



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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The availability of state protection against parental abuse in Liberia.

The annual report on Liberia by the *United States Department of State* under the heading 'Children' states:

"Widespread child abuse continued, and reports of sexual violence against children increased during the year. According to a December 9 UNMIL report, 66 percent of girls between the ages of 10 and 19 had been raped; 20 percent of victims were under 10 years of age. Civil society organizations reported increased incidents of rape of girls under 12, and there were 37 cases of alleged child endangerment during the first six months of the year." (United States Department of State (11 March 2010) *Liberia: Country Report on Human Rights Practices 2009*)

Under the heading "Women" the same report adds:

"The law prohibits domestic violence; however, it remained a widespread problem. The maximum penalty for domestic violence is six months' imprisonment, but the government did not enforce the law effectively, and cases, if reported, were generally treated as either simple or aggravated assault. The government and the media made some efforts to publicize the problem, and several NGOs continued programs to treat abused women and girls, and to increase awareness of their rights. LNP officers received training on sexual offenses as part of their initial training. In 2007 the Gender Based Violence Secretariat completed a national action plan, and during the year the Ministry of Gender and Development organized workshops and seminars to create awareness of such violence." (Ibid)

A 2009 report on Liberia from the *UN Human Rights Council* notes:

"Inadequate protection of children's rights remains a problem. Whether at home, school or in the community, children continue to suffer various forms of violence. In addition to physical and sexual abuse, children in orphanages live and study in poor conditions and run the risk of being trafficked especially through "informal" or illegal adoptions facilitated by unscrupulous orphanage owners. Meanwhile, cases involving children who come into conflict with the law are not appropriately dealt with, as there is no effectively functioning juvenile justice system" (UN Human Rights Council (formerly UN Commission on Human Rights) (03 August 2009) *Liberia: "Report of the Office of the United Nations High Commissioner for Human Rights on the progress made in the situation of human rights in Liberia and activities undertaken in the country [A/HRC/12/42]"*)

The same report continues stating:

“Reports of child neglect and severe cases of violence against children within the community, in the family, schools and orphanages remain common. There is no effective social assistance mechanism to provide protection for children who are victims of abuse or who have been neglected. Few safe homes exist in Liberia to receive neglected or severely abused children. These are mostly found in Montserrado County and are overstretched, making it impossible for such institutions to take up all the cases presented to them. As a result, neglected and abused children sometimes end up in the hands of “good Samaritans”, some of whom are ill-intentioned, in orphanages, or are often sent back to the very homes where they were abused” (ibid)

A report by the *Office of the UN High Commissioner for Human Rights (OHCHR)* under the heading ‘Violence against women’ states:

“The Committee notes with grave concern the extent, intensity and prevalence of violence against women in Liberia, especially sexual violence, both during and after the conflict. It also notes that, during the conflict, women and girls were particularly vulnerable to and affected by sexual violence. The Committee welcomes the important progress made by the State party in developing policies and establishing institutional mechanisms to address the pervasive violence against women in the country, but it remains concerned about the lack of a comprehensive legal framework to prevent and eliminate all forms of violence against women, and the lack of adequate services and protection for victims of violence.

The Committee urges the State party to prioritize the adoption and implementation of a comprehensive legal framework to address all forms of violence against women, including domestic violence, and to accelerate implementation of existing measures. It encourages the State party to make full use of the Committee’s general recommendation No. 19 and urges the State party to undertake educational and public awareness programmes through the media to convey the message that all forms of violence against women, including domestic violence, are unacceptable.” (Office of the United Nations High Commissioner for Human Rights (OHCHR) (7th August 2009) *Concluding observations of the Committee on the Elimination of Discrimination against Women: Liberia – par 22-23*)

This report also states:

“The Committee is concerned that measures designed to combat and eradicate violence against women are not enforced in practice, lack coordination and remain concentrated in urban areas. It is also concerned that the police, judiciary and health-care providers lack the capacity to respond adequately to violence against women and girls in spite of efforts to train and sensitize them. It also notes that there is an excessive backlog of cases in the courts, resulting in a lack of access to justice for victims and a prevalence of impunity for perpetrators.

The Committee calls upon the State party to continue efforts to train the judiciary, law enforcement officials, legal professionals, social workers and health-care providers on violence against women so as to ensure that the perpetrators of violence against women are effectively prosecuted and punished with the required seriousness and speed, and that effective and gender-sensitive support is provided to victims. The Committee requests the

State party to remove impediments women face in gaining access to justice at all levels, in all areas of the country. It also calls on the State party to establish support measures for victims of violence, including shelters and legal, medical and psychological support, in particular for those women and girls affected by violence during the conflict, and to continue efforts for their rehabilitation and reintegration. The Committee requests the State party to provide information in its next report on the laws, policies and programmes in place to deal with all forms of violence against women and on the results achieved in the implementation of such measures, as well as data on trends in the prevalence of various forms of such violence.” (ibid, para. 24-25)

A report by the *UN Committee on the Elimination of Discrimination Against Women (CEDAW)* under the heading ‘Violence against women’ notes:

“According to the report, a significant number of women (32%) who experience sexual violence reported it coming from their husbands/partners. The report also indicates (para. 4.6) that statutory laws do not make specific provisions for the protection against discrimination in the private or domestic sphere. What steps has the Government undertaken or is planning to undertake to address the problem of domestic violence, including the drafting of a comprehensive domestic violence bill?

There have been no steps taken as yet to draft a domestic violence bill. However Liberia’s domestic relations law gives women the right to take their husbands to court for hurting their bodies and or damaging their reputation or property.” (UN Committee on the Elimination of Discrimination Against Women (CEDAW) (11 May 2009) *Responses to the list of issues and questions with regard to the consideration of the combined initial, 2nd, 3rd, 4th, 5th and 6th periodic reports: Liberia*, pg.8 – par 13)

This report also states:

“The Ministry of Justice SGBV Crimes Unit’s public education and outreach work will seek to raise awareness on domestic violence issues The Government with support from its Partners has developed and launched a GBV Plan of Action which created the GBV Taskforce with Secretariat based at the Ministry of Gender and Development. This document lays out a clear strategy for combating the rising wave of GBV in the country. Though the document does not specifically mentioned domestic violence, it however covers all forms of GBV of which violence within the domestic sphere forms a part.” (ibid)

A report by *Freedom House* under the heading ‘Political Rights and Civil Liberties’ states:

“The treatment of women varies by ethnic group, religion, and social status. During the civil war, women and girls were often abducted as laborers or for sexual exploitation, while others joined rebel groups and militias to protect themselves. Even after the civil war, many women continue to suffer physical abuse, particularly in the Monrovia area. The United Nations considers the persistence of widespread gender-based violence, including rape, to be one of the main problems currently facing Liberia. In September 2008, a special police office funded by Norway and the United Nations was established to

protect women and children, particularly against sex crimes." (Freedom House (2009) *Freedom in the World - Liberia (2009)*)

References:

Freedom House (2009) *Freedom in the World - Liberia (2009)*
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UN Committee on the Elimination of Discrimination Against Women (CEDAW) (11 May 2009) *Responses to the list of issues and questions with regard to the consideration of the combined initial, 2nd, 3rd, 4th, 5th and 6th periodic reports: Liberia*
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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted:

Amnesty International

European Country of Origin Information Network

Human Rights Watch

Immigration and Refugee Board of Canada

Online newspapers

Refugee Documentation Centre Library

Refugee Documentation Centre Query Database

UN Committee on the Elimination of Discrimination Against Women

UNHCR Refworld

United States Department of State