



Home Office

# **Country Information and Guidance**

## **Liberia: Sexual Orientation and Gender Identity**

**Version 1.0**

**December 2015**

# Preface

This document provides country of origin information (COI) and guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained within this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

## Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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# Guidance

Updated 16 December 2015

## 1. Basis of claim

### 1.1 Basis of Claim

1.1.1 Fear of persecution or serious harm by the state and/or non-state actors because of the person's actual or perceived sexual orientation and/or gender identity.

### 1.2 Other Points to Note

1.2.1 This instruction refers to lesbian, gay, bisexual and transgender (LGBT) persons collectively, although the experiences of members of each group may differ.

1.2.2 Decision makers should also refer to the Asylum Instructions on [Sexual Identity Issues in the Asylum Claim](#); [Gender Identity Issues in Asylum Claims](#); and [Gender Recognition in Asylum Claims](#).

## 2. Consideration of Issues

### 2.1 Is the person's account credible?

2.1.1 For information on assessing credibility, see sections 4 and 5 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Do LGBT persons constitute a particular social group?

2.2.1 LGBT persons in Liberia form a particular social group (PSG) within the meaning of the Refugee Convention because they share a common characteristic that cannot be changed and have a distinct identity which is perceived as being different by the surrounding society.

2.2.2 Although LGBT persons in Liberia form a PSG, this does not mean that establishing such membership will be sufficient to make out a case to be recognised as a refugee. The question to be addressed in each case will be whether the particular person will face a real risk of persecution on account of their membership of such a group.

2.2.3 For further guidance on particular social groups, see section 7.6 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

## 2.3 Are LGBT persons at risk of persecution or serious harm?

2.3.1 Decision makers must establish whether or not the person, if returned to their country of origin, will live freely and openly as an LGBT person. This involves a wide spectrum of conduct which goes beyond merely attracting partners and maintaining relationships with them. If it is found that the person will in fact conceal aspects of his or her sexual orientation if returned, decision makers must consider why the person will do so. If this will simply be in response to social pressures or for cultural or religious reasons of his or her own choosing and not because of a fear of persecution, then they may not have a well-founded fear of persecution. But if the reason why the person will resort to concealment is that they genuinely fear that otherwise they will be persecuted, it will be necessary to consider whether that fear is well founded (see Section 3.2 of the Asylum Instruction on [Sexual Identity Issues in the Asylum Claim](#) ).

### State treatment

2.3.2 Consensual same-sex sexual activity for both men and women is illegal in Liberia, is classed as a first degree misdemeanor and carries a sentence of up to a year's imprisonment. (See [Legal context](#))

2.3.3 The law is rarely enforced although as at the end of 2014 there were five people in custody for sodomy. (See [Treatment by state authorities](#)).

2.3.4 It is alleged that the police target or harass people they believe to be LGBT. (See [Treatment by state authorities](#)).

### Societal treatment

2.3.5 Following the introduction of a bill seeking to make same-sex sexual activity a more serious crime with a longer prison sentence (the bill has laid dormant in the legislative house since 2012), societal discrimination, harassment, and stigmatization has become more prevalent. This has been exacerbated by the outbreak of Ebola which many religious leaders sought to blame on homosexuality in the country. (See [Legal context](#) and [Societal treatment and attitudes](#)).

2.3.6 Although some LGBT people report facing harassment and discrimination only a few reported acts of violence against them and, when asked, most indicated that they had never experienced first-hand discrimination and stigma when accessing public services. (See [Societal treatment and attitudes](#)).

2.3.7 LGBT persons were cautious about revealing their sexual orientation or gender identities generally to avoid stigma and humiliation. Groups supporting LGBT people also tended to keep a low profile, although there have been reports of activists having faced violence from the public. (See [Societal treatment and attitudes](#)).

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## 2.4 Are those at risk able to seek effective protection?

2.4.1 Where the person's fear is of ill treatment/persecution at the hands of the state, they will not be able to obtain protection.

2.4.2 If the person is at risk of serious harm from a non-state actor, the person may be able to seek protection. Although the police have been reported to be inactive or indifferent to harassment or violence against LGBT people there are examples of LGBT activists seeking protection at the police headquarters in Monrovia and of an activist filing a police report which was under investigation. (See [Treatment by state authorities](#) and [Societal treatment and attitudes](#)).

2.4.3 For further guidance on assessing the availability or not of state protection, see section 8.1 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

## 2.5 Are those at risk able to seek effective protection?

### Internal Relocation

2.5.1 Where the threat is from the state, internal relocation is not a viable option.

2.5.2 Where the threat is from a non-state actor, decision makers should consider each case on its individual circumstances to ascertain if the threat is local and could be removed by relocation. (See [Treatment by, and attitude of, state authorities](#))

2.5.3 Decision makers must also take account that the Supreme Court in the case of [HJ \(Iran\)](#) made the point that internal relocation is not the answer if it depends on the person concealing their sexual orientation in the proposed new location for fear of persecution.

2.5.4 For further guidance on considering internal relocation and the factors to be taken into account, see section 8.2 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

## 2.6 If refused, is the claim likely to be certifiable?

2.6.1 Liberia is listed as a designated state under section 94 of the Nationality, Immigration and Asylum Act 2002 in respect of men only. However claims in respect of LGBT are unlikely to be certifiable.

2.6.2 For further information on certification, see the [Asylum Instruction on Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#).

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## 3. Policy summary

3.1.1 **Same-sex physical relations are criminalised although the law is rarely enforced. Discrimination has increased following a bill (dormant since 2012) to increase the criminal penalty for same sex practice. Homophobic rhetoric has increased as religious leaders have blamed the country's outbreak of Ebola on homosexuality.**

3.1.2 **Although discrimination and stigmatization exist, for most LGBT persons this would probably not amount to a real risk of persecution or serious harm and each case needs to be considered on its individual merits, with the onus on the person to demonstrate that they are at real risk and would not be able to seek state protection.**

- 3.1.3 **The few LGBT activists in the country with a high profile have been targeted with acts of violence and they may be able to demonstrate the need for protection.**
- 3.1.4 **Decision makers must give careful consideration to the relevance and reasonableness of internal relocation on a case-by-case basis taking full account of the individual circumstances of the particular person.**
- 3.1.5 **Where a claim is based on a person's sexual orientation or gender identify, it is not likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.**

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# Country Information

Updated 15 December 2015

Professor Ashley Currier of the University of Cincinnati, in an August 2015 press release about her forthcoming paper 'Local Mobilization Against LGBT Rights Organizing in Liberia', noted, following a 2013 visit to Liberia, that country does not possess a discernible LGBT community.<sup>1</sup>

## 4. Legal Context

4.1.1 The New Penal Law, published in 1978 defined "voluntary sodomy" as a minor misdemeanour with a penalty of up to one year's imprisonment.<sup>2</sup>

4.1.2 The US Library of Congress added:

'The term "deviate sexual intercourse" includes "sexual contact between human beings who are not husband and wife or living together as man and wife though not legally married, consisting of contact between the penis and the anus, the mouth and the penis, or the mouth and vulva." A sexual contact involves "touching of the sexual or other intimate parts of a person for the purpose of arousing or gratifying a sexual desire."<sup>3</sup>

4.1.3 Penal Law of 1976, §§ 14.74 & 50.7, IV Liberian Codes Revised tit. 26 (rev. ed. 1998), available on the Liberian Legal Information Institute (LIBERLII) website.<sup>4</sup>

4.1.4 The US Library of Congress found no laws against the advocacy of LGBT matters and that same sex marriage is not recognized.<sup>5</sup>

4.1.5 Liberia appeared to be seeking to pass a new law that would make the crime more serious and extend the criminal penalty for same-sex practice to up to 5 years' imprisonment but the bill has lain dormant in the legislative house since the Senate voted to pass the anti-same sex marriage bill in July 2012.<sup>6</sup>

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<sup>1</sup> University of Cincinnati, LGBT Rights Organizing in Liberia Explored in UC Research, 23 August 2015 <http://www.uc.edu/news/NR.aspx?id=22056> Accessed 28 September 2015

<sup>2</sup> ILGA State sponsored homophobia 2015 [http://old.ilga.org/Statehomophobia/ILGA\\_State\\_Sponsored\\_Homophobia\\_2015.pdf](http://old.ilga.org/Statehomophobia/ILGA_State_Sponsored_Homophobia_2015.pdf) Accessed 17 August 2015

<sup>3</sup> US Library of Congress, Laws on Homosexuality in African Nations, 2015. <http://www.loc.gov/law/help/criminal-laws-on-homosexuality/african-nations-laws.php> Accessed 22 September 2015

<sup>4</sup> Penal Law of 1976, §§ 14.74 & 50.7, IV Liberian Codes Revised tit. 26 (rev. ed. 1998), available on the Liberian Legal Information Institute (LIBERLII) website, at <http://www.liberlii.org/lr/legis/codes/plr26lcolr367/>. Accessed 22 September 2015

<sup>5</sup> US Library of Congress, Laws on Homosexuality in African Nations, 2015. <http://www.loc.gov/law/help/criminal-laws-on-homosexuality/african-nations-laws.php> Accessed 22 September 2015

<sup>6</sup> Human Rights Watch, It's Nature, not a Crime, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015



- 4.1.6 There are no laws against discrimination based on sexual orientation or gender identity, nor protection against hate crimes based on sexual or gender identity.<sup>7</sup>
- 4.1.7 Liberia signed (1967) and ratified (2004) the International Covenant on Civil Rights.<sup>8</sup>

## 4.2 Transgender and Intersex people

- 4.2.1 There is also no legislation on gender recognition or other rights for transgender or intersex people who may wish to change their legal documents.<sup>9</sup>

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## 5. Treatment by state authorities

- 5.1.1 Human Rights Watch, in their report of 3 December 2013 [2013 HRW report] 'It's Nature, not a Crime', noted that the current law is rarely enforced.<sup>10</sup>
- 5.1.2 The Sida (Swedish International Development Cooperation) December 2014 report, 'The Rights of LGBTI People in Liberia' [Sida 2014 report] commented that 'Activists allege that the police target or harass those they believe to be LGBTI.'<sup>11</sup>
- 5.1.3 The United States Department of State stated in its Country Report into Human Rights Practices, 2014, Liberia, (USSD report 2014), published 26 June 2015, that, as of November 2014, five detainees were in custody for sodomy in the Monrovia Central Prison, two of whom had been detained for more than two years.<sup>12</sup>

## 6. Societal treatment and attitudes

### 6.1 Overview

- 6.1.1 The Sida 2014 report also noted:  
'General social attitudes towards lesbian, gay, bisexual, transgender and intersex (LGBTI) people are homophobic and transphobic. There is

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<sup>7</sup> Sida The Rights of LGBTI People in Liberia, December 2014.  
<http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf> Accessed 17 August 2015

<sup>8</sup> University of Minnesota, Human Rights Library. Ratification of International Human Rights Treaties - Liberia <http://www1.umn.edu/humanrts/research/ratification-liberia.html> Accessed 23 September 2015

<sup>9</sup> Sida The Rights of LGBTI People in Liberia, December 2014.  
<http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf> Accessed 17 August 2015

<sup>10</sup> Human Rights Watch, It's Nature, not a Crime, 3 December 2013.  
<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

<sup>11</sup> Sida The Rights of LGBTI People in Liberia, December 2014.  
<http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf> Accessed 17 August 2015

<sup>12</sup> USSD Report: Liberia, 26 June 2015  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper> Accessed 23 September 2015

increasing hostility on the political level, as a result of LGBTI people's claims for rights becoming more visible, and there is open discrimination against LGBTI people who face hate crimes and rejection by their families. It is common for many people to enter straight marriages due to family pressure and lack of other options and resources.'<sup>13</sup>

6.1.2 The 2013 HRW report stated:

'Members of the LGBT community say the pending legislation [see [para 4.1.5](#)] has already exacerbated discrimination, harassment, and stigmatization, and that things could worsen should the Liberian legislature actually pass these laws against same-sex conduct or marriage.'<sup>14</sup>

## 6.2 Religious leaders

6.2.1 Freedom House, in its Freedom in the World 2015 report, observed that, 'The rights of LGBT people came under further assault in 2014 when religious leaders blamed the Ebola outbreak on homosexuality and other "sins."<sup>15</sup>

6.2.2 The Sida 2014 report observed that more than 100 religious leaders have signed a prejudiced and potentially dangerous statement linking Ebola with homosexuality.<sup>16</sup>

6.2.3 Reuters reported on 23 October 2014 how such statements have affected LGBT people in Monrovia:

'[Leroy] Ponpon, an LGBT campaigner in the Liberian capital, says gays have been harassed, physically attacked and a few have had their cars smashed by people blaming them for the hemorrhagic fever, after religious leaders in Liberia said Ebola was a punishment from God for homosexuality...

'Earlier this year, the Liberian Council of Churches said in a statement that God was angry with Liberians "over corruption and immoral acts" such as homosexuality, and that Ebola was a punishment.

'In May, Archbishop Lewis Zeigler of the Catholic Church of Liberia said that "one of the major transgressions against God for which He may be punishing Liberia is the act of homosexuality," local media reported.

'Francois Patuel, Amnesty International's representative in West Africa, said there had been reports of threats and violence against the LGBTI community

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<sup>13</sup> Sida The Rights of LGBTI People in Liberia, December 2014. <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf> Accessed 17 August 2015

<sup>14</sup> Human Rights Watch, It's Nature, not a Crime, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

<sup>15</sup> Freedom House, Freedom in the World 2015 - Liberia, 20 March 2015, <http://www.refworld.org/docid/55116f3c15.html> Accessed 17 August 2015

<sup>16</sup> Sida The Rights of LGBTI People in Liberia, December 2014. <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf> Accessed 17 August 2015

in Monrovia since the incendiary remarks made by the local Christian leaders.

"Amnesty has received pictures of cars that reportedly belong to gays with their windows smashed as well as reports that gays have been forced from their homes and had to go into hiding."<sup>17</sup>

- 6.2.4 Aljazeera reported in February 2014 that a religious gathering has been collecting signatures pushing the government to sign a law banning same-sex marriage.<sup>18</sup>

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### 6.3 The Media

- 6.3.1 The Sida 2014 report noted, 'The media, as a main source of information and exposure to LGBTI people and issues, contributes to the climate of intolerance and violence against LGBTI individuals through misleading, biased and inflammatory reporting.'<sup>19</sup>
- 6.3.2 The 2013 HRW report stated, 'Numerous newspaper articles published since December 2011 that Human Rights Watch reviewed lacked the views or voices of LGBT persons and included pejorative language that depict LGBT people as immoral, sinful, and deviant.'<sup>20</sup>

### 6.4 Access to health services

- 6.4.1 The 2013 HRW report noted, 'Negative stereotypes of LGBT people in Liberia, including within the health services, also make for an environment that is not conducive to encouraging LGBT persons to voluntarily come out to access health services.' However the report also noted that many interviewees told Human Rights Watch that they had never experienced first-hand discrimination and stigma while accessing public services.<sup>21</sup>

### 6.5 Verbal and physical abuse

- 6.5.1 The USSD 2014 report stated 'There were press and civil society reports of harassment of persons perceived to be LGBT. Societal stigma and fear of official reprisal may have prevented victims from reporting violence or discrimination based on sexual orientation or gender identity.'<sup>22</sup> The report

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<sup>17</sup> Reuters, 23 October 2014

<http://uk.reuters.com/article/2014/10/23/us-foundation-ebola-liberia-gay-idUKKCN0IC1GV20141023>  
Accessed 17 August 2015

<sup>18</sup> Aljazeera, Homophobia: Africa's new Apartheid, 1 February 2014

<http://www.aljazeera.com/indepth/opinion/2014/02/homophobia-africa-new-apartheid-20142194711993773.html> Accessed 22 September 2014

<sup>19</sup> Sida The Rights of LGBTI People in Liberia, December 2014.

<http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf> Accessed 17 August 2015

<sup>20</sup> Human Rights Watch, It's Nature, not a Crime, 3 December 2013.

<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

<sup>21</sup> Human Rights Watch, It's Nature, not a Crime, 3 December 2013.

<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

<sup>22</sup> USSD Report: Liberia, 26 June 2015

also noted that LGBT persons were cautious about revealing their sexual orientation or gender identities.

6.5.2 The 2013 HRW report observed: ‘...Human Rights Watch’s interviews with members of the LGBT community indicate that harassment, discrimination, and acts of intolerance intensified soon after the bills (see [paragraph 4.1.5](#)) were introduced, and that the proposed legislation adds to their fear of harassment, rejection, stigmatization, and even physical violence that has in the past resulted in bodily injuries. Perpetrators have included neighbors, friends, relatives, and even strangers.’<sup>23</sup>

6.5.3 The report continued:

‘To avoid stigma and humiliation, and in some cases to spare their families from suffering the same, LGBT people in Liberia—both men and women—routinely live double lives, maintaining relationships with the opposite sex and even getting married while secretly continuing same-sex relationships. More than half the people interviewed said they were in heterosexual relationships to cover up their true sexual orientation, and interviewees—all of whom were closeted before the new bills were introduced—said the hostile environment created by the bills means they do not now dare to live openly...Almost all the interviewees reported having been verbally abused, ridiculed, or harassed at some point in their lives.’<sup>24</sup>

6.5.4 The same report also noted:

‘Several interviewees, mostly gay men, said they had been assaulted because of their gender expression and sexual orientation in the last two years. They told Human Rights Watch that the assaults were often preceded by verbal abuse and harassment that could quickly escalate into physical assault. Most interviewees said as long as there was no physical confrontation they typically tried to ignore the taunts and insults, although this rarely worked.

‘The testimonies also show that LGBT people are vulnerable to abuse and attacks by neighbors and acquaintances who suspect them of being homosexual.’<sup>25</sup>

6.5.5 An August 2015 press release concerning a (currently) unpublished paper by Professor Ashley Currier of the University of Cincinnati on ‘Local Mobilization against LGBT Rights Organizing in Liberia’, noted:

‘In a 2013 interview with Currier, Tommy, a Liberian man, related how antigay neighbors invaded his home when they learned he was gay: “They started breaking chairs down in my house. They even took a generator out of

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<http://www.state.gov//drl/rls/hrrpt/humanrightsreport/index.htm#wrapper> Accessed 23 September 2015

<sup>23</sup> Human Rights Watch, *It’s Nature, not a Crime*, 3 December 2013.

<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

<sup>24</sup> Human Rights Watch, *It’s Nature, not a Crime*, 3 December 2013.

<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

<sup>25</sup> Human Rights Watch, *It’s Nature, not a Crime*, 3 December 2013.

<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

my house. The most fearful part [is] nobody intervened. All of the neighbors just [stood] and watch[ed]. Once they know you are homosexual, they don't intervene; they feel you are not part of [the community]." Tommy vacated the house and searched for a new place to rent.<sup>26</sup>

- 6.5.6 The HRW 2013 report noted that the Liberian government has notably not taken any action against speech that might have been inciting violence against people perceived to be gay:

'For example, in April 2012, the local media reported that a new anti-gay group, the Movement Against Gays in Liberia (MOGAL) had formed. Comprised of anonymous members, it issued one flier—which several local newspapers published—that listed seven people it said were "gays or supporters of the club who don't mean well for our country." The flier added, "We have agreed to go after them using all means in life."<sup>27</sup>

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## 6.6 LGBT activists and advocacy groups

- 6.6.1 The HRW report noted that SAIL [Stop AIDS in Liberia] and Action Aid Liberia are the only two non-governmental organizations openly advocating for the rights of LGBT people in Liberia.<sup>28</sup>

- 6.6.2 An August 2015 press release concerning a (currently) unpublished paper by Professor Ashley Currier of the University of Cincinnati on 'Local Mobilization Against LGBT Rights Organizing in Liberia', noted:

'During a 2013 trip to Monrovia, Liberia's capital, Currier discovered that although the country does not possess a discernible LGBT community, pro-LGBT activists are able to support LGBT citizens through health-oriented purposes, specifically through work with raising awareness and caring for citizens with HIV/AIDS, purposefully keeping themselves off of the radar. Because of the low visibility of LGBT citizens, the objective of anti-LGBT Liberians is purely preventative. After conducting over 40 interviews, Currier was surprised to learn that both movements had no knowledge of the other's existence.'<sup>29</sup>

- 6.6.3 Paragraph 66 of The Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the

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<sup>26</sup> University of Cincinnati, LGBT Rights Organizing in Liberia Explored in UC Research, 23 August 2015 <http://www.uc.edu/news/NR.aspx?id=22056> Accessed 28 September 2015

<sup>27</sup> Human Rights Watch, It's Nature, not a Crime, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

<sup>28</sup> Human Rights Watch, It's Nature, not a Crime, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

<sup>29</sup> University of Cincinnati, LGBT Rights Organizing in Liberia Explored in UC Research, 23 August 2015 <http://www.uc.edu/news/NR.aspx?id=22056> Accessed 28 September 2015

annex to Council resolution 16/21 : Liberia, published 9 February 2015, observed:

'ISHR (International Service for Human Rights) stated that LGBT activists such as Archie Ponpon [Movement for the Defense of Gays and Lesbians in Liberia<sup>30</sup>] had faced violent reactions from the public because of their activism. His mother's home was set alight in February 2012 and she has been in hiding since then. Mr. Abraham Kamara [also Movement for the Defence of Gays and Lesbians in Liberia<sup>31</sup>] was also reportedly stoned and attacked by angry students at the University of Liberia.'<sup>32</sup>

- 6.6.4 The USSD 2014 report noted, 'A few civil society groups promoted the rights of LGBT individuals, but most maintained a very low profile due to fear of mistreatment.'<sup>33</sup>
- 6.6.5 The Sida report noted, 'There are a few organisations working for LGBTI rights in Liberia. Main challenges for the movement are legal and security issues, discrimination in the community and health institutions, and increasing hate crimes. The lack of a legal framework for protection of basic human rights creates problems, including issues of blackmail.'<sup>34</sup>

## 6.7 Protection

- 6.7.1 The BBC reported in March 2012 that, 'The Modegal campaigners [see [para 6.6.3](#)] have been mobbed at least twice, causing them to seek safety at one point at the police headquarters.'<sup>35</sup>
- 6.7.2 The Sida report noted that 'Activists allege that the police target or harass those they believe to be LGBTI.'<sup>36</sup>
- 6.7.3 The HRW report documented the response of the police:  
'Despite the explicit threat [by anti-gay campaigners] to cause harm to the named individuals, the police or National Human Rights Commission did not take any action to conduct an investigation to ensure that people's lives and

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<sup>30</sup> BBC News Liberian Anger over Gay Rights Call. 19 March 2012 <http://www.bbc.co.uk/news/world-africa-17380950> Accessed 23 September 2015

<sup>31</sup> BBC News Liberian Anger over Gay Rights Call. 19 March 2012 <http://www.bbc.co.uk/news/world-africa-17380950> Accessed 23 September 2015

<sup>32</sup> UN Human Rights Council, Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21 : Liberia, 9 February 2015, A/HRC/WG.6/22/LBR/3, available at: <http://www.refworld.org/docid/5538dff64.html> Accessed 23 September 2015

<sup>33</sup> USSD Report: Liberia, 26 June 2015  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper> Accessed 23 September 2015

<sup>34</sup> Sida The Rights of LGBTI People in Liberia, December 2014.  
<http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf> Accessed 17 August 2015

<sup>35</sup> BBC News Liberian Anger over Gay Rights Call. 19 March 2012 <http://www.bbc.co.uk/news/world-africa-17380950> Accessed 23 September 2015

<sup>36</sup> Sida The Rights of LGBTI People in Liberia, December 2014.  
<http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf> Accessed 17 August 2015

rights were not violated or endangered. For example, Archie Ponpon, whose name was on the list of supposed gays or their supporters, told Human Rights Watch that he had not at time of writing been contacted by the police...

'Perpetrators of violence against LGBT people do so with impunity because they know that their victims are so afraid of stigma and discrimination that they are unlikely to report to the police and that in the few instances where they report they face police inaction or indifference.

'Generally undisciplined, poorly managed, and ill-equipped, Liberian police do not always respond to, or investigate crimes perpetrated against LGBT people. Many of those interviewed by Human Rights Watch did not trust the police enough to report incidents of abuse against them, and those that did said they had not had positive experiences, citing inefficiency, corruption and inaction.

'Four people who did report crimes to the police said that police seemed more preoccupied with how homosexuals had sex than securing justice. The shortcomings of police have the broader effect of undermining trust in the criminal justice system as a whole. In the four cases that were reported to the police, Human Rights Watch was informed by the interviewees that none proceeded beyond the initial report, and no investigation or prosecutions occurred.'<sup>37</sup>

- 6.7.4 The USSD 2014 report noted, 'According to a local news report, on September 8 [2014], unknown assailants recognized and attacked a local LGBT-rights activist. The attackers smashed the front windshield of the car the activist was driving. The activist managed to escape from the mob and filed a police report. The case was under investigation at year's end [2014].'<sup>38</sup>

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<sup>37</sup> Human Rights Watch, *It's Nature, not a Crime*, 3 December 2013.  
<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime> Accessed 17 August 2015

<sup>38</sup> USSD Report: Liberia, 26 June 2015  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper> Accessed 23 September 2015

# Version Control and Contacts

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email [the Country Policy and Information Team](#).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email [the Guidance, Rules and Forms Team](#).

## Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- valid from **15 December 2015**
- this version approved by **Sally Weston, Head of Legal Strategy Team, International and Immigration Policy Directorate**
- approved on: **9 December 2015**

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