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Freedom in the World 2012 - Liberia

2012 Scores

Status: Partly Free
Freedom Rating: 3.5
Civil Liberties: 4
Political Rights: 3

Overview

The Unity Party (UP) captured the largest number of seats in October 2011 parliamentary elections, while President Ellen Johnson-Sirleaf of the UP secured a second term in office following a November runoff vote. A national referendum in August on four proposed constitutional amendments led to the eventual adoption of an amendment that allowed for the election of most officials by a simple rather than a majority vote. Meanwhile, little progress was made in advancing national reconciliation and implementing Truth and Reconciliation Commission recommendations, while the political crisis in neighboring Côte d'Ivoire created significant security and humanitarian challenges for Liberia.

Liberia was settled in 1822 by freed slaves from the United States and became an independent republic in 1847. Americo-Liberians, descendants of the freed slaves, dominated the political landscape for more than a century. During the 1970s, a number of groups agitated for multiparty democracy and an end to the marginalization of indigenous Liberians. In 1980, fighters loyal to Army Master Sergeant Samuel Doe murdered President William Tolbert in a coup. Doe subsequently assumed leadership of the country; his regime concentrated power among members of his Krahn ethnic group and suppressed others. In 1989, Charles Taylor, a former minister in Doe's government, recruited fighters from among the Gio and Mano ethnic groups and launched a guerrilla insurgency against Doe from neighboring Côte d'Ivoire. A year later, an armed intervention led by Nigeria – under the aegis of the Economic Community of West African States (ECOWAS) – prevented Taylor from seizing Monrovia, the capital. However, it failed to protect Doe, who was murdered by a splinter rebel group led by Prince Johnson.

After years of endemic violence and numerous failed transitional arrangements, a peace accord was signed in 1995. Taylor won national elections in 1997, but subsequently made little effort to seek genuine reconciliation or implement security and economic reforms. Violence erupted again in 1999 as the rebel group Liberians United for Reconciliation and Democracy (LURD) sought to overthrow Taylor, purportedly with backing from Sierra Leone and Guinea. Meanwhile, the United Nations in 2001 imposed an arms embargo and

diamond sanctions on Liberia in response to its alleged involvement in the conflict in Sierra Leone. By 2003, LURD controlled most of northern Liberia, while another rebel group, the Movement for Democracy in Liberia (MODEL), squeezed Taylor's government from the southeast. In June of that year, a UN-backed war crimes tribunal charged Taylor with supporting militants in Sierra Leone. With the capital threatened and calls from the United States for his resignation, Taylor stepped down in August 2003 and accepted Nigeria's offer of asylum.

Taylor's departure ended 14 years of intermittent civil war that killed some 200,000 Liberians. ECOWAS helped negotiate an end to the fighting, and West African peacekeepers became part of a 15,000-strong UN peacekeeping force. In accordance with the 2003 Comprehensive Peace Agreement, members of Taylor's government, LURD, MODEL, and civil society representatives formed the National Transitional Government of Liberia (NTGL). Under the chairmanship of businessman Charles Gyude Bryant, the NTGL governed the country until the 2005 elections. Taylor was apprehended in 2006, and his trial before a UN-backed special court opened in 2008 and continued through 2011.

Unity Party (UP) candidate Ellen Johnson-Sirleaf won the 2005 presidential runoff vote, while the CDC placed first in concurrent legislative polls, followed by the UP.

Initial results of an August 2011 national referendum on proposed constitutional amendments indicated that voters had rejected all four proposed amendments. However, the Supreme Court handed down a judgment in September stating that the National Election Commission had incorrectly calculated the results, and that one of the amendments – which allowed for the election of all public officials, except for the president and vice president, by a simple rather than an absolute majority – had actually passed. Meanwhile, in August, violence in advance of the presidential and parliamentary elections included attacks on a senator's convoy, against senior CDC leaders amidst allegations of fraud in the party's primaries, and on UP party officials; however, no deaths were reported.

In the October 11 presidential poll, Johnson-Sirleaf captured 43.9 percent of the vote, while the CDC's Winston Tubman took 32.7 percent, and Prince Johnson of the National Union for Democratic Progress (NUDP) secured 11.6 per cent. Although opposition members alleged fraud and corruption, international and local observers found that the elections had been generally free and fair. One day prior to the November 8 runoff vote, police clashed with demonstrators during a CDC protest, resulting in at least two deaths and numerous injuries. Radio and television stations with perceived pro-CDC biases were shut down by the government. Johnson-Sirleaf won 90.7 percent of the vote in the runoff, while Tubman took 9.3 percent. Johnson-Sirleaf called for greater national reconciliation and appointed fellow Nobel Peace Prize winner Leymah Gbowee to lead the initiative.

In concurrent parliamentary elections, the UP secured the most seats, with 33 percent in each legislative house. In the lower house, the UP took 24 seats, followed by the CDC with 11 seats, the Liberty Party with 7 seats, and the NUDP with 6 seats. Seven other parties and 9 independent candidates captured the remaining seats. Following elections to the upper house, in which half of the Senate seats were up for election, the UP held 11 seats, the National Patriotic Party held 6, the CDC held 3, and the NUDP held 2 seats. Five other parties and two independent candidates held the remaining seats.

The first half of 2011 saw an influx of some 180,000 combatants and refugees from political crises in Côte d'Ivoire and, to a lesser extent, Guinea. In April, the Liberian government arrested a known former warlord and other combatants for fighting in Côte d'Ivoire. Although the Johnson-Sirleaf administration made clear its determination to prosecute any Liberian mercenaries, many of those arrested were later released due to a lack of evidence. In June, 88 suspected Ivorian combatants were interned in special facilities in Liberia. Violent ethnic clashes along Liberia's border with Guinea resulted in an influx of some 3,000 Guinean refugees by August. However, by the end of 2011, registered refugee numbers had decreased slightly, to approximately 128,000.

Political Rights and Civil Liberties

Liberia is an electoral democracy. The 2011 presidential and legislative elections were generally considered by international and local observers to have been free and fair. The National Elections Commission (NEC) successfully conducted the August 2011 national referendum, and when the referendum results were challenged in court, the NEC upheld and implemented the court's decisions. The bicameral legislature consists of a 30-member Senate and a 73-member House of Representatives; senators are elected to nine-year terms, and representatives to six-year terms. However, in 2005, as part of the peace agreement, half of the senators were elected to six-year terms only, allowing for staggered senatorial elections to be introduced in 2011. The president can serve up to two six-year terms.

The organizational and policy capacity of most parties remains weak, and politics continues to be largely personality-driven, with strong underlying ethnic and regional loyalties. Political organization remained fluid yet fragmented in 2011, with a high degree of coalition-building in the lead-up to the elections. The Liberia Action Party and Liberia Unification Party merged with the UP; while the CDC, Liberty Party, and Prince Johnson's NUDP are the most prominent opposition parties. The Democratic Alliance and Alliance for Peace and Democracy constitute opposition coalitions.

Anticorruption efforts lagged in 2011. Insufficient follow-up on recommendations made in General Auditing Commission reports persisted. The completion of a civil servants' code of conduct was still pending at year's end. Since March 2009, the Liberian Anti-Corruption Commission (LACC) has referred only 25 cases to the Ministry of Justice for prosecution. No high-profile officials from the Johnson-Sirleaf administration have been convicted of corruption. In 2011, LACC Chairwoman Frances Johnson-Allison called for the commission to have direct subpoena and prosecutorial powers, but lawmakers failed to act. Additionally, a 2010 corruption-related freeze on county development funds remained in place in 2011. Liberia was ranked 91 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index.

Liberian media have enjoyed unprecedented freedom following the departure of Charles Taylor, exposing corruption and participating in critical public debates. The 2010 Freedom of Information Act promotes unhindered access to public information and is considered a model for the region. The country hosts a variety of newspapers, which publish mainly in the capital; numerous radio stations also operate across the country. The Press Union of Liberia (PUL) and international partners facilitated workshops on conflict-sensitive election reporting, and the media environment during elections was open. However, following violence that accompanied the November presidential runoff vote, the government shut down four radio and three television stations aligned with prominent opposition figures. The PUL and numerous other international and local media watchdogs condemned the shutdown, and following a court order, the stations reopened by year's end. The government does not restrict internet access, but poor infrastructure and high costs limit usage to a small fraction of the population.

Religious freedom is affirmed in the constitution, and legally there is no official religion. However, Liberia is a de facto Christian state, and the Muslim minority reports discrimination. The government does not restrict academic freedom, though educational infrastructure remains insufficient.

Freedoms of assembly and association are guaranteed and respected. Numerous civil society groups, including human rights organizations, operate in the country. The right of workers to strike, organize, and bargain collectively is recognized, but labor laws remain in need of reform. Labor disputes often turn violent, particularly at the various rubber plantations throughout the country. In May 2011, two plantation buildings were torched and a worker shot at the Cavalla Rubber Company in Maryland county.

Despite constitutional provisions for an independent judiciary, judges are subject to executive influence and corruption. Case backlogs, prolonged pretrial detention, prison overcrowding, and poor security at correctional facilities continue to impede judicial effectiveness. Prisons suffer from inadequate medical care, food, and sanitation, and conditions are often life-threatening. Numerous prison breaks were reported throughout the year. In an effort to improve judicial efficiency, the Judicial Training Institute graduated 61 non-lawyer magistrates in June 2011; however, they had not been assigned to postings by year's end.

Harmonization of formal and customary justice systems remains an ongoing challenge as ritual killings, mob violence, and vigilantism continue largely unhindered. At least six cases of mob violence against the police were reported in 2011. Poor discipline, high levels of absenteeism, and corruption continue to plague the police and armed forces, and relations between the military and the police remain strained.

Communal tensions over land access and ownership remain a potential threat to peace. In March 2011, villages were attacked and houses burned down as land tensions escalated along the border between Maryland and Grand Kru counties, necessitating the dispatch of the national police's emergency response unit. However, the Land Commission, which was established in 2009, in 2011 completed an inventory of land dispute cases in several counties, vetted public land sale deeds, and created a dispute-resolution task force.

Drug and human trafficking continue to pose a threat to peace consolidation in Liberia and the greater Mano River area. The Liberian Transnational Crime Unit became operational in July 2011.

Since being established in October 2010, the Independent National Human Rights Commission has made little progress in pursuing national reconciliation and implementing Truth and Reconciliation Commission (TRC) recommendations. Funding shortfalls, operational deficiencies, and a lack of political determination to break with cycles of impunity has hampered progress. In January 2011, the Supreme Court found that the TRC's recommendation of a 30-year public ban for numerous officials, including Johnson-Sirleaf, was unconstitutional and inconsistent with the right to due process. Although recommended by the TRC, no war crimes tribunal has been established and no prosecutions pursued. Johnson-Sirleaf has focused instead on implementing the Palava Hut program, which would use customary reconciliation processes to promote forgiveness. However, no steps were made to render the program operational by year's end.

While female representation in the legislature remains limited, numerous cabinet ministers and senior officials are women. In October 2011, Johnson-Sirleaf, Liberian women's rights activist Leymah Gbowee, and a Yemeni activist were awarded the Nobel Peace Prize in recognition of their contribution toward women's rights and their participation in peacebuilding. Violence against women and children, particularly rape, remains a grave problem. A specialized prosecution unit and a court with exclusive jurisdiction over sexual and gender-based violence are unable to effectively process the large number of cases brought before them. In 2011, a one-year tracking project found that, in its current capacity, the special unit would take at least 10 years to clear its case backlog.

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