

LIBERIA 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Liberia is a constitutional republic with a bicameral national assembly. A legal challenge to the first round of presidential and legislative elections in October delayed the presidential runoff election pending resolution of the complaint process. In October, 73 legislative seats were contested for the House of Representatives in elections that domestic and international observers considered generally free and fair. On December 7, the Supreme Court upheld the validity of the first-round election results. On December 26, George Weah was elected president for a six-year term in a peaceful runoff election that was generally considered to be free and fair.

Civilian authorities generally maintained effective control over the security forces, although lapses occurred.

The most significant human rights issues included extrajudicial killings by police; police abuse, harassment, and intimidation of detainees and others; arbitrary arrest and detention; press harassment; official corruption; lack of accountability in cases of violence against women and children, including rape, domestic violence, and female genital mutilation/cutting (FGM/C); criminalization of same-sex sexual conduct; and trafficking in persons.

Impunity remained a serious problem for individuals who committed atrocities during the civil wars, as well as for those responsible for current and continuing crimes, despite intermittent and limited government attempts to investigate and prosecute officials accused of current abuses, whether in the security forces or elsewhere in the government. Corruption at all levels of government continued to undermine public trust in state institutions.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

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

There were a few reports that the government or its agents committed arbitrary or unlawful killings. For example, on February 4, an officer of the Liberia National Police (LNP) assigned in Brewerville, Monrovia, allegedly stabbed and killed civilian Fedesco Chea during an argument that began when the officer was

reportedly impounding the victim's motorcycle for violating a curfew. The Professional Standards Division of the LNP, which is responsible for disciplinary actions, has no record of the victim's death.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution prohibits practices such as torture and inhuman treatment. Sections 5.1 and 5.6 of the penal code provide criminal penalties for excessive use of force by law enforcement officers and address permissible uses of force during arrest or in preventing the escape of a prisoner from custody. Nonetheless, police and other security officers allegedly abused, harassed, and intimidated persons in police custody, as well as those seeking police protection. At least one police officer was convicted of rape of a person seeking police protection.

In February a police officer was tried and found guilty of statutory rape in Bong County after a child sought protection at the local police station; the officer digitally violated her four times during the course of the night. The incident provoked significant community agitation, and the officer was promptly arrested, tried by a jury, convicted, and sentenced to 20 years' imprisonment.

In September the Bureau of Corrections and Rehabilitation (BCR) fired 10 officers (including the prison superintendent), demoted one, and banned a Ministry of Health worker from all BCR facilities after a female inmate in Tubmanburg Prison became pregnant; prison officials and the Health Ministry worker attempted a forced abortion to hide the pregnancy, making the woman extremely ill. The investigation revealed a corrections officer had raped the same woman in 2014. As of September the case had been turned over to the solicitor general, but the woman had not filed criminal charges.

In 2015 the UN's Office of Internal Oversight Services identified the UN Mission in Liberia (UNMIL) as having a high incidence of alleged sexual exploitation and abuse (SEA). The UN's Conduct and Discipline Unit (CDU) of the Department of Field Support identified 85 cases of alleged SEA in the period 2008-14. To address this, between July 2015 and June 2016, 5,042 UNMIL personnel received training in the UN's "Zero Tolerance Policy" for sexual exploitation and abuse. In

October 2016 UNMIL issued new standard operating procedures on reporting and investigating allegations of misconduct to combat further SEA cases. UNMIL also worked with the Ministry of Gender, Children, and Social Protection (MoGCSP) to integrate its SEA referral pathway with the ministry's own sexual and gender-based violence pathway, and it undertook a comprehensive training and awareness campaign through its Anti-SEA Champions program involving prominent representatives from both UNMIL and local communities. A November 2016 special report of the secretary general reported only one allegation of sexual exploitation and abuse that took place in 2016 (by a police officer from Zimbabwe). Not all allegations were reported, however, and despite concerted efforts to oppose the practice, UNMIL's CDU was aware of continued exploitation by personnel who frequented prostitutes.

As of November 20, UNMIL, which plans to close its mission in March 2018, had received six SEA allegations against its military personnel in 2017. One incident allegedly took place in 2017, four prior, and one at an unknown date. Five investigations were pending: One was an allegation of abuse by a military individual from the Philippines and four were allegations of exploitation by military members from Ghana, Pakistan, and Nigeria (two cases). One allegation against a military member from Nepal of attempted sexual assault was substantiated. The United Nations repatriated the individual, and the troop contributing country demoted the individual.

Prison and Detention Center Conditions

Prison conditions were harsh and at times life threatening due to overcrowding and inadequate medical care. Prisoners also complained of inadequate food, although one of the country's largest prisons, in Zwedru, grew most of its own food (except rice).

Physical Conditions: Inadequate space, bedding and mosquito netting, food, sanitation, ventilation, cooling, lighting, basic and emergency medical care, and potable water contributed to harsh and sometimes life-threatening conditions in the 16 prisons and detention centers. Prison officials misappropriated food and other items intended for inmates; as of August after disciplinary procedures, the Ministry of Justice's BCR had demoted one superintendent for misappropriation of food and other resources associated with feeding of prisoners. Many prisoners supplemented their meals by purchasing food at the prison or receiving food from visitors in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners. According to the BCR, the government's food allocation is sufficient to

meet daily calorie requirements, and both the allocation to prisons and distribution to prisoners were tracked by the BCR and were available upon request. The BCR reported five prisoner deaths through July 31. Four of these deaths were due to natural causes, and one sentenced prisoner was ruled a suicide by medical personnel.

Gross overcrowding continued to be a problem. The UNMIL Human Rights and Protection Section (HRPS) reported the total BCR prison population in the country was 200 percent higher than the planned capacity. In eight of the 16 BCR facilities, detention figures were 200 to 400 percent more than planned capacity. According to the BCR, as of July approximately one-half of the country's 2,211 prisoners were at the Monrovia Central Prison (MCP). MCP's official capacity is 375 detainees, but the prison held 1,071 in July of whom 75 percent (805) were pretrial detainees. As of July 26, the prison population countrywide included 51 women, of whom 15 were assigned to the MCP, which also held 25 male juveniles, 22 of whom were in pretrial detention. The BCR administration complained of understaffing, but 137 newly trained corrections officers were hired in August. No comprehensive staffing document exists to verify BCR staffing claims.

In some locations the BCR relied on the LNP to provide court and medical escorts; other locations relied on court officers to transport prisoners to court; still other locations reportedly had to call the county ambulance to transport prisoners and escorts to the hospital. The MCP had adequate vehicles to meet its transportation requirements (18 cars, trucks, and buses, and 11 motorcycles) and receives fuel coupons from the BCR administration when needed.

The Ministry of Justice funded the BCR, which did not have a specific funding allocation beyond those funds under the national budget. The BCR lacked funds for the maintenance of prison facilities, fuel, vehicle maintenance, cellular or internet communications, and regular and timely payment of employees, which remained a government-wide problem. According to the UNMIL HRPS, most prisons and facilities were far below UN minimum standards, in unacceptable condition, and often had leaking roofs, cracks in the walls, and in some cases lacked basic elements like septic tanks or electricity.

Medical services were available at most of the prisons but not on a daily or 24-hour basis. The only location where medical staff was available Monday through Friday was at the MCP. Health-care workers visited most other prisons and detention centers one to two times per week.

The Ministry of Health and County Health Teams had primary responsibility for the provision of medicines. The BCR's budget included a small line item to supplement medicines to cover those that the Ministry of Health cannot provide. The Carter Center, Don Bosco Catholic Services, and the Catholic Sisters provided medical services, medicines, nutritional supplements, food, and related training to improve basic sanitary conditions at the MCP. The nongovernmental organization (NGO) Partners in Health and the Ministry of Health provided health services to all facilities. The supply chain for medicines was weak throughout the country; prison medical staff often did not have access to necessary medicines. NGOs and community groups also provided medicines to treat seizures, skin infections, and mental health conditions. The ministry and county health teams replenished medications to treat malaria and tuberculosis only when stocks were exhausted. Since replenishment sometimes took weeks or months, inmates went without medication for lengthy periods.

There were reports of inadequate treatment for ailing inmates and inmates with disabilities. At the MCP, the BCR works to identify individuals with special needs, including those with tuberculosis through screening provided by the Ministry of Health and Partners in Health. Although the law provides for compassionate release of prisoners who are ill, such release was uncommon. Authorities determined whether to release an ill prisoner on an ad hoc basis, and most were quarantined after presenting symptoms rather than being released. As a result public health in prisons and BCR's ability to respond and contain disease among the prison population was poor.

Authorities held men and women in separate cellblocks at the MCP, but in counties with smaller detention facilities, authorities designated a single cell for female prisoners and held juveniles in the same cells with adults. In Barclayville the police have one cell while BCR has the other, as there are only two cells in the station. There is no designated cell for females or juveniles, and as of July, one female detainee in Barclayville was being held in the conference room. Except at the MCP, which had a juvenile cellblock, children were held in separate cells within adult cellblocks. Because many minors did not have identity documents at the time the court issued commitment orders, they were sometimes misidentified by the courts as adults, issued confinement orders as adults, and therefore held in adult cellblocks. There were also reports by NGOs and observers of inmates in the juvenile facility reaching age 18 who were not transferred to the adult population. Pretrial detainees were generally held with convicted prisoners.

Conditions for women prisoners were somewhat better than for men; women inmates were less likely to suffer from overcrowding and had more freedom to move within the women's section of facilities. The UN HRPS stated female inmates' personal hygiene needs were not accounted for, indicating that many female detainees lacked sanitary items.

Administration: UNMIL's Corrections Advisory Unit (CAU) departed on June 30. The BCR has its own training staff, which conducted the last two preservice trainings (the CAU and Swedish government provided financial support for logistics and uniforms). To allay the end of UNMIL's support for BCR's electronic recordkeeping system, the BCR increased use of its own data collections and systems. BCR reporting expanded to capture data regarding prisoners with mental and physical disabilities. National records officers communicate (via telephone) weekly with facility records officers to collect updated information, and share a monthly roll with county attorneys; however, the transfer of paper records to Monrovia remained inadequate.

Testing of an electronic recordkeeping system and a biometric intake processing system ceased. Developed through a cooperative international initiative by two NGOs and a donor country, progress stopped due to a repeatedly broken computer, inconsistent access to electricity and the internet, lack of computer maintenance, virus attacks, the corrosive effect of salt air on electronic equipment, and insufficient government support.

Authorities sometimes used alternatives to prison sentencing for nonviolent offenders, but courts failed to make adequate efforts to employ alternatives to incarceration at the pretrial stages of criminal proceedings. Courts issued probationary sentences in some cases for nonviolent offenders. In Monrovia as of August, magistrates were sentencing prisoners with minor offenses who otherwise could receive sentences ranging from probation to prison terms up to one year in length. Circuit courts used a supervised pretrial release programs in conjunction with the Magistrate Sitting Program, established to expedite the trials of persons detained at the MCP, but the program was not widely used outside Monrovia. Public defenders continued to use a plea-bargaining system in some courts. The law provides for bail, including release on the detainee's own recognizance. The bail system, however, was inefficient and susceptible to corruption. No ombudsman system operated on behalf of prisoners and detainees.

Staff complaints prompted a July investigation of the prison system by the BCR in conjunction with the Justice Ministry's Internal Audit Division that revealed

corruption in the distribution of food, including misappropriation. In prior years NGOs reported severe food shortages, but Ministry of Justice central administration records showed sufficient food purchased and sent to facility warehouses. The BCR investigated three superintendents during the year: two received demotions for misappropriation of resources, and one was fired.

The government did not make internal reports and investigations into allegations of inhuman conditions in prisons public; however, the BCR sometimes made prison statistics publicly available. Although not systematically implemented, the BCR has a media policy that dictates the release of information, including in response to requests from the public.

Independent Monitoring: The government permitted independent monitoring of prison conditions by local human rights groups, the UNMIL HRPS, international NGOs, the United Nations, the International Committee of the Red Cross (ICRC), diplomatic personnel, and media. Some human rights groups, including domestic and international organizations, regularly visited detainees at police headquarters and prisoners in the MCP. The Liberian Independent National Commission of Human Rights (INCHR) also had access to and visited all facilities.

Improvements: During the first half of the year, UNMIL's CAU completed a quick-impact project at the MCP that set up a vocational tailoring program for approximately 40 inmates. UNMIL also provided the BCR with assistance in training and identifying officers for deployment on UN Peacekeeping missions. Upon its departure, UNMIL's CAU donated its computers and other electronic equipment.

The ICRC worked with the BCR through April to train staff at every prison to do a body-mass index check quarterly and to submit the reports to the BCR Administration.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, but the government did not always observe these prohibitions. The arbitrary arrest, assault, and detention of citizens continued. In July, two LNP officers assaulted and pepper-sprayed a civilian while attempting an arrest. The victim, Mark Doe, died from his injuries. The officers were dismissed, and a criminal case remained pending.

Police officers or magistrates frequently detained citizens for owing money to a complainant. In August 2016 Chief Justice Francis Korkpor ordered judges and magistrates to stop issuing criminal writs of arrest without the approval of prosecutors from the Ministry of Justice or based on case-specific police requests. Despite Korkpor's order, some magistrates continued to order writs of arrest in exchange for payment from complainants. This occurred in both civil cases and criminal cases.

Role of the Police and Security Apparatus

The Ministry of Justice has responsibility for enforcing laws and maintaining order through supervision of the LNP and other law enforcement agencies. The armed forces, under the Ministry of National Defense, provide external security but also have some domestic security responsibilities, specifically coastal patrolling by the Coast Guard.

The INCHR reported violent police action during arrests was the most common complaint of misconduct. The LNP's Professional Standards Division is responsible for investigating allegations of police misconduct and referring cases for prosecution. There were instances during the year in which civilian security forces acted with impunity. In 2016 the legislature passed and the president signed a police act that mandates establishment of a civilian complaints review board to improve accountability and oversight, but as of August the board had not been constituted.

An armed forces disciplinary board investigates alleged misconduct and abuses by military personnel. The armed forces administer nonjudicial punishment. As of August the disciplinary board had three active cases. 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.

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 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 either charge or release detainees within 48 hours, and detainees generally were informed of the charges against them upon arrest and sometimes brought before a judge for arraignment within 48 hours. A detainee's access to a hearing before a judge sometimes depended on whether there was a functioning court in the area. Those arraigned were often held in lengthy pretrial detention. Some detainees, particularly among the majority who lacked the means to hire a lawyer, were held for more than 48 hours without charge. The law also provides that, once detained, a criminal defendant must be indicted during the next succeeding term of court after arrest or, if the indicted defendant is not tried within the next succeeding court term and no cause is given, the case against the defendant is to be dismissed; nevertheless, cases were rarely dismissed on either ground.

Several reforms made to improve detainee access to an attorney included the November 2016 establishment of a public defender's office at the MCP and the subsequent deployment of additional public defenders to courts around the country. Under the public defender program, each police station maintains an office of court liaison that works with the public defenders' office in each county. Magistrates or police officers are responsible for contacting the public defender in cases where individuals are arrested on a warrant, whereas the court liaison officer is responsible for contacting the public defender when warrantless arrests are made. According to UNMIL's HRPS, greater coordination between these offices would improve the likelihood that indigent detainees have access to legal representation.

The law provides for bail for all noncapital or drug-related criminal offenses; it severely limits bail for individuals charged with capital offenses or serious sexual crimes. Bail can be paid in cash, property, insurance, or be granted on personal recognizance. 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 government frequently did not respect these rights, and indigent defendants appearing in magistrate courts--the venue in which most cases are initiated--were rarely provided state-funded counsel. Public defender offices remained understaffed and underfunded, and some allegedly charged indigent clients for their services. Although official policy allows suspects detained 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. House arrest was rarely used.

Arbitrary Arrest: Security forces continued to make arbitrary arrests, especially during major holidays, in an effort reportedly to prevent expected criminal activity. In April, five LNP officers in Grand Bassa County were charged with arbitrary arrest, illegal search, and detention of a civilian and suspended for five months after an operation targeting street crime transformed into a private business.

Pretrial Detention: Although the law provides for a defendant to receive an expeditious trial, lengthy pretrial and prearrestment detention remained serious problems. Pretrial detainees continued to account for approximately 63 percent of the prison population. Those arrested for sexual and gender-based violence (SGBV) crimes constituted the fastest-growing category of pretrial detainees as of August.

Unavailability of counsel at the early stages of proceedings contributed to prolonged pretrial detention. Data provided by the BCR showed a pretrial detainee population of 1,494 as of August. On average, current pretrial detainees had been held for just over one year.

The Magistrate Sitting Program suffered from poor coordination among judges, prosecutors, defense counsels, and corrections personnel; deficient docket management; inappropriate involvement of extrajudicial actors; and lack of logistical support. In 2016 the program released 696 pretrial detainees. As of July 31, the program had released 234 pretrial detainees during the year.

The corrections system continued to develop its capacity to implement probation, including the use of the supervised pretrial release program. In some cases, however, the length of pretrial detention exceeded the maximum length of sentence that could be imposed for the alleged crime. A shortage of trained prosecutors and public defenders, poor court administration and file management, inadequate police investigation and evidence collection, and judicial corruption exacerbated the incidence and duration of pretrial detention.

With UNICEF support, the Ministry of Justice and the MoGCSP established procedures to divert many juvenile offenders from the formal criminal justice system and place them in a variety of safe homes and “kinship” care situations. The program has dramatically decreased the number of minors in detention. According to UNICEF, as of June, 68 children had been released from detention and an additional 424 cases had been mediated to avoid confinement.

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Persons arrested or detained, regardless of whether on criminal or other grounds, are entitled to challenge in court the legal basis or arbitrary nature of their detention and to obtain prompt release. The government frequently did not respect these rights, and the court system lacked the capacity to process promptly most cases. Additionally, public defenders lacked the capacity to file the requisite motions, and many clients lacked the means to hire private attorneys to do so.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but judges and magistrates were subject to influence and engaged in corruption. Uneven application of the law, unequal distribution of personnel and resources, lack of training, and a poor road network remained problems throughout the judicial system.

Corruption persisted in the legal system. Some judges accepted bribes to award damages in civil cases. Judges sometimes solicited bribes to try cases, grant bail to detainees, or acquit defendants in criminal cases. Defense attorneys and prosecutors sometimes suggested defendants pay bribes to secure favorable decisions from judges, prosecutors, and jurors, or to have court staff place cases on the docket for trial.

According to the UNMIL HRPS, while the Supreme Court has made provision through the establishment of the Ethics and Grievance Committee for the review of unethical conduct of lawyers and has suspended some lawyers from legal practice for up to five years, the public has brought few cases for fear of retribution. Mechanisms for the public to bring complaints of corruption and malpractice include the Judicial Inquiry Commission, which deals with complaints on judges’ conduct, and the Grievance and Ethics Committee, which deals with lawyers. Both lacked appropriate guidelines to deliver their mandates effectively.

In February the Supreme Court suspended three judges for committing judicial malpractice, including breach of attorney-client privilege and “degrading the dignity and integrity of the judiciary,” after each was accused of corruption. In September the *Daily Observer* reported the Judicial Inquiry Committee had launched a “massive corruption” investigation of judges and court officers after a criminal court bailiff publicly confessed to colluding with judges to solicit bribes in exchange for predetermined outcomes.

The government continued efforts to harmonize the formal and traditional customary justice systems, in particular 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, as well as some civil cases that could be resolved in either formal or traditional systems. The Carter Center runs an access to justice program that seeks to strengthen access to justice for historically marginalized rural citizens with the goal of creating a functional and responsive justice system consistent with local needs, practices, and human rights standards. During the year the center successfully mediated a long-standing boundary dispute between residents of Kilepo-Kanweakean in River Gee County and Putu-Pennokon in Grand Gedeh County.

Trial Procedures

By law trials are public. Circuit court but not magistrate court proceedings may be by jury. In some cases defendants may select a bench trial. Jurors were subject to influence and corrupt practices that undermined their neutrality. Defendants have the right to be present at their trials and consult with an attorney in a timely manner. 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 provides an interpreter for the trial. The justice system does not provide interpreters throughout the legal process, however. For example, there are no accommodations or sign-language interpreters provided for the deaf, and rarely is interpretation available unless paid for by the defendant. 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 presumed innocent, and they have the right to confront and question prosecution or plaintiff witnesses, present their own evidence and witnesses, and appeal adverse decisions. The law extends the above rights to all defendants. These rights, however, were not observed and were rarely enforced.

Some local NGOs continued to provide legal services to indigent defendants and others who had no representation. The Liberian National Bar Association continued to offer limited pro bono legal services to the indigent. Financial constraints remained a major challenge in recruiting experienced lawyers for this service. Many lawyers also could not practice because they failed to pay bar association dues, further limiting the pool from which the association could draw pro bono attorneys. Ranging from L\$20,000 (\$223) to L\$30,000 (\$335) per year,

bar dues are very expensive when compared with the World Bank's 2015 estimated per capita gross national income of L\$38,000 (\$424) for the country.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

No specialized court exists to address lawsuits seeking damages for human rights violations. Individuals or organizations can seek civil remedies for human rights violations through domestic courts or through administrative mechanisms, which include out-of-court conferences, hearings concerning labor disputes at the Ministry of Labor for workers' rights, and other grievance hearings at the Civil Service Agency of Liberia. While there are civil remedies for human rights violations through domestic courts, and adverse decisions in human rights cases may be appealed, the majority of human rights cases are brought against nonstate actors. Human rights violations are generally reported to the INCHR, which 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 human rights court that citizens may access, few could afford to do so.

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

The constitution prohibits such actions, and the government generally respected these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of speech and press, 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 criminal libel and slander laws and national security laws placed limits on freedom of speech.

Press and Media Freedom: Independent media were active and expressed a wide variety of views, but due to lack of funding, they were often overshadowed by privately owned media outlets with partisan leanings. According to the INCHR, although the constitution recognizes freedom of expression, laws, including those prohibiting criminal libel against the president, sedition, criminal malevolence, and terroristic threats, were sometimes used to curtail freedom of expression. Self-censorship was widespread, and some media outlets avoided addressing subjects such as the president's family and government corruption both from fear of legal sanction and to retain government advertising revenue. Court decisions against journalists involved exorbitant fines, and authorities jailed journalists who did not pay the fines.

Violence and Harassment: Law enforcement officers occasionally harassed newspaper and radio station owners because of their political opinions and reporting, especially those that criticized government officials. In January, Information Minister Eugene Nagbe threatened to dismiss a journalist from the state-owned radio station for granting an interview to an opposition lawmaker minutes after the president's final state of the nation message. Government officials harassed and sometimes threatened media members for political reasons or to protect personal interests through telephone calls and text messages. In July supporters of former representative Morais Waylee threatened to kill a reporter, Bettie Johnson-Mbayo, in response to her coverage of Waylee's alleged rape and impregnation of a 13-year-old girl. State security forces sometimes arrested journalists for publishing allegedly criminally libelous opinions critical of the government; they also occasionally arrested those with whom the government disagreed. The government also used libel and slander laws against print and broadcast media journalists.

The publisher of the *Nation Times* newspaper was arrested and questioned by the Executive Protection Service after running a story on presidential candidates' conflicts of interest, but he was not further detained after questioning.

In July 2016 the government closed two radio stations, Voice FM and LIB 24. The official reason for the closure was failure to pay a licensing renewal fee, but many other stations that had not paid the fee were allowed to continue operating. Media proponents suspected that *The Costa Show*--a radio talk show critical of the government that aired on Voice FM and then moved to LIB 24 after the former was shut down--was the real cause of the closures. Henry Costa, the show's host, was running for the legislature, and *The Costa Show* returned to the air on a

smaller radio station. The two stations, however, were not allowed to resume broadcasting. Furthermore, although a court had ruled that the government must return the equipment it seized from LIB 24, the government failed to comply.

Censorship or Content Restrictions: Although generally able to express a wide variety of views, some journalists practiced self-censorship to avoid possible libel charges. Journalists and media directors also practiced self-censorship to keep advertising revenue from the government, the largest advertiser in the country, and to continue receiving ‘bonuses’ for writing positive stories about the government.

Libel/Slander Laws: There were several reports that libel, slander, and defamation laws constrained the work of journalists and media outlets reporting on high-profile government or other public figures. For example, after reporting on corruption in the award of a high-value road construction contract, a reporter from the *Nation Times* newspaper was arrested and sued for L\$200 million (\$2.2 million) by the executive awarded the contract. The Press Union of Liberia (PUL) advocated decriminalizing libel and slander laws to eliminate prison terms for persons unable to pay large fines. During the year the PUL launched the National Media Council (NMC) to address court cases against the media, and it issued a Revised Code of Ethics for journalists. The NMC and revised code were efforts to self-regulate the media and ensure adherence to standards including investigation and settlement of complaints against or by the press.

In August the president introduced legislation that would repeal the penal laws related to criminal libel against the president, sedition, and criminal malevolence and would therefore help bring the country into compliance with the Table Mountain Declaration, which calls for the repeal of criminal defamation and ‘insult’ laws across the African continent.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no reports the government monitored private online communications without appropriate legal authority. According to the Internet World Stats, 8.4 percent of the population used the internet as of March. There were reports of government officials filing civil suits to censor protected internet-based speech and intimidate its messengers.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of assembly and association, and the government generally respected these rights. Permits are required for public gatherings. Obtaining a permit was relatively easy, but groups protesting government actions, unlike other groups, were not granted access to the road on Capitol Hill; however, permits to march on this road were generally granted to schools and church groups. The government made some areas, including the area in front of the National Elections Commission (NEC) and Supreme Court off limits for public gatherings and refused permits related to political rallies in these locations.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

According to the government, the country is host to approximately 10,390 refugees from Cote d'Ivoire, nearly 400 from Sierra Leone, and to others of diverse nationalities. In late 2016 flooding in the suburbs of Monrovia and lower Margibi County displaced several thousand persons, but they had since returned to their homes. There were no subsequent reports of internally displaced persons. The Liberia Refugee Repatriation and Resettlement Commission and the National Disaster Commission in the Ministry of Internal Affairs are responsible for responding to natural disasters and supporting affected persons.

The law forbids the forced return of refugees, their families, or other persons who may be subjected to persecution on account of race, religion, nationality, membership of a particular social group or political opinion, and the government generally respected those rights for refugees. The government provides a prima facie mode of recognition for Ivoirian refugees, meaning Ivoirian refugees arriving in Liberia because of the 2011 postelectoral violence in Cote d'Ivoire do not have to appear before the asylum committee to gain refugee status; the status is granted automatically.

Those denied asylum can bring their case to the appeals committee of the Liberia Refugee Repatriation and Resettlement Commission. Asylum seekers unsatisfied with the appeals committee ruling can seek judicial review at the Supreme Court. The Alien and Nationality Law of 1974, however, specifically denies many of the safeguards for those wishing to seek asylum in the country under the Refugee Convention.

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

Abuse of Migrants, Refugees, and Stateless Persons: Traditional practitioners in the southeast of the country have been accused of targeting and discriminating against refugees in the Little Wlebo camp, leading some to ask for relocation to other parts of the country.

In-country Movement: The LNP and Bureau of Immigration and Naturalization officers occasionally subjected travelers to arbitrary searches and petty extortion at official and unofficial checkpoints.

Voluntary repatriation of Ivoirian refugees, which resumed in December 2015 following a 16-month suspension due to Ebola concerns, continued during the year. According to UNHCR as of August approximately 6,529 Ivoirian refugees had voluntarily returned to Cote d'Ivoire. UNHCR and the Liberia Refugee Repatriation and Resettlement Commission assisted those returning.

The Liberia Refugee Repatriation and Resettlement Commission drafted a plan for the local integration of Ivoirian refugees, but the government had not approved the plan, and it remained dormant.

Protection of Refugees

Refoulement: The Liberia Refugee Repatriation and Resettlement Commission and UNHCR reported that seven Ivoirian refugees were in Liberian custody, pursuant to a request for extradition from the government of Cote d'Ivoire that alleges their involvement in "mercenary activities." The case has continued since 2013, and bail requests had failed. The refugees' lawyers were given access to only limited information on the case. Three of the seven refugees were brothers,

the youngest only 16 years old at time of arrest. UNHCR provided a monthly subsistence allowance and medical and psychosocial support to the refugees.

Freedom of Movement: Refugees enjoyed freedom of movement, since the country did not have an encampment policy. Government policy stated refugees wishing to receive material assistance should move to one of the three refugee camp locations in Bahn Town, Nimba County; Zwedru, Grand Gedeh; and Harper, Maryland County.

Employment: The law prohibits non-Liberian citizens from obtaining work permits when Liberian citizens are available to perform the labor; however, this law was generally not enforced. Refugees seeking employment in the formal sector need a work permit from the Ministry of Labor, but UNHCR paid the requisite fee.

Temporary Protection: The government provided temporary protection to individuals who may not qualify as refugees. The government, with UNHCR and other implementing partners, continued to provide protection to Ivoirian refugees who entered the country after November 2010. According to the government, as of the end of August, approximately 10,000 Ivoirian refugees remained in the country.

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: The country held presidential and legislative elections on October 10. A runoff presidential election was scheduled for November, but it was delayed due to a legal challenge to the October results. The Supreme Court ruled on December 7 that there was insufficient evidence presented by the appellant political parties (Unity Party and Liberty Party) to justify a rerun. The court ordered the NEC to schedule the runoff in accordance with the constitution and specified some remedial actions to be taken by the NEC, such as cleaning up duplications in the Final Registration Roll of voters. The NEC scheduled the presidential runoff election for December 26.

On December 26, Senator George Weah won the presidential runoff in elections that were generally considered free and fair. In the first round in October, 75 percent of Liberians voted, and 56 percent participated in the runoff elections.

Some Muslim groups complained that registration procedures unfairly discriminated against them in proving citizenship or completing registration, including by discriminating against traditionally Muslim-sounding names; many women who wear the hijab were required by elections registrars to remove their head covering for registration photos, whereas women in traditional Liberian headdresses were not required to do so.

In controversial decisions in July, the Supreme Court ruled the NEC had improperly disqualified two vice presidential candidates and that the candidates may run but should pay a fine for violating the Code of Conduct. The reversal of the court's related March 3 decision encouraged some government officials to resign to run for office, and most wishing to run could do so. Several political parties and many local media criticized the July decision.

Participation of Women and Minorities: No laws limit participation of women and/or members of minorities in the political process, and they did participate. Some observers believed traditional and cultural factors limited women's participation in politics compared with men. Women participated at significantly lower levels than men as party leaders and as elected officials. Election law, however, requires that political parties "endeavor to ensure 30 percent" female participation; while this provision has no enforcement mechanism, there was a 16 percent uptick in the number of female candidates listed for the legislative race of the 2017 election cycle. Preliminary reports from the NEC indicated more women than men voted on October 10.

Section 4. Corruption and Lack of Transparency in Government

The law calls for integrity in government service and enumerates numerous offenses related to corrupt acts by officials, including making false statements, tampering with public records, obstruction of justice, bribery, intimidation, and abuse of office. The law does not provide explicit criminal penalties for corruption by government officials, although criminal penalties exist for economic sabotage, abuse of office, bribery, obstruction of justice, and other corruption-related acts. The government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. Corruption persisted throughout the government, and the World Bank's most recent Worldwide Governance Indicators

reflected that corruption was a serious problem. There were numerous reports of government corruption during the year.

Corruption: Low pay for civil servants, minimal job training, and little judicial accountability exacerbated official corruption and contributed to a culture of impunity. The government dismissed or in some instances suspended officials for alleged corruption and recommended others for prosecution. The government generally failed to charge higher-ranking officials with corruption and tended to recommend prosecution only against low-level civil servants. An audit by the Internal Audit Agency implicated government officials in the misuse of funds from the Ministry of Finance and Development Planning's Private Sector Development Initiative, which was intended to provide small business loans. The Internal Audit Agency forwarded its audit results to the Office of the President in June, and in August some individuals reportedly were asked privately to make restitution. As of November details regarding whether such payments had been made or who made them had not been made public, and no further action had been taken.

Prosecution continued of those implicated in the Global Witness bribery and corruption case. A special prosecution task force appointed by the president indicted former speaker of the house Alex Tyler, Senator Varney Sherman, and other codefendants for bribery in connection with the award of a concession contract to Sable Mining. As of November the case was pending following replacement of the trial judge and awaited a Supreme Court decision on the admissibility of certain evidence.

Police corruption remained a problem. The LNP investigated reports of police misconduct or corruption, and authorities suspended or dismissed several LNP officers. The most prevalent form of police corruption was solicitation of "on the spot" fines at roadblocks for traffic offenses. In June the LNP launched an antibribery campaign called "Don't Bribe the Police." The inspector general of the LNP also worked to strengthen the Professional Standards Division, which is charged with investigating police misconduct. Authorities suspended or dismissed several LNP officers for misconduct, including taking bribes. For example, several police officers were suspended or otherwise disciplined after being recorded soliciting bribes from vehicles during traffic stops.

Financial Disclosure: By law senior political appointees must declare their assets to the Liberian Anti-Corruption Commission before taking office and upon leaving. There are administrative sanctions for noncompliance. Financial

disclosures are not made public unless the official making the declaration chooses to release them.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views, although they often failed to act on requests from other countries for assistance on investigations associated with the prosecution of individuals who committed atrocities during the civil war.

The government had not implemented the majority of the recommendations contained in the 2009 report of the Truth and Reconciliation Commission (TRC), and the president often failed to submit quarterly progress reports to the legislature on the implementation of TRC recommendations, as required by the law creating the commission.

Government Human Rights Bodies: The Ministry of Justice Human Rights Protection Division convened monthly coordination meetings that provided a forum for domestic and international human rights NGOs to present matters to the government, including proposed legislation. The UN Office of the High Commissioner for Human Rights (OHCHR) acted as an independent check on the actions of the government in line with its mission to monitor human rights violations in the country.

Between 2014 and 2016, the INCHR implemented the pilot phase of the National Palava Hut Program with support from the UN Peacebuilding Fund and the UN Development Program. The Palava Hut Program is a community-based truth and reconciliation mechanism intended to help communities discuss human rights violations and abuses committed during the civil war.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape 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 involving a minor, rape that results in serious injury or disability, or rape committed with the use of a deadly weapon--is punishable by up to life imprisonment. Conviction of second-degree rape, defined as rape committed without the aggravating circumstances enumerated above, is punishable by up to 10 years in prison.

A specialized sexual violence court (Court E) has exclusive original jurisdiction over cases of sexual assault, including abuse of minors, but it was limited in effectiveness by having only one of two authorized judges presiding. Of 121 SGBV cases submitted to the grand jury for prosecution, 117 resulted in indictment. Observers believed the true incidence of statutory rape was much higher than the number of rape cases reported or prosecuted.

The government operated two shelters for SGBV victims, victims of trafficking in persons, and others in need of protection, and established two hotlines for citizens to report SGBV-related crimes. The Sexual Pathways Referral program, a combined initiative of the government and NGOs, improved access to medical, psychosocial, legal, and counseling assistance for victims. LNP officers received training on sexual offenses as part of their initial training.

An overtaxed justice system also prevented timely prosecution, and due to delays in prosecution, many victims chose to cease cooperating with prosecutors. The government raised awareness of rape through billboards, radio broadcasts, and other outreach campaigns.

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. The Woman and Children Protection Section (WACPS) of the LNP received reports on 560 cases of domestic violence between January and July, thought to reflect only a small fraction of the true number.

During the year the MoGCSP organized workshops and seminars to combat domestic violence. In August the MoGCSP embedded two social workers within the WACPS to assist victimized or abandoned women and children who sought refuge at the LNP headquarters safe house, and the LNP released funds to purchase food, diapers, and other necessities.

Female Genital Mutilation/Cutting (FGM/C): The law does not specifically prohibit FGM/C, although the government maintained that a 2011 law protecting

children against all forms of violence also proscribes FGM/C. The penal code prohibits causing bodily harm with a deadly weapon. No FGM/C perpetrators, however, were fully prosecuted. In Tapita, Nimba County, a court case charging negligent homicide, criminal solicitation, and criminal conspiracy was brought against four individuals after 16-year-old Zaye Doe died after she was forced to undergo FGM/C (while being forcibly initiated into the Sande society). The accused were arraigned, but the second hearing of the case was postponed because the prosecuting attorney was ill. The case was later suspended.

There was steady movement in prior years toward limiting or prohibiting the practice. Government officials routinely engaged traditional leaders to underscore the government's commitment to eliminate FGM/C. The president, minister of internal affairs (as overseer of traditional culture), and the minister of gender, children, and social protection spoke out against the practice, and the Ministry of Justice and MoGCSP worked together in an attempt to pass anti-FGM/C legislation. The government routinely decried FGM/C in discussions of violence against women, although there remained some political resistance to passing legislation criminalizing FGM/C because of the public sensitivity of the topic and its association with particular tribes in populous counties.

For more information, see <https://data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/>.

Other Harmful Traditional Practices: According to a 2015 UN assessment, accusations of witchcraft were common and often had “devastating consequences” for those accused, including “trial by ordeal,” and in some cases, large fines for simple mistakes like inadvertently spilling food when trying to serve it, which is interpreted as a sign of witchcraft. Authorities often failed to investigate or prosecute cases involving trial by ordeal.

Trial by ordeal included: forcing the ingestion of poison; hanging the accused from a tree by the arms or feet for extended periods of time; requiring the accused to retrieve an item from a pot of hot oil; heating a metal object until it glows red and then applying it to the accused's skin; beatings; rubbing chili pepper and mud into the accused's bodily orifices (including the vagina); depriving the accused of food and water; requiring the accused to sit in the sun or rain for extended periods; forcing the accused to sit on hot coals; forcing the accused to ingest food or nonfood substances to induce severe vomiting, diarrhea, and other illnesses; and forcing women to parade naked around the community.

On May 16, traditional leaders reportedly held hostage, beat, forced humiliating acts upon, and otherwise abused 13 women in Saclepea, Nimba County, after the women had been accused of witchcraft. LNP officers rescued the women during a “trial” proceeding, and arrested the traditional leaders responsible. The suspects were taken to the Nimba police detachment for investigation on aggravated assault charges, and the case remained pending.

Sexual Harassment: The law does not specifically prohibit sexual harassment, which remained a significant problem, including in schools and places of work. Government billboards and notices in government offices warned against harassment in the workplace.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

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. Under family law, men retain legal custody of children in divorce cases. In rural areas traditional practice or traditional leaders often did not recognize a woman’s right to inherit land. Programs to educate traditional leaders on women’s rights made some progress, but authorities often did not enforce those rights.

Children

Birth Registration: Children of “Negro” descent born in the country to at least one Liberian parent are citizens. Children born outside the country to a Liberian father are also Liberian citizens. Nevertheless, they may lose that citizenship if they do not reside in Liberia prior to age 21, or if residing abroad they do not take an oath of allegiance before a Liberian consul before age 23. Children born to non-Liberian fathers and Liberian mothers outside of the country do not derive citizenship from the mother. 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 fewer than 5 percent of births were registered. Even more women than usual did not give birth at health facilities during the Ebola crisis, resulting in thousands of unregistered

births. The government acknowledged this problem and took steps to register these children. For additional information, see Appendix C.

Education: The law provides for tuition-free and compulsory education in public schools from the primary (grades one-six) through junior secondary (grades seven-nine) levels, but many schools charged informal fees to pay teachers' salaries and operating costs the government did not fund. These fees prevented many students from attending school. By law fees are required at the senior secondary level (grades 10-12).

Girls accounted for less than one-half of all students and graduates in primary and secondary schools, with their proportion decreasing progressively at higher levels. Sexual harassment of girls in schools was commonplace, and adolescent girls were often denied access to school if they became pregnant. Nonetheless, the country made significant progress in narrowing the gender gap at all levels of education, especially in primary school where the gender parity index went from 88 girls per 100 boys in 2008 to 96 girls for every 100 boys in school in 2015. Students with disabilities and those in rural counties were most likely to encounter significant barriers to education.

Child Abuse: Widespread child abuse persisted, and reports of sexual violence against children continued. The government engaged in public campaigns to combat child rape. The MoGCSP reported removing children from the immediate reach of the perpetrators and placing them in safe homes. During the year the MoGCSP launched a "child hotline." Because the ministry had not designated a call-answering command center, social workers were responsible for taking calls while working and at home, and they did not always respond.

Early and Forced Marriage: The 2011 National Children's Act sets the marriage age for all persons at 18, while the Domestic Relations Act sets the minimum marriage age at 21 for men and 18 for women. The Equal Rights of the Traditional Marriage Act of 1998 permits a girl to marry at age 16. For additional information, see Appendix C.

In January the MoGCSP launched a strategic framework and campaign to end child marriage with UNICEF funding. The MoGCSP held working sessions with students in six of the country's 15 counties, and launched a community-awareness campaign intended to highlight the importance of ending child marriage.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children and child pornography, and authorities generally enforced the law, although girls continued to be exploited in prostitution in exchange for money, food, and school fees. Additionally, sex in exchange for grades was a pervasive problem in secondary schools, with many teachers forcing female students to exchange sexual favors for passing grades. The minimum age for consensual sex is 18. Statutory rape is a criminal offense that has a maximum sentence if convicted of life imprisonment. The penalty for conviction of child pornography is up to five years' imprisonment. Orphaned children remained especially susceptible to exploitation, including sex trafficking.

Infanticide or Infanticide of Children with Disabilities: There were cases of infanticide. According to the Ministry of Justice's Human Rights Section, children with disabilities were often abandoned, neglected, and exposed to risks (including death). Persons with disabilities suffered torture, inhumane or degrading treatment, or punishment. Families sometimes took their relatives who were mentally ill to "healing centers," where some were chained, and the legs of children with clubfoot were severely beaten with blunt objects with the aim of straightening the legs.

Displaced Children: Despite international and government attempts to reunite children separated from their families during the civil war, some children--a mix of street children, former combatants, and internally displaced persons--continued to live on the streets of Monrovia.

Institutionalized Children: Regulation of orphanages continued to be very weak and many lacked adequate sanitation, medical care, and nutrition. They relied primarily on private donations and support from international organizations such as UNICEF and the World Food Program for emergency food and medical and psychological care. Many orphans received no assistance from these institutions. According to the NGO National Concern Youth of Liberia, some groups under the guise of operating an orphanage brought children from rural areas with a promise to provide them with education and then sold the children, often to households in the Monrovia area.

Since the country did not have a facility for their care, juvenile offenders outside of the MCP were routinely housed in separate cells in adult offender cellblocks. Guidelines existed and steps occasionally were taken to divert juveniles from the formal criminal justice system and place them in a variety of safe homes and "kinship" care situations.

In July the government successfully prosecuted a trafficking-in-persons case; two young girls were the victims. The perpetrators, two Sierra Leoneans, transported the girls from Sierra Leone with the intent to sell one of them in Liberia. Two Liberian citizens were also prosecuted for their roles as facilitators. The trial was conducted over five months, and the main perpetrator, Sao Kromah, received a 10-year prison sentence. The two victims were in a safe house while the government worked to return them to their families in Sierra Leone.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

There was a small Jewish community, and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The constitution prohibits discrimination against persons with disabilities, but these provisions were not always enforced. Government buildings were not easily accessible to persons with mobility impairment. Sign language interpretation was not provided for deaf persons in criminal proceedings or in the provision of state services.

Few children with disabilities had access to education. Public educational institutions discriminated against students with disabilities, arguing resources and equipment were insufficient to accommodate them. Some students with disabilities attended specialized schools mainly for the blind and deaf--but only through elementary school. During the year the legislature passed and amended a Public Health Law to add a chapter on mental health that seeks to give persons with mental health problems equal access to health care and protect the properties, civil, and social rights of such persons.

Students with more significant disabilities are exempt from compulsory education but may attend school subject to constraints on accommodating them. In reality few such students were able to attend either private or public schools.

The right of persons with disabilities to vote and otherwise participate in civic affairs is legally protected and generally respected. Generally, the inaccessibility of buildings posed problems for persons with limited mobility wishing to exercise these rights.

The law requires that the NEC, to the extent practical, ensure that registration and voting centers are accessible to persons with disabilities. Despite educational sessions held by the NEC on the issue, persons living with disabilities faced challenges during the voter registration and voting periods, including lack of access ramps or transportation to voter registration and polling centers. The NEC, however, does offer tactile ballots for the blind. The MoGCSP and the National Commission on Disabilities are the government agencies responsible for protecting the rights of persons with disabilities and implementing measures designed to improve respect for their rights.

National/Racial/Ethnic Minorities

Although the law prohibits ethnic discrimination, racial discrimination is enshrined in the constitution, which restricts citizenship and land ownership to those of “Negro descent.” While persons of Lebanese and Asian descent who were born or who have lived most of their lives in the country may not by law attain citizenship or own land, there were some exceptions.

The 2017 presidential and legislative election season resulted in an increase in reports of xenophobic incidents. Some citizens with last names associated with neighboring countries were accused of being foreigners who should not participate in Liberian elections. Moreover, several Muslim groups noted other forms of discrimination when trying to register to vote, including a group of women in hijab who were told they had to remove their head coverings completely for their registration photo, when non-Muslim women wearing traditional head coverings were not told to remove them. The case was raised to the level of the National Election Commission and reportedly resolved.

Indigenous People

The law recognizes 16 indigenous ethnic groups; each speaks a distinct primary language and is concentrated regionally. Long-standing disputes regarding land and other resources among ethnic groups continued to contribute to social and political tensions.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law prohibits consensual same-sex sexual activity. “Voluntary sodomy” is a misdemeanor with a penalty for conviction of up to one year’s imprisonment. LGBTI activists reported LGBTI persons faced difficulty in obtaining redress for crimes committed against them, including at police stations, because those accused of criminal acts used the victim’s LGBTI status as a defense. In February a senior LNP officer stated officers should not protect LGBTI individuals because their identity as LGBTI persons violated the law, although there is no such law.

In June an LGBTI individual described respectful treatment by police after she reported a violent assault by a neighbor with a history of harassing and whose family had justified the assault by calling the victim an “aggressive lesbian.” Cases of abuse against LGBTI persons can be reported via the Ministry of Justice, National Aids Commission, and the Independent National Commission on Human Rights; however, no official action was taken.

The law prohibits same-sex couples, regardless of citizenship, from adopting children. LGBTI persons were cautious about revealing their sexual orientation or gender identities. A few civil society groups promoted the rights of LGBTI individuals, but most groups maintained a very low profile due to fear of mistreatment. Additionally, societal stigma and fear of official reprisal prevented some victims from reporting violence or discrimination based on sexual orientation or gender identity. For example, one transgender woman reported being attacked in her apartment by five men who robbed, bound, beat, and raped her. One of the attackers then threatened to kill all transgender individuals in the country. The victim did not report the crime to police. LGBTI persons rarely reported rapes to police due to fear and social stigma surrounding both sexual orientation and rape.

LGBTI individuals faced discrimination in accessing housing, health care, employment, and education. In November 2016 an NGO promoting LGBTI rights was denied reregistration by the Liberia Business Registry for “activity which is not allowed in Liberia.” The registration request continued to be denied.

According to testimonies provided during an assessment conducted in seven communities by a local LGBTI NGO, discrimination against LGBTI persons is prevalent throughout the society, and violence against the community continued to be a concern.

There were press and civil society reports of harassment of persons perceived to be LGBTI, with some newspapers targeting the LGBTI community. Hate speech was a persistent issue. In August, Senate President Pro Tempore Jallah released a statement claiming, “homosexuals and lesbians are using the dollars to ruin the sanity of young people” [sic]. Later that same month, five presidential candidates contesting the October elections stated they would criminalize homosexuality if elected; two others said they would support the LGBTI community.

The Ministry of Health created a coordinator to assist minority groups--including LGBTI persons--in obtaining access to health care and police assistance. Two civil society groups were training 100 police officers in human rights as part of an effort to educate police on the rights of these communities.

HIV and AIDS Social Stigma

The law prohibits “discrimination and vilification on the basis of actual and perceived HIV status” in the workplace, school, and health facilities, with conviction of offenses punishable by a fine of no less than L\$1,000 (\$12).

The most recent demographic and health survey in 2013 found no measurable change since 2007 in popular attitudes, which remained broadly discriminatory, toward those with HIV. HIV-related social stigma and discrimination discouraged persons from testing for their HIV status, thus limiting HIV prevention and treatment services. Children orphaned because of AIDS faced similar social stigma.

Government ministries developed, adopted, and implemented several strategic plans to combat social stigma and discrimination based on HIV status. The Ministry of Labor continued to promote a supportive environment for persons with HIV. The Ministry of Education continued implementation of its strategic plan to destigmatize and safeguard HIV-positive persons against discrimination in its recruitment, employment, admission, and termination processes.

Other Societal Violence or Discrimination

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

There were also reports of continued stigmatization of Ebola survivors and their families and health-care workers who had worked in Ebola treatment facilities. According to the Ebola Survivors Network, survivors and their families confronted discrimination from landlords, neighbors, health-care providers, and employers. In a widely reported incident in February, a nurse who survived Ebola and immediately returned to work to help other Ebola patients died during complications of childbirth after local health workers refused to administer injections that might have brought them in contact with the nurse's bodily fluids.

Ritual killings reportedly increased, but it was difficult to ascertain exact numbers since ritual killings were attributed to homicide, accidents, or suicide. There were reports of killings in which body parts were removed from the victim, a practice possibly related to ritual killings. In February a five-year-old boy reportedly survived attempted ritualistic killing in Lofa County after unknown attackers allegedly attempted to remove his penis. A woman from a nearby farm rescued the child, but the attackers escaped.

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 of their choice without prior authorization or excessive requirements. It allows unions to conduct their activities without interference by employers, parties or government. The law provides that labor organizations and associations have the right to draw up their constitutions and rules with regard to electing their representatives, organizing their activities, and formulating their programs.

The law provides for the right of workers to bargain collectively. The law also provides for the right of workers to conduct legal strikes. Workers have the right to strike, provided they give the Ministry of Labor 48 hours' notice of their intent to strike. The law also prohibits antiunion discrimination and the issuance of threats against union leaders. The law requires reinstatement of workers fired for

union activity. The law prohibits unions from engaging in partisan political activity and prohibits agricultural workers from joining industrial workers' organizations. The law prohibits strikes under certain circumstances as follows: if the disputed parties have agreed to refer the issue to arbitration; if the issue is already under arbitration or in court; and if the parties engage in essential services as designated by the National Tripartite Council comprising the Ministry of Labor, Liberian Chamber of Commerce, and the Liberian Labor Union. The National Tripartite Council has not published a list of essential services.

While 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 also 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."

In general the government effectively enforced applicable laws, and workers exercised their rights. Employees enjoy freedom of association, and they have the right to establish and become members of organizations of their own choosing without previous authorization or coercion. The law, however, does not provide adequate protection, and protections depend on whether property damage has occurred and is measurable. Penalties were inadequate to deter violations. Administrative and judicial procedures were subject to lengthy delays or appeals and to outside interference.

Union influence continued to increase during the year through increased membership at plantations; however, only a small fraction of the workforce was employed in the formal sector, and more than 80 percent of workers did not enjoy any formal legal labor protections. The lack of formal protections caused tensions in particular in the iron ore and rubber industries, where companies drastically reduced operations due to the global downturn in demand for these commodities. Labor unions called on the legislature to pass laws that would improve work conditions across the country and succeeded with the publication of the Decent Work Act into law in 2016.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, but the government did not effectively enforce such laws. Resources, inspections, and remediation were inadequate. The law prescribes a minimum sentence of one year's imprisonment

for the trafficking of adults but does not prescribe a maximum sentence; these penalties were not sufficiently stringent to deter violations.

Forced labor occurred. Families living in the interior sometimes sent young women and children to stay with relatives in Monrovia or other cities with the promise that the relatives would assist the women and children to pursue educational or other opportunities. In some instances these women and children were forced to work as street vendors, domestic servants, or beggars. While there are no official records regarding labor, young women and children also were subject to forced labor on rubber plantations and in gold mines, rock-crushing quarries, and alluvial diamond mines. Forced labor continued despite efforts by the government, NGOs, and other organizations to eliminate the practice.

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

Under the Decent Work Act, most full-time employment for children under the age of 15 is prohibited. Children above age 13 but under age 15 may be employed to perform "light work" for a maximum of two hours per day and not more than 14 hours per week. "Light work" is defined as work that does not prejudice the child's attendance at school and is not likely to be harmful to a child's health or safety and moral or material welfare or development as defined by law. There is an exception to the law for artistic performances, where the law leaves the determination of work hours to the minister of labor. Under the act, children age 15 and over are not allowed to work more than seven hours a day or more than 42 hours in a week. There are mandatory rest periods of one hour, and the child may not work more than four hours consecutively. The law also prohibits the employment of children under age 16 during school hours, unless the employer keeps a registry of the child's school certificate to illustrate the child attended school regularly and can demonstrate the child was able to read and write simple sentences. The law prohibits the employment of apprentices under age 16. The compulsory education requirement extends through grade nine or until age 15.

The law provides that an employer must obtain a permit from the Ministry of Labor before engaging a child in a proscribed form of labor. There was no evidence, however, such permits were requested or issued.

According to the law, “a parent, caregiver, guardian, or relative who engages in any act or connives with any other person to subject a child to sexual molestation, prohibited child labor, or such other act, that places the well-being of a child at risk is guilty of a second-degree felony.”

The Child Labor Commission (NACOMAL) is responsible for enforcing child labor laws and policies, although it did not do so effectively, in part due to inadequate staff and funding. As a result, while inspectors were trained, none was specifically assigned to monitor and address child labor. The government charged the National Steering Committee for the Elimination of the Worst Forms of Child Labor (National Child Labor Committee)--comprising the Ministry of Labor’s Child Labor Secretariat (which includes NACOMAL); the Ministry of Justice’s Human Rights Division; the MoGCSP’s Human Rights Division; and the LNP’s Women’s and Children’s Protection Section--with investigating and referring for prosecution allegations of child labor; however, inspections and remediation were inadequate. Although the National Child Labor Committee convenes regular meetings, coordination of their activities remained a serious challenge.

The law penalizes employers that violate the minimum age provision of child labor laws with a fine of L\$100 (\$1.25), and imprisonment until the fine is paid. The law also penalizes parents or guardians who violate this minimum age provision with a minimum fine of L\$15 (\$0.17) but not more than L\$25 (\$0.28), and imprisonment until such fine is paid. These penalties were insufficient to deter violations.

Child labor was widespread in almost every economic sector. In urban areas children assisted their parents as vendors in markets or hawked goods on the streets. There were reports that children tapped rubber on smaller plantations and private farms. There were also reports that children worked in conditions likely to harm their health and safety, such as rock crushing or work that required carrying heavy loads. Some children were engaged in hazardous labor in alluvial diamond and gold mining as well as in the agriculture sector. Some children in Monrovia, particularly girls, worked in domestic service after being sent from rural communities by their parents or guardians. There were also reports of children working in motorcycle repair and tire repair shops and selling goods on Monrovia streets.

See the Department of Labor’s *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

Section 2.4(b) of the Decent Work Act prohibits discrimination with respect to equal opportunity for work and employment and calls for equal pay for equal work. The government did not in general effectively enforce the law.

Discrimination in employment and occupation occurred with respect to gender, disability, HIV-positive status, sexual orientation, and gender identity. The law does not explicitly prohibit discrimination in hiring based on gender, and women experienced economic discrimination based on cultural traditions resisting their employment outside the home in rural areas. Anecdotal evidence indicates women's pay lagged behind that for men. Individuals with disabilities faced hiring discrimination, as well as difficulty with workplace access and accommodation (see section 6, Persons with Disabilities).

e. Acceptable Conditions of Work

The Decent Work Act requires a minimum wage of \$0.43 per hour (increased from \$0.17 prior to the Decent Work Act's passage), or \$3.50 per day (not exceeding eight hours per day), excluding benefits, for unskilled laborers. This applies to the informal economic sector including domestic, agricultural, and casual workers. The minimum wage for the formal economic sector is \$0.68 per hour, or \$5.50 per day (not exceeding eight hours per day), excluding benefits. Although the law does fix a minimum wage for agricultural workers, it allows that they be paid at the rate agreed in the collective bargaining agreement between workers' unions and management, excluding benefits (provided the amounts agreed to should not be less than the legally stipulated minimums).

Many families paid minimum-wage incomes were also engaged in subsistence farming, small-scale marketing, and begging. The national poverty line is \$1.39 per day. According to the United Nations, 64 percent of citizens lived below the poverty line.

The law provides for a 48-hour, six-day regular workweek with a one hour rest period for every five hours of work. The six-day workweek may be extended to 56 hours for service occupations and 72 hours for miners. The law provides for pay for overtime and prohibits excessive compulsory overtime.

The law provides for paid leave, severance benefits, and occupational health and safety standards; the standards are current and appropriate for the intended

industries. Workers cannot remove themselves from situations that endanger health or safety without jeopardy to their employment, however, and authorities did not effectively protect employees in this situation. Penalties were not sufficient to deter violations. For certain categories of industries, however, the law requires employers to employ safety and health officers and establish a safety and health committee in the workplace.

The Ministry of Labor's Labor Inspection Department enforced government-established health and safety standards. These standards were not enforced in all sectors, including the informal economy. Every county has a labor commissioner, and depending on the county, one to two labor inspectors. These inspectors are responsible only for monitoring labor in the formal sector, however, and there is no system for monitoring the informal sector. The number of inspectors was not sufficient to enforce compliance.

Most citizens were unable to find work in the formal sector and therefore did not benefit from any of the formal labor laws and protections. The vast majority (estimated at 85 percent) had no other option than to work in the (largely unregulated) informal sector, where they faced widely varying and often harsh working conditions. Informal workers included rock crushers, artisanal miners, agricultural workers, street sellers, domestic workers, and others. In the diamond and gold mines, in addition to physical danger and poor working conditions, the industry is unregulated, leaving minors vulnerable to exploitive brokers, dealers, and intermediaries.