

**STATEMENT**

**BY**

**Hon. Juah Nancy Cassell**

**Deputy Minister for Administration & Public Safety**

**Ministry of Justice**

**Republic of Liberia**

**at**

**The 123<sup>rd</sup> Session of the Human Rights Committee**

**Monday, 9 July 2018**

**Geneva, Switzerland**

Honorable Chairperson

Members of the Committee

Representatives of Member States

Heads of UN Agencies

Representatives of National Human Rights Institutions (NHRIs)

Non-governmental Organizations (NGOs)

Civil Society Organizations

Distinguished Ladies and Gentlemen,

I have the distinguished honor to present my compliments; and on behalf of the Minister of Justice and Attorney General of the Republic of Liberia, Cllr. Frank Musah Dean Jr., bring you warm greetings from His Excellency, President Dr. George Manneh Weah, and the Government and people of the Republic of Liberia.

I am here in my capacity as the Deputy Minister for Administration & Public Safety of the Ministry of Justice, Principal Deputy to the Minister of Justice and Attorney General. Other colleagues of the Liberian delegation, include the Solicitor General of the Republic of Liberia, Cllr. Daku Mulbah; the Deputy Minister for Economic Affairs, Ministry of Justice, Atty. Kou Dorliae; the Assistant Minister for Legal Affairs, Ministry of Foreign Affairs, Atty. Rosetta Jackollie; the Chief of Staff of the Armed Forces of Liberia, Brigadier General Prince C. Johnson; and the Head of the Human Rights Protection Division, Ministry of Justice, Mr. Kutaka D. Tokpah.

Honorable Chairperson, 2017 marked a significant milestone for Liberia as a post-conflict country having experienced two critical transitions. Firstly, The United Nations Mission in Liberia (UNMIL) ended its mandate in Liberia in March of this year, after 14 years of a successful international peacekeeping mission, which restored the rule of law and re-established a constitutional democratic order. This also served as a conduit for the transfer of all state security responsibilities to the Government of Liberia. On the other hand, the end of UNMIL's tenure coincided with a smooth constitutional transfer of authority from the administration of Madam Ellen Johnson-Sirleaf to President George Manneh Weah as Liberia's 24<sup>th</sup> President, in January 2018 after the 2017 General and Presidential Elections.

It means, in effect, that since the Liberian Civil War in 1990, President Weah's administration is the first to enjoy and exercise full sovereign security and constitutional authority void of any form of foreign military intervention, as were in the cases of ECOMOG and UNMIL in Liberia. It also means we are a new administration of a little over six (6) months but are inspired by the overwhelming trust of the people; motivated by our government's Pro-poor Agenda guided by the trusted hands of President George Manneh Weah who serves as a beacon of hope to the poor and down-trodden masses throughout the country.

Honorable Chairperson, my government is challenged by critical governance related developments; notwithstanding, we are making every frantic effort to progress with reforms in Liberia to sustain the peace, ensure a more vibrant Justice system, sustain the rule of law and protect the rights of all.

Honorable Chairperson, we want to assure you of our fullest support and reaffirm our untiring commitment to all our international obligations as a State and Government.

In Furtherance of our commitment, although we are a very young Government, we have taken the unequivocal position, as a result of the political will of His Excellency President Weah, that Liberia must review and make necessary reforms to the Liberian Constitution. Specifically, the recommendation to remove all apparent provisions of the Liberian Constitution: a) that constitutionally hinder a multiracial society, with citizenship exclusively by law to only negroes and those of negro descends, b) that restrict by law dual citizenship, and c) that restrict land ownership exclusively to Liberian citizens.

Additionally, we have also made unprecedented progress in protecting freedom of speech and expression. President Weah on May 31, 2018 submitted to the 54<sup>th</sup> National Legislature a bill with modifications, to repeal some sections of the Penal Law of Liberia in an effort to decriminalize free speech and create an unchained media environment. The Bill submitted seeks to amend Chapter 11 of the Penal Law of 1978, repealing Sections 11.11 on criminal libel against the President; 11.12 on Sedition and 11.14 on criminal malevolence. In his submission of the bill, President Weah reminded the Honorable members of the 54<sup>th</sup> National Legislature that Chapter 3, Article 15 of the Constitution provides for Freedom of Speech and expression. He further noted that Liberia is a “signatory to the Table Mountain Declaration which demands that African countries abolish insult and criminal defamation law.”

Honorable Chairperson, while we do not intend to bore you and other colleagues, we wish to note for your consideration, efforts my Government has made to address abuses in the Liberian society and to present a synopsis of human rights sensitivity in our governance programs. For example:

1. The Government of Liberia, being committed to the encouragement of diverse political views, maintains a 100% record of no political prisoners, neither any record of politically sanctioned execution of any opposition political figure. It is

therefore clear the level of advancement we are making in democratic governance, that the continued presence of the “death penalty” on our books has become more of a political liability than a method of silencing dissent. The Weah Administration is committed to and shall do all within its powers to address the issue of the death penalty as a punishment in our criminal justice system;

2. We are determined, as a government, to rigidly protect the rights of women, children and the rights of the vulnerable against abuses in society. For example, in February a police officer was tried and found guilty of statutory rape in Bong County, the Central Region of Liberia, after a child sought protection at the local police station; the officer had physically violated that child four times during the course of the night. The incident provoked significant community agitation, and the officer was promptly arrested, tried by a jury, convicted, and sentenced to 20 years’ imprisonment.

3. Amidst the huge challenges faced by authorities administering our correctional facilities, the Bureau of Corrections and Rehabilitation (BCR) of the Ministry of Justice strives with meager resources to make the upkeep of detainees and convicts conform with minimum human rights standards. In fact, prison rolls are accessible for the public consumption. The government permits independent monitoring of prison conditions by local human rights groups, international NGOs, the United Nations, the International Committee of the Red Cross (ICRC), diplomatic

personnel, and the media. Some human rights groups, including local and international organizations, regularly visit detainees at police headquarters and prisoners in the Monrovia Central Prison, one of the largest of the country. The Liberian Independent National Commission on Human Rights (INCHR) also has unhindered access to and visits all prison facilities, while the Human Rights Division under the Ministry of Justice Monitors prison facilities across the country and reports to the Minister of Justice for administrative action.

4. Additionally, in the effort to reform our law enforcement institutions, in 2016, new and separate police and immigration acts were legislated, out of which derived several regulations and administrative actions. Principally, a civilian complaints review board to improve accountability and democratic oversight has been established. The said board has been constituted and is chaired by the President of the Liberian National Bar Association (LNBA), with other members from the civil society community, including the Security Sector Reform (SSR) Working Group. The Secretariat would be responsible to run the day-to-day affairs of the Board; however, it is yet to be constituted due to funding constraints.

5. At the Ministry of Justice, in addition to prosecution, we are directly involved with critical self-evaluation of the human rights situations in the country, led by the Human Rights Protection Division whose Head is a part of this delegation. The Division receives support from the United Nation Development Program (UNDP)-

Liberia, the Office of the High Commissioner for Human Rights (OHCHR) in Liberia and other development partners, complementing government's effort in undertaking its programs.

6. We have also drafted a National Human Rights Action Plan in line with the 1993 Vienna Declaration and Programme of Action. The National Human Rights Action Plan for Liberia was launched in December 2013 and is a comprehensive strategy for the implementation of Liberia's human rights obligations. The National Human Rights Action Plan for Liberia incorporates recommendations made during the first cycle of the Universal Periodic Review (UPR) as well as specific provisions of human rights instruments to which Liberia is a party and passes them into thematic and specific "key objectives" to be undertaken by various "agents of change" identified through a national validation conference. It includes provisions for treaty reporting, domestication, and ratification; civil and political rights; economic, social and cultural rights; and the rights of vulnerable groups. A Steering Committee co-chaired by the Minister of Justice and the Minister of Foreign Affairs and composed of representatives from government ministries and agencies and members of civil society organizations meets bi-monthly to coordinate the plan's implementation.

7. The Ministry of Justice also runs a Sexual and Gender-Based Violence Unit, the creation of which was necessitated by rampant acts of violent abuses against



women and children as post-conflict threats and challenges in Liberia immediately after the war. The unit is active and effective both in prosecution and provision of assistance to victims of Sexual and Gender-Based Violence.

8. The Ministry of Justice also has a specialized program on Child Justice, utilizing the juvenile procedural codes to process children coming in conflict with the law and to divert them from the formal criminal justice system. In 2016, the Child Justice Section of the Ministry of Justice:

a) Issued 170 Child Exit Clearances, these are permits issued by Government to parents/Guardians travelling with children out of Liberia, intended to check child trafficking and other abuses against Liberian children; b) Monitored orphanages as a member and chair of the Independent Accreditation Committee; c) Monitored all prisons and police depots in twelve of the Fifteen counties; d) Rolled out Diversion Guidelines to additional five counties, namely (Lofa, River Gee, Maryland, Gbapolu, and Cape Mount) of Northern and South-Eastern Liberia; e) Mediated 482 cases involving minors at the police level; f) Released 129 juveniles from prison; g) provided support to the Sexual Gender Based Violence Unit of the Ministry of Justice, to enhance prosecution by providing assistance to witnesses, survivors/victims; h) facilitate court processes, maintain SGBV hotline; and j) worked with partners on the investigation and reunification of twenty five (25)

children allegedly trafficked from neighbouring Guinea; i) printed and distributed 464 copies of the Children's Law of 2011 and the Juvenile Diversion Guidelines;

Honorable Chairperson, historically, Liberia has come a long way as a constitutional state, the first black Republic on the continent of Africa. Statehood in Liberia is anchored on the doctrine of constitutional democracy as far back as 1847. Contained in the 1847 Constitution that gave birth to Liberia's independence as well as the 1986 constitution were special provisions protecting the fundamental rights of citizens, enshrined in chapter three of the Constitution, the bill of rights, including freedom of speech, association, conscience, movement and the right to own private property. Our Constitution also forbids all forms of slavery, and provides for the practice of multi-party democracy as well as other forms of liberty.

Honorable Chairperson, we assure you and other delegates to this dialogue that Liberia remains committed to the protection and promotion of the human rights of all its citizens and people, including the fight against all harmful traditional and cultural practices. The fight against Female Genital Mutilation (FGM) in particular, in Liberia as elsewhere, requires a combination of both criminal sanctions and sustained public education and reorientation. As we all know,

generally, culture is difficult to abolish as it is the foundation of any nation, but to the extent cultural practices are harmful to the citizens, it gradually withers away with persistent alternative education and other forms of affirmative actions. We are making steady progress in this direction.

Honorable Chair, the Government of Liberia received and greatly appreciates the issues raised in the ICCPR Report. We are glad to inform you and the honorable body that substantive actions have been taken to address all of the issues highlighted in the previous ICCPR Report on Liberia. As time does not permit me to adequately articulate the substantive actions undertaken by the Government to address the issues, I would like to refer you and members of this honorable committee to the responses of the Government of Liberia contained in its ICCPR Report of 2017/2018.

We thank you Honorable Chairperson for this opportunity, which we see as a significant step towards helping Liberia meet its international human rights treaty obligation.

