

## LIPRIDE Coalition

### A. Women's Rights and Human Rights:

#### Issues:

1. Women and girls are not aware of the laws that protect them against violence including rape, domestic violence

a. Spousal Abuse – falls within the ambit of either aggravated assault<sup>1</sup> or simple assault<sup>2</sup> in the Penal Code.

b. Abandonment – under the Domestic Relations Law, abandonment of a spouse is a ground for divorce<sup>3</sup>.

c. Marital Rape – the Penal Code doesn't provide a punishment for "marital rape". The broader punishment for rape<sup>4</sup> applies to a case when the victim is married likewise if the victim is unmarried.

d. Child Abuse (sexual exploitation and abuse, child labor –street selling) – the Penal Code applies broadly to child abuse, which the Code refers to as endangering the welfare of children<sup>5</sup>, and specifically, the Labor Practices Law<sup>6</sup> prohibits the employment of children, either during school or non-school hours.

2. Despite the rape law, rape cases are compromised at the household, family and community levels which undermines the prosecution of perpetrators and access to justice for the victims as the Rape Law does not provide punishment for those who compromise (criminal facilitation) rape cases or hinder cases from going to court or the victims from seeking justice.

3. Weak judicial system leading to leniency in compromising rape cases which undermines access to justice and the rule of law.

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<sup>1</sup> 26 LCLR (Liberia Code of Laws Revised) Section 14.20 (1978), list aggravated assault as a felony of the 2<sup>nd</sup> degree, with a punishment of imprisonment as fixed by the court or for a maximum sentence of 5 years.

<sup>2</sup> 26 LCLR Section 14.21 (1978), list simple assault as a misdemeanor of the 1<sup>st</sup> degree, where the punishment is imprisonment for no more than a year, and if the assault is a result of an unarmed fight, then the punishment is a misdemeanor of the 2<sup>nd</sup> degree for no more than 30 days imprisonment.

<sup>3</sup> 9 LCLR subsection 8.1 (b) (1973).

<sup>4</sup> 26 LCLR Section 14.70 (2006).

<sup>5</sup> 26 LCLR Section 16.4 (1978)

<sup>6</sup> 18-A LCLR Section 74 (1976)

4. Inadequate access to civic education on women representation and participation in decision-making at the community, sub-national/county and national levels hinders knowledge resulting to women inability in exercising their human rights.

#### Recommendations

1. Strengthen civil society to enable them to advocate for the revision of laws on age of consent. This age of 18 should be harmonize in the Republic of Liberia for all laws including but not limited to inheritance, rape, marriage and voting.<sup>7</sup>
2. Strengthen civil society to advocate for the age of consent under customary and statutory laws and practices to be set at 18 years.<sup>8</sup>
3. Strengthen civil society to create awareness on laws that protect women, girls and children from violence including rape, domestic violence at the household, family and community levels
  - a. Spousal Abuse
  - b. Abandonment
  - c. Marital Rape
  - d. Child Abuse (sexual exploitation and abuse, child labor –street selling
  - e. Household, family and community levels reporting and preventing sexual and gender base violence
4. Sensitize and train law enforcement officers and legal practitioners to provide a safe and enabling environment where survivals and families can access justice and the rule of law
5. Human Rights defender

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<sup>7</sup> As stated in the Domestic Relation Law, the age of consent for marriage for male is 21 years of age and for female is 16 years of age, 9 LCLR Subsection 2.2 (1) (1973); for cases of rape, the age of non-consent is below 18 years, 26 LCLR Section 14.20; for inheritance under customary laws, the Equal Rights of the Customary Marriage Law of 1998, 8 LCLR Section 4 (1972), which incorporates the age of consent under the Domestic Relations Law applies for inheritance and marriage purposes; for the age of consent for voting, the Elections Law provide that the eligible age of voting is 18 years (11 LCLR Sub-Chapter A (3.1) (1986)).

<sup>8</sup> Note: the law already provide for this; See footnote 7 above.

5. Strengthen civil society to conduct civic education with women, girls, men, boys on women's representation and participation in decision-making processes at the community, sub-national/county and national levels.

B. Discriminatory Laws:

Issues:

Minority groups and key affected population are disadvantaged by discriminatory laws and acts of violence. These discriminatory laws and acts of violence pushes the minority groups and key affected population underground and serve as barriers for accessing public health services and fulfillment of their human rights. These laws also increase their vulnerability to violence, crime, stigma, HIV infections, other diseases and even death. ie (insert the percentages for KAP from the IBBSS and the laws) includes but are not limited to the sodomy law<sup>9</sup>.

Recommendations:

1. Empower civil society to create awareness and advocate for laws that will protect the rights of all persons including women, girls and other discriminated groups;
2. Strengthen civil society to monitor, document, and report on incidents of violence and human rights abuse on the basis of gender, sexual orientation, gender identity, expression and association; .
3. Enhance civil society to increase awareness and advocate for institutional (public and private) mandatory work and non-workplace policies that protect all persons irrespective of sex, sexual orientation, gender identity, expression and association; and.
4. Establish laws that provide for mandatory policies that grant all persons irrespective of sex and sexual orientation access to services and commodity

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