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Compilation on Liberia

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. In 2018, further to an agreement with the Government, the Office of the United Nations High Commissioner for Human Rights (OHCHR) established an office in Liberia.

3. The Human Rights Committee recommended that Liberia seek technical assistance from OHCHR to improve the capacity of the Independent National Commission on Human Rights to investigate human rights violations.³ The United Nations country team indicated that OHCHR was supporting Liberia in enhancing the Commission's operations.⁴

4. The United Nations Mission in Liberia (UNMIL) and OHCHR recommended that Liberia seek technical assistance from the United Nations and other partners, including for the implementation of recommendations made under the universal periodic review.⁵

III. National human rights framework⁶

5. The Human Rights Committee was concerned that certain provisions of the Constitution and of statutory and of customary laws remained incompatible with the Covenant, and it was also concerned about persistent discrepancies between different sources of law.⁷ The Committee on the Elimination of Discrimination against Women was concerned that certain elements of customary law did not comply with the Convention.⁸ The Human Rights Committee recommended that Liberia guarantee that the provisions of the Covenant had full legal effect in its domestic legal system and that it bring domestic legislation into full compliance with the International Covenant on Civil and Political Rights.⁹ The



Committee on the Elimination of Discrimination against Women recommended that Liberia bring customary and statutory law into line with the Convention on the Elimination of All Forms of Discrimination against Women, eliminate existing conflicts and ensure that women were a part of the process, through traditional women's councils or any other appropriate way.¹⁰

6. The Human Rights Committee, while noting that the Independent National Commission on Human Rights was accredited in 2017 with A status by the Global Alliance of National Human Rights Institutions, remained concerned about the reported underfunding of the Commission, delays in the appointment of commissioners and the Commission's limited expertise in investigating human rights violations.¹¹ It recommended strengthening the resources allocated to the Commission, thereby enabling it to discharge its functions efficiently, and ensuring that the process for appointing commissioners and the Chair was timely, inclusive and transparent.¹²

7. The United Nations country team indicated that the new national human rights action plan had been concluded and was launched on 10 December 2019.¹³

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination¹⁴

8. The Human Rights Committee was concerned about the stigmatization and de facto discrimination suffered by persons living with HIV/AIDS, persons with psychosocial disabilities, Ebola virus disease survivors and persons with albinism.¹⁵ It recommended that Liberia adopt comprehensive legislation against discrimination that included a definition of all forms of discrimination, provide for effective remedies in case of violations and carry out broad education and awareness-raising campaigns that promoted equality, tolerance and respect for diversity.¹⁶

9. The Committee on the Elimination of Discrimination against Women reiterated its previous recommendation that Liberia adopt a comprehensive legal definition of discrimination against women in line with article 1 of the Convention.¹⁷

10. The Office of the United Nations High Commissioner for Refugees (UNHCR) noted that the Aliens and Nationality Law and the Constitution of Liberia contained provisions on the transmission or acquisition of nationality that were discriminatory on the basis of gender and ethnic origin and in contravention of the obligations of Liberia under international human rights treaties. UNHCR recommended that Liberia remove all discriminatory provisions, including on the basis of gender and ethnic origin, with regard to the right to nationality and naturalization.¹⁸

11. The Committee on the Elimination of Discrimination against Women recommended that Liberia repeal the discriminatory provisions of its legislation and ensure that Liberian women who gave birth to children outside the country could transmit their nationality to their children on an equal basis with Liberian men whose children were born outside the country.¹⁹

12. The Human Rights Committee was concerned about the criminalization of same-sex sexual conduct between consenting adults and attempts to increase penalties.²⁰ It recommended that Liberia decriminalize same-sex sexual conduct between consenting adults, explicitly reject any form of social stigmatization, discrimination or violence against persons based on their sexual orientation or gender identity, facilitate access to justice by victims and undertake education campaigns on non-discrimination, inclusion and diversity.²¹

2. Development, the environment, and business and human rights²²

13. The Human Rights Committee recommended that Liberia ensure that private companies carrying out development projects implement corporate social responsibility policies supported by effective monitoring and accountability mechanisms.²³

14. The Committee on the Elimination of Discrimination against Women recommended ensuring effective consultations with affected communities before granting concessions to companies or third parties for the economic exploitation of land and territories.²⁴

3. Human rights and counter-terrorism

15. The Human Rights Committee was concerned about the imprecise and overly expansive definition of terrorism in the Penal Code of Liberia as a capital crime.²⁵ It recommended revising the legal provisions on terrorism to ensure that acts of terrorism were defined in a precise and narrow manner, in accordance with international standards, and ensuring that persons suspected of, or charged with, terrorism were provided with all legal safeguards.²⁶

B. Civil and political rights

1. Right to life, liberty and security of person²⁷

16. The Human Rights Committee was concerned that, contrary to the obligations of Liberia further to its accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, judges continued to sentence people to death and that the death penalty was mandatory for certain crimes.²⁸ The Committee recommended removing any provisions in legislation that provided for the death penalty, commuting all existing death sentences and refraining from carrying out any executions.²⁹

17. The Human Rights Committee was concerned about allegations of arbitrary arrests and detention and the excessive use of police force, notably in the context of dispersing demonstrators.³⁰ The United Nations country team noted that the Liberia National Police Act did not regulate police conduct in cases of protests and demonstrations, and it was concerned about the alleged use of excessive force by the national police, on 5 February 2018, to disperse a demonstration of students and, on 24 June 2019, when one person was shot and killed and another wounded by bullets shot by police officers. The country team recommended that Liberia bring the Act into line with the Constitution.³¹

18. The Human Rights Committee recommended ensuring that police officers strictly adhered to the 48-hour statutory detention period and that persons deprived of liberty had access to an immediate remedy to challenge the legality of detention. It also recommended ensuring that domestic legislation and policies were in line with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, intensifying the provision of training on the use of force to law enforcement personnel and raising awareness among judges, prosecutors and lawyers. The Committee further recommended ensuring that all instances of arbitrary detention and arrest and the excessive use of force by police were investigated, those responsible were brought to justice and victims were provided with effective remedies.³²

19. The Assistant Secretary-General for Human Rights was concerned about the serious overcrowding and insufficient food in Monrovia Central Prison and about the high number of people held in pretrial detention.³³ The Human Rights Committee noted that, despite the efforts of Liberia, conditions of detention remained very harsh and severe.³⁴ It recommended scaling up the work of the Magistrate Sitting Programme to all places of detention, promoting alternatives to detention, such as bail and house arrest, ensuring that pretrial detention was used solely as an exceptional measure, resuming the construction of the new prison facility in Cheesemanburg and ensuring that detention conditions in all facilities for persons deprived of liberty met the standards set out in the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).³⁵

20. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was concerned about the situation of persons deprived of liberty and noted that Liberia had yet to establish a national preventive mechanism to prevent torture and ill-treatment.³⁶

2. Administration of justice, including impunity, and the rule of law³⁷

21. UNHCR noted that corruption at all levels of the Government continued to undermine public trust in State institutions.³⁸

22. The Human Rights Committee was concerned about the backlog of court cases, challenges to the independence of the judiciary and the absence of a legal aid system in Liberia.³⁹ The United Nations country team noted that access to justice for rural communities and vulnerable groups remained a serious challenge.⁴⁰

23. The United Nations country team expressed concerns about irregularities in the proceedings conducted by the Senate of Liberia involving the impeachment of an Associate Justice of the Supreme Court who was found guilty of official misconduct and serious breach of duty. According to the country team, the process did not adhere to the rules of impeachment as set out in the Constitution, resulting, in principle, in an attack on the separation of powers.⁴¹

24. The Human Rights Committee recommended strengthening financial resources allocated to the judiciary, increasing the availability of trained judges, prosecutors and public defenders and reducing registration fees for lawyers. It also recommended taking measures to curb incidents of corruption within the judiciary and ensuring that disciplinary procedures against unethical judges and magistrates were duly conducted. The Committee further recommended expediting the revision of the provisions of the Constitution that adversely affected the independence of the judiciary and ensuring that the appointment, promotion and removal of judges were compatible with the independence of the judiciary and free from executive interference. It recommended that Liberia create an adequately resourced legal aid system and provide for free interpretation for all defendants who did not understand or speak the language used in court.⁴²

25. UNMIL and OHCHR were concerned about the persistence of the practice of trial by ordeal, including use of sassywood, which was considered by many as a means of criminal investigation or “fact-finding” and commonly conducted in response to allegations of witchcraft. It noted that such “investigations” could be carried out on the instruction of public officials. It recommended that Liberia adopt legislation to criminalize traditional practices related to accusations of witchcraft and trial by ordeal.⁴³

26. The Human Rights Committee was concerned that none of the alleged perpetrators of gross human rights violations and war crimes mentioned in the report of the Truth and Reconciliation Commission had been brought to justice and that some of those individuals were or had been holding official executive positions, including in the Government.⁴⁴ It recommended establishing a process of accountability for past gross human rights violations and war crimes that conformed to international standards, ensuring that all alleged perpetrators of gross human rights violations and war crimes were impartially prosecuted and, if found guilty, convicted and punished in accordance with the gravity of the acts committed, regardless of their status or any domestic legislation on immunities, and removing any persons who were proven to have been involved in gross human rights violations and war crimes from official positions.⁴⁵

27. The same Committee also recommended that Liberia take all measures necessary to implement the recommendations of the Truth and Reconciliation Commission, develop and implement a comprehensive reparations scheme for all victims of gross human rights violations and war crimes and redouble its efforts aimed at fostering reconciliation and sustaining peace, with the participation of victims and their families and civil society organizations active in seeking justice for past crimes.⁴⁶ The Assistant Secretary-General for Human Rights recommended that transitional justice and reconciliation be of paramount concern for the new Government.⁴⁷

28. The United Nations country team indicated that one of the recommendations made in the context of the economic dialogue held in 2019 was to establish a court to consider cases of war and economic crimes in Liberia.⁴⁸

29. UNMIL and OHCHR recommended conducting trainings with judicial actors to ensure proper processing of cases involving juvenile offenders.⁴⁹

3. Fundamental freedoms and the right to participate in public and political life⁵⁰

30. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression welcomed progress made by Liberia to ensure freedom of expression. However, he urged all public officials to promote the role of the independent media in all aspects of governance and not to engage in attacks on media professionals.⁵¹

31. The Human Rights Committee was concerned about the existence of defamation and libel provisions in the Penal Code, which were used to silence dissent and penalize statements made by members of the media.⁵² The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression noted that, in recent years, there had been several cases in which public authorities had filed civil libel lawsuits against local newspapers and journalists, seeking large awards for damages.⁵³

32. The Human Rights Committee recommended ensuring that any restriction on media activities was in strict compliance with the International Covenant on Civil and Political Rights, accelerating the enactment of the bill decriminalizing defamation and libel and protecting journalists and the media against any form of undue interference, harassment or attack.⁵⁴ The same Committee and the United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended expediting the establishment of an independent broadcasting regulator.⁵⁵ The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression recommended developing legislation, in line with international standards, to establish strict limits on the damages available in civil defamation suits and finalizing and enacting the bill to transform the Liberian Broadcasting System into an independent public broadcasting network.⁵⁶

33. The Security Council commended Liberia for the legislative and presidential elections held in 2017 and the peaceful resolution of disputes, which had helped to build the resilience of the democratic institutions of Liberia.⁵⁷ The Human Rights Committee⁵⁸ and the United Nations country team made similar observations.⁵⁹

34. The United Nations country team was concerned about violence and verbal attacks, from both opposition and ruling party supporters, that took place during the elections held in July 2019. Serious shortcomings contributed to the need to redo the elections of July 2019, in August 2019, after allegations of irregularities. The country team recommended that Liberia consider the 17 recommendations made by the Elections Coordinating Committee in August 2019, in order to strengthening electoral laws and further enhance the democratic participation of all citizens.⁶⁰

35. The Human Rights Committee was concerned about undue restrictions and limitations on the right to vote experienced by various groups of persons, difficulties faced by persons with disabilities in gaining access to polling places and the limited resources and independence of the National Elections Commission.⁶¹ It recommended removing undue restrictions on standing for public office, amending the legislative framework and adopting procedures to ensure that the right to vote could be exercised without discrimination, removing any physical obstacles to access to polling places and establishing an electoral court equipped with the necessary resources.⁶²

36. The United Nations country team regretted that, further to demonstrations by opposition parties on 7 June 2019, access to the Internet was shut down.⁶³

4. Prohibition of all forms of slavery⁶⁴

37. The Human Rights Committee remained concerned about the weak implementation of the Act to Ban Trafficking in Persons and about reports of forced labour.⁶⁵ It recommended strictly implementing the domestic legal framework in relation to trafficking in persons and adjusting the legal penalties set out in the Act. It also recommended increasing the resources

necessary for the effective implementation of the national action plan against trafficking for the period 2014–2019, allocating sufficient resources to the section of the police responsible for the protection of women and children, bringing alleged perpetrators to justice and punishing the convicted with adequate sanctions.⁶⁶

38. The Committee on the Elimination of Discrimination against Women recommended that Liberia step up efforts to address the root causes of trafficking in women and girls and ensure the rehabilitation and social integration of victims, including by providing them with access to shelters, legal, medical and psychosocial assistance and alternative income-generating opportunities.⁶⁷

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work⁶⁸

39. UNHCR regretted that the rise in the cost of living, due to inflationary pressures and limited employment opportunities, continued to undermine the welfare of Liberians and refugees.⁶⁹ The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression noted that job creation was slow in Liberia.⁷⁰

40. The Committee on the Elimination of Discrimination against Women was concerned that the employment sector was heavily affected by the Ebola virus disease outbreak and that many women in both the formal and informal sectors of employment had lost economic opportunities and earnings as a result of the pandemic.⁷¹ The same Committee recommended ensuring that recovery plans specifically addressed the persisting gender inequalities in the employment sector and setting up efforts to promote the entry of women into the formal economy through, among other things, the provision of vocational and technical training. The Committee also recommended conducting regular labour inspections and enforcing compliance with labour laws by private employers, in particular with regard to domestic work.⁷²

41. The same Committee recommended that Liberia expand access for women to microfinance and microcredit at low interest rates in order to enable them to engage in income-generating activities and to start their own businesses.⁷³

2. Right to an adequate standard of living⁷⁴

42. The United Nations country team welcomed the pro-poor agenda for prosperity and development, 2018–2023.⁷⁵

43. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression noted that the economy of Liberia was underdeveloped, posing a major challenge to the livelihoods of individuals. He was concerned that an estimated 64 per cent of the population was living below the poverty line.⁷⁶

44. The Committee on the Elimination of Discrimination against Women regretted the limited access for women to infrastructure and social services. It recommended improving infrastructure in rural areas and the provision of health care, sanitation, potable water and electricity.⁷⁷ The same Committee also recommended that Liberia seek international assistance and cooperation, where appropriate, to that end.⁷⁸

45. The Human Rights Committee recommended that Liberia accelerate the adoption of the land rights bill and ensure that it provided for equal land and property rights for women and men.⁷⁹

3. Right to health⁸⁰

46. The Human Rights Committee was concerned about the prevalence of unsafe clandestine abortions, which often led to maternal mortality, and the high rate of early pregnancy among adolescents, due notably to the limited access to sexual and reproductive health services.⁸¹ It recommended that Liberia guarantee safe, legal and effective access to abortion and ensure that criminal sanctions were not applied against those seeking abortion

or against medical service providers that assist them.⁸² The Committee on the Elimination of Discrimination against Women had similar concerns and recommendations.⁸³

47. The same Committee noted that the Ebola virus disease outbreak had had a severe impact on women's lives and health and hampered the efforts of Liberia to combat the high maternal and infant mortality rates. It was also concerned that the prevention of mother-to-child transmission of HIV remained a challenge.⁸⁴ The Committee recommended addressing the barriers to access for women to health-care services, including sociocultural barriers, strengthening the training of midwives and nurses and strengthening the programme for the reduction of maternal, newborn and child mortality rates and ensuring its full implementation with wider geographical coverage. The Committee further recommended promoting comprehensive, rights-based and age-appropriate education on sexual and reproductive health and rights, increasing access to contraceptives for women and men of all ages throughout Liberia, stepping up the implementation of strategies to combat HIV/AIDS and continuing the provision of free antiretroviral treatment to all who were living with HIV.⁸⁵

4. Right to education⁸⁶

48. The United Nations country team welcomed the plan on improving the education sector. It noted that, in 2018, free tuition was established for undergraduate students, but that Liberia should continue taking measures to ensure high-quality education for all, including through the implementation of policies related to the right to education, such as free and compulsory basic education.⁸⁷

49. UNESCO noted that the Education Reform Act was not in line with the Education 2030 Framework for Action, in which it was recommended that States provided 12 years of free education, with a minimum of 9 years of compulsory education and at least 1 year of free and compulsory pre-primary education.⁸⁸

50. UNESCO noted that girls and women were underrepresented at all educational levels and that, in the teaching force, only 26 per cent of teachers were women. It was concerned about the high prevalence of sexual and gender-based violence in schools in Liberia.⁸⁹

51. The Committee on the Elimination of Discrimination against Women was concerned about the low school enrolment and retention rates among girls, gender disparities in access to scholarships and the increasing number of girls who dropped out of school.⁹⁰ It reiterated its recommendations that Liberia introduce programmes that encouraged the enrolment and retention of girls in school, introduce monitoring mechanisms to address the recruitment of girls into the Sande secret society, and prevent and eliminate abuse and sexual violence perpetrated against girls at school and ensure that perpetrators were adequately punished. The Committee recommended promoting re-entry into school for girls after they had given birth and integrating age-appropriate education on sexual and reproductive health and rights into school curricula.⁹¹

52. UNESCO recommended that Liberia consider revising the Constitution to fully enshrine the right to education and specify its free and compulsory nature. It also recommended revising the law on education to extend free education to 12 years, compulsory education to 9 years and guaranteeing at least 1 year of free and compulsory pre-primary education, in line with the Education 2030 Framework for Action. UNESCO further recommended that Liberia ensure that no child was left out of school by adopting legal, policy and administrative measures.⁹²

53. UNESCO recommended strengthening the quality of education, notably by adopting standards applicable to all educational institutions and ensuring that teachers were adequately supervised, trained and paid. It also recommended that Liberia consider increasing government spending in education to the benchmark of 4 to 6 per cent of gross domestic product, as recommended in the Education 2030 Framework for Action, and ensure access to all levels of education.⁹³ UNESCO also recommended improving access and transparency with regard to education laws and policies and ensuring inclusive education, giving particular attention to people with disabilities and to girls and women, notably by ensuring a safe and conducive environment free from all violence, including sexual and gender-based violence.⁹⁴

D. Rights of specific persons or groups

1. Women⁹⁵

54. UNMIL and OHCHR observed that some practices carried out in Liberia under the guise of “tradition” or “culture” were incompatible with universal human rights standards,⁹⁶ such as female genital mutilation, forcible initiation into secret societies, trial by ordeal, allegations of witchcraft and ritualistic killings. UNMIL and OHCHR also noted that, despite the domestic legal framework prohibiting some of those practices, harmful practices were largely left unaddressed by the formal justice system.⁹⁷ The Human Rights Committee recommended that Liberia ensure that all allegations and indications that such practices had been committed, including by secret societies, were effectively investigated and that the alleged perpetrators were prosecuted and, if convicted, punished with adequate sanctions.⁹⁸ UNMIL and OHCHR recommended that Liberia enhance the national protection system to prevent and respond to human rights violations arising from harmful traditional practices, and protect and assist victims. UNMIL and OHCHR also recommended guaranteeing non-recurrence and conducting large-scale sensitization of traditional actors on human rights issues arising from some of those practices.⁹⁹ The Committee on the Elimination of Discrimination against Women had similar concerns and recommendations.¹⁰⁰

55. While noting the 2018 presidential executive order banning the female genital mutilation of girls under 18 years of age or of non-consenting women, the Human Rights Committee remained concerned that the practice, affecting more than half of Liberian women and girls, was still not prohibited by law.¹⁰¹ The United Nations country team indicated that, although the Government had publicly stated its commitment to the abolition of female genital mutilation, provisions for sanctions had been removed from the Domestic Violence Act, leaving girls and women at serious risk.¹⁰² The United Nations country team noted that a bill criminalizing female genital mutilation, the result of an inclusive consultation, was being concluded for submission to the Legislature.¹⁰³

56. The Human Rights Committee recommended that Liberia adopt and effectively implement legislation criminalizing all forms of female genital mutilation, without exception.¹⁰⁴ The Committee on the Elimination of Discrimination against Women recommended introducing sanctions commensurate with the crime to ensure that the practice was prohibited in all circumstances and would be eradicated.¹⁰⁵ The Human Rights Committee recommended strengthening awareness-raising and education programmes on the discriminatory and long-term harmful effects of female genital mutilation and taking effective measures to facilitate access to justice for victims and to protect them and their defenders from repercussions or reprisals.¹⁰⁶ The Committee on the Elimination of Discrimination against Women made similar recommendations.¹⁰⁷

57. The same Committee was concerned about child marriage and recommended that Liberia harmonize the legal age of marriage at 18 years of age for girls and boys and ensure that women who married under customary law were afforded protection equal to that of women who married under statutory law.¹⁰⁸ The Committee recommended taking effective legal measures to prohibit and eliminate child and/or forced marriages and discourage and prohibit polygamy.¹⁰⁹ It also recommended ensuring that inheritance rights under both customary and statutory marriage were in line with the Convention on the Elimination of All Forms of Discrimination against Women and were effectively enforced.¹¹⁰

58. The Security Council was concerned that women and girls in Liberia continued to face a high incidence of sexual and gender-based violence.¹¹¹ UNMIL and OHCHR highlighted that rape was the second most commonly reported serious crime in Liberia and the prevalence of impunity for those crimes. UNMIL and OHCHR noted that close to 80 per cent of rape victims were under the age of 18, and included girls under the age of 5. UNMIL and OHCHR were alarmed at the level of impunity for rape in Liberia.¹¹²

59. The United Nations country team was concerned about the insufficient long-term sustainable support provided for the recovery, rehabilitation and reintegration of girls who had been victims of sexual violence in Liberia and recommended providing them with specific care and protection.¹¹³

60. UNHCR regretted the lack of accountability – due to government inaction in some instances – in cases of violence against women, including rape, domestic violence and female genital mutilation, and cases of trafficking in persons and child labour.¹¹⁴

61. The Security Council reiterated its call upon Liberia to combat impunity and hold accountable all perpetrators responsible for such crimes, including through the implementation of its national action plan on combating sexual and gender-based violence and improving access to justice for women and girls.¹¹⁵ UNMIL and OHCHR recommended bringing provisions of the Penal Code and other relevant domestic legislation that addressed rape into line with applicable international human rights standards.¹¹⁶ The Human Rights Committee recommended that Liberia enact and effectively implement legislation that criminalized all forms of domestic violence, including marital rape.¹¹⁷

62. The Committee on the Elimination of Discrimination against Women recommended that Liberia step up its efforts to encourage the reporting of violence against women and to ensure the expansion of Criminal Court E to all counties of Liberia.¹¹⁸ The Committee also recommended that Liberia establish a national coordination mechanism with a mandate to address all forms of violence against women and girls.¹¹⁹

63. The same Committee recommended that Liberia raise public awareness about discriminatory gender stereotypes that persisted at all levels of society, with a view to eliminating them, and expand related programmes, in particular in rural areas, targeting traditional leaders.¹²⁰ The United Nations country team welcomed the initiative on the promotion of gender empowerment and equality.¹²¹

64. While noting the efforts of Liberia to promote the political participation of women, the Human Rights Committee was concerned about the underrepresentation of women in public affairs and in decision-making positions.¹²² The Committee on the Elimination of Discrimination against Women recommended that Liberia introduce temporary special measures to increase the participation of women in political and public life, education and employment.¹²³ It recommended, in particular, accelerating the full and equal participation of women in elected and appointed bodies, including in the parliament, in senior leadership positions in the civil service and at the ministerial level.¹²⁴ The Human Rights Committee recommended taking all steps necessary to ensure the passage of the affirmative action bill and removing all direct and indirect obstacles to the participation of women in public affairs and in decision-making, notably by repealing registration fees for women candidates.¹²⁵

65. The United Nations country team recommended that Liberia ensure the full participation of women in strategies and programmes, including monitoring and evaluation.¹²⁶ The Committee on the Elimination of Discrimination against Women recommended including women in the development and implementation of disaster risk reduction strategies and programmes.¹²⁷ The Committee also recommended facilitating the full participation of women in rural development programmes and policies and decision-making.¹²⁸

66. The same Committee recommended amending the Domestic Relations Law to ensure equal parental rights for women in all cases and protecting the economic rights of women in de facto unions.¹²⁹

2. Children¹³⁰

67. UNESCO was concerned that corporal punishment was lawful in schools.¹³¹ The Human Rights Committee recommended taking practical steps, including legislative measures, to put an end to corporal punishment in all settings.¹³²

68. The United Nations country team noted that, although Liberia adopted a national action plan for child welfare and protection for the period 2018–2022, it regretted that implementation thereof was lagging.¹³³

69. UNMIL and OHCHR referred to reports of children as young as 4 years of age who had been allegedly accused of witchcraft and subjected to “cleansing” rituals and noted that children accused of witchcraft had been separated from their families on a temporary or permanent basis. It recommended that Liberia engage with and sensitize traditional practitioners, district commissioners, employees of the Ministry of Internal Affairs and other

actors, at the national, local and grass-roots levels, concerning the harmful effects of trial by ordeal and accusations of witchcraft.¹³⁴

70. The United Nations country team noted the persistence of the worst forms of child labour in Liberia.¹³⁵ The Human Rights Committee recommended that Liberia take all measures necessary to eliminate forced labour and all forms of child labour exploitation, in particular in the rubber manufacturing and mining industries, effectively implement the national action plan to combat the worst forms of child labour and enforce the provisions on forced labour in the Penal Code and the provisions on mandatory primary education in the Children's Law.¹³⁶

71. The Committee on the Elimination of Discrimination against Women recommended providing for the best interests of the child to be the governing principle in matters of child custody.¹³⁷

3. Refugees and asylum seekers

72. UNHCR recommended that Liberia consider amending the Aliens and Nationality Law in order to effectively ensure the right to seek asylum without restrictions and respect for the principle of non-refoulement.¹³⁸

73. The Human Rights Committee was concerned that the principle of non-refoulement was not always observed.¹³⁹ It recommended that Liberia pursue the reform of the Refugee Act and reinforce the absolute prohibition of refoulement.¹⁴⁰

4. Stateless persons

74. The United Nations country team noted that, although Liberia had acceded to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness, harmonization of domestic legislation therewith had not yet been undertaken.¹⁴¹

75. The Human Rights Committee was concerned about the lack of an applicable legal framework for stateless persons.¹⁴²

76. UNHCR regretted that Liberia had not yet introduced a statelessness determination procedure. It recommended considering reviewing and prioritizing the passage into law of the amendment to the Refugee Act providing for the establishment of a statelessness determination procedure and the issuance of statelessness status to concerned persons. It also recommended adopting regulations for facilitating the acquisition of citizenship by naturalization for refugees and stateless persons and continuing to support regional and global initiatives to end statelessness.¹⁴³

77. The Committee on the Elimination of Discrimination against Women recommended ensuring that children born to Liberian women married to non-Liberian men were not rendered stateless and had access to education, health care and other basic services on an equal basis with other children.¹⁴⁴

78. The Human Rights Committee remained concerned that the rate of birth registration remained low in Liberia, particularly in rural areas. It recommended that Liberia ensure access to free registration throughout the country and strengthen access in rural areas, including by using mobile registration units.¹⁴⁵

Notes

¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Liberia will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/LRIndex.aspx.

² For relevant recommendations, see A/HRC/30/4, paras. 100.1–100.22, 100.37, 100.54 and 100.105–100.111.

³ CCPR/C/LBR/CO/1, para. 9.

⁴ United Nations country team submission for the universal periodic review of Liberia, para. 56.

- ⁵ UNMIL and OHCHR, “Assessment of human rights issues emanating from traditional practices in Liberia” (https://unmil.unmissions.org/sites/default/files/harmful_traditional_practices_final_-_18_dec_2015.pdf), sect. 10.
- ⁶ For relevant recommendations, see A/HRC/30/4, paras. 100.23–100.28, 100.34–100.36, 100.38–100.40, 100.42–100.53, 100.55, 100.60–100.63, 100.65, 100.66, 100.69, 100.71–100.72, 100.74, 100.76–100.82, 100.91, 100.97, 100.118, 100.128, 100.132, 100.138, 100.146 and 100.186.
- ⁷ CCPR/C/LBR/CO/1, para. 6.
- ⁸ CEDAW/C/LBR/CO/7-8, para. 13.
- ⁹ CCPR/C/LBR/CO/1, para. 7.
- ¹⁰ CEDAW/C/LBR/CO/7-8, para. 14 (a).
- ¹¹ CCPR/C/LBR/CO/1, para. 8.
- ¹² Ibid., para. 9.
- ¹³ United Nations country team submission, para. 20.
- ¹⁴ For relevant recommendations, see A/HRC/30/4, paras. 100.75, 100.116–100.117, 100.119, 100.121–100.124, 100.127, 100.129 and 100.143.
- ¹⁵ CCPR/C/LBR/CO/1, para. 16.
- ¹⁶ Ibid., para. 17.
- ¹⁷ [CEDAW/C/LBR/CO/7-8](#), para. 12.
- ¹⁸ UNHCR submission for the universal periodic review of Liberia, pp. 2–3.
- ¹⁹ [CEDAW/C/LBR/CO/7-8](#), para. 34.
- ²⁰ CCPR/C/LBR/CO/1, para. 18.
- ²¹ Ibid., para. 19.
- ²² For relevant recommendations, see A/HRC/30/4, paras. 100.166, 100.167 and 100.169.
- ²³ CCPR/C/LBR/CO/1, para. 47.
- ²⁴ [CEDAW/C/LBR/CO/7-8](#), para. 42 (d).
- ²⁵ CCPR/C/LBR/CO/1, para. 14.
- ²⁶ Ibid., para. 15.
- ²⁷ For relevant recommendations, see A/HRC/30/4, paras. 100.29–100.33, 100.41, 100.156, 100.157, 100.159, 100.160 and 100.162.
- ²⁸ CCPR/C/LBR/CO/1, para. 28.
- ²⁹ Ibid., para. 29.
- ³⁰ Ibid., para. 30.
- ³¹ United Nations country team submission, paras. 6–9.
- ³² CCPR/C/LBR/CO/1, para. 31.
- ³³ See <https://news.un.org/en/story/2017/08/562862-new-un-human-rights-office-open-liberia-early-2018>.
- ³⁴ CCPR/C/LBR/CO/1, para. 34.
- ³⁵ Ibid., para. 35.
- ³⁶ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23771&LangID=E.
- ³⁷ For relevant recommendations, see A/HRC/30/4, paras. 100.64, 100.68, 100.70, 100.67, 100.142, 100.144, 100.150, 100.154–100.155, 100.158 and 100.164.
- ³⁸ UNHCR submission, p. 2.
- ³⁹ CCPR/C/LBR/CO/1, para. 36.
- ⁴⁰ United Nations country team submission, para. 29.
- ⁴¹ Ibid., paras. 3–5.
- ⁴² CCPR/C/LBR/CO/1, para. 37.
- ⁴³ UNMIL and OHCHR, “Assessment of human rights issues”, para. 74.
- ⁴⁴ CCPR/C/LBR/CO/1, para. 10.
- ⁴⁵ Ibid., para. 11.
- ⁴⁶ Ibid., para. 11 (b)–(c).
- ⁴⁷ See <https://news.un.org/en/story/2017/08/562862-new-un-human-rights-office-open-liberia-early-2018>.
- ⁴⁸ United Nations country team submission, para. 25.
- ⁴⁹ UNMIL and OHCHR, “Addressing impunity for rape in Liberia” (https://unmil.unmissions.org/sites/default/files/impunity_report_-_binding.pdf), sect. 9.
- ⁵⁰ For relevant recommendations, see A/HRC/30/4, paras. 100.56, 100.163 and 100.75.
- ⁵¹ A/HRC/38/35/Add.3, para. 64.
- ⁵² CCPR/C/LBR/CO/1, para. 40.
- ⁵³ A/HRC/38/35/Add.3, para. 29.
- ⁵⁴ CCPR/C/LBR/CO/1, para. 41.
- ⁵⁵ Ibid.; and UNESCO submission for the universal periodic review of Liberia, para. 12.
- ⁵⁶ A/HRC/38/35/Add.3, para. 66 (c)–(d).
- ⁵⁷ See S/PRST/2018/8.
- ⁵⁸ CCPR/C/LBR/CO/1, para. 3.

- 59 United Nations country team submission, para. 10.
- 60 Ibid., paras. 14–15.
- 61 CCPR/C/LBR/CO/1, para. 44.
- 62 Ibid., para. 45.
- 63 United Nations country team submission, para. 8.
- 64 For relevant recommendations, see A/HRC/30/4, paras. 100.113 and 100.134.
- 65 CCPR/C/LBR/CO/1, para. 32.
- 66 Ibid., para. 33.
- 67 CEDAW/C/LBR/CO/7-8, para. 28.
- 68 For the relevant recommendation, see A/HRC/30/4, para. 100.171.
- 69 UNHCR submission, p. 1.
- 70 A/HRC/38/35/Add.3, para. 11.
- 71 CEDAW/C/LBR/CO/7-8, para. 37.
- 72 Ibid., para. 38.
- 73 Ibid., para. 42 (b).
- 74 For relevant recommendations, see A/HRC/30/4, paras. 100.165, 100.168 and 100.170.
- 75 United Nations country team submission, para. 16.
- 76 A/HRC/38/35/Add.3, para. 11.
- 77 CEDAW/C/LBR/CO/7-8, paras. 41 and 42 (c).
- 78 Ibid., 42 (c).
- 79 CCPR/C/LBR/CO/1, para. 47.
- 80 For relevant recommendations, see A/HRC/30/4, paras. 100.172–100.177 and 100.180.
- 81 CCPR/C/LBR/CO/1, para. 26.
- 82 Ibid., para. 27.
- 83 CEDAW/C/LBR/CO/7-8, paras. 39 (d) and 40 (f).
- 84 Ibid., para. 39.
- 85 Ibid., para. 40.
- 86 For relevant recommendations, see A/HRC/30/4, paras. 100.180–100.185.
- 87 United Nations country team submission, para. 108.
- 88 UNESCO submission, p. 4.
- 89 Ibid., p. 5.
- 90 CEDAW/C/LBR/CO/7-8, para. 35.
- 91 Ibid., para. 36.
- 92 UNESCO submission, p. 6.
- 93 Ibid.
- 94 Ibid.
- 95 For relevant recommendations, see A/HRC/30/4, paras. 100.57, 100.59, 100.64, 100.67, 100.98, 100.99–100.101, 100.112, 100.114–100.115, 100.118–100.120, 100.126–100.141, 100.143, 100.145–100.147 and 100.163.
- 96 UNMIL and OHCHR, “Assessment of human rights issues”, para. 2.
- 97 Ibid., para. 3.
- 98 CCPR/LBR/CO/1, para. 23.
- 99 UNMIL and OHCHR, “Assessment of human rights issues”, sect. 10.
- 100 CEDAW/C/LBR/CO/7-8, paras. 23–24.
- 101 CCPR/C/LBR/CO/1, para. 22.
- 102 United Nations country team submission, paras. 41 and 85.
- 103 Ibid., para. 40.
- 104 CCPR/C/LBR/CO/1, para. 23.
- 105 CEDAW/C/LBR/CO/7-8, para. 24 (a).
- 106 CCPR/C/LBR/CO/1, para. 23 (c)–(d).
- 107 CEDAW/C/LBR/CO/7-8, para. 24.
- 108 Ibid., para. 44.
- 109 Ibid., para. 22 (c).
- 110 Ibid., para. 44.
- 111 See S/PRST/2018/8.
- 112 UNMIL and OHCHR, “Addressing impunity”, para. 88.
- 113 United Nations country team submission, para. 82.
- 114 UNHCR submission, p. 2.
- 115 See S/PRST/2018/8.
- 116 UNMIL and OHCHR, “Addressing impunity”, sect. 9.
- 117 CCPR/C/LBR/CO/1, para. 25 (a).
- 118 CEDAW/C/LBR/CO/7-8, para. 26 (a).
- 119 Ibid., para. 26 (g).
- 120 Ibid., para. 22 (a)–(b).

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- ¹²¹ United Nations country team submission, para. 78.
¹²² CCPR/C/LBR/CO/1, para. 20.
¹²³ [CEDAW/C/LBR/CO/7-8](#), para. 30.
¹²⁴ *Ibid.*, para. 30.
¹²⁵ CCPR/C/LBR/CO/1, para. 21.
¹²⁶ United Nations country team submission, para. 29.
¹²⁷ [CEDAW/C/LBR/CO/7-8](#), para. 7.
¹²⁸ *Ibid.*, para. 42 (a).
¹²⁹ *Ibid.*, para. 44; see also UNMIL and OHCHR, “Addressing impunity”.
¹³⁰ For relevant recommendations, see A/HRC/30/4, paras. 100.58, 100.73, 100.95 and 100.148–100.149.
¹³¹ UNESCO submission, p. 5.
¹³² CCPR/C/LBR/CO/1, para. 43.
¹³³ United Nations country team submission, para. 35.
¹³⁴ UNMIL and OHCHR, “Assessment of human rights issues”, paras. 73 and 83.
¹³⁵ United Nations country team submission, para. 119.
¹³⁶ CCPR/C/LBR/CO/1, para. 33 (e).
¹³⁷ [CEDAW/C/LBR/CO/7-8](#), para. 44.
¹³⁸ UNHCR submission, p. 2.
¹³⁹ CCPR/C/LBR/CO/1, para. 38.
¹⁴⁰ *Ibid.*, para. 39.
¹⁴¹ United Nations country team submission, para. 38.
¹⁴² CCPR/C/LBR/CO/1, para. 38.
¹⁴³ UNHCR submission, p. 3.
¹⁴⁴ [CEDAW/C/LBR/CO/7-8](#), para. 34.
¹⁴⁵ CCPR/C/LBR/CO/1, paras. 42–43.
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