

**Migration Review Tribunal
AUSTRALIA**

MRT RESEARCH RESPONSE

Research Response Number: LBR35277
Country: Liberia
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Keywords: Liberia - Returnee – Employment – Resumption of university studies

Questions

- 1. Please advise whether people who return to Liberia are treated poorly if they are perceived to have been returned against their will?**
- 2. Please advise what employment opportunities are like in Liberia?**
- 3. Would it be anticipated that a returnee could not resume their university course?**

RESPONSE

- 1. Please advise whether people who return to Liberia are treated poorly if they are perceived to have been returned against their will?**

A search of the databases available to the Tribunal has failed to confirm or deny that people who are returned to Liberia against their will are treated poorly.

However according to information disseminated by the Canadian Foreign Affairs and International Trade department, resettlement is not smooth:

Resettlement of displaced persons is almost completed. The return of Liberian refugees from neighboring countries is, however, continuing slowly. The state faces enormous capacity challenges in many aspects, most notably in implementing the rule of law.

Liberia is one of the poorest countries in the world and the potential for unrest and violence is high. Mass movement of people aggravates the already hard economic conditions, especially in Monrovia and in other cities, where many have chosen to relocate during the war or, recently, for economic reasons. (Department of Foreign Affairs and International Trade, Canada 2009, Travel Report – Liberia, Department of Foreign Affairs and International Trade, Canada website, 19 May, http://www.voyage.gc.ca/countries_pays/report_rapport-eng.asp?id=161000 – Accessed 4 August 2009 - Attachment 1)

The situation in Liberia

Although not directly relevant to the question mentioned above, the following advice from the UK Home Office report on Liberia dated April 2006, may be useful:

UNHCR POSITION REGARDING THE RETURN OF REJECTED ASYLUM SEEKERS

6.77 The UNHCR, in its position paper of 3 August 2005, outlined its position regarding the return of rejected asylum seekers:

“Taking into consideration the developments in Liberia, and the decreasing number of Liberians seeking asylum for the time being, it is no longer warranted to advise that all Liberian asylum-seekers should be granted refugee status on a prima facie basis. However, in appreciation of the fragile security situation and ongoing human rights violations in Liberia, it is recommended that possible asylum requests of Liberian nationals should be treated as follows:

“i Liberian asylum-seekers in Africa should undergo individual refugee status determination in line with the relevant provisions of the 1951 Convention and its 1967 related Protocol, as well as Article I (2) of the 1969 OAU [Organization of African Unity] Convention Governing the Specific Aspects of Refugee Problems in Africa, as applicable.

“ii Liberian asylum-seekers outside Africa should undergo individual refugee status determination, in line with the relevant provisions of the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees. Given the possible continuing violations of international human rights and humanitarian law, particularly through the targeting of civilians by possible uncontrolled still armed elements (on ethnic and/or political grounds), some Liberians may qualify as refugees under the 1951 Convention/1967 Protocol relating to the Status of Refugees. Those not recognised as refugees should continue to be favourably considered for complementary forms of protection.

“iii In the process of refugee status determination, due attention should be paid to possible grounds for exclusion, in accordance with Article 1 F of the 1951 Convention, and/or Article 1.5 of the 1969 OAU Convention, as the case might be.

“iv Considering that the situation remains precarious, a moratorium on forced returns of rejected asylum-seekers to Liberia is still warranted.”(UK Home Office 2006, *Country of Origin Information Report: Liberia*, April, Section 6.77 UNHCR position regarding the return of rejected asylum seekers) - Attachment 2)

A subsequent report from the UNHCR provides further information:

6. ...According to reliable sources⁵, life expectancy in Liberia is below 40 years. Unemployment rate in the formal sector is above 80%. Roughly 80% of Liberians live on less than \$ 1 per day.

8... The return and reintegration of refugees and IDPs is a priority for the newly elected President, who has appealed to all refugees to return home, and who is personally committed to ensuring their return and reintegration in conditions of safety and dignity. In light of the overall positive developments in Liberia and the increasing interest of the Liberian refugees currently living in different asylum countries to return home, UNHCR decided in February 2006 to start promoting the voluntary repatriation of Liberian refugees.

9. In light of the above, it is the view of UNHCR that:

i) Asylum requests of Liberians should be examined thoroughly in fair and effective individual refugee status determination procedures with the necessary procedural safeguards, taking into consideration the individual merits of their asylum claim, based on the criteria in the 1951 Convention, and where applicable, Article I.1 of the 1969 OAU Convention. In this respect, asylum claims of members of the Mandingo ethnic group should be given careful consideration in light of paragraph 5 of this document. Additionally, in light of the particularly violent nature of the armed conflict in past years, asylum claims of victims of particularly atrocious forms of persecution suffered in the past should be examined taking into

account the consequences and effects of such persecution on the victims concerned where the continuing impact of the past persecution could put the individuals at risk of serious harm to their well being if returned. In the process of refugee status determination, due attention should be paid to possible grounds for exclusion, in accordance with Article 1F of the 1951 Convention, or Article I.5 of the 1969 OAU Convention, as applicable.

ii) In regard to individuals found not to be eligible for refugee status under the 1951 Convention or OAU Convention, as applicable, UNHCR would have no objection to

4 (sic) UNHCR's Position on International Protection Needs of Asylum-Seekers from Liberia their possible return to Liberia. In the context of assessing the feasibility and timing of the return, States may consider humanitarian reasons for granting stay to certain individuals taking into account the poor state of social and medical infrastructure in Liberia.

10. This position will remain valid until further notice ('Liberia: UNHCR's position on international protection needs of asylum-seekers from Liberia' 2006, *UNHCR*, 31 March – Attachment 3)

The following report notes the lack of stability and the problem of corruption:

For more than 14 years, one of the worst civil wars in Africa raged in Liberia. The fighting ended in August 2003. Since then, Liberia has enjoyed peace. But while many things have improved in the country, the political situation is anything but stable.

Ellen Johnson-Sirleaf is the first woman to be elected president of Liberia. For more than three years, she has been trying to make governmental agencies more efficient. She was successful in cancelling international debt and promote investment. But Liberia's political institutions are not exactly helping out. The parliament, a number of ministries, the justice system, and security services seem partially paralyzed in light of internal strife and turf battles. To make matters worse, several members of the "old guard" are still in positions of influence. For instance, former rebel leaders are now senators, such as Prince Johnson, who recently refused to testify before the Truth and Reconciliation Commission, but who is known to have tortured and murdered the former despot Samuel K. Doe, apart from having committed massacres of civilians.

Corruption remains a major problem (Blume, T. 2008, 'Liberia: Liberia's difficult reconstruction', *Development and Cooperation*, July - Attachment 4)

2. Please advise what employment opportunities are like in Liberia?

As mentioned above, unemployment is very high and is the cause of violent crimes as indicated in the latest Amnesty International report:

Violent crime, especially armed robbery, was on the increase throughout the year, fuelled by high unemployment, disputes over land ownership, poverty and readily available small arms. The activities of ex-combatants continued to be a source of instability, particularly in the context of illicit mining activities (Amnesty International 2009, *Amnesty International Report 2009 - Liberia*, 28 May - Attachment 5)

In a study dated 18 September 2007 on the prevailing conditions in Liberia, the US-based *Refugees International* found that employment prospects are limited:

5... In Monrovia, the swollen urban army of the unemployed (the rate for Liberia is around 85%) contribute to a widespread feeling of insecurity, especially among women and girls. Sexual assault, rape and armed robbery are on the rise, and the police are ill-equipped to respond.

6. Bringing Skilled Workers Home

Years of conflict and displacement have resulted in a deficit of Liberians with sufficient qualifications and skills to govern, deliver services and manage those services. The war badly disrupted schooling and higher education for over 15 years. Educated and skilled Liberians were among the first to flee the violence, and very few have returned. There are now thousands of Liberian professionals living and working abroad, people with knowledge and skills that could make a huge contribution to Liberia's development. However, they are unlikely to return to the country until they are convinced that it is safe and secure, that the rule of law, that the rule of law prevails, and that there are business and employment opportunities to return to (Refugees International 2007, 'Bulletin. Liberia: Lean state-building may well turn mean' Refugees International website 18 September http://www.refugeesinternational.org/sites/default/files/Liberia0907_all.pdf - Accessed 5 August 2009 – Attachment 6)

The US Department of State that in spite of legislation to ensure fair labour conditions, the work shortage deprives workers of the ability to choose:

e. Acceptable Conditions of Work

...
The law provides for a 48-hour, six-day regular workweek with a 30-minute rest period per five hours of work. The six-day workweek may be extended to 56 hours for service occupations and to 72 hours for miners, with overtime pay beyond 48 hours. The law also provides for pay for overtime and it prohibits excessive compulsory overtime.

...
Due to the country's continued severe economic problems, most citizens were forced to accept any work they could find regardless of wages or working conditions (US Department of State 2009, *Country Reports on Human Rights Practices – for 2008 - Liberia*, February (Section 6. Workers's Rights) - Attachment 7)

Africa Confidential highlighted an apparent discrepancy in the picture that UN officials paint of Liberia and the situation on the ground:

Liberia's government, foreign diplomats and United Nations officials say that Liberia is a nation reborn. War is over, corruption is being rooted out and under the two-and-half year rule of Africa's first elected female head of state, democracy is becoming entrenched. Prosperity for all will surely follow. These optimistic officials can often be found ploughing through platters of fresh raw fish at one of Monrovia's two sushi bars, where dinner costs more than an average Liberian's monthly wage.

The view from the capital's streets is different. The vast majority of Monrovia's populace is unemployed...('Graft never really went away' 2008, *Africa Confidential*, Vol 49 No. 20, 3 October, <http://www.africa-confidential.com/article/id/2816/Graft-never-really-went-away> - Accessed 5 August 2009 - Attachment 8)

Government policy to reduce the size of agencies has exacerbated the unemployment problem:

Two years on, our people are still lingering in poverty amidst the rising cost of living. Price control has led to high cost of living. And by extension, the government itself contributed to high unemployment rate by introducing the policy of rightsizing or downsizing that affected even ex-security men. Apparently, it is this policy that has caused some of these ex-security men to become arm robbers. We have no doubt government is making frantic stride to improve the unemployment rate, but this will not happen overnight ('Glancing At Ellen's Two Years in office' 2008, *All Africa*, 19 January- Attachment 9)

3. Would it be anticipated that a returnee could not resume their university course?

A search of the following websites have not indicated that a person would not be able to resume their university course although it appears that resumption would entail some form of procedure and the payment of fees.

University of Liberia:

Late Fees

A late fee is charged to students who register for the first time in a term during the late registration period. L\$ 250.00 ('Registration', (undated), University of Liberia website, undated, http://www.universityliberia.org/lu_registration.htm - - Accessed 7 August 2009 - Attachment 10)

Cuttington University:

Students who were separated from the University for a semester or more must apply for re-admission to the Registrar. The Academic Standing Committee (ASC) will review all applications during the first semester for second semester. They must meet the requirements for admission as prescribed by the ASC ('Admissions and Enrollment' undated, Cuttington University website (Liberia), <http://www.cuttington.org/GenAdmissions.pdf> - Accessed 5 August 2009 - Attachment 11)

List of Sources Consulted

Internet Sources:

Government Information & Reports

UK Home Office website <http://www.ind.homeoffice.gov.uk>

US Department of State website <http://www.state.gov>

Immigration and Refugee Board Canada <http://www.irb-cisr.gc.ca/>

United Nations (UN)

UN High Commissioner for Refugees (UNHCR) website <http://www.unhcr.ch/cgi-bin/texis/vtx/home>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org/>

Human Rights Watch (HRW) website <http://www.hrw.org/>

International News & Politics

BBC News website <http://news.bbc.co.uk/>

Region Specific Links

All Africa <http://allafrica.com/>

Africa Confidential <http://www.africa-confidential.com/news>

Topic Specific Links

Refugees International <http://www.refugeesinternational.org/>

IRIN Humanitarian News and Analysis Service of the UN Office for the Coordination of Humanitarian Affairs <http://www.irinnews.org/>

Search Engines

Google search engine <http://www.google.com.au/>

Yahoo search engine <http://search.yahoo.com>

Copernic search engine

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

MRT-RRT Library Catalogue

List of Attachments

1. Department of Foreign Affairs and International Trade, Canada 2009, Travel Report – Liberia, Department of Foreign Affairs and International Trade, Canada website, 19 May http://www.voyage.gc.ca/countries_pays/report_rapport-eng.asp?id=161000 – Accessed 4 August 2009.
2. Country of Origin Information Service, UK Home Office 2006, ‘*Country of Origin Information Report: Liberia*’, April
3. ‘Liberia: UNHCR’s position on international protection needs of asylum-seekers from Liberia’ 2006, *UNHCR*, 31 March. (CISNET Liberia CX174784)
4. Blume, T. 2008, ‘Liberia: Liberia’s difficult reconstruction’ *Development and Cooperation*, July. (CISNET Liberia CX206r062)
5. Amnesty International 2009, *Amnesty International Report 2009 - Liberia*, 28 May. (CISNET Liberia CX227329)
6. Refugees International 2007, ‘Bulletin. Liberia: Lean state-building may well turn mean’ 18 September http://www.refugeesinternational.org/sites/default/files/Liberia0907_all.pdf - Accessed 5 August 2009.
7. US Department of State 2009, *2008 Country Reports on Human Rights Practices*, February.
8. ‘Graft never really went away’ 2008, *Africa Confidential*, Vol 49 No. 20 3 October, . <http://www.africa-confidential.com/article/id/2816/Graft-never-really-went-away> - Accessed 5 August 2009.
9. ‘Glancing At Ellen’s Two Years in Office’ 2008, *All Africa*, 19 January. (FACTIVA)

10. 'Registration, undated, University of Liberia website,
http://www.universityliberia.org/lu_registration.htm
- Accessed 7 August 2009.

11. 'Admissions and Enrollment' (undated) Cuttington University website (Liberia),
undated, <http://www.cuttington.org/GenAdmissions.pdf> - Accessed 5 August 2009.