

# LIBERIA 2022 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Liberia is a constitutional republic with a bicameral national assembly and a democratically elected president. On June 28, the country conducted a by-election to fill a vacant senate seat. Observers deemed the election free and fair. Election observers characterized the 2020 senatorial elections as largely peaceful, although there were reports of vote tampering, intimidation, harassment of female candidates, and election violence. The country held presidential and legislative elections in 2017, which observers considered free and fair. George Weah won the 2017 presidential runoff election.

The Liberia National Police maintain internal security with assistance from the Liberia Drug Enforcement Agency, and both report to the Ministry of Justice. The armed forces carry out internal security responsibilities if called upon, and report to the Ministry of National Defense. Civilian authorities generally maintained effective control over the security forces. There were reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; serious restrictions on freedom of expression and media, including violence and threats of violence against journalists; serious government corruption; lack of investigation and accountability for gender-based violence, including child, early, and forced marriage, and female genital mutilation/cutting; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, and intersex persons; the existence and enforcement of laws criminalizing consensual same-sex sexual conduct between adults; and the outlawing of independent trade unions or significant restrictions on workers' freedom of association.

Impunity continued for individuals who committed human rights abuses, including

atrocities during two civil wars, as multiple investigative and audit reports were ignored. The government made intermittent but limited attempts to investigate and prosecute officials accused of abuses during the year, whether in the security forces or elsewhere in the government. Impunity continued for government corruption.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were several reports that the government or its agents committed arbitrary or unlawful killings. Killings by police are investigated by the Professional Standards Division of the Liberia National Police (LNP) and then forwarded to criminal courts for prosecution.

On June 13, police killed Rufus Fongbeh, an unarmed civilian, in Kakata, Margibi County. Following an investigation, two LNP officers were formally stripped of duties pending further disciplinary action. On July 4, LNP officer James Togba shot and killed Orlando Broh (also reported in media as Bloh), an unarmed civilian in Monrovia. According to court records, Togba committed the killing during a botched attempt to extort money from drug addicts. After the LNP dismissed Togba from the force, he was indicted and charged with murder. Togba was awaiting trial at year's end.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities. The government-mandated Independent National Commission on Human Rights (INCHR) reported the government did not address most human rights concerns, including those linked to past unresolved disappearances, thus instilling public fear and curtailing various freedoms.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The constitution and law prohibit such practices, but there were credible reports

that government officials employed some of them. The law provides criminal penalties for excessive use of force by law enforcement officers and addresses permissible uses of force during arrest or while preventing the escape of a prisoner from custody. An armed forces disciplinary board investigates alleged misconduct and abuses by military personnel. The armed forces administer nonjudicial punishment. In accordance with a memorandum of understanding between the Ministries of Justice and Defense, the armed forces refer capital cases to the civil court system for adjudication.

There were reports that government authorities physically abused peaceful civilians, including persons in custody or seeking protection. On January 6, a Liberia Drug Enforcement Agency officer allegedly beat a criminal suspect who had allegedly stolen the officer's mobile telephone. The matter was still under investigation at year's end. On March 29, the Ministry of Justice dismissed four senior LNP officers – Deputy Commander Amos Williams, Inspector Otis Wallace, Sergeant George Wleh, and Humphrey Karhn – for allegedly beating civilians in Monrovia.

There were also reports of rape and sexual abuse by government agents. LNP Officer Lydia Garga Flomo alleged in a February 7 radio interview that she was raped by Deputy Police Commissioner Joshua During in late 2021 in his office at LNP headquarters. After a lengthy investigation, during which During was suspended from duty, he was reinstated in his position. In May, the Ministry of Justice agreed to prosecute During after the INCHR successfully petitioned the Supreme Court to compel his prosecution. At year's end, there was no action on the Supreme Court's order to proceed with the case. Harper City Solicitor Thomas Togba Kun was arrested and charged for a May 6 sexual assault of a woman law client. His trial was pending at year's end (see also section 6, Women, Rape and Domestic Violence).

Impunity was a significant problem in the security forces. Allegations of police harassment or abuse are referred to the LNP Professional Standards Division for investigation. The Civilian Complaint Review Board, which includes representatives of nongovernmental organizations (NGOs), is empowered by law to review complaints against the LNP and Immigration Service. Observers stated some security force members believed they were above the law and were aided by

a judicial system that rarely convicted and punished abusive officers. The government provided some training to increase respect for human rights by the security forces.

### **Prison and Detention Center Conditions**

Prison conditions remained harsh and life threatening due to gross overcrowding, food shortages, inadequate sanitary conditions, and poor medical care.

**Abusive Physical Conditions:** Gross overcrowding continued to be a problem, particularly at Monrovia Central Prison (MCP), which held 1,426 inmates in a facility originally built for 374. At times, prisoners were required to sleep in shifts due to overcrowding. The Bureau of Corrections and Rehabilitation (BCR) stated that prison overcrowding was caused mainly by prolonged pretrial detention, especially at the MCP, delay in preparing indictments for felony cases, and difficulties in transferring case files from magisterial court to circuit court.

In large prison facilities, juveniles and adults were held in separate cell blocks, but in smaller prisons where juvenile detention was rare, they were held in the same cell blocks as adults, but in separate cells. Due to overcrowding, pretrial detainees and convicts were in some instances held in the same cell block but in separate cells.

The BCR reported 24 prison deaths as of October 31, noting the deaths were due to natural causes with some inmates admitted with existing medical conditions. The Rural Human Rights Activist Program, a domestic NGO, expressed difficulty in obtaining accurate figures on prison deaths from the BCR, and media reported numerous prison deaths. For example, media reported that widespread illness at the MCP in December led to six inmate deaths in a span of two weeks due to disease, lack of food and clean drinking water, no medical attention, and overcrowding.

The BCR reported no major incidents of prison violence or prisoner-on-prisoner violence but stated minor skirmishes were common.

**Administration:** An MCP investigative board reviewed allegations of employee misconduct for appropriate administrative action, including possible suspensions.

Authorities limited visits by inmate families due mainly to overcrowding and lack of prison staff.

**Independent Monitoring:** The government permitted independent monitoring of prison conditions by the INCHR, local and international NGOs, the United Nations, diplomatic personnel, and media throughout the year, including both scheduled and ad hoc visits.

**Improvements:** To ease overcrowding, in February, President Weah instructed the Ministry of Justice to pardon 500 inmates, excluding those convicted of rape or armed robbery. On July 26, the president granted executive clemency to an additional 186 inmates, including 31 pretrial detainees. In December, due to overcrowding and a health crisis at the MCP, the chief justice of the Supreme Court ordered the release of pretrial detainees who were charged with minor offenses and had already served one month or more in detention.

In December, the government began construction of additional facilities at the MCP to lessen overcrowding. In partnership with NGOs, the BCR renovated facilities in the Kakata, Buchanan, Robertsport, and Tubmanburg prisons. To improve inmate nutrition, the BCR supported inmate food production pilot projects at the Kakata and Buchanan prisons.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government did not always observe these prohibitions and rights.

##### **Arrest Procedures and Treatment of Detainees**

In general, police must have warrants issued by a magistrate to make arrests. The law allows for arrests without a warrant if the necessary paperwork is filed immediately afterwards for review by the appropriate authority. Nonetheless, arrests often were made without judicial authorization, and warrants were sometimes issued without sufficient evidence.

The law provides that authorities arraign or release detainees within 48 hours.

Detainees generally were informed of the charges against them upon arrest but not always brought before a judge for arraignment within 48 hours. The law also provides that, once arraigned, a criminal defendant must be indicted no later than the next succeeding term of court after arrest. If the indicted defendant is not tried within the next succeeding court term and no cause is given, the case against the defendant must be dismissed; nevertheless, cases were rarely dismissed on either ground, making this one of the most frequent abuses of the law. Approximately 60 percent of pretrial detainees, especially those held for felony offenses, were detained for more than two terms of court without a hearing.

According to the INCHR, a detainee's access to a hearing before a judge sometimes depended on whether there was a functioning court or available transportation in the area. The INCHR further stated some jurisdictions occasionally lacked both a prosecutor and a public defender, and the magistrate judge proceeded without them. Additionally, some magistrates solicited money from complainants to transport the accused or convicted to detention.

Detainees have the right to prompt access to counsel, visits from family members, and, if indigent, an attorney provided by the state in criminal cases. The national public defender office was short staffed and faced logistical constraints that hindered visits to rural courts. Two domestic NGOs also provided legal assistance to some indigent defendants.

Bail may be paid in cash, property, or insurance, or be granted on personal recognizance or personal surety. The bail system was inefficient and susceptible to corruption. The INCHR and other civil rights observers reported that judges misused the bail system, viewing it as punitive rather than a way to regulate appearance in court. Some judges reportedly used the possibility of bail to solicit bribes.

Although official policy allows detained suspects to communicate with others, including a lawyer or family member, inadequate provision of telephone services resulted in many inmates being unable to communicate with anyone outside of the detention facility.

**Arbitrary Arrest:** There were media reports that security forces made arbitrary

arrests. For example, on February 1, opposition political figure Isaac Vah Tukpah, Jr. was reportedly detained by immigration officials at the border with Sierra Leone, even though he had not been charged with any crime and no warrant for his arrest had been issued. Tukpah was released the next day without charge and fled the country soon thereafter, reportedly after receiving death threats.

**Pretrial Detention:** Although the law provides for a defendant to receive an expeditious trial, lengthy pretrial detention remained a serious problem. As of October 31, pretrial detainees comprised approximately 70 percent of the prison population across the country and 80 percent in the MCP. In some cases, the length of pretrial detention equaled or exceeded the maximum length of sentence that could be imposed for the alleged crime.

The use of detention as a punitive measure, failure to issue indictments in a timely manner, lack of a functioning bail system, poor court recordkeeping, failure of judges to assign court dates, ineffective assistance of defense counsel, and a lack of resources for public defenders all contributed to prolonged pretrial detention. With UNICEF support and in coordination with the Ministry of Gender, Children, and Social Protection, the Ministry of Justice worked to remove children from the criminal justice system. As of September 30, 154 children were removed from detention and another 396 cases were mediated under a juvenile diversion program.

### **e. Denial of Fair Public Trial**

The constitution and laws provide for an independent judiciary, but judges and magistrates were subject to influence and engaged in corruption. Judges reportedly solicited bribes to try cases, grant bail to detainees, award damages in civil cases, or acquit defendants in criminal cases. Defense attorneys and prosecutors reportedly directed defendants to pay bribes to secure favorable decisions from judges, prosecutors, and jurors or to have court staff place cases on the docket for trial. Some judicial officials and prosecutors appeared subject to pressure, and the outcome of some trials appeared to be predetermined, especially when the accused persons were politically connected or socially prominent.

The government and NGOs continued efforts to harmonize the formal and

traditional customary justice systems through campaigns to encourage trial of criminal cases in formal courts. Traditional leaders were encouraged to defer to police investigators and prosecutors in cases involving murder, rape, and human trafficking.

### **Trial Procedures**

The constitution and law provide for the right to a fair and public trial, but judges and magistrates were subject to influence. By law, defendants may opt for a jury trial or a trial by judge. Defendants have the right to be present at their trials and consult with an attorney, or be provided one at public expense, in a timely manner. Magistrates in remote areas often adjudicated all cases, including land, marriage, and rape cases, sometimes outside their jurisprudential jurisdiction. Defendants have the right to be informed of charges promptly and in detail. If a defendant, complainant, or witness does not speak or understand English, the court is supposed to provide an interpreter, but interpretation was rarely available unless paid for by the defendant. The government usually did not provide sign language interpreters for deaf persons.

Defendants also have the right to a trial without delay and to have adequate time and facilities to prepare their defense, although these rights often were not observed. Defendants are generally presumed innocent under the law, and they have the right to confront and question prosecution or plaintiff witnesses, present their own evidence and witnesses, and appeal adverse decisions. These rights were sometimes not observed.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

There is no specialized court to address lawsuits seeking damages for human rights abuses, but individuals or organizations may seek remedies for human rights abuses through domestic courts or administrative mechanisms. The constitution stipulates the creation of a claims court, but it had not been established at year's end.



Human rights abuses are generally reported to the INCHR, which then refers cases to relevant ministries, including the Ministry of Justice. In some cases, individuals and organizations may appeal adverse domestic decisions to regional human rights bodies after all domestic redress options have been exhausted. While there is an Economic Community of West African States (ECOWAS) Court of Justice to address human rights abuses in member states, few citizens were aware of it or could afford to access this court, and national courts did not always honor ECOWAS court rulings.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution prohibits such actions, and there were no formal reports that the government failed to respect these prohibitions.

### **g. Conflict-related Abuses**

On November 2, a French court found former militia leader Kunti Kamara, who commanded an armed rebel group during the country's 1989-96 civil war, guilty of complicity in crimes against humanity that included allegations of sexual violence and torture. After Kamara was sentenced to life in prison, his lawyers filed an appeal that was pending at year's end.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provides for freedom of expression, including for members of the press and other media, and the government generally respected these rights, although with some unofficial limits.

**Freedom of Expression:** Individuals could generally criticize the government publicly or privately, but government officials used the threat of civil defamation suits to place limits on free expression, and self-censorship was widespread as a result.

**Violence and Harassment:** Press associations reported that government officials occasionally harassed newspaper and radio station owners, as well as individual journalists, because of their political opinions and reporting.

Unknown perpetrators caused extensive damage to a radio station in Lofa during an alleged April 23 arson attack. In the period prior to the fire, the station broadcast advocacy messages against female genital mutilation and other politically sensitive topics. According to the Committee to Protect Journalists, on June 29, two LNP officers reportedly threatened to shoot Emmanuel Kollie, a reporter with the state-owned broadcasting system, and Amos Korzawu, a reporter for Fortune TV, when they were covering a political rally.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** Although generally able to express a wide variety of views, some journalists practiced self-censorship to avoid harassment. Some but not all media outlets avoided criticizing government officials due to fear of legal sanction and potential loss of government advertising, which, according to the Press Union, was the largest source of media revenue. Other outlets, but not all, avoided addressing sensitive human rights topics such as female genital mutilation/cutting. There were several reports that politicians and government agencies offered “transportation fees” to journalists to cover their events. Some media outlets and broadcasters reportedly charged fees to publish articles or to speak on radio programs.

**Libel/Slander Laws:** Criminal libel and slander laws were repealed in 2019; nonetheless, government officials occasionally used the threat of civil defamation suits to intimidate critics or political opponents.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. There were reports that government officials threatened civil defamation suits in attempts to interfere with protected speech and intimidate content creators.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution provides for the freedoms of assembly and association, and the government generally respected these rights.

### **Freedom of Peaceful Assembly**

A variety of civil society groups conducted demonstrations throughout the year, including outside the legislature and the foreign ministry. On January 18, LNP officers fired tear gas to disperse a political opposition demonstration. On July 26, a protest by a student group was violently broken up by persons credibly alleged to be ruling party supporters. According to media reports, LNP officers were present but did nothing to stop the violence.

## **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/international-religious-freedom-reports/>.

## **d. Freedom of Movement and the Right to Leave the Country**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights.

**Foreign Travel:** In an effort to reduce human trafficking, on April 4, the government imposed a 90-day moratorium on international travel by persons seeking employment outside the country as domestic workers.

## **e. Protection of Refugees**

The government cooperated with the UN Office of the High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The government provided a prima facie mode of recognition for refugees from

Cote d'Ivoire, granting automatic refugee status without a formal hearing to those who fled because of 2011 postelection violence, but complied with a UNHCR recommendation to end refugee status for Ivoirians effective June 30. Most Ivoirian refugees voluntarily departed, but some opted for local integration.

**Durable Solutions:** During the year, the government resettled, offered residency, and assisted in the voluntary return of refugees. Voluntary repatriation of Ivoirian refugees took place with support from UNHCR, which also provided aid to refugees who opted for local integration. The government assisted these efforts by offering long-term residency and inclusion in the government benefit system.

**Temporary Protection:** The government provided temporary protection to individuals who may not qualify as refugees. Asylum seekers who presented themselves to UNHCR and the Refugee Repatriation Resettlement Commission were provided temporary protection while their cases were being adjudicated.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

#### **Elections and Political Participation**

**Recent Elections:** On June 28, the country conducted a by-election to fill a vacant senate seat in Lofa County. Election observers characterized the election as free, fair, and largely peaceful. The country last held presidential elections in 2017. After lengthy legal challenges to first-round results, George Weah won the presidential runoff in a process deemed free and fair.

**Political Parties and Political Participation:** There were instances of violence against opposition leaders and candidates during the year. For example, media reported that on June 27, a vehicle belonging to opposition political figure Yekeh Koluba was attacked and damaged while he was campaigning and that the attack occurred in the presence of LNP officers, who reportedly did not intervene.

Prior to the June 28 senate by-election, the National Elections Commission

attempted to exclude opposition Unity Party and All Liberian Party candidates from participation. After a Supreme Court ruling, the candidates were allowed to participate in the polling.

The government created and granted government positions to members and sympathizers of the ruling party as a reward for, or benefit of, party affiliation rather than based on qualification or experience. On occasion, the legislative branch resisted this pattern. For example, in September, the senate rejected Darlington Karnley, the presidential nominee for managing director of the Roberts International Airport, whom the senate found to be unqualified.

**Participation of Women and Members of Minority Groups:** No law limits participation of women or members of minority groups in the political process, and they did participate. Women and members of historically marginalized groups, including persons with disabilities and lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons, participated at significantly lower levels than men as party leaders and elected officials. Observers believed traditional and cultural factors, societal pressure, and financial constraints limited women's participation.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for bribery, abuse of office, economic sabotage, and other corruption-related offenses committed by officials, but the government did not implement the law effectively. An anti-corruption commission was established by law in 2008 with a mandate to investigate and prosecute acts of corruption, as well as to educate the public regarding the ills of corruption. On July 22, the legislature enacted an amended law that gives a new anti-corruption commission more powers and establishes an open and competitive process for selecting commissioners. The new law remained under judicial review at year's end. There were numerous reports of government corruption during the year. Officials frequently engaged in corrupt practices with impunity.

**Corruption:** On August 15, Minister of State for Presidential Affairs and Chief of Staff Nathaniel Farlo McGill, Solicitor General and Chief Prosecutor Sayma

Syrenius Cephus, and National Port Authority Director Bill Teh Twehway were sanctioned under international law for their involvement in corrupt practices while serving as government officials. All three subsequently resigned in September. This was the third consecutive year in which senior government officials were sanctioned for corruption.

In 2021, President Weah suspended Presidential Special Projects Coordinator Makenneh Keita for allegedly soliciting five million dollars from a businessman who was exploring investment opportunities. On March 22, the LNP cleared Keita of corruption charges.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A variety of domestic and international human rights groups generally operated without government restriction, investigating, and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views.

**Retribution against Human Rights Defenders (HRDs):** In June, civil society organizations and the international community decried threats of violence received by justice activist Hassan Bility and his team at the Global Justice Research Project, a civil society organization whose work in gathering evidence regarding crimes committed during the country's two civil wars led to the convictions of three war criminals and charges against nearly a dozen more.

**Government Human Rights Bodies:** The INCHR has a mandate to promote and protect human rights; investigate and conduct hearings on human rights abuses; propose changes to laws, policies, and administrative practices and regulations; and counsel the government on the implementation of national and international human rights standards. The INCHR also created a monitoring unit to receive and analyze reports from field offices and prepare quarterly and annual reports consistent with its statutory mandate.

The government had not implemented most of the recommendations contained in

the 2009 Truth and Reconciliation Commission (TRC) report as mandated in the wake of two civil wars. Even though the president is required by law to submit quarterly progress reports to the legislature on the implementation of TRC recommendations, President Weah had not done so since taking office in 2018. Progress on the majority of the TRC recommendations remained stalled, and impunity for alleged atrocity crimes remained a major challenge. Alleged war criminals from past conflicts continued to avoid accountability, and some held positions of influence in government and politics.

The Human Rights Protection Unit of the Ministry of Justice convened coordination meetings to provide a forum for domestic and international human rights NGOs to identify abuses to the government, but the unit was ineffective.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** Rape of a woman or man is illegal, but the government did not enforce the law effectively, and rape remained a serious and pervasive problem. The law's definition of rape does not specifically criminalize spousal rape. Conviction of first-degree rape, defined as rape of a child, rape resulting in serious bodily harm, rape using a weapon, or gang rape, is a nonbailable offense punishable by up to life imprisonment. Conviction of second-degree rape, defined as rape committed without aggravating circumstances, is punishable by up to 10 years' imprisonment.

According to an INCHR report, perpetrators of rape enjoyed widespread impunity, in part because bureaucratic obstacles restricted the number of cases that could be heard in each judicial term, as well as institutional weaknesses of government agencies tasked with combating sexual violence. An inefficient justice system prevented timely prosecutions, and delays caused many survivors to cease cooperating with prosecutors. Authorities often dropped cases due to a lack of evidence. Survivors' families sometimes requested money from perpetrators as a form of redress; perpetrators sometimes offered money to prevent matters from going to court.

Government officials allegedly committed acts of sexual violence. Deputy Police Commissioner Joshua During was accused of raping an LNP colleague at police headquarters, and Harper City Solicitor Thomas Togba Kun was charged with sexually assaulting a law client (see section 1.c.).

Although outlawed, domestic violence remained a widespread problem. The maximum penalty for conviction of domestic violence is six months' imprisonment, but the government did not enforce the law effectively. Civil society observers suggested that lack of speedy trials led some survivors to seek redress outside the formal justice system.

**Female Genital Mutilation/Cutting (FGM/C):** The law does not prohibit the practice of FGM/C, and NGOs reported there was little political will within the legislature to address the issue. According to the 2019-20 *Liberia Demographic and Health Survey* (LDHS), the most recent data available, 38 percent of girls and women between ages 15 and 49 had undergone FGM/C, with a higher prevalence in the northern regions.

Political resistance to legislative prohibition of FGM/C continued because of the public sensitivity of the topic and its association with cultural traditions of certain tribes and secret societies in populous counties. For example, the Sande society for women and girls combined traditional religious and cultural practices, and members underwent FGM/C as part of their indoctrination ceremonies. On February 21, the National Traditional Council suspended the practice of FGM/C for three years.

**Sexual Harassment:** The law prohibits sexual harassment in the workplace, but it remained a significant problem at work and in schools. UNICEF reported that sexual harassment in schools in the form of “sex for grades” and “sex for school fees” was common. Government billboards and notices in government offices warned against harassment in the workplace.

On January 31, local radio reported that residents of Maryland County staged a protest at the Maryland Palm Oil concession company and accused the company of harassment of women employees.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary



sterilization on the part of government authorities.

The Ministry of Health and the Ministry of Gender, Children and Social Protection provided access to sexual and reproductive health services for survivors of sexual violence, including emergency contraception as part of the clinical management of rape, through one-stop centers. While public clinics throughout the country provided family planning counselling and a mix of modern contraceptive methods, access to these services at times proved difficult, particularly for women living in rural areas or those with limited financial means.

According to the LDHS, 25 percent of women between the ages of 15 and 49 reported using a modern form of contraception. Among sexually active unmarried women, 45 percent used modern family planning, while 23 percent of married women used a modern method. Unmet needs for family planning, defined as the percentage of sexually active women who want to postpone their next birth or limit their number of births but did not use a modern method of contraception, increased slightly from 31 percent in 2013 to 33 percent, according to the LDHS. Almost half of all respondents between the ages of 15 and 19 reported an unmet need for family planning, primarily for the spacing of children.

The LDHS estimated the maternal mortality rate was 742 maternal deaths per 100,000 live births. Postpartum hemorrhage remained the leading cause of maternal mortality and accounted for approximately 34 percent of maternal deaths. In remote areas, clinics often lacked basic infrastructure and facilities, and midwives and health workers sometimes delivered babies at night without electricity. According to the survey, teenage childbearing accounted for 30 percent of all births in 2019-20. FGM/C remained a problem and contributed to maternal morbidity (see the Female Genital Mutilation/Cutting subsection).

There were no legal barriers related to menstruation and access to menstruation hygiene that impacted the ability of women and girls to participate equally in society, including access to education, but economic, social, and cultural barriers remained. On September 21, a civil society group petitioned the government to take action to improve menstrual health by abolishing a tax on sanitary pads and providing menstrual changing rooms in schools. There was no evidence the government took such steps at year's end.

The law is silent regarding school attendance of pregnant students, leaving school administrators to decide the course of action. Adolescent girls were often denied access to school if they became pregnant, and students who became pregnant while enrolled often did not return until after they gave birth due to fear of being bullied and stigmatized. Pregnant girls were sometimes expelled from school due to pregnancy or motherhood status. For example, after being raped by Anthony Mulbah, a math teacher at the Grace Heritage International School System in Monrovia, a pregnant student aged 14 was expelled on the grounds that her presence at the school would be a shame and disgrace and other students would likely mock her.

**Discrimination:** By law, women may inherit land and property, are entitled to equal pay for equal work, have the right of equal access to education, and may own and manage businesses. In rural areas, traditional practice or traditional leaders often did not recognize a woman's right to inherit land, and women experienced economic discrimination based on cultural traditions discouraging their employment outside the home. Anecdotal evidence indicated that women's pay lagged that of men. Programs to educate traditional leaders on women's rights, especially those regarding land rights, made some progress, but authorities often did not enforce those rights in rural areas.

## **Systemic Racial or Ethnic Violence and Discrimination**

Although the law prohibits ethnic discrimination, racial discrimination is enshrined in the constitution, which restricts citizenship and land ownership to those of "Negro descent" only.

## **Indigenous Peoples**

The law recognizes 16 Indigenous ethnic groups; each speaks a distinct primary language and has a regional concentration. Long-standing disputes among ethnic groups regarding land and other resources continued to contribute to social and political tensions.

## **Children**

**Birth Registration:** The law stipulates children of "Negro" descent born in the

country to at least one citizen parent are citizens. Children born outside the country to a citizen parent are also considered citizens but are not entitled to birth registration or issued a birth certificate.

Every child born in the country is entitled to birth registration and certification, regardless of the parents' nationality or socioeconomic status, but if a child born in the country is not of "Negro" descent, the child may not acquire citizenship. "Non-Negro" residents, such as members of the large Lebanese community, may not acquire or transmit citizenship. The law requires parents to register their infants within 14 days of birth but, according to the LDHS, only 66 per cent of children younger than age five were registered. Failure to register births did not necessarily result in restricted access to education and other public services.

**Education:** The law provides for tuition-free compulsory education in public schools through grade nine. The Ministry of Education nevertheless authorized public schools to charge fees for registration, activities, identity cards, entrance and placement exams, and graduation from kindergarten and grade 12. There were additional fees for early childhood education and night school. The fees prevented a significant number of poor students from attending school.

Sexual and gender-based violence, early marriage and pregnancy, and unequal division of domestic labor were key constraints for girls' education. Girls comprised less than half of all students and graduates in primary and secondary schools, with their proportion decreasing progressively at higher levels of education. Poor and rural girls experienced the highest levels of disadvantage, with 14 percent completing primary school, 2 percent completing secondary school, and 57 percent having no formal education at all (see subsection Women, Reproductive Rights). Students with disabilities and those in rural counties were most likely to encounter significant barriers to education.

**Child Abuse:** The law provides for children to be protected from abuse, but it was not effectively enforced. Child abuse was a widespread and persistent problem, and there were numerous cases reported throughout the year, including of sexual violence against children. The government engaged in public awareness campaigns to combat child rape.

**Child, Early, and Forced Marriage:** Laws regarding minimum age for marriage are inconsistent, setting the minimum marriage age for all persons at either 18 or 21 but also permitting girls to marry at age 16. According to UNICEF, in 2020, the most recent data available, 9 percent of girls were forced to marry before age 15 and 36 percent before age 18.

**Sexual Exploitation of Children:** The law prohibits the commercial sexual exploitation of children and child pornography. A 2021 amendment to the law strengthened penalties for child sex trafficking offenses and removed the requirement to demonstrate elements of force, fraud, or coercion. Authorities generally enforced the law, although girls continued to be exploited, including in commercial sex in exchange for money, food, and school fees. The minimum age for consensual sex is 18, and statutory rape is a criminal offense that carries a maximum sentence of life imprisonment. Sexual abuse was a pervasive problem in secondary schools, with many teachers forcing girls to exchange sexual favors for passing grades. Orphaned children remained particularly vulnerable to abuse and exploitation.

**Infanticide, including Infanticide of Children with Disabilities:** There were no known reports of infanticide. According to a report by the African Child Policy Forum, there were some ritual attacks against children with disabilities who were accused of witchcraft (see also Persons with Disabilities).

**Institutionalized Children:** Regulation of orphanages continued to be very weak, and many lacked adequate sanitation, medical care, and nutrition. The Ministry of Gender, Children, and Social Protection did not monitor orphanages to ensure provision of basic services. Orphanages relied primarily on private donations and support from international organizations. Many orphans received little or no assistance.

## **Antisemitism**

There were no known reports of antisemitic acts against the country's small Jewish community.

## Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** The law prohibits consensual same-sex sexual conduct. “Voluntary sodomy” is a misdemeanor under criminal law with a penalty of up to one year’s imprisonment. The government enforced the law. Activists reported LGBTQI+ persons faced difficulty obtaining redress for crimes committed against them, including at police stations, because those accused of criminal acts used the survivor’s LGBTQI+ status to justify their crime.

**Violence against LGBTQI+ Persons:** LGBTQI+ persons recorded instances of assault, harassment, and hate speech. The NGO Lesbian and Gay Association of Liberia reported 14 cases of abuse, including mob violence and assault. On July 13, local radio reported that several residents of Sinoe County threatened to kill “anyone involved with homosexuality.”

LGBTQI+ victims were sometimes afraid to report crimes to police due to social stigma surrounding sexual orientation and rape, as well as fear that police would detain or abuse them because of their sexual orientation or gender identity.

The LNP’s Community Services Section claimed improvements in obtaining redress for crimes committed against LGBTQI+ persons as a result of human rights training. Police sometimes ignored complaints by LGBTQI+ persons, but activists noted improvements in treatment and protection after officers underwent training.

**Discrimination:** LGBTQI+ persons faced discrimination in access to housing, health care, employment, and education. There were several reports from activists that property owners refused housing to members of the LGBTQI+ community by either denying applications or evicting residents from their properties. In recognition of the problem, the Ministry of Health had a coordinator to assist minority groups, including LGBTQI+ persons, in obtaining access to health care

and police assistance.

There were media and civil society reports of harassment of persons based on their real or perceived sexual orientation, gender identity or expression, with some newspapers targeting the LGBTQI+ community. Anti-LGBTQI+ hate speech was a persistent problem. Influential figures, such as government officials and traditional and religious leaders, made public homophobic and transphobic statements.

**Availability of Legal Gender Recognition:** The government does not allow individuals to change their gender identity marker on legal and identifying documents to bring them into alignment with their gender identity. The option of identifying as “non-binary/intersex/gender non-conforming” was not available.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** There were no known reports of involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** There were no legal restrictions on those speaking out on LGBTQI+ issues or on the ability of LGBTQI+ organizations to register or convene events, but few engaged in these permissible activities due to fear of verbal or physical abuse, as antigay sentiment is a regular part of political, social, and religious discourse.

## **Persons with Disabilities**

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. The constitution prohibits discrimination against persons with disabilities, but these prohibitions were not always enforced. Most government buildings were not easily accessible to persons with mobility impairment. The government did not provide information and communication on disability concerns in accessible formats. Sign language interpretation was often not provided for deaf persons in criminal proceedings or in the provision of state services. Election ballots were not available in braille, but visually impaired voters could be accompanied by a sighted helper in the voting booth.

Persons with disabilities lacked equal access to social, economic, and political opportunities and were among the most vulnerable population groups in the country. Few children with disabilities had access to education. In 2019-20, less than 1 percent of students in public schools had a disability, suggesting that nearly all school-age children with disabilities were out of school. Some students with disabilities attended a few specialized schools, mainly for the blind and deaf, but only through elementary school. Persons with disabilities faced discrimination in employment, housing, and health care. According to the National Union of Organizations for the Disabled, persons with disabilities were more likely to become subjects of gender-based violence.

## **Other Societal Violence or Discrimination**

The law classifies violence by mob as a crime. Nevertheless, mob violence and vigilantism, due in part to the public's lack of confidence in police and the judicial system, were common and often resulted in deaths and injuries. Although mob violence sometimes targeted alleged criminals, it was difficult to determine underlying reasons for attacks because cases were rarely prosecuted.

The law prohibits “discrimination and vilification” of persons with HIV and AIDS, but the LDHS found no measurable change since 2007 in popular attitudes, which remained broadly discriminatory toward persons with HIV and AIDS.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides workers, except public servants and employees of state-owned enterprises, the right to freely form or join independent unions, bargain collectively, and conduct legal strikes or engage in “go-slow” (a protest by workers in which they deliberately work slowly). The law prohibits antiunion discrimination and allows unions to conduct their activities without interference by employers, parties, or government. The law provides that employers and workers may establish and join organizations of their own choosing, without prior authorization, and subject only to the rules of the organization concerned. The law provides that labor organizations and associations have the right to draw up their

constitutions and rules on electing their representatives, organizing their activities, and formulating their programs. There is no minimum number of workers needed, and foreigner and migrant members are not prohibited, although a long approval process or denial on arbitrary grounds could be hurdles to registration.

The government's Labor Practices Review Board has the right to supervise trade union elections, which the International Confederation of Trade Unions termed an interference in a union's right to organize its administration. Trade and labor unions are registered with, and licensed by, the Ministry of Labor, which represents the government in the labor and employment sector. The ministry's Bureau of Trade Union Affairs & Social Dialogue coordinates activities of trade unions and employer organizations in the labor sector.

Public-sector employees and employees of state-owned enterprises are prohibited under law from unionizing and bargaining collectively, but they may join associations and process grievances through the Civil Service Agency grievance board. The law outlines the rules and regulations governing the conduct of the civil service as well as addressing issues affecting civil servants. Representatives from the Ministry of Labor, Labor Congress, and Civil Servants Association continued to argue the law conflicts with the constitution, which affords the right to associate in trade unions. Some public-sector associations, including the National Teachers' Association for public school teachers and the National Health Workers' Union composed of public health workers, declared themselves to be unions despite the law, and the Labor Congress and Ministry of Labor backed their efforts to unionize.

By law, parties engaged in essential services are prohibited from striking. The law provides that the National Tripartite Council (comprising the Ministry of Labor, Chamber of Commerce, and Federation of Labor Unions) shall recommend to the minister all or part of a service to be an essential service if, in the opinion of the council, the interruption of that service would endanger the life, personal safety, or health of the whole or any part of the population. As of year's end, the council had not published a list of essential services. The act does not apply to public-sector workers, who are under the ambit of the Civil Service Standing Orders.

The law provides for the right of workers to conduct legal strikes, provided they



have attempted and failed to resolve the dispute through conciliation within 30 days of the minister of labor receiving an application for referral to conciliation and have given the Ministry of Labor 48 hours' notice of their intent to strike. On matters of national security, the president may request the minister of labor to appoint a conciliator to mediate any dispute or potential dispute. The law prohibits unions from engaging in partisan political activity and prohibits agricultural workers from joining industrial workers' organizations. It also prohibits strikes if the disputed parties have agreed to refer the issue to arbitration, if the issue is already under arbitration or in court, or if the parties engage in essential services as designated by the National Tripartite Council.

Although the law prohibits antiunion discrimination and provides for reinstatement for workers dismissed for union activity, it allows for dismissal without cause if the company provides the mandated severance package. It does not prohibit retaliation against strikers whose strikes comply with the law if they commit "an act that constitutes defamation or a criminal offense, or if the proceedings arise from an employee being dismissed for a valid reason."

The government did not effectively enforce the law in every sector. The law does not provide adequate protection for strikers, and some protections depended on whether property damage occurred and was measurable. Penalties were not commensurate with those for other laws involving denials of civil rights. Penalties were rarely applied against violators. Administrative and judicial procedures were subject to lengthy delays or appeals and to outside interference, such as bribes, coercion, and intimidation by politicians. According to the International Labor Organization, most union workers in an enterprise must be represented to engage in collective bargaining.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits and criminalizes all forms of forced or compulsory labor, aside from compulsory prison labor, which does not qualify as forced labor, or work defined as "minor communal service." The government did not effectively enforce the law. Resources, inspections, and remediation were inadequate. Criminal penalties were not commensurate with those for other serious crimes, such as kidnapping. Prosecution and conviction rates for human trafficking increased

during the year, and major labor unions noted that child labor abuse existed on some smallholder rubber farms. Gender-based violence on palm plantations, where the work force was dominated by women, continued to take place across the country.

Forced labor, including forced child labor, occurred. Families living in the interior of the country sometimes sent young women and children to live with relatives, acquaintances, or even strangers in Monrovia or other cities, with the understanding the women and children would pursue educational or other opportunities. In some instances, these women and children were forced to work as street vendors, domestic servants, or beggars, or were exploited in commercial sex. There were also credible reports of forced labor on small rubber plantations, family farms, and artisanal mines.

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <http://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination based on race, religion, national origin, color, sex, disability, age, sexual orientation or gender identity, or HIV and AIDS status. It does not address refugee or stateless status. The law calls for equal pay for equal work. The government did not effectively enforce the law. Penalties were not commensurate with those for similar violations and were seldom applied. Mechanisms for receiving and acting on complaints were inadequate, and the government took no efforts to strengthen antidiscrimination regulations.

Discrimination in employment and occupation occurred with respect to gender, disability, HIV-positive status, sexual orientation, and gender identity. Women experienced economic discrimination based on cultural traditions discouraging their employment outside the home in rural areas. Anecdotal evidence indicated that men's pay exceeded that of women. LGBTQI+ persons and persons with

disabilities faced hiring discrimination, and persons with disabilities faced difficulty with workplace access and accommodation (see section 6).

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law establishes minimum wages for unskilled laborers and for formal-sector workers. The law also allows workers in the informal sector to bargain for a wage higher than the legal minimum.

The minimum wage was greater than the World Bank's poverty income level. Many families supplemented minimum-wage earnings with income from subsistence farming, artisanal mining, small-scale marketing, street peddling, and begging.

The law provides for a maximum 48-hour, six-day regular workweek, with a one-hour meal break for every five hours of work. The law stipulates that ordinary hours may be extended by collective agreement up to an average of 53 hours during an agreed period, as well as to 56 hours for workers in seasonal industries. The law provides for overtime pay and prohibits excessive compulsory overtime. The law provides for at least one week of paid leave per year and for severance benefits.

**Occupational Safety and Health:** Occupational safety and health (OSH) standards were up to date and appropriate for the intended industries. For certain categories of industries, the law requires employers to employ safety and health officers and establish a safety and health committee in the workplace. In practice, however, workers could not remove themselves from situations that endangered health or safety without jeopardizing their employment, and authorities did not effectively protect employees in this situation.

The government did not keep records of industrial accidents, but evidence pointed to mining, construction, forestry, fishing, and agriculture as the most dangerous sectors. Hazardous occupations were especially dangerous in the informal sector, such as illegal fishing, logging, and mining, where the lack of regulation and remediation contributed to fatalities and obscured accountability.

Some industrial accidents were reported by local media. For instance, on January

11, a train carrying an ArcelorMittal work crew crashed in Nimba County, leaving two employees dead and six seriously injured. This was the fourth such train accident involving the company since 2005.

**Wage, Hour, and OSH Enforcement:** The Labor Congress noted that, overall, occupational health and safety was lacking. The government did not effectively enforce minimum wage, overtime, and OSH laws in all sectors, especially in the small and medium enterprise sector. Penalties were less than those for similar crimes, such as fraud or negligence. Penalties were rarely applied against violators because of political interference or bribery. The Ministry of Labor's Labor Inspection Department is responsible for enforcing government-established wage, hour, and health and safety standards in the formal sector, but there was no system for monitoring and enforcement in the informal sector. The government did not employ enough labor inspectors to enforce compliance. The Labor Inspectorate did not face a full or partial official moratorium on inspections during the year, including on-site inspections. Penalties for violations were not commensurate with those for similar crimes and were rarely applied. Observers reported labor inspectors solicited and took bribes to certify compliance with regulations, and the labor inspectorate did not track numbers of individual inspections or violations.

**Informal Sector:** The World Bank reported that 90 percent of the population worked in the informal sector. Informal-sector workers and those working part time were not covered by wage, hour, OSH, and other labor laws and inspections. Informal-sector workers included rock crushers, artisanal miners, agricultural workers, street and market vendors, and domestic workers. In diamond and gold mines, in addition to physical danger and poor working conditions, the industry was unregulated, leaving miners vulnerable to exploitive brokers, dealers, and intermediaries. Illegal mining of gold was rampant throughout the country and posed serious safety risks, resulting in the deaths of several persons every year. No official entity provided social protections for informal-sector workers.