

Freedom in the World 2014 - Liberia

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2014 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 3.5

Civil Liberties (1 = best, 7 = worst): 4

Political Rights (1 = best, 7 = worst): 3

OVERVIEW

In 2013, Liberia celebrated a decade of relative peace and stability after 14 years of civil war. However, the country still faced endemic problems of corruption, nepotism, procedural injustice, and ineffective oversight of the natural-resources and land-management sectors. Institutions devoted to fighting corruption typically lack the resources and mandate to function effectively, and President Ellen Johnson-Sirleaf – now in her second term – is regularly accused of nepotism in filling key positions. In September, one of her sons, Robert Sirleaf, resigned his post as chairman of the National Oil Company of Liberia (NOCAL); the president had previously suspended a second son from his post as deputy governor of the central bank, and a third son remained head of the National Security Agency. Corruption is especially pervasive in the natural-resources sector, as well as the justice and security sectors, where poorly trained and underpaid judges and police officers solicit bribes and extortion payments from citizens.

Media freedom is threatened by onerous libel laws. In August, the editor of the prominent newspaper *FrontPage Africa* was jailed for failing to pay US\$1.5 million in libel damages to a former agriculture minister, and a publication ban was imposed on the paper. Although the ban was lifted and the editor was released in November, the case provoked outrage from international rights groups and underscored the need for legal reforms.

Academic freedom remained fairly strong in 2013, but dilapidated, underfunded schools impeded access to education in practice. In August, administrators at the University of Liberia revealed that all of the 25,000 students who took the university's entrance exam that year had failed.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 26 / 40

A. Electoral Process: 9 / 12

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. In 2005, as part of a peace agreement, half of the senators were elected to six-year terms only, allowing staggered senatorial elections to be introduced in 2011. The president can serve up to two six-year terms.

In the October 2011 parliamentary elections, incumbent president Johnson-Sirleaf's Unity Party (UP) secured a plurality of 24 seats in the House and 4 of the 15 seats at stake in the Senate. The opposition Congress for Democratic Change (CDC) placed second with 11 House seats and 2 in the Senate. Several smaller parties and independents divided the remainder. In the concurrent presidential race, 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 percent. Johnson-Sirleaf was reelected after winning 90.7 percent of the vote in a November runoff, leaving Tubman with only 9.3 percent.

Although opposition members alleged fraud and corruption, international and local observers found that the elections had been comparatively free, fair, and peaceful, with isolated incidents of violence before and after the voting. A day prior to the vote, police clashed with pro-CDC demonstrators, resulting in at least two deaths and numerous injuries. The government briefly shut down radio and television stations with perceived pro-CDC biases.

B. Political Pluralism and Participation: 11 / 16

The organizational and policymaking capacity of most parties remains weak, and politics continue to be driven largely by leading personalities, with strong underlying ethnic and regional loyalties. The CDC in particular has struggled to maintain internal coherence since its defeat in the 2011 polls. In December 2012, President Johnson-Sirleaf appointed former CDC presidential candidate George Weah to lead the country's postconflict reconciliation process as a "peace ambassador," and in April 2013 she tapped Weah to chair the board of NOCAL after her son resigned from the post.

Ethnic and religious minority groups generally enjoy full political rights and electoral opportunities, though some minorities – especially the Mandingo and Fula peoples – continue to be stigmatized as outsiders. Candidates occasionally exploit these biases to rally their constituents.

C. Functioning of Government: 6 / 12

Corruption remained endemic in 2013, despite some continued progress in combating the problem. Liberia boasts a number of institutions devoted to fighting corruption – including the Liberia Anti-Corruption Commission (LACC), the General Auditing Commission, and the Public Procurement and Concessions Commission – but they lack the resources and capacity to function effectively.

Liberia was the first African state to comply with Extractive Industries Transparency Initiative (EITI) rules governing natural-resource extraction, and in 2013 it remained EITI compliant. Liberia was also the first West African country to pass a Freedom of Information Act. In July, the Office of the Independent Information Commissioner concluded the country's first freedom of information hearing, which resulted in an order instructing the LACC to disclose a number of asset-declaration forms requested by a Liberian nongovernmental organization. In October, the LACC published a report accusing the minister of defense and the police director, among other top officials, of obstructing efforts to verify their assets; while the outcome of the report remained to be seen at year's end, in 2012 Johnson-Sirleaf had suspended 46 officials, including her son Charles Sirleaf, for not disclosing their assets.

President Johnson-Sirleaf has been repeatedly accused of nepotism when filling lucrative bureaucratic posts within her administration. In September 2013, Robert Sirleaf resigned from his job as chairman of NOCAL, as well as his position as senior adviser to the president. The move came just days after the House of Representatives delayed a vote on a bill – drafted under Robert Sirleaf's supervision – that was intended to increase transparency and competition in the oil sector; critics complained that the bill had been drafted without any public comment or discussion. In addition to Charles Sirleaf, who was deputy governor of the central bank, a third son remained in place as head of the National Security Agency.

Corruption has been especially rife in connection with illegal narcotics trafficking and the natural resources sector. Twice in 2013, government officials allegedly impeded the arrests of heroin couriers, and criminal influence may extend to networks of higher-level government figures. Separately, a draft report of a government-commissioned audit found that just 2 of 68 contracts in the natural-resources sector signed since 2009 were in compliance with the country's laws. The government has exercised weak oversight of the alluvial gold sector, and there have been reports of illicit gold trafficking through Côte d'Ivoire and Guinea. Liberia's compliance with the Kimberley Process Certification Scheme in terms of resource exploration and extraction has been hampered by lack of government capacity to monitor diamond-mining activities regionally and in rural areas that are difficult to access. Illegal diamond trafficking is common between Liberia and Sierra Leone.

In July 2013, Transparency International ranked Liberia as one of the world's worst countries in terms of residents' perceptions of corruption. Ninety-seven percent of Liberians surveyed identified corruption in the public sector as a problem or a serious problem, and 85 percent viewed government anticorruption efforts as ineffective or very ineffective.

Civil Liberties: 33 / 60 (-1)

D. Freedom of Expression and Belief: 10 / 16 (-1)

Liberia hosts a variety of newspapers, which publish mainly in the capital; numerous radio stations also operate across the country. The government does not restrict internet access, but poor infrastructure and high costs limit usage to a small fraction of the population. The 2010 Freedom of Information Act promotes unhindered access to public information and is considered a model for the region.

Nevertheless, libel laws pose a threat to media freedoms, with government officials, politicians, judges, and other powerful figures pursuing civil cases against critical journalists. In August 2013, a

judge ordered the newspaper *FrontPage Africa* closed and its editor, Rodney Sieh, jailed after he failed to pay US\$1.5 million in libel damages to former agriculture minister Chris Toe. The move provoked an international outcry from rights groups, including a letter to President Johnson-Sirleaf signed by Human Rights Watch (HRW), Amnesty International, and Global Witness. In November, Toe withdrew his libel action, Sieh was formally released, and the paper resumed publishing, but the incident renewed calls to reform the country's media legislation. Despite pledges to do so in recent years, Liberia again failed to abolish criminal defamation laws in 2013.

Religious freedom is affirmed in the constitution, and 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 quality and infrastructure remain grossly inadequate. In August 2013, a scandal erupted when none of the 25,000 students who took the University of Liberia's entrance exam passed. While the university subsequently admitted 1,800 of the students, the episode was a stark reminder of the poor quality of the country's schools.

E. Associational and Organizational Rights: 8 / 12

Freedoms of assembly and association are guaranteed and largely respected. Numerous civil society groups, including human rights organizations, operate in the country. The government has attempted to manage land disputes between local communities and large palm-oil concessions, with mixed results. In September 2013 the government dispatched police in response to local residents' attempts to block expanded cultivation by the company Equatorial Palm Oil. That month, 17 protesters were arrested during a peaceful march, fueling tensions. A high-level government delegation, including the acting vice president and two government ministers, visited to prevent the situation from deteriorating further.

The rights of workers to strike, organize, and bargain collectively are recognized, but labor laws remain in need of reform. Labor disputes often turn violent, particularly at the various rubber plantations throughout the country.

F. Rule of Law: 7 / 16

Despite constitutional provisions for an independent judiciary, judges are subject to executive influence and corruption. Case backlogs, prolonged pretrial detention, and poor security at correctional facilities continue to impede judicial effectiveness. Harmonization of formal and customary justice systems remains a challenge, and ritual killings, mob violence, and vigilantism persist. Many Liberians express a preference for these informal mechanisms of justice over the corrupt and understaffed courts.

Lack of discipline, absenteeism, and corruption continue to plague the police and armed forces. According to an August 2013 HRW report, the police are routinely accused of extortion, accepting bribes to release prisoners, and failing to investigate crimes if victims do not compensate them directly for their work. While the establishment of a Professional Standards Division has helped the police identify and, in some cases, address these abuses, they remain endemic. Prisons suffer from inadequate medical care, food, and sanitation, and conditions are often life-threatening.

The government lacks adequate legislation regulating weapons possession and trade, and it has been unable to effectively monitor arms trafficking, particularly in the border regions with Côte d'Ivoire, Sierra Leone, and Guinea. In some cases, the government has reportedly purchased weapons from Liberian mercenaries to remove them from circulation, but the chain of custody from that point forward has been opaque. In February 2013, a draft law to control domestic firearms was withdrawn from legislative consideration pending revisions; it had not been resubmitted by year's end.

The first half of 2011 featured an influx of some 180,000 combatants and refugees from political crises in Côte d'Ivoire, Guinea, and Sierra Leone. The effects of these crises continued to pose significant challenges in 2013, and observers said mercenary activity along Liberia's borders has provoked violence and obstructed efforts at refugee repatriation. Former fighters from Sierra Leone are reportedly engaged in illegal mining and trafficking of narcotics and weapons in the Gola Forest area. A series of cross-border raids into Côte d'Ivoire in March killed 10 people. In October, a Monrovia court suspended the trial of 18 men accused of involvement in earlier attacks across the Ivoirian border; the jury was disbanded pending an investigation into possible jury tampering, and a retrial was ordered.

Since its establishment in October 2010, the Independent National Human Rights Commission has made little progress in pursuing national reconciliation following the civil war and in implementing recommendations of the Truth and Reconciliation Commission (TRC), which was formed in 2005. Funding shortfalls, operational deficiencies, and a lack of political determination to break the cycle of impunity have hampered progress. Although recommended by the TRC, no war crimes tribunal has been established and no prosecutions pursued.

Former Liberian president Charles Taylor was apprehended in 2006, and his trial before a UN-backed special court for Sierra Leone opened in 2008 and concluded in 2011. In April 2012, he was convicted on 11 counts of war crimes and crimes against humanity for his role in Sierra Leone's civil war, and sentenced to 50 years in prison. His sentence was upheld on appeal in September 2013, and he began serving the term in a British prison facility the following month.

Under the penal code, "sodomy" is punishable with up to a year in prison. Although the law is rarely enforced, LGBT (lesbian, gay, bisexual, and transgender) people face social stigma and the threat of violence and harassment.

G. Personal Autonomy and Individual Rights: 8 / 16

Communal tensions over land access and ownership remain a potential threat to peace. Many of these conflicts originated in the civil war and the subsequent internal migration, displacement, and resettlement. Others are the result of opaque concession agreements granting foreign corporations access to lands for production of tropical timber, palm oil, and other products. A September 2012 estimate by Global Witness suggested that as much as one-quarter of the country's land mass had been granted to logging companies over the previous two years through licenses that allowed the companies to bypass environmental and social safeguards. President Johnson-Sirleaf placed a moratorium on issuing the logging licenses in January 2013, and in September the government announced that it would review at least 17 of them. Mechanisms for compensating local communities for the extraction of timber remain inadequate, raising the risk of future conflict.

Violence against women and children, particularly rape, is a pervasive 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.