC reported providing continuing support to nearly 1,600 refugees who opted for local integration. At year's end the refugee camps in Bahn Town, Nimba County; Zwedru, Grand Gedeh; and Harper, Maryland County were being transformed into settlements intended for local integration of refugees. In August the government began the naturalization process for five refugees, which continued at year's end.

**Temporary Protection:** The government provided temporary protection to individuals who may not qualify as refugees. The government, with UNHCR and other implementing partners, continued to provide protection to Ivoirian refugees who entered the country after November. According to the LRRRC, as of December, 25,700 refugees remained in the country.

### Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

#### Elections and Political Participation

**Recent Elections:** Midterm senatorial elections to fill 15 seats, or half of the Senate's membership, were held on December 8. They were originally scheduled for October but delayed because of the COVID-19 pandemic. The National Electoral Commission (NEC) reported 926,380 (37 percent) of the 2,476,356 million registered voters went to the polls in 15 counties. Opposition candidates won 11 of the 15 seats contested, according to election results announced by the NEC on December 21. Also on December 8, the country held a national referendum on whether to amend the 1986 constitution to reduce term limits, allow dual citizenship, and change the date of national elections to avoid the rainy season. Both international and domestic observers noted the Senate midterm elections and referenda overall were largely peaceful, although there were some reported instances of vote tampering, intimidation and harassment of female

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candidates, and election violence. As of December 31, the results of the referendum were still pending.

The government did not allocate the NEC adequate funds to conduct the midterm senatorial elections. In 2019 the NEC made a request to the Ministry of Finance and Development Planning for \$26 million, a figure eventually revised to \$17.6 million, and again lowered to the final budget of \$13.5 million. Six weeks prior to the December 8 elections and referendum, the NEC received tranches of funds totaling only \$6.5 million.

The country last held presidential and legislative elections in October 2017. A runoff presidential election was scheduled for November 2017, but it was delayed due to a legal challenge to the October results. The Supreme Court ruled in a 4-1 decision in December 2017 that there was insufficient evidence presented by the appellant political parties (Unity Party and Liberty Party) to justify a rerun, which quelled rising tensions around the country. The court ordered the NEC to schedule the runoff that month in accordance with the constitution. Then Senator George Weah, of the Congress for Democratic Change (CDC) party--which formed a coalition with two other parties and became known as the Coalition for Democratic Change (also called CDC)--won the presidential runoff on December 26, 2017, in elections that were generally considered free and fair.

**Political Parties and Political Participation:** There were instances of political violence against opposition leaders and candidates around the December Senate elections. On July 30, thugs, including youths throwing stones and wielding machetes and sticks, laid siege on a local entertainment center in Zwedru, Grand Gedeh, where opposition leader Alexander B. Cummings of the Collaborating Political Parties/Alternative National Congress and his entourage, including Montserrado County District#10 Representative Yekeh Kolubah, had spent the night. They threatened to attack Kolubah if he came out of the premises. Local police required back-up from the armed forces to quell the violence and remove Cummings and Kolubah to safety.

On December 5, three days before the midterm senatorial elections, the two-car campaign convoy of opposition Collaborating Political Parties candidate Simeon Taylor was reportedly set ablaze in Porkpar District in Dambala Town, Grand

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Cape Mount County. According to *Front Page Africa*, Taylor's campaign was allegedly confronted by supporters of the ruling Coalition for Democratic Change (CDC), resulting in a tussle between supporters of the two political parties, and leading to the burning of Taylor's vehicles. According to published reports, shots were later fired at the home of Grand Cape Mount Representative Bob Sheriff, where Taylor frequently lodged. Unknown assailants then ransacked the residence and set it ablaze.

Following the 2017 presidential election, appointments in the government were created for members and sympathizers of the ruling CDC party as a reward for, or benefit of, party affiliation rather than based on qualification or experience. The appointments were made outside the standard hiring process of the Civil Service Agency. Some technicians and other persons who had tenured positions under the previous administration were initially harassed.

**Participation of Women and Members of Minority Groups:** No laws limit participation of women or members of minority groups in the political process, and they did participate. Some observers believed traditional and cultural factors limited women's participation in politics as compared with the participation of men. Women participated at significantly lower levels than men as party leaders and as elected officials. Election law requires that political parties "endeavor to ensure 30 percent" female participation. Seven candidates competed for a vacant Senate seat and six competed for a vacant House seat in July 2019 by-elections; of the Senate candidates, three were women (43 percent), and of the House candidates, one was a woman (17 percent). The participation rate by female candidates was an increase from 2018 by-elections, in which only one of 16 candidates was female (6 percent). In the December 8 midterm senatorial election, 20 of the 118 candidates were women--all from opposition parties and none from the ruling party--constituting 17 percent of the candidates. Karnga Lawrence, the incumbent senator from Grand Bassa County, won reelection. At year's end the final results from Grand Kru and Gbarpolu counties remained pending, with some accusations of gender-related harassment and intimidation of candidate Kanneh in Gbarpolu.

Muslim citizens were active participants in the elections. The Liberian Muslim Women Network reported no incidents of discrimination or harassment during the

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December 8 Senate elections.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for bribery, abuse of office, economic sabotage, and other corruption-related offenses committed by officials, but the government did not implement the law effectively. There were numerous reports of government corruption. Officials frequently engaged in corrupt practices with impunity.

The mandate of the Liberia Anti-Corruption Commission (LACC) is to prevent, investigate, and prosecute cases of corruption among public officials. In March, President Weah appointed the current LACC chairman, Ndubuisi Nwabudike, as chairman of the NEC, ahead of the December 8 midterm senatorial elections. Amid questions surrounding Nwabudike's Liberian nationality, the president withdrew his nomination to the NEC, but Nwabudike remained the head at the LACC. On June 19, the LNBA) announced it had expelled the LACC chairman after establishing that he fraudulently presented himself as a Liberian to obtain membership with the LNBA.

**Corruption:** Following an investigation by the LACC, on June 2, a grand jury indicted Senate Secretary Nanborlor Singbeh, as well as former officials of the National Investment Commission, for defrauding two Czech investors of approximately five million dollars in a gravel production business. Singbeh was charged with economic sabotage, theft of property, forgery, and criminal conspiracy. Singbeh allegedly used his position to obtain a government investment incentive package, which he used unlawfully to import vehicles and equipment for personal gain. On June 29, court officers of Criminal Court C arrested Singbeh. The case remained pending before the court at year's end.

In June 2019 a grand jury indicted 10 persons, including House of Representatives Edward W. Karfiah and Josiah M. Cole, following an investigation by the LACC into corruption related to construction of the Bong County Technical College. According to the press release, the individuals were accused of using fraud to embezzle approximately \$2.7 million in county development funds. According to



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media reports, former speaker of the house Alex Tyler was listed in documents as owning 7.5 percent of the company contracted to build the college; Tyler was Speaker of the House of Representatives at the time of the alleged scheme, and funds from the national budget were allocated to the project despite a lack of visible progress.

**Financial Disclosure:** By law all government officials “involved in making decisions affecting contracting, tendering or procurement, and issuance of licenses” must declare their income, assets, and liabilities before taking office, at the end of every three years, upon promotion or transfer to another position, and upon leaving office. Members of the legislature must submit their declarations to the secretary of the Senate and the chief clerk of the House, members of the judiciary must submit to the clerk of the Supreme Court, and members of the executive branch must submit to the General Auditing Commission, with receipt “notified” to the LACC. The law provides for dismissal in cases of false declaration but does not outline punishments for noncompliance. Financial disclosures are not made public, and officials were reluctant to share them publicly.

As of December 2019, the LACC reported that approximately 67 percent of officials in the executive branch and 83 percent in the judiciary had submitted notification of their declarations. The Senate and the House of Representatives reported that 11 senators and 25 representatives had submitted asset declarations to their respective offices in the legislature. The LACC, for its part, reported it had undertaken to verify the assets of 49 individuals.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

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

**Government Human Rights Bodies:** The government had not implemented most

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of the recommendations contained in the 2009 Truth and Reconciliation Commission (TRC) report. The law creating the commission requires that the president submit quarterly progress reports to the legislature on the implementation of TRC recommendations; however, since taking office in 2018, President Weah had failed to submit quarterly reports. In September 2019 the president requested the House of Representatives research the possibility of creating a special war and economic crimes court. In October 2019 various press outlets reported that 51 of the 73 members of the House supported a resolution to establish such a court, more than the two-thirds majority needed to move the bill to the Senate, but the Speaker of the House Bhofal Chambers prevented the petition from being added to the agenda. At year's end the court was not established, despite continuous efforts by some members of the legislature and civil society groups.

On September 10, the CSO Human Rights Advocacy Platform of Liberia, which is a network of more than 40 human rights organizations, wrote a letter to President Weah in which it stated, "We recognize your administration's efforts in allowing foreign investigators into Liberia to freely conduct investigations in order to prosecute abroad alleged Liberian war crimes suspects, but more is needed."

In November the Swiss Federal Criminal Court in Bellinzona announced the trial of Alieu Kosiah, a former commander of the United Liberation Movement of Liberia for Democracy (ULIMO), accused of war crimes during the first Liberian civil war from 1989 to 1996. Due to COVID-19 related concerns, the trial was partially postponed. Nonetheless, the court proceeded with the preliminary questions and the hearing of the defendant from December 3 to December 11.

The INCHR has a mandate to promote and protect human rights; investigate and conduct hearings on human rights violations; propose changes to laws, policies, and administrative practices and regulations; and counsel the government on the implementation of national and international human rights standards. As of year's end, President Weah, who took office in 2018, had not appointed a commissioner to lead the INCHR, which observers reported hampered its effectiveness. In July the chief justice of the Supreme Court appointed a committee to identify possible candidates for the position, but by year's end no new commissioner was named.

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The tenure of two additional commissioners expired during the year.

The Human Rights Protection Unit of the Ministry of Justice (HRPU) convened coordination meetings that provided a forum for domestic and international human rights NGOs to present matters to the government, but the HRPU complained about lack of funding. During the year the HRPU received funding from the Office of the High Commission for Human Rights (OHCHR)-Liberia Office to monitor and document violations and abuses by law enforcement officers during the COVID-19 state of emergency.

OHCHR acted as an independent check on the actions of the government in line with its mission to monitor human rights violations in the country.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

#### **Women**

**Rape and Domestic Violence:** Rape of a female or male is illegal, but the government did not enforce the law effectively, and rape remained a serious and pervasive problem, especially under COVID-19 enforced lockdowns. The law's definition of rape does not specifically criminalize spousal rape. Conviction of first-degree rape--defined as rape involving a minor, rape that results in serious injury or disability, or rape committed with the use of a deadly weapon--is punishable by up to life imprisonment. Conviction of second-degree rape, defined as rape committed without the aggravating circumstances enumerated above, is punishable by up to 10 years in prison.

During the year the government increased efforts to combat rape and other forms of sexual and gender-based violence. In July, in response to concerns that the COVID-19 pandemic had contributed to a rise in rape and other cases of sexual and gender-based violence, President Weah created an interministerial taskforce on sexual and gender-based violence. On September 8-9, the Ministry of Gender, Children, and Social Protection convened a national conference on combatting rape and other acts of sexual and gender-based violence, which resulted in a plan to increase government action to address sexual and gender-based violence through

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victim support functions, the creation of a National Security Task Force on Sexual and Gender-Based Violence, the launch of a public awareness campaign, capacity building for relevant ministries, and harsher punishments for perpetrators. As a result, public awareness of the issue increased, but the task force faced logistical challenges, such as a lack of vehicles.

On July 23, Vice President Jewel Howard-Taylor called for the arrest of Sense Kaiwu, a high school teacher at the Pejuhum public school in Grand Cape Mount County, Tewor District. Kaiwu allegedly raped and impregnated a 14-year-old girl in October 2019, who gave birth in July. The teacher fled, and no further information on his whereabouts was available at year's end.

In August a consortium of civil society groups organized three days of protest against what the groups termed “an increasing wave of rape in Liberia.” On the first day of the protest, partisan violence broke out between protesters and persons believed to be supporters of the ruling CDC political party, who objected to the presence of Senator Abraham Darius Dillon on the protest grounds. Stone throwing between rival protesters resulted in injuries to two persons, as reported by news outlets. The protesters demanded that President George Weah personally receive their petition. On the second day of the protest, a group attempted to disperse the crowd of protesters, which again led to stone throwing. On the last day of the protest, LNP officers drove the protesters off the streets and reportedly used tear gas and arrested some of the protesters.

The government operated two shelters for victims of sexual and gender-based violence, victims of trafficking in persons, and others in need of protection--one in Lofa County and one in Nimba County. The government did not operate shelters in Monrovia. The Sexual Pathways Referral Program, a combined initiative of the government and NGOs, improved access to medical, psychosocial, legal, and counseling assistance for victims. The Ministry of Gender, Children, and Social Protection assigned gender coordinators and staff members to each county office to increase public awareness of sexual and gender-based violence crimes and refer victims to assistance. The ministry also established “buddy clubs” in public schools across the country for children to discuss and report sexual and gender-based violence cases. Police officers received training on sexual and gender-based violence through programs sponsored by the EU Spotlight Initiative and the

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UNDP.

An overtaxed justice system prevented timely prosecutions, and delays caused many victims to cease cooperating with prosecutors. Victims' families sometimes requested money from the perpetrators as a form of redress; perpetrators sometimes offered money to prevent matters from going to court. Authorities often dropped cases due to a lack of evidence. The Women and Children Protection Section (WACPS) of the police reported that courts dropped 51 percent of reported domestic violence cases due to lack of evidence. The ability to collect and preserve evidence of sexual and gender-based violence crimes was also lacking.

Although outlawed, domestic violence remained a widespread problem, and the Ministry of Gender stated 16 percent of reported sexual and gender-based violence cases were for domestic violence.

The 2019 Domestic Violence Act reportedly strengthened penalties and provided support for a referral mechanism, although copies of the law, and a simplified version of it, were not widely available to the public due to lack of funding. The maximum penalty for conviction of domestic violence was six months' imprisonment, but the government did not enforce the law effectively. The WACPS received reports on cases of domestic violence between January and September, which showed a decrease in the cases reported during the same period in 2019. Government and civil society officials attributed the reduced reporting of cases to the COVID-19 pandemic, as movement restrictions delayed official reporting, support services were limited due to the lockdown, and victims were unwilling to identify perpetrators while still living in close proximity under curfews and stay-at-home orders during the government declared state of emergency from April 8 through July 22. Civil society officials suggested that lack of speedy trials led victims to seek redress outside the formal justice system.

**Female Genital Mutilation/Cutting (FGM/C):** According to the 2019-20 Demographic and Health Survey, 38 percent of girls and women ages 15 to 49 had undergone FGM/C, with higher prevalence in the country's northern regions. Although the government routinely decried FGM/C in discussions of violence against women, there were no laws criminalizing it. Political resistance to passing

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legislation criminalizing FGM/C continued because of the public sensitivity of the topic and its association with particular tribes in populous counties. In 2018 then president Ellen Johnson Sirleaf issued an executive order to prohibit FGM/C of all persons younger than age 18 and of persons older than 18 without their consent, but the order lapsed in early 2019 with no extension announced. NGO representatives reported there was little political will within the legislature to take on the issue of FGM/C.

In June 2019 the National Council of Chiefs and Elders and the Ministry of Internal Affairs, with support from UN Women and the EU Spotlight Initiative, agreed to suspend for one year the activities of “bush schools” or traditional schools, like the Sande Society, in which girls learned farming and household skills but were often subjected to initiation rites, including FGM/C. Although the one-year period ended in June, the suspension reportedly remained in place and largely enforced by the Traditional Council of Chiefs and Elders in collaboration with the Ministry of Internal Affairs. The Sande (for females) and Poro (for males) societies--often referred to as “secret societies”--combine traditional religious and cultural practices and engage in FGM/C as part of their indoctrination ceremonies. Several human rights organizations reported bush school activities and FGM/C continued, despite the ban. In April, *Front Page Africa* reported a 25-year-old woman was drugged, abducted, forcibly subjected to FGM/C as part of ritual initiation into the Sande Society, and then held for three weeks. The victim alleged that someone in her family had paid for the initiation and procedure.

**Other Harmful Traditional Practices:** Many observers, including the INCHR, the Civil Society Human Rights Advocacy Platform, and the human rights office of the United Methodist Church, reported an apparent increase in harmful traditional practices during the year, including ritualistic killings, accusations of witchcraft, and trial by ordeal, although comprehensive data to confirm the increase was unavailable. Commonly called “Sassywood,” trial by ordeal is a way to establish guilt or innocence that takes many forms. Reported incidents of trial by ordeal included drinking a concocted liquid, heating a metal object until it glowed red and then applying it to the accused’s skin, beatings, inserting sharp objects into bodily orifices (including the vagina), and forcing women to parade naked around the

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community.

It remained difficult to obtain convictions for ritualistic killings in the court system because the justice system does not recognize traditional rites as judicable issues. There were reports of killings in which perpetrators removed body parts from the victims. The online newspaper *Bush Chicken* reported that on September 8, the body of a three-year-old girl was discovered in Dowein District, Bomi County, with body parts missing, including eyes, genitalia, tongue, and left foot, all indications that the child may have been a victim of ritual murder.

There were multiple cases of life-threatening violence against persons accused of witchcraft. In September 2019 a jury in Buchanan convicted seven men and sentenced each of them to 45 years in prison on charges of murder, aggravated assault, criminal facilitation, and criminal conspiracy for their roles in a 2018 attack against three women accused of witchcraft, in which one woman was raped and another killed.

**Sexual Harassment:** The law prohibits sexual harassment in the workplace, but it remained a significant problem at work and in schools. Government billboards and notices in government offices warned against harassment in the workplace. In 2019 the Ministry of Gender, Children, and Social Protection and the Ministry of Education trained school administrators, students, and parents from seven of the 15 counties to identify warning signs and report incidents of sexual harassment and violence in schools.

**Reproductive Rights:** No laws restrict couples and individuals from deciding the number, spacing, and timing of their children or managing their reproductive health, and individuals have the right to seek and acquire information on reproductive health, free from discrimination, coercion, or violence. While the majority of clinics in the country provided family planning counselling and a mix of planning methods, access to these services at times proved challenging, particularly for women living in rural areas or those with limited financial means.

According to the 2019-20 *Liberia Demographic Health Survey* (LDHS), 25 percent of women between the ages of 15 and 49 reported using a modern form of contraception. Among sexually active unmarried women, 45 percent used modern

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family planning, while 23 percent of married women used a modern method. Unmet needs for family planning (defined as the percentage of sexually active women who want to postpone their next birth or limit their number of births but did not use a modern method of contraception) increased slightly from 31 percent in 2013 to 33 percent, according to the 2019-20 LDHS. The highest unmet need was among girls and younger women; almost half (47 percent) of women between the ages of 15 and 19 had an unmet need for family planning, primarily for the spacing of children.

The 2019-20 LDHS estimated the maternal mortality rate for the seven-year period before the survey was 742 maternal deaths per 100,000 live births. The survey estimated that 84 percent of births were attended by a skilled provider. According to the survey, the birth rate for adolescents was 30 percent. Female genital mutilation/cutting (FGM/C) remained a problem and contributed to maternal morbidity.

**Coercion in Population Control:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

**Discrimination:** By law women may inherit land and property, are entitled to equal pay for equal work, have the right of equal access to education, and may own and manage businesses. By family law, men retain legal custody of children in divorce cases. In rural areas traditional practice or traditional leaders often did not recognize a woman's right to inherit land. Programs to educate traditional leaders on women's rights, especially on land rights, made some progress, but authorities often did not enforce those rights in rural areas.

### Children

**Birth Registration:** The nationality law stipulates children of "Negro" descent born in the country to at least one Liberian parent are citizens. Children born outside the country to a Liberian father are also Liberian citizens. Nevertheless, they may lose that citizenship if they do not reside in the country prior to age 21, or if residing abroad they do not take an oath of allegiance before a Liberian consul before age 23. Children born to non-Liberian fathers and Liberian mothers outside



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of the country do not derive citizenship from the mother.

If a child born in the country is not of “Negro” descent, the child may not acquire Liberian citizenship. “Non-Negro” residents, such as members of the large Lebanese community, may not acquire or transmit citizenship. The law requires parents to register their infants within 14 days of birth, but only 25 percent of children younger than age five had birth certificates.

**Education:** Only 26.1 percent of children of official primary school age were enrolled in school, and only 34 percent of children completed primary education. On average, children attended school for 4.7 years in Liberia. The law provides for tuition-free and compulsory education in public schools from the primary (grades one to six) through junior secondary (grades seven to nine) levels, but many schools charged informal fees to pay for teachers’ salaries and operating costs the government did not fund. These fees prevented many students from attending school. By law fees are required at the senior secondary level (grades 10 to 12).

Girls accounted for less than half of all students and graduates in primary and secondary schools, with their proportion decreasing progressively at higher levels. Sexual harassment of girls in schools was commonplace, and adolescent girls were often denied access to school if they became pregnant. Nonetheless, the country continued to work on narrowing the gender gap at all levels of education, especially in primary school, where the gender parity index went from 88 girls per 100 boys in 2008 to 95 girls for every 100 boys in school in 2017. Students with disabilities and those in rural counties were most likely to encounter significant barriers to education. Only 14 percent of girls in rural areas completed primary school.

**Child Abuse:** Child abuse was a widespread and persistent problem, and there were numerous cases reported throughout the year, including of sexual violence against children. The government engaged in public awareness campaigns to combat child rape. According to the Ministry of Gender, Children, and Social Protection, more rape victims were reported in the 13 to 17 age group than in any other. In July, *Front Page Africa* reported that an adolescent girl was sodomized after she was thrown out of her family home in the Omega Tower community for “witchcraft.” The girl was discovered early the next morning lying on the main

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road between Montserrado and Margibi Counties. Some community members accused the family of the victim of neglect and blamed them for throwing the girl out after relatives alleged she confessed to killing her 25-year-old uncle.

In June police arrested Johnson Chuluty in the Mount Barclay community of Montserrado County for statutory rape for allegedly impregnating his 15-year-old stepdaughter. Police also arrested the wife of the suspect, Mary Chuluty. In a video posted on social media, the victim explained she was living with her mother and stepfather when the rape occurred. The victim relayed that because the rape resulted in pregnancy, her mother sent her to Lofa County to live with her grandmother, where she remained until she gave birth. Police confirmed that the victim was placed in the care of the Ministry of Gender, Children, and Social Protection.

On November 25, the Ministry of Gender, Children, and Social Protection in collaboration with the Office of the First Lady and Partners officially launched the 16-Days of Activism against Gender Based Violence. It sought to ensure nationwide awareness in almost all communities of the country to promote the concept of preventing gender-based violence, advocate for the protection of women's and girls' rights in all sectors of the society through media engagement, and re-emphasize the fact that the solution to ending gender-based violence lies with all citizens.

From December 28 to December 31, the Ministry of Gender, Children, and Social Protection, in collaboration with the Child Protection Network and with support from the EU Spotlight Initiative, held a four-day Child Protection Awareness Campaign in five communities (Peace Island-540, Clara Town, New Kru Town, Soniwehn, and Brewersville Township) within Montserrado County. The awareness campaign focused on curtailing the number of rape cases, child labor, and harsh punishment instituted against children in homes, communities, and public and private locations. The campaign was also geared towards achieving the goals of the Government of Liberia and Partners Roadmap on Ending Sexual and Gender-Based Violence by 2022.

**Child, Early, and Forced Marriage:** The 2011 National Children's Act sets the minimum marriage age for all persons at 18, the Domestic Relations Law sets the

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minimum marriage age at 21 for men and 18 for women, and the Equal Rights of Customary Marriage Law of 1998 permits a girl to marry at age 16. According to UNICEF, 9 percent of girls were married before age 15 and 36 percent before age 18.

With support from the EU Spotlight Initiative and the United Nations, the Ministry of Gender, Children, and Social Protection continued efforts to eliminate violence against women and girls, including sexual and gender-based violence and harmful practices such as child marriage. The campaign began in June 2019, when the ministry communicated with traditional leaders and community members in five counties in their local languages to raise awareness of the illegality and harm of child marriage.

**Sexual Exploitation of Children:** The law prohibits the commercial sexual exploitation of children and child pornography, and authorities generally enforced the law, although girls continued to be exploited, including in commercial sex in exchange for money, food, and school fees. The law requires a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore it does not criminalize all forms of child sex trafficking. Additionally, sex in exchange for grades was a pervasive problem in secondary schools, with many teachers forcing female students to exchange sexual favors for passing grades. The minimum age for consensual sex is 18. Statutory rape is a criminal offense that carries a maximum sentence of life imprisonment. The penalty for conviction of child pornography is up to five years' imprisonment. Orphaned children remained especially susceptible to exploitation, including sex trafficking.

**Infanticide or Infanticide of Children with Disabilities:** There were cases of infanticide. On July 15, the 8th Judicial Circuit Court in Sanniquellie, Nimba County, freed 19-year-old Jamesetta Bendu Tour after she spent 10 months in prison without trial. She was accused of throwing her 22-month-old baby into the St. John River in September 2019. According to reports, the court freed Tour because the state prosecutor failed to pursue the case after two successive terms of court. On September 25, Tour admitted that she did throw her child into the river after she was put out by her parents, but she later contradicted that statement by

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saying the baby fell into the river while she was washing.

According to the Ministry of Justice's Human Rights Protection Unit, children with disabilities were often stigmatized, abandoned, neglected, and purposely exposed to risks (including death). Persons with disabilities suffered torture and inhuman or degrading treatment or punishment. The National Union of the Organization of the Disabled (NUOD) reported families sometimes abandoned or refused to provide medical care to children with mental disabilities because of the taboo associated with the conditions or fear that the community would label children with disabilities as witches.

**Displaced Children:** Despite international and government attempts to reunite children separated from their families during the civil war, some street children, former child soldiers, and IDPs continued to live on the streets of Monrovia. Now adults, these homeless young individuals, who often suffered from drug addiction and engaged in crime, were referred to as “zogos.”

**Institutionalized Children:** Regulation of orphanages continued to be very weak, and many lacked adequate sanitation, medical care, and nutrition. The Ministry of Gender, Children, and Social Protection did not monitor orphanages to ensure provision of basic services. Orphanages relied primarily on private donations and support from international organizations. Many orphans received little to no assistance. The ministry continued to run a temporary shelter capable of accommodating approximately 35 vulnerable children, including abandoned and orphaned children, which provided for basic needs until reunification with relatives.

Since the country did not have a designated facility for their care, juvenile offenders outside the Monrovia Central Prison were routinely held in separate cells in adult offender cellblocks (see section 1.c.). Guidelines existed and steps occasionally were taken to divert juveniles from the formal criminal justice system and place them in a variety of safe homes and “kinship” care situations.

**International Child Abductions:** The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. Officials at the Ministry of Justice and the Ministry of Labor occasionally misapplied the term

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human trafficking to likely cases of international child abduction.

See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases>.

### **Anti-Semitism**

There were no reports of anti-Semitic acts against the country's small Jewish community.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The constitution prohibits discrimination against persons with disabilities, but these prohibitions were not always enforced. Most government buildings were not easily accessible to persons with mobility impairment. Sign language interpretation was often not provided for deaf persons in criminal proceedings or in the provision of state services. The Ministry of Gender, Children, and Social Protection and the National Commission on Disabilities are the government agencies responsible for protecting the rights of persons with disabilities and implementing measures designed to improve respect for their rights.

Persons with disabilities faced discrimination in employment, housing, access to all levels of education, and health care. Activists for persons with disabilities reported property owners often refused housing to persons with disabilities. According to NUOD, persons with disabilities were more likely to become victims of sexual and gender-based violence.

Some persons with disabilities suffered inhuman or degrading treatment or punishment.

In April 2019 newspaper *Front Page Africa* reported that a 13-year-old girl with visual impairment was raped on separate occasions by two individuals, one of them

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a 17-year-old Braille instructor at the Christian Association of the Blind school, who impregnated her. The first of the alleged perpetrators was arrested in September 2019 at the age of 20. The Ministry of Justice Sexual Crimes Unit recommended that the alleged perpetrator be tried as a juvenile, but the court rejected the recommendation. The second alleged perpetrator was released by the Juvenile Court without the consent of the victim's family and charged as a minor with corruption of a minor, although he was 20 years old at the time of his arraignment.

Few children with disabilities had access to education. Public educational institutions discriminated against students with disabilities, arguing resources and equipment were insufficient to accommodate them. Some students with disabilities attended a few specialized schools mainly for the blind and deaf--but only through elementary school. Students with more significant disabilities are exempt from compulsory education but may attend school subject to constraints on accommodating them. In reality few such students were able to attend either private or public schools.

The right of persons with disabilities to vote and otherwise participate in civic affairs is legally protected and generally respected. The law requires that the National Election Commission (NEC), to the extent practical, make registration and voting centers accessible to persons with disabilities. Despite educational sessions held by the NEC on the issue, persons with disabilities faced challenges during the voter registration and voting periods, including lack of access ramps, limited transportation to voter registration and polling centers, and limited mobility assistance at polling centers. The NEC, however, offered tactile ballots for the visually impaired.

Voting assistance in the December 8 senatorial elections and national referendum included the use of tactile ballots and permission for a trusted family member to accompany disabled voters, but some voters without a family member or accompanied by children had difficulty voting.

### **Members of National/Racial/Ethnic Minority Groups**

Although the law prohibits ethnic discrimination, racial discrimination is enshrined

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in the constitution, which restricts citizenship and land ownership to those of “Negro descent.” While persons of Lebanese and Asian descent who were born or who had lived most of their lives in the country may not by law attain citizenship or own land, there were some exceptions.

### **Indigenous People**

The law recognizes 16 indigenous ethnic groups; each speaks a distinct primary language and is concentrated regionally. Long-standing disputes regarding land and other resources among ethnic groups continued to contribute to social and political tensions.

### **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits consensual same-sex sexual activity. “Voluntary sodomy” is a misdemeanor with a penalty for conviction of up to one year’s imprisonment. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) activists reported LGBTI persons faced difficulty obtaining redress for crimes committed against them, including at police stations, because those accused of criminal acts used the victim’s LGBTI status in defense of their crime.

LGBTI persons continued to record instances of assaults, harassment, and hate speech by community members. In October, two members of a group known for beating and humiliating persons suspected to be LGBTI were arrested and referred to the Monrovia City Court at Temple of Justice. Defendant Cheeseman Cole, believed to be the ringleader of the group, along with Emmanuel Tarpeh, were arraigned before Magistrate Jomah Jallah to answer to multiple offenses that included criminal attempt to commit murder and aggravated assault, among others. Cole and Tarpeh were later remanded at the Monrovia Central Prison to await prosecution after they could not secure a lawyer to process bail for their release. Cole, who was dishonorably discharged from the armed forces due to acts of criminality, faced allegations of brutality and torture against numerous young men he lured to his residence via Facebook over unfounded suspicion they were gay.

The Liberian Initiative for the Promotion of Rights, Identity, and Equality reported

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that in November 2019 an HIV testing drop-in center was stormed by members of the surrounding community who attacked a number of LGBTI persons who had gathered to celebrate a birthday. Reports indicated that approximately 10 persons were injured and five hospitalized, including one person stabbed and another knocked unconscious.

On November 12, OHCHR and UNDP published the *Sexual Orientation, Gender Identity and Rights in Africa: Liberia Country Report*. The report calls attention to challenges and abuses LGBTI individuals face in Liberia, including arbitrary detention, violence, discrimination, stigma, inequality, social exclusion, as well as the denial of rights to freedom of expression, association, and assembly. The launch event was organized by the INCHR, with the approval of a number of LGBTI organizations. In the weeks following the report launch, several threats to the LGBTI community were reported, one allegedly emanating from a government official. The threats prompted a number of activists to seek relocation assistance.

LGBTI victims were sometimes afraid to report crimes to police due to social stigma surrounding sexual orientation and rape as well as fear police would detain or abuse them because of their sexual orientation or gender identity. The HIV/AIDS team of the police and the Solidarity Sisters--a group of female police officers--undertook outreach to key communities, resolved disputes before they escalated, and helped other police officers respond to sensitive cases.

Authorities of the police's Community Services Section noted improvements in obtaining redress for crimes committed against LGBTI persons due to several training sessions on sexual and reproductive rights. Police sometimes ignored complaints by LGBTI persons, but LGBTI activists noted improvements in treatment and protection from police after officers underwent human rights training.

LGBTI individuals faced discrimination in accessing housing, health care, employment, and education. There were several reports from LGBTI activists that property owners refused housing to members of the LGBTI community by either denying applications or evicting residents from their properties. In 2016 the Liberia Business Registry denied registration to an NGO promoting human rights of LGBTI persons for "activity which is not allowed in Liberia." The organization



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was later able to register under an acronym and with a modified scope of work.

There were press and civil society reports of harassment of persons on the basis of their real or perceived sexual orientation or gender identity, with some newspapers targeting the LGBTI community. Hate speech was a persistent issue. Influential figures such as government officials and traditional and religious leaders made public homophobic and transphobic statements.

The Ministry of Health had a coordinator to assist minority groups--including LGBTI persons--in obtaining access to health care and police assistance. Members of the LGBTI community often called upon trained protection officers to intervene in cases of harassment and violence.

### **HIV and AIDS Social Stigma**

The law prohibits “discrimination and vilification on the basis of actual and perceived HIV status” in the workplace, school, and health facilities, with conviction of offenses punishable by a small fine.

The most recent demographic and health survey (2019) found no measurable change since 2007 in popular attitudes, which remained broadly discriminatory, toward those with HIV. HIV-related social stigma and discrimination discouraged individuals from testing for their HIV status, thus limiting HIV prevention and treatment services. According to UNAIDS, an estimated 47,000 persons had HIV in the country during the year, with approximately 1,900 new cases reported annually. Children orphaned because of AIDS faced similar social stigma.

Government ministries developed, adopted, and implemented several plans to combat social stigma and discrimination based on HIV status. The Ministry of Health supported training to make health-care facilities more receptive to key populations, held discussions and outreach sessions, and provided services through drop-in centers. The Ministry of Justice and police worked with civil society organizations to engage key populations.

### **Other Societal Violence or Discrimination**

The penal code classifies mob violence as a crime. Nevertheless, mob violence

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and vigilantism, due in part to the public's lack of confidence in police and the judicial system, were common and often resulted in deaths and injuries. Although mob violence sometimes targeted alleged criminals, it was difficult to determine underlying reasons, since cases were rarely prosecuted.

### **Section 7. Worker Rights**

#### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides workers, except public servants and employees of state-owned enterprises, the right to freely form or join independent unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination and allows unions to conduct their activities without interference by employers, parties, or government. The law provides that labor organizations and associations have the right to draw up their constitutions and rules with regard to electing their representatives, organizing their activities, and formulating their programs. Trade and labor unions are registered with the Ministry of Labor. The Bureau of Trade Union Affairs & Social Dialogue is the arm of the ministry that coordinates the activities of the social partners, trade unions, and employer organizations in the labor sector.

Public-sector employees and employees of state-owned enterprises are prohibited under the Civil Service Standing Orders from organizing into unions and bargaining collectively, but they may process grievances through the Civil Service Agency grievance board. Representatives from the Ministry of Labor, Liberia Labor Congress (LLC), and Civil Servants Association continued to argue the Standing Orders conflict with Article 17 of the constitution, which affords the right to associate in trade unions. Some public-sector associations, including those for teachers and public-health workers, declared themselves to be unions, despite the law, and the LLC and Ministry of Labor backed their efforts to unionize.

Under the Decent Work Act of 2015, parties engaged in essential services are also prohibited from striking. The act provides that the National Tripartite Council (comprising the Ministry of Labor, Liberian Chamber of Commerce, and Liberian Labor Union) shall recommend to the minister all or part of a service to be an essential service if, in the opinion of the National Tripartite Council, the

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interruption of that service would endanger the life, personal safety, or health of the whole or any part of the population. As of year's end, the National Tripartite Council had not published a list of essential services.

The law provides for the right of workers to conduct legal strikes, provided they have attempted to negotiate to resolve the issue and give the Ministry of Labor 48 hours' notice of their intent. The law requires reinstatement of workers fired for union activity. The law prohibits unions from engaging in partisan political activity and prohibits agricultural workers from joining industrial workers' organizations. The law prohibits strikes under certain circumstances as follows: if the disputed parties have agreed to refer the issue to arbitration; if the issue is already under arbitration or in court; and if the parties engage in essential services as designated by the National Tripartite Council.

While the law prohibits antiunion discrimination and provides for reinstatement for workers dismissed for union activity, it allows for dismissal without cause if the company provides the mandated severance package. It does not prohibit retaliation against strikers whose strikes comply with the law if they commit "an act that constitutes defamation or a criminal offense, or if the proceedings arise from an employee being dismissed for a valid reason."

The government inconsistently enforced applicable laws in the formal sector, and workers exercised their rights. Employees enjoyed freedom of association and had the right to establish and become members of organizations of their own choosing without previous authorization or coercion. There were reports during the year of union-led protest actions in a number of concession areas, including plantations, leading to work stoppages or disruptions for days, and by public-sector associations of health workers and teachers. The law, however, does not provide adequate protection, and some protections depended on whether property damage occurred and was measurable. Penalties were not commensurate with those for other laws involving denials of civil rights. Administrative and judicial procedures were subject to lengthy delays or appeals and to outside interference, such as bribes, coercion, and intimidation by politicians.

On September 23, a group of health workers demonstrated peacefully outside of diplomatic missions in Monrovia to advocate for international support in making

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their case to the government for better working conditions. On September 16, health workers under the banner of the National Health Workers Union of Liberia (NAHWUL) demanded the certification of NAHWUL, payment of outstanding salaries and benefits, and alignment between salaries and qualifications. The government responded with a call to hire replacement health-care workers. In October the health workers called off the strike upon the intervention of the UN resident coordinator and other international partners.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, aside from forced prison labor or work defined as “minor communal service.” The government did not effectively enforce the law. Resources, inspections, and remediation were inadequate. Criminal penalties were not commensurate with those for other serious crimes involving denial of civil rights.

Forced labor, including forced child labor, occurred. Families living in the interior of the country sometimes sent young women and children to live with relatives, acquaintances, or even strangers in Monrovia or other cities with the promise the women and children would pursue educational or other opportunities. In some instances these women and children were forced to work as street vendors, domestic servants, beggars or in commercial sexual exploitation. There were also reports of forced labor on small rubber plantations and artisanal mines.

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law does not prohibit all of the worst forms of child labor. Children were vulnerable to hazardous work because the government had not designated hazardous work categories. Under the Decent Work Act, most full-time employment of children younger than age of 15 is prohibited. Children older than 13 but younger than 15 may be employed to perform “light work” for a maximum of two hours per day and not more than 14 hours per week. “Light work” is defined as work that does not prejudice the child’s attendance at school and is not

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likely to be harmful to a child's health or safety and moral or material welfare or development as defined by law. There is an exception to the law for artistic performances, where the law leaves the determination of work hours to the minister of labor. Under the act, children 15 and older are not allowed to work more than seven hours a day or more than 42 hours in a week. There are mandatory rest periods of one hour, and the child may not work more than four hours consecutively. The law also prohibits the employment of children younger than 16 during school hours, unless the employer keeps a registry of the child's school certificate to illustrate the child attended school regularly and can demonstrate the child was able to read and write simple sentences. The law prohibits the employment of apprentices younger than 16. The compulsory education requirement extends through grade nine or until 15.

Gaps exist, however, in the legal framework to protect children adequately from the worst forms of child labor, including the one-year break between the compulsory education age and the minimum age for work. Additionally, the minimum age for work is not in compliance with international standards because it allows children younger than 16 to engage in work as long as it is outside of school hours, the employer keeps records of the child's schooling, and the child is literate and attends school regularly. Because of these legal gaps, children of any age may be vulnerable to child labor. Although the Decent Work Act prohibits children younger than 15 from working full time, it does not prevent children below this age from engaging in part-time employment.

The law provides that an employer must obtain a permit from the Ministry of Labor before engaging a child in a proscribed form of labor. The ministry did not provide statistics on whether such permits were either requested or issued.

The government prohibits children younger than 18 from engaging in hazardous work but had not yet published a hazardous work list, leaving children vulnerable to hazardous work in certain sectors. The law penalizes employers who violate the minimum age provision of child labor laws and parents or guardians who violate this minimum age provision. According to the law, "a parent, caregiver, guardian, or relative who engages in any act or connives with any other person to subject a child to sexual molestation, prohibited child labor, or such other act, that places the

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well-being of a child at risk is guilty of a second-degree felony.”

The National Commission on Child Labor (NACOMAL) is responsible for enforcing child labor laws and policies but did not do so effectively. Labor inspectors were assigned to monitor and address child labor but were understaffed and underresourced. The government charged the National Steering Committee for the Elimination of the Worst Forms of Child Labor (National Child Labor Committee) with investigating and referring for prosecution allegations of child labor. The committee consists of the Ministry of Labor’s Child Labor Secretariat (which includes NACOMAL); the Ministry of Justice’s Human Rights Protection Unit; the Ministry of Gender, Children, and Social Protection’s Human Rights Division; and the police’s Women’s and Children’s Protection Section. It was not clear if any inspections or remediation took place. Although the National Child Labor Committee convened regular meetings, coordination of their activities remained a serious problem. In 2019 the government released the *National Action Plan on the Elimination of the Worst Forms of Child Labor*. The government did not identify specific funding to implement its provisions and expected the donor community to contribute 59 percent of the total budget for eliminating child labor.

Child labor was widespread in almost every economic sector. In urban areas children assisted their parents as vendors in markets or hawked goods on the streets. There were reports that children tapped rubber on smaller plantations and private farms, which exposed them to hazardous conditions involving use of machetes and acids. Children also worked in other conditions likely to harm their health and safety, such as rock crushing or work that required carrying heavy loads. Children were engaged in hazardous labor in alluvial diamond and gold mining, which exposed them to heavy loads and hazardous chemicals. Children were also engaged in agriculture, hunting, and fishing. Some children in Monrovia, particularly girls, worked in domestic service after being sent from rural communities by their parents or guardians. There were also reports of children working in auto shops.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor*

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at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination on the basis of race, religion, national origin, color, sex, disability, age, sexual orientation or gender identity, or HIV/AIDS status. It does not address refugee or stateless status. The law calls for equal pay for equal work. The government did not effectively enforce the law.

Discrimination in employment and occupation occurred with respect to gender, disability, HIV-positive status, sexual orientation, and gender identity, and women experienced economic discrimination based on cultural traditions discouraging their employment outside the home in rural areas. Anecdotal evidence indicated that women's pay lagged behind that for men. LGBTI individuals and those with disabilities faced hiring discrimination, and persons with disabilities faced difficulty with workplace access and accommodation (see section 6).

### **e. Acceptable Conditions of Work**

The law establishes minimum wages for unskilled laborers and for formal sector workers. The law allows workers in the informal sector to bargain for a wage higher than the legal minimum.

The minimum wage was greater than the World Bank's poverty income level. Many families paid minimum-wage incomes were also engaged in subsistence farming, small-scale marketing, and begging.

The law provides for a 48-hour, six-day regular workweek with a one-hour rest period for every five hours of work. The law stipulates that ordinary hours may be extended by collective agreement up to an average of 53 hours during an agreed period, as well as to 56 hours for workers in seasonal industries. The law provides for overtime pay and prohibits excessive compulsory overtime.

The law provides for at least one week of paid leave per year, severance benefits, and occupational health and safety standards; the standards are up to date and appropriate for the intended industries. Workers could not remove themselves from situations that endangered health or safety without jeopardizing their

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employment, and authorities did not effectively protect employees in this situation. For certain categories of industries, the law requires employers to employ safety and health officers and establish a safety and health committee in the workplace.

The government did not effectively enforce the law in all sectors. The Ministry of Labor's Labor Inspection Department is responsible for enforcing government-established wage, hour, and health and safety standards in the formal sector, but there is no system for monitoring and enforcement in the informal sector. The government did not employ a sufficient number of labor inspectors to enforce compliance. Penalties for violations were not commensurate with those for similar crimes. In April and September 2019, the Ministry of Labor, Liberia Revenue Authority, Liberia Immigration Service, and National Social Security and Welfare Corporation conducted joint nationwide labor inspections to ensure employers complied with the Decent Work Act and all other labor laws. Observers reported labor inspectors solicited and took bribes to certify compliance with regulations, and the labor inspectorate did not track numbers of individual inspections or violations.

Most citizens were unable to find work in the formal sector and therefore did not benefit from any of the formal labor laws and protections. The vast majority of citizens (estimated at 80 percent) worked in the largely unregulated informal sector, where they faced widely varying and often harsh working conditions. Informal sector workers included rock crushers, artisanal miners, agricultural workers, street sellers, most market sellers, domestic workers, and others. In the diamond and gold mines, in addition to physical danger and poor working conditions, the industry is unregulated, leaving miners vulnerable to exploitive brokers, dealers, and intermediaries. Illegal mining of gold was rampant throughout the country and posed serious safety risks, resulting in the deaths of several persons every year. On December 11, the bodies of three illegal gold miners were retrieved from a collapsed mineshaft at David Dean Town in Kokoyah Statutory District, in Bong County. A local Lands and Mines inspector in Bong County told *Front Page Africa* that more than 10 illegal miners were feared to have been buried alive at the illicit David Dean Town mining center.