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Head of state and government: **Ellen Johnson Sirleaf**

The justice system continued to be inefficient. Access to prisons was restricted and discrimination continued against women and LGBTI people. Forty-one people were extradited to Côte d'Ivoire without due process.

Background

Former Liberian President Charles Taylor was found guilty by the Special Court of Sierra Leone, and sentenced to 50 years in prison for crimes committed in Sierra Leone. The Liberian people have yet to see anyone prosecuted for human rights violations committed during the armed conflict in their own country, however.

Impunity

Most of the 2009 recommendations of the Liberian Truth and Reconciliation Commission (TRC) were yet to be implemented. These included establishing a criminal tribunal for prosecuting crimes under international law, as well as other legal and institutional reforms, and recommendations relating to accountability, and reparations.

Death penalty

Despite acceding, in 2005, to the Second Optional Protocol to the ICCPR, which commits the country to work towards abolition of the death penalty, death sentences continued to be handed down in 2012, although no executions took place. The death penalty was retained for armed robbery, terrorism and hijacking offences resulting in death.

Justice system

The justice system remained inefficient, under-resourced and corrupt. Court processes were slow resulting in detainees being kept in lengthy pre-trial detention. Approximately 80% of the prison population was awaiting trial. By the end of the year, public defenders were operating in each county, but civil society organizations reported it was still a challenge to find free legal representation.

Prison conditions

Throughout the year, medical care improved slightly with the Ministry of Health and Social Welfare providing regular medical care, although drugs and supplies were still in short supply.

Poor security and harsh conditions contributed to at least a dozen prison breakouts across the country. Sources indicate the authorities responded by cutting time for fresh air and exercise. In January, a ground-breaking ceremony was held for construction of a new central prison in Montserrado County, which was expected to reduce overcrowding and provide improved facilities, but little progress had been made by the end of the year. Many expressed concern that a new prison would not solve the underlying issues that result in high numbers of pre-trial detainees.

Following a 2011 Amnesty International report on prison conditions, the government restricted the access of national and international organizations to prisons and prison data.

By the end of the year, the government had failed to make public a report by the UN Subcommittee on the Prevention of Torture, following a 2011 visit to inspect places of detention.

Refugees and asylum-seekers

In June, 41 people, arrested in 2011 and accused of attempting to cross into Côte d'Ivoire from Liberia with weapons, were extradited to Côte d'Ivoire at the request of the Ivorian government despite the expressed fears of UN agencies, human rights organizations and others that the individuals would be at risk of torture or other ill-treatment, unfair trial or other human rights abuse. The customary international legal principle of non-refoulement was also violated during the extradition process, as was the right to due process of many of the accused. During court proceedings related to the extradition many individuals did not have interpreters, and an appeal against their extradition as well as a habeas petition were pending at the time of their extradition. At least 11 were registered refugees. Others who claimed to be seeking asylum were not allowed to access asylum proceedings and the UN refugee agency, UNHCR, lawyers and others were not allowed access to these people to verify their identities or their potential claims to asylum.

In December, another extradition request was made for eight nationals of Côte d'Ivoire – seven adult men and one child. They were accused by the Ivorian government of having launched an attack that resulted in the death of seven UN peacekeepers and one Ivorian soldier in June 2012. They were also charged in Liberia with various offences including murder, rape, and being mercenaries. There are serious concerns about the lack of evidence in both cases. If extradited, they could be at risk of torture or other ill-treatment, unfair trial, arbitrary detention, enforced disappearance or extra-legal, arbitrary or summary execution.

Violence against women and girls

Domestic violence was still not a crime, and remained rife, as did rape and other forms of sexual violence against women and girls, including harmful traditional practices, such as female genital mutilation and early marriage.

Rights of lesbian, gay, bisexual, transgender and intersex people

Against a backdrop of widespread homophobia in the Liberian general public and the media, two laws aiming to further criminalize same-sex sexual conduct were introduced into the legislature

and led to further discrimination. In July, the Senate voted unanimously to pass an amendment to the Domestic Relations Law of Liberia which seeks to make same-sex marriage a second-degree felony. At the end of the year a vote by the House of Representatives was pending. A second bill seeking to amend the New Penal Code, criminalizing the "promotion" of homosexuality and imposing long sentences for entering into a consensual same-sex relationship, was awaiting a vote by the House of Representatives at the end of the year, before proceeding to the Senate. The ambiguity of the "promotion" clause in the House of Representatives bill has the potential for criminalizing the work of human rights defenders.

A number of LGBTI people reported incidences of discrimination, harassment and threats based on their sexuality. Many of them also reported that the introduction of these bills, perpetuating the stigma of same-sex relationships, made them increasingly concerned for their safety and frightened to seek government services such as health, security, welfare.

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