

SHADOW REPORT
UNIVERSAL PERIODIC REVIEW
LIBERIA

This report was compiled by the following civil society organizations in preparation of the up coming UPR country review of Liberia.

- 1. Liberia Coalition of Human Rights Defenders (LCHRD)**
- 2. Research & Documentation Center on Human Rights (RDCHR)**
- 3. Human Concern(HUCOM,INC,)**
- 4. Liberia Technical Committee EFA (LETCOM)**
- 5. National Association of Concern Youth Organization of Liberia.**
- 6. Zorzor District Women Care (ZODWOCA)**
- 7. Human Rights Protection Forum (HRPF)**
- 8. Rescue Alternative Liberia (RAL)**
- 9. West Africa Human Rights Defenders Network**

The following concerns are of interest to the civil society organizations with regard to upcoming review.

HUMAN RIGHTS SITUATION OF LIBERIA (PROMOTION)

- The government of Liberia has proven beyond all reasonable doubt that it is not fully committed to human rights protection and promotion.
- Human Rights education is not a major aspect of government programs and there is no affirmative decision on the part of the government to include human rights education in the national educational curriculum.

- The need to see human rights education in all schools throughout the country can not be overemphasized.

HUMAN RIGHTS DEFENDERS IN LIBERIA

- There is no legislation to protect human rights defenders in Liberia.
- As such, defenders remain vulnerable in the discharge of their duty.
- The need for legislation remains high in the minds of defenders.

DEATH PENALTY

- Liberia has acceded to the 2nd Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty in Liberia.
- However, Liberia is still imposing death penalty for certain crimes.
- There are about four persons sentenced to death by the judicial system in the country. These sentences are yet to be approved by the president.
- The government should implement legislation to enable it to fulfill its international obligation.

HIV/AIDS AND TRAFFICKING IN PERSON:

- Government has no effective control over human trafficking in Liberia.
- There is no specific legislation to curb human trafficking.
- Government even subsidizes many of the orphanage homes deeply engaged in human trafficking.
- Even though the government has declared a moratorium on the adoption of children, due to the lack of legislation, the problem of human trafficking continues to grow.
- The government does not provide treatment for individuals living with HIV/AIDS.

EDUCATION AS A RIGHT

- Liberia was among one hundred and sixty four countries that signed a protocol in 2000 in Dakar Senegal for free and compulsory primary education for all.
- Liberia domesticated the protocol in 2003 and even promised budget allocation for education.
- However, currently, Liberia has the lowest budgetary allocation for education (9%).
- Instead of attending school children are found selling goods on the streets of cities around the country.
- There are not enough school buildings and facilities and when there are school facilities available, they are not easily accessible. For example, children have to walk two to three hours to reach some schools.
- Liberia is also a signatory to Convention on the Rights of a Child (CRC).

PREVENTION AND PROHIBITION OF TORTURE IN LIBERIA

- Liberia ratified the Convention Against Torture in 2004.
- Up to date, Liberia has not submitted its initial report under the Convention.
- Torture still remains a practice in the Liberian criminal justice system, especially in the Intelligent Division of Criminal Investigation Department, National Security Agency, Bureau of Immigration and Naturalization, etc.
- Liberia is yet to recognize the competence of the Committee Against Torture.
- There is no effort on the part of the government to make torture a crime in the country.

CORRUPTION

- The government of Liberia has established an oversight regulatory body, the Anti-Corruption Commission, to fight corruption. However, this commission is very weak to carryout its duties.
- The Act that created the Liberian Anti-Corruption Commission (LACC) contains a provision that requires the Commission to forward all cases of corruption to the Ministry of Justice for prosecution. This provision renders the Commission's independent efforts to fight corruption ineffective.
- Although the Commission reports all corruption cases to the Ministry of Justice for prosecution within three months, as of yet, no corruption cases have been effectively prosecuted by the Ministry of Justice.
- In fact, the government has lost almost all corruption cases it has prosecuted.
- There is a need for the government to effectively fight corruption in the country.

PRISON CONDITION

- A number of detention facilities in the country are not always accessible to human rights monitoring groups, NGOS and other institutions.
- There are no in-prison rehabilitation programs for inmates and physical activities and general welfare programs are not available.
- Medical facilities and services within prisons and detention centers need immediate attention.
- Prolonged pre-trial detentions contribute to the overcrowdedness of all detention centers in the country.

VIOLENCE AGAINST WOMEN

- Even though rape is criminalized in the country, most rape cases are compromised and are not fully prosecuted.
- Discrimination against women, particularly in relation to the prevalence of female genital mutilation (FGM), and the lack of information on women's rights contributes to the high incidence of violence against women in the country.

INHERITANCE BILLS

- The Inheritance Bills Act was passed by the legislature but the government is yet to disseminate information on the Act.
- The percentage of women's participation in the political decision making process is still below 15%. There is no encouragement from the government for women's participation in the political decision making process.
- Affirmative action is needed on the part of the government and should be considered as a necessary tool in addressing inequalities between men and women, particularly in the area of employment.
- National laws are not reviewed and harmonized to weed out those that discriminate against women, e.g. the laws that prohibit forced prostitution and appear to exonerate their clients.
- Gender issues are not addressed with regard to gender equality.
- Promoting gender equality should look at the traditional, cultural and religious values and practices that discriminate against women e.g. early marriage which implicates statutory rape, widows inherited rights, etc.
- There is no firm commitment on the part of the government to make budgetary allocation to tackle women's human right issues.

JUDICIARY

- There is a need for an effective self-regulation by the judiciary to investigate judicial impropriety, corruption and lawyer's professional misconduct.
- The National Bar Association has not been functioning well with lawyers refusing to turn up for meetings.
- There is a need for the National Bar Association to be introspective and identify and address the concerns of its membership.
- There is a need for constitutional and judicial reform that would also take into account the financial aspect of running the judiciary, including the salaries of judges.
- Criteria put in place regarding the appointment of judges are not strictly adhered to.
- There are serious issues regarding the independence of the judiciary.
- There is a need to incorporate international legal standards into present laws not only to aid the judiciary, but to also affirm the government's adherence to the rule of law.
- The judiciary and the police often find it difficult to investigate and prosecute members of their profession suspected of and/or implicated in criminal activities.
- The judiciary should be better trained on issues of human rights.

CONVENTION ON THE RIGHTS OF THE CHILD

- There is a pending legislation for the enactment of the Convention on the Rights of the Child in Liberia. The legislature has failed to pass the legislation into law hence compromising the full protection of the rights children in Liberia.
- Since the submission of the first report under the CRC, the government is yet to make progress on the submission of the second report.

- The Optional Protocol to the CRC has since been ratified by the government but no report has yet been submitted.

LEGISLATURE:

- The role of the legislature is not only to enact laws, but to ensure implementation. This is far from reality. For example, the recommendations of the final report of the Truth and Reconciliation Commission (TRC), and the confirmation of the Commissioners of the Independent National Commission on Human Rights (**INCHR**).

ICESCR AND ICCPR

- The need to harmonize national laws with international instruments the country has willingly committed to is yet to be taken seriously by the government of Liberia.

INDEPENDENT NATIONAL COMMISSION ON HUMAN RIGHTS (INCHR)

- The failure by the government to establish the Independent National Commission on Human Rights is a clear indication that the government favors the culture of impunity that continue to exist in the country.