

LIBERIA 2015 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Liberia is a constitutional republic with a bicameral National Assembly. In 2011 Ellen Johnson Sirleaf of the Unity Party won a second term in multiparty presidential elections that domestic and international observers considered generally free and fair. Civilian authorities generally maintained effective control over the security forces.

The Ebola Virus Disease (EVD) crisis of 2014 and 2015 disrupted access to medical care and education, stigmatized affected communities and individuals, discouraged traditional burial rites, and stressed already limited government capacity and funding.

The most serious human rights abuses were those linked to deficiencies in the administration of justice, official corruption, and violence against women and children.

Other important human rights abuses included police abuse, harassment, and intimidation of detainees and others; arbitrary arrest and detention; violence against women and children, including rape and domestic violence, human trafficking; racial and ethnic discrimination; discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; mob violence; and child labor.

Impunity remained a serious problem despite intermittent and limited government attempts to investigate, prosecute, and punish officials who committed violations, whether in the security forces or elsewhere in the government.

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution prohibits practices such as torture and inhuman treatment; nonetheless, police officers and other security officials allegedly abused, harassed, and intimidated persons in police custody to extort money, out of personal animosity, or for other reasons. Beginning in April the Liberia National Police (LNP) increased its investigation of these types of cases.

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). In its first SEA report for the country, released in February, the UN's Conduct and Discipline Unit of the Department of Field Support identified 85 cases of alleged SEA in the period 2008-14. There were four cases reported in 2014, with three of them determined by UN authorities to be unsubstantiated. The fourth case from 2014, involving military personnel accused of sexual abuse, remained under active consideration by both the United Nations and the troop contributing country, which has primary responsibility to investigate and prosecute (if appropriate) alleged misconduct by its uniformed personnel. No other information was available by year's end.

Prison and Detention Center Conditions

Prison conditions were harsh and at times life threatening due to overcrowding, food shortages, lack of sanitary facilities, and inadequate medical care.

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 country's 15 prisons and detention centers. Many prisoners supplemented their meals by purchasing food at the prison or receiving food from visitors. The local press and Prison Fellowship Liberia, a local nongovernmental organization (NGO), reported that prison officials threatened prisoners' lives. The Bureau of Corrections and Rehabilitation (BCR) reported two prisoner deaths through November 25.

According to the BCR, approximately half of the country's 2,203 prisoners were at Monrovia Central Prison (MCP). This prison operated at nearly three times its 375-person capacity because of the large number of pretrial detainees. The MCP

population of 1,008 individuals included eight women and eight juveniles as of December, and there were approximately 20 women in other prisons. Prisons remained understaffed and prison personnel were irregularly paid.

The MCP has, at most, only three operable vehicles, and consequently was often unable to transport prisoners and detainees to court or to a hospital. The LNP, international law enforcement advisors, or commercial motor bikes and taxis transported prisoners to or from court. The United Nations, International Committee of the Red Cross (ICRC), Carter Center, and Prison Fellowship Liberia continued to provide medical services or related training and improve basic sanitary conditions at the MCP and other facilities where such services and conditions remained inadequate. NGOs provided medicines to treat seizures, skin infections, and mental health conditions, but other necessary medications, including those for malaria and tuberculosis, were replenished only when the stock of that medication was exhausted. Since replenishment sometimes took weeks or months, inmates went without medication for lengthy periods. Funding to feed prisoners, maintain prison facilities, and pay employees lapsed in the last quarter of the year.

There were reports of inadequate treatment for ailing inmates and inmates with disabilities. While the law provides for compassionate release of prisoners who are ill, such release was uncommon, since the law requires a written policy that does not exist.

Authorities held men and women in separate blocks throughout the country. In some counties and cities with just one detention center, officials held juveniles with adults and pretrial detainees with convicts. There were reports that separation of juveniles was inadequate, except at the MCP, where children were held in separate cells within adult cellblocks. In some cases, children were misidentified as adults and held in adult cellblocks.

Conditions for women prisoners were somewhat better than those for men, and women inmates were less likely to suffer from overcrowding. Women also had more freedom to move within the women's section of facilities.

The Corrections Advisory Unit of the UNMIL worked with the BCR to improve its accountability and adherence to international corrections standards. In addition to mentoring, advising, and capacity building, the unit assisted refurbishment and rehabilitation of facilities.

Administration: The government continued to make efforts to improve recordkeeping on prisoners, but the process was manual and problems remained. The BCR maintained a prison roll with help from the UNMIL Corrections Advisory Unit, but these were handwritten and referenced only one or two court documents. An electronic record-keeping system and biometric intake process, including photographs, at MCP has been developed through a cooperative international initiative among two domestic NGOs (Making all Voices Count and the Prison Fellowship of Liberia) and a donor country, but has yet to be put to use.

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. Probationary sentences were used in some cases for nonviolent offenders. A supervised pretrial release program has been used in circuit courts and in conjunction with the Magistrate Sitting Program (implemented to expedite the administration of justice), but it is not widely used outside Monrovia. 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.

Internal reports and investigations into allegations of inhuman conditions were not made public; however, the BCR made prison statistics publicly available.

Independent Monitoring: The government permitted independent monitoring of prison conditions by local human rights groups, international NGOs, the United Nations, 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.

Improvements: The ICRC provided hygiene items to four prisons and essential medicines to all 15 prisons. The ICRC also worked with the Ministry of Justice to improve water and sanitation infrastructure in four facilities and to establish a comprehensive prison health-care system. The government hired and trained 69 additional correctional officers during the year.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, but the government did not always observe these prohibitions. Citizens continued to be arbitrarily arrested, assaulted, and detained. For example, in September the deputy director for

operations of the Executive Protection Service assaulted a woman after exchanging insults near a sports field in Monrovia. President Sirleaf dismissed the assailant. He was charged with aggravated assault and awaited trial at year's end.

Police officers or magistrates frequently detained citizens for simply owing money to a complainant. There was little distinction between trying these cases in criminal or civil courts when they were not under the purview of specialized tribunals. The government often used police as a low-level dispute mechanism to settle minor issues.

Children under the age of 16 cannot be held criminally responsible for their conduct; however, magistrates, judges, prosecutors, police officers, and public defenders were often unaware of the law, and some juvenile offenders were prosecuted as criminals and treated as adults by the judicial system. Juveniles were often held in prisons, commingled with adult offenders (even for nonviolent property offenses), and detained for extended periods.

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 more than 20 other law enforcement agencies. The armed forces provide external security but also have some domestic security responsibilities, discharged primarily through coast guard.

An estimated 3,590 UNMIL peacekeepers and 409 UN police officers played a diminished role in maintaining security, as the LNP assumed progressively greater responsibility for law enforcement. As part of a continuing drawdown, approximately 1,000 UNMIL personnel left the country during the year.

The LNP operated independently of UN peacekeepers and officers and retained its own arrest authority. The LNP's Police Support Unit (PSU) continued to receive UN training in crowd and riot control, and its Emergency Response Unit (ERU) received specialized UN training in antiterrorism, hostage rescue, internal security, tactical anticrime, and search-and-rescue activities. Half of ERU personnel received recertification training during the year, focused on strengthening police skills and knowledge of constitutional law, permissible use of force, and respect for human rights. Officers who failed the class were removed from the ERU and reassigned to other duties. The PSU and ERU were better trained and equipped than the regular LNP force. The LNP's ERU/PSU trainers received intense

refresher training from a donor country in an effort to increase the ERU to 500 officers and the PSU to 2,000 officers before UNMIL withdrawal.

Regular LNP officers remained poorly equipped, ineffective, and slow to respond to criminal activity, although foot patrols met with some success in curbing crime in some areas. Police had limited transportation, communication, and forensic capabilities, and they did not have the capacity to investigate adequately many crimes, including violent crimes. The lack of a crime laboratory and other investigative tools hampered police investigations and evidence gathering that, in turn, hampered prosecutors' ability to prepare court cases. Training and assistance by international donors supported some improvements.

The LNP's Professional Standards Division (PSD) is responsible for investigating allegations of police misconduct and referring cases for prosecution. In January 25 officers of the division participated in a three-day training activity related to a plan intended to decentralize its operations into five regions; training covered PSD policy and procedure, investigation, and report writing. The National Commission on Human Rights (INCHR) reported that violent police action during arrests was the most common complaint of misconduct.

An armed forces disciplinary board investigates alleged misconduct and abuses by military forces. The armed forces administer nonjudicial punishment. As of November the disciplinary board had no active cases.

Arrest Procedures and Treatment of Detainees

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

The law provides that detainees be either charged or released within 48 hours, and detainees generally were informed of the charges against them upon arrest and typically brought before a judge for arraignment within 48 hours. Once sent to jail, however, those arraigned were often held in lengthy pretrial detention. Some detainees, particularly among the majority without 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, the case against the defendant is dismissed if no cause is given; nevertheless, cases were rarely dismissed on either ground.

The law provides for bail for all criminal offenses, although it severely limits bail for individuals charged with capital offenses or serious sexual crimes. Detainees have the right to prompt access to counsel, visits from family members, and, if indigent, an attorney provided by the state in criminal and civil 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-sponsored counsel. Public defenders remained understaffed and underfunded.

Arbitrary Arrest: Security forces continued to make arbitrary arrests, especially during major holidays, in an effort to anticipate and prevent crime.

Pretrial Detention: Although the law provides for a defendant to receive an expeditious trial, lengthy pretrial and pre-arraignment detention remained serious problems. An estimated 78 percent of prisoners were pretrial detainees as of November, despite the large number of detainees released by the Magistrate Sitting Program during 2014 to reduce EVD transmission in overcrowded prisons. Unavailability of counsel at the early stages of proceedings contributed to prolonged pretrial detention. A 2013 study of the MCP population revealed pretrial detainees were held on average more than 10 months. For example, an LNP officer was detained for nearly four months without a formal charge on suspicion of manslaughter after a civil disturbance in the town of Paynesville in April.

The corrections system improved its capacity to implement probation. The use of the supervised pretrial release program expanded during the year. Additional police training in writing investigation notes and maintaining chain of custody for evidence helped reduce the number of pretrial detainees. In some cases 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, inadequate police investigation and evidence collection, poor file management, and rampant allegations of extrajudicial settlements and judicial corruption exacerbated the incidence and duration of pretrial detention. In response to the Ebola crisis, the Ministry of Justice substituted writs of arrest for writs of summons in 2014, which significantly reduced arrests and pretrial detentions. The government discontinued the practice during the year, leading to an increase in pretrial detainees.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, but judges and magistrates were subject to influence and corruption. Uneven application of the law and unequal distribution of personnel and resources remained problems throughout the judicial system. The government continued efforts to harmonize the traditional and formal justice systems, in particular through campaigns focused on trying criminal cases in formal courts. These cases included murder, rape, and human trafficking, as well as some civil cases that could be resolved in either formal or traditional systems.

Trial Procedures

Trials are public. Juries are used in circuit court trials but not at the magistrate level. Jurors were subject to influence and corrupt practices that undermined their neutrality. Defendants have the right to be present at their trials, consult with an attorney in a timely manner, and have access to government-held evidence relevant to their case. Defendants have the right to be informed of the charges promptly and in detail. If a defendant, complainant, or witness does not speak or understand English, the court provides interpreters for the trial. 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 adverse witnesses, present their own evidence and witnesses, and appeal adverse decisions. These rights, however, were not observed consistently.

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.

The Magistrate Sitting Program, begun in 2009 to expedite the trials of persons detained at the MCP, adjudicated 1,016 cases during the year through October. Those proceedings resulted in the release of 880 detainees, the conviction of 122, and the transfer of 10 cases to different courts. Four case files were unaccounted for during the proceedings. Among other problems, the program suffered from poor coordination among judges, prosecutors, defense counsel, and corrections

personnel; deficient docket management; inappropriate involvement of extrajudicial actors; and lack of logistical support.

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. There is a separate civil law court in Monrovia, but circuit courts in each county function as both criminal and civil courts. Special courts deal with sexual violence, tax, probate, labor, civil, traffic, juvenile, debt, and administrative matters. As with general courts, specialized courts were inefficient and allegedly subject to corruption, including when they released defendants either due to lack of evidence, excessive delay, or for unspecified reasons.

f. Arbitrary 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 Speech and Press

The constitution provides for freedom of speech and press, and the government generally respected these rights, although with some limits.

Freedom of Speech and Expression: Individuals could generally criticize the government publicly or privately without reprisal, but libel and national security laws placed some limits on freedom of speech.

Violence and Harassment: Law enforcement entities occasionally harassed newspaper and radio station owners because of their political opinions and reporting, especially when criticizing government officials. In February an outspoken radio talk show host was detained for violation of the Ebola curfew after he made comments about the controversial deportation of a Lebanese citizen. The host successfully challenged his detention in the courts. Members of the media

also were harassed through telephone calls and texts from government officials for political reasons.

Censorship or Content Restrictions: Although generally able to express a wide variety of views, some journalists practiced self-censorship to avoid possible libel charges.

Libel/Slander Laws: Unlike last year, there were no known reports that libel laws constrained the work of journalists and media outlets reporting on high-profile government or other public figures.

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 International Telecommunication Union, 5.4 percent of the population used the internet during 2014.

Academic Freedom and Cultural Events

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

b. Freedom 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.

c. Freedom of Religion

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

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights, subject to exigencies imposed due to the Ebola crisis.

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.

In-country Movement: The LNP and Bureau of Immigration and Naturalization officers occasionally subjected travelers to arbitrary searches and petty extortion at unofficial checkpoints. Due to the Ebola crisis, the national task force put additional checkpoints into place at border crossings as well as between and within counties heavily affected by the Ebola virus through June.

Emigration and Repatriation: After a longer than 16-month suspension due to Ebola concerns, the governments of Cote d'Ivoire and Liberia, with UNHCR, agreed to resume the voluntary repatriation of Ivoirian refugees starting December 18. By year's end, an estimated 1,000 refugees were expected to have been returned to Cote d'Ivoire.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status. The government has an established system for providing protection to refugees and granted refugee status and asylum.

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. As of the end of August approximately 38,000 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 based on universal and equal suffrage, and citizens exercised that ability.

Elections and Political Participation

Recent Elections: Special senatorial elections were held in December 2014. While turnout nationwide at 25 percent was low compared with the 2005 and 2011

general elections, it was consistent with turnout in other nationwide elections and referenda. Only two of 10 incumbent senators retained their seats and all formal complaints were resolved either through the National Elections Commission or by the Supreme Court. International and national observers declared the elections free, fair, transparent, and credible despite some minor irregularities.

Participation of Women and Minorities: In addition to a woman president, there were three women in the 20-member national cabinet. There were three women in the 30-seat Senate and eight in the 73-seat House of Representatives. Two female associate justices sat on the five-member Supreme Court. Women constituted 33 percent of local government officials and 13 percent of senior and deputy ministers.

In a predominantly Christian country, three cabinet ministers, six deputy cabinet ministers, one senator, eight representatives, one Supreme Court justice, and one county superintendent were Muslim.

Section 4. Corruption and Lack of Transparency in Government

The law does not provide explicit criminal penalties for official corruption, although criminal penalties exist for economic sabotage, mismanagement of funds, bribery, and other corruption-related acts. Corruption persisted, and the World Bank's most recent Worldwide Governance Indicators reflected that corruption was a serious problem.

Corruption: Some officials engaged in corrupt practices with impunity. 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 Liberian Anti-Corruption Commission (LACC) and the Ministry of Justice are responsible for exposing and combating official corruption. The LACC is empowered to prosecute any case it refers to the Ministry of Justice that the ministry declines to prosecute within 90 days. During the year the LACC received 29 allegations, of which it investigated six cases and recommended one for prosecution by year's end. Twenty-five of these allegations involved serving officials.

The government dismissed or suspended a number of officials for corruption. For example, in April, based on a LACC investigation, President Sirleaf suspended the managing director and comptroller of the National Port Authority. In August

she dismissed a deputy minister of the Foreign Ministry over alleged misuse of grant funds from an international donor country and directed the Justice Ministry to investigate the allegations.

Some judges accepted bribes to award damages in civil cases. Judges sometimes solicited bribes to try cases, release detainees from prison, or find defendants not guilty in criminal cases. Defense attorneys and prosecutors sometimes suggested defendants pay bribes to secure favorable decisions from judges, prosecutors, and jurors. Corrections officers sometimes demanded payment to bring a detainee before the Magistrate Sitting Program.

Police corruption was a problem. The LNP investigated reports of police misconduct or corruption, and authorities suspended or dismissed several LNP officers. For example, in January police authorities dismissed and referred to the judicial system for trial two police officers for misappropriation of 2.9 million Liberian dollars (L\$) (\$33,000) entrusted to them for EVD control operations.

Financial Disclosure: The LACC was not required to release the contents of financial disclosures mandated for executive branch officers in 2012 and 2013, and during the year it released only aggregate information about officials' cooperation and overall compliance.

Concerns remained about the transparency of the finances of state-owned enterprises and autonomous bodies. Many of these enterprises had not been audited for several years. Government ministries and agencies often did not adhere to public procurement regulations, particularly for natural resource concessions, or to government vetting procedures when hiring ministry officials.

Public Access to Information: The law provides that the government release upon request information not involving national security issues. Some transparency advocates, including the head of the LACC, stated the law did not provide citizens adequate access to verify the proper spending and accounting of government funds.

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

A number of domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views, although sometimes slow to act on requests for assistance on investigations

associated with the prosecution of individuals who committed atrocities during the civil war.

Government Human Rights Bodies: In 2011 the INCHR developed a work plan including creation of the Palava Hut mechanism, through which community members could come together in their towns and villages to discuss grievances and seek reconciliation at the community level. The Palava Hut mechanism was launched in 2012, but only one report had been submitted on this effort. In October the president sent the legislature an update on government efforts to implement the Truth and Reconciliation Commission recommendations.

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

The constitution prohibits discrimination based on sex, creed, place of origin, disability, or political opinion; however, the government did not enforce these provisions effectively. The constitution allows only persons who are “Negroes” or of “Negro descent” to become citizens and own land. Lebanese born in the country over several generations, for example, remained noncitizens in accordance with this provision.

Tribal tensions exploited during the country’s civil war that formally ended in 2003 continued on a diminished level to contribute to social and political friction among ethnic groups.

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. According to the latest World Health Organization figures, 77 percent of women and girls stated they had been victims of sexual violence. The law’s definition of rape does not specifically criminalize spousal rape. 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. Second-degree rape, defined as rape committed without the aggravating circumstances enumerated above, is punishable by up to 10 years in prison. Defendants accused of first-degree rape may be denied bail if evidence presented at arraignment meets certain evidentiary standards.

The Women’s and Children’s Protection Section (WACPS) of the LNP investigated 188 reported cases of rape, of which 59 were referred to a specialized

sexual violence court (Court E), which has exclusive original jurisdiction over cases of sexual assault, including abuse of minors. Court E's effectiveness was limited by having only one of two authorized judges, but a second resident judge assumed duties in October. A few of the 59 cases referred to Court E during the year were forwarded to criminal court (Court C) for further judicial review, and all eight prosecutions during the year resulted in conviction and sentences ranging from one to seven years' imprisonment. The Sexual and Gender-based Crimes Unit within the Ministry of Justice has improved case management and increased the number of sexual offense indictments from 16 in 2014 to 147 during the year.

The Sexual and Gender-based Crimes Unit continued to coordinate with Court E and to collaborate with NGOs and international donors to increase public awareness of sexual and gender-based violence issues; these efforts, according to the government and NGOs, led to increased reporting of rape. Despite increased reporting, however, human rights groups claimed the true prevalence of rape was still higher than reported, since many cases go unreported.

The government runs a shelter for sexual and gender-based violence (SGBV) victims and victims of trafficking in persons, 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.

The social stigma of rape, especially in rural areas, contributed to the pervasiveness of out-of-court settlements and discouraged formal prosecution of cases. An overtaxed justice system also prevented timely prosecution, although local NGOs pushed for judicial action and sometimes provided lawyers to indigent victims. 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 domestic violence is six months' imprisonment, but the government did not enforce the law effectively and generally treated cases, if reported, as either simple or aggravated assault.

During the year the Ministry of Gender, Children, and Social Protection (MOGCSP) organized workshops and seminars to combat domestic violence. Media made some efforts to publicize the problem, and several NGOs continued programs to treat abused women and girls and to increase public awareness of their

rights. LNP officers received training on sexual offenses as part of their initial training.

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. FGM/C is often performed during initiation into women's secret Sande societies. Given the sensitivity of the topic, FGM/C surveys typically eliminate direct reference to FGM/C and instead ask respondents about initiation into a women's secret society, making it difficult to ascertain actual prevalence rates. According to a 2013 demographic health survey, 49.8 percent of girls and women ages 15-49 had undergone the procedure. FGM/C was common and traditionally performed on young girls of northern, western, and central ethnic groups, particularly in rural areas and in the poorest households, and government officials routinely engaged with traditional leaders to underscore its commitment to eliminating FGM/C. The percentage of women and girls ages 15 to 49 who experienced some form of FGM/C ranged from 73 percent in the North Central to 28 percent in the South Eastern region. Government officials, including 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 convinced 100 headwomen of "bush schools" to sign a memorandum of understanding to ban FGM/C. The government also routinely decried FGM/C in discussions of violence against women, although there remained some political resistance to passing legislation criminalizing FGM/C because of its association with particular tribes in populous counties.

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

Reproductive Rights: No laws restrict couples and individuals from deciding the number, spacing, and timing of their children or managing their reproductive health, and individuals have the right to seek and acquire information on reproductive health. Information and assistance on family planning was difficult to obtain, however, particularly in rural areas, where there were few health clinics. The government included family planning counseling and services as key components of its new 10-year national health and social welfare plan. A 2013 demographic and health report indicated modern contraceptive use stood at 20 percent nationwide, although some rural counties had rates closer to 10 percent. A

2011 government-led survey found that approximately two-thirds of women in similar rural counties said they wanted to use family planning methods. This discrepancy suggested that poverty, lack of government resources, and cultural barriers impeded family planning efforts. The teenage pregnancy rate remained very high.

According to the UN Population Fund's 2015 Trends in Maternal Mortality Report, the country had a maternal mortality rate estimated at 725 per 100,000 live births, and a woman's lifetime risk of maternal death was one in 28. Reducing maternal mortality remained a priority of the government, and activities in past years included additional training of midwives and providing incentives to pregnant women to seek prenatal care and childbirth at a hospital or clinic. Most women delivered outside of health facilities.

Discrimination: Women and men enjoy the same legal status. By law women can inherit land and property, are entitled to receive equal pay for equal work, have the right of equal access to education, and can own and manage businesses. Women experienced discrimination, however, in such areas as employment (see section 7.d.), credit, pay, education, and housing. In rural areas traditional practice or traditional leaders often did not recognize a woman's right to inherit land. Programs to educate traditional leaders about women's rights made some progress, but authorities often did not enforce those rights.

The law does not 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. The MOGCSP and related government programs and partnerships with NGOs promoted women in the economic sector through such initiatives as workshops on networking, entrepreneurial skills, and microcredit lending.

While the law prohibits polygamy, traditional and religious customs permit men to have more than one wife. No specific office exists to enforce the legal rights of women, but the MOGCSP and the Women, Peace, and Security Secretariat (established within the MOGCSP to implement UN Security Council Resolution 1325) generally are responsible for promoting women's rights.

Children

Birth Registration: Children of "Negro" descent born in Liberia to at least one Liberian parent are citizens. Children born outside of Liberia to a Liberian father

are also Liberian citizens, although they may lose that citizenship if they do not reside in Liberia prior to age 21, or take an oath of allegiance before a consul before age 23 if residing abroad. Children born to non-Liberian fathers and Liberian mothers outside of Liberia do not derive citizenship from the mother. If the father naturalizes as a Liberian citizen prior to a child's attaining the age of 21 years, however, the child may qualify for citizenship. Otherwise, the child must follow normal naturalization procedures. If a child born in the country is not of "Negro" descent, the child cannot acquire citizenship. Non-"Negro" residents, such as the large Lebanese community, cannot 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. Many women did not give birth at health facilities during the Ebola crisis, resulting in thousands of unregistered births. According to the UN Children's Fund (UNICEF), only 700 births were recorded between January and May, and during that time up to 12,000 children did not receive birth certificates at birth. The government acknowledged this problem and was taking steps to register these children.

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 for 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) and, as a practical matter, are essential since the government was unable to fund these schools fully. In both public and private schools, families of students often were required to provide their children's uniforms, books, pencils, paper, and even desks.

Girls accounted for fewer than half of all students and graduates in primary and secondary schools, with their proportion decreasing progressively at higher levels. Students with special needs and those in rural counties were most likely to be denied access to education.

Child Abuse: Widespread child abuse persisted, and reports of sexual violence against children continued. Civil society organizations reported many rapes of children under 12, and there were 44 cases of child endangerment reported during the year. The government has spoken out about the issue and engaged in public campaigns to combat child rape.

Early and Forced Marriage: The 2011 National Children's Act sets the marriage age for all persons at 18 years, 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. In partnership with international donors, the government operated a free alternative basic education program which, for those unable to access formal education, taught life skills such as health, hygiene, birth control, and the merits of delayed marriage. During the year, the government distributed to those enrolled in formal education a parent-teacher association manual promoting delayed marriage. Mass media campaigns were conducted in target communities, especially in rural areas, to educate citizens about the negative consequences of child marriage. Nevertheless, underage marriage remained a problem, especially in rural areas. According to a 2015 UNICEF report, 11 percent of women ages 20 to 24 were married by age 15 and 38 percent were married by age 18.

Female Genital Mutilation/Cutting: See information on girls under 18 in the women's section above.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children and child pornography, and authorities generally enforced the law, although girls occasionally were exploited in prostitution in exchange for money, food, and school fees. The minimum age for consensual sex is 18 notwithstanding the Domestic Relations Law, which permits individuals over the age of 16, but under the age of consent, to marry with the permission of a parent or guardian. During the year the government convicted 22 of 102 defendants of statutory rape, although the true incidence of statutory rape was believed to be much higher. Statutory rape is a first-degree offense, and the maximum sentence for perpetrators is life imprisonment. The penalty for child pornography is up to five years' imprisonment. Orphaned children remained especially susceptible to exploitation, including sex trafficking.

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. Many unofficial orphanages also served as transit points or informal group homes for children, some of whom had living parents who had given them up for possible adoption. Orphanages had difficulty providing adequate sanitation, medical care, and nutrition. The orphanages relied primarily on private donations and support from international organizations such as UNICEF and the World Food Program,

which provided emergency food and medical and psychological care. Many orphans lived without assistance from these institutions. Some groups under the guise of an orphanage brought children from rural areas with a promise to provide the children education and then sold the children to households in the Monrovia area.

Since the country did not have a facility for their care, juvenile offenders at MCP routinely were 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.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State’s report on compliance 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

Although it is illegal to discriminate against persons with physical and mental disabilities, such persons did not enjoy equal access to government services and found very limited employment prospects (see section 7.d.). The constitution prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment and provides for access to health care, but these provisions were not always enforced. There is a legal prohibition against discrimination on such grounds in accessing air travel or other transportation.

Public educational institutions discriminated against students with disabilities, arguing resources and equipment were insufficient to accommodate them.

Many citizens had permanent disabilities resulting from the civil war. Persons with disabilities faced societal exclusion, particularly in rural areas. Few children with disabilities had access to education. The government included persons with disabilities in its 2012 Vision 2030 national development strategy meeting and related panel discussions that continued during the year.

Students with more significant disabilities are exempt from compulsory education, but may attend school subject to constraints on accommodating them.

The right of persons with disabilities to vote and otherwise participate in civic affairs is legally protected and was generally respected, although inaccessibility of buildings posed problems for persons wishing to exercise these rights. The Ministry of Gender, Children, and Social Protection is the government agency 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.” Many persons of Lebanese and Asian descent who were born or who have lived most of their lives in the country cannot attain citizenship or the right to own land.

Indigenous People

The country has 16 indigenous ethnic groups; each speaks a distinct primary language and is concentrated regionally. Long-standing disputes over land and other resources between 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, and the culture is strongly opposed to homosexuality. “Voluntary sodomy” is a misdemeanor with a penalty of up to one year’s imprisonment. As of year’s end, two persons were in MCP custody for sodomy, one of whom had been in pretrial detention for more than three years. 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 maintained a very low profile due to fear of mistreatment.

There were press and civil society reports of harassment of persons perceived to be LGBTI. Societal stigma and fear of official reprisal may have prevented victims from reporting violence or discrimination based on sexual orientation or gender identity.

HIV and AIDS Social Stigma

The most recent demographic and health survey in 2013 found no measurable improvement since 2007 in popular attitudes, which remained broadly discriminatory toward those living 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 follow through on its strategic plan to destigmatize and safeguard HIV-positive persons against discrimination in its recruitment, employment, admission, and termination processes. The law prohibits “discrimination and vilification on the basis of actual and perceived HIV status” in the workplace, school, and health facilities, with offenses punishable by a fine of no less than 1,000 L\$.

Other Societal Violence or Discrimination

Mob violence and vigilantism, which resulted in part from the public’s lack of confidence in police and the judicial system, resulted in deaths and injuries. For example, in May violent protests broke out at Golden Veroleum Liberia’s (GVL) plantation in the southeastern county of Sinoe when a visiting GVL official was unable to meet with members of the local youth association on short notice to discuss a boundary dispute. Protesters blocked GVL’s entrances, broke into offices, looted warehouses, damaged vehicles, and held one expatriate hostage. Authorities arrested many of the rioters, whose cases were pending trial.

There were also reports of increased 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, healthcare providers, and employers.

There were reports of killings in which body parts were removed from the victim, a practice possibly related to ritual killings. For example, on September 25, residents near the city of Ganta in Nimba County found the body of a 16-year-old motorbike rider with missing parts and organs. On September 30, residents of Ganta found the body of a 20-year old motorcyclist and, despite no signs of ritual killing, assumed it was connected to the earlier death. A mob proceeded to damage and loot private properties and the nearby LNP station. More than 60 persons were arrested in connection with this incident and were awaiting trial at year's end. The president acknowledged that ritual killings appeared to be on the increase, although their number during the year was difficult to ascertain since police sometimes described such deaths as homicides, accidents, or suicides, even when body parts were removed.

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 form or join freely independent unions of their choice without prior authorization or excessive requirements. It allows unions to conduct their activities without interference by employers. 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 also prohibits employers from discriminating against an employee because of membership in a labor organization. The law does not, however, provide adequate protection because it imposes inadequate sanctions. The law prohibits unions from engaging in partisan political activity and prohibits agricultural workers from joining industrial workers' organizations. Workers, except civil servants, have the right to strike, provided that the Ministry of Labor is notified of the intent to strike. Collective bargaining is protected by law.

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.

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.

Union power 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 labor protections. Labor unions called on the legislature to pass laws that would improve work conditions across the country. Although issues of wages remained critical in agriculture sector bargaining, unions also focused on other issues including better housing, health, and schools. Unions were independent of the government and political parties.

There were no reports of discrimination or employer retaliation against strikers during the year.

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 are neither sufficiently stringent nor commensurate with the penalties prescribed for other serious offenses, such as rape.

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. 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 NGOs and other organizations to eliminate the practice.

When victims were identified, the Women and Children Protection Section of the LNP, along with NGOs, worked to reunite victims with their families in the

interior or referred them to safe homes. Child labor was addressed as a child endangerment issue; consequently, no reliable figures were available on the number of children removed from forced labor. The government took a few steps to prevent or eliminate forced labor, including periodic labor inspections to enforce the 2013 National Children's Act.

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

The law 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 is attending school regularly and the child is able to read and write simple sentences. The law also prohibits the employment of apprentices under age 16. The law does not provide for additional restrictions on working hours. One of the provisions of the New Education Reform Act of 2011 addresses prior inconsistencies between the minimum employment age and compulsory educational requirements. The compulsory education requirement extends through grade nine or until age 15. Although the National Children's Act supplements other laws by prohibiting any work hazardous to a child's health and educational, emotional, or physical development, it does not define the types of hazardous work. This lack of definition restricts labor inspectors' and police officers' ability to enforce child labor laws.

The Child Labor Commission is responsible for enforcing child labor laws and policies, although it did not do so effectively, in part due to inadequate staff and funding. The commission coordinated efforts to provide scholarships for children to enroll in school. The government charged the Ministry of Labor's Child Labor Secretariat, the Ministry of Justice's Human Rights Division, the Ministry of Gender, Children and Social Protection's Human Rights Division, the Ministry of Health's Department of Social Welfare, and the LNP's WACPS with investigating and referring for prosecution allegations of child labor; however, inspections and remediation were inadequate.

The law penalizes employers that violate the minimum age provision of child labor laws with a fine of L\$100 (\$1.15) 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 (\$0.29) 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 that were 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.

Except for regularly scheduled sensitization and training activities, often funded by international donors, the government undertook no significant actions to address child labor.

International NGOs worked to eliminate the worst forms of child labor by withdrawing children from hazardous work and putting at-risk children in school. Other local and international NGOs worked to raise awareness of the worst forms of child labor.

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

A constitutional provision prohibits discrimination with respect to equal opportunity for work and employment regardless of sex, creed, religion, ethnic background, place of origin, or political affiliation, and calls for equal pay for equal work. The government, in general, did not effectively enforce the law. The law does not prohibit discrimination in the workplace regarding language, communicable diseases, sexual orientation, or gender identity.

Discrimination in employment and occupation occurred with respect to gender, disability, and HIV-positive status (see section 6). Apart from facing economic discrimination based on cultural traditions, women also experienced discrimination in employment.

Migrant workers enjoy the same legal protections, wages, and working conditions as citizens.

e. Acceptable Conditions of Work

The national law requires a minimum wage of L\$15 (\$0.17) per hour, not exceeding eight hours per day, excluding benefits, for unskilled laborers. The minimum wage laws apply only to the formal economic sector. The law does not fix a minimum wage for agricultural workers but requires that they be paid at the rate agreed to in the collective bargaining agreement between workers' unions and management, excluding benefits. Skilled labor has no minimum fixed wage, and the average salary for civil servants was L\$5,600 (\$64) per month. The law requires equal pay for equal work.

Many families paid minimum-wage incomes were also engaged in subsistence farming, small-scale marketing, and begging.

The law provides for a 48-hour, six-day regular workweek with a 30-minute 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. Penalties were not sufficient to deter violations.

The Ministry of Labor's Labor Inspection Department enforced government-established health and safety standards. The ministry had approximately 25 inspectors throughout the country to investigate allegations of labor violations. The department assigned these inspectors to assist county labor commissioners in all counties, and they mainly monitored the formal sector. The department was grossly understaffed at the county level, and inspectors frequently lacked working vehicles. Although a few counties had assigned four-wheel vehicles, most had only a motorbike. In instances of breach of standards, fines were imposed on violators, but often these were an insufficient deterrent. Delinquent violators were not regularly sent to the labor court. Enforcement of standards and inspection findings was not always consistent.

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. Informal sector workers, estimated at 85 percent of the workforce, faced widely varying, and often harsh, working conditions.

Workers cannot remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities did not effectively protect employees in this situation.