

## Women's rights protection instruments ratified by Liberia:

- **CEDAW**: ratified in 1984
- **CEDAW Protocol**: signed in 2004
- **Maputo Protocol**: ratified in 2008

**Ratify!** Liberia has ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) without reservations. However, Liberia has not yet ratified the Optional Protocol to CEDAW.

**Respect!** Despite the ratification of the CEDAW in 1984, it has yet to be incorporated into Liberian law and is not justiciable in Liberian courts. The Coalition of the Campaign remains particularly concerned by the following continued violations of women's rights in Liberia: the persistence of discriminatory laws; unequal status within the family; violence against women; and limited access to education, employment, decision-making positions and health services.

## / Some positive developments...

The Coalition of the Campaign acknowledges the recent adoption of several laws and policies aimed at improving respect for women's rights, including:

- The enactment of the 2008 Gender and Sexually Based Violence Act, which provides for the establishment of a specialized court to try cases of sexual violence.
- The enactment of the 2006 Law on rape which includes spousal rape within the definition of rape.
- The creation of the National Gender-based Violence Plan of Action (2006) and the National Policy on Girls' Education (2006)
- The election of Ellen Johnson-Sirleaf as President in 2005, making Liberia the first African country to elect a woman President.
- The ratification of the Maputo Protocol in 2008.

## / But discrimination and violence persist

### IN LAW

Liberia has a dual legal system consisting of statutory and customary law. While Liberia has made efforts with the support of the United Nations Mission in Liberia to review national laws that discriminate against women, discriminatory statutory and customary laws remain in force particularly in the areas of family law.

Discriminatory provisions in **statutory law** include:

**Nationality and Citizenship:** Under the 1973 Alien and Nationality Law, a child born abroad to a Liberian mother and a non-Liberian father is not automatically granted the mother's nationality.

Discriminatory provisions under **customary law** include:

- Married women are not allowed to appear before traditional courts without their husbands.
- Women have no right to parental authority and no right to custody of children in the event of divorce or upon the husband's death despite the passage of a new civil law on shared custody.
- Although civil law allows for equal rights to inheritance and property, customary law does not allow for married woman to inherit from their husbands.
- Polygamy, although prohibited under statutory law, is permitted under customary law.

## **IN PRACTICE**

### • **Discrimination in the family**

The custom of early marriages remains widespread and many girls are married at age 12 or 13. In 2004, it was estimated that 36% of girls between age 15 and 19 years were married, divorced or widowed. More than one third of married women in Liberia between the age of 15 and 49 live in polygamous marriages.

### • **Violence**

Domestic violence, although prohibited by law, remains a widespread problem. Crimes of sexual violence are highly prevalent in Liberia. During the conflict, women and girls were particularly vulnerable to such crimes, which were generally committed with complete impunity. Under the Gender and Sexually Based Violence Act 2008, the crime of rape carries a sentence from 7 years to life imprisonment, however implementation of the law is inadequate. Despite recent government efforts, there remain insufficient services to support victims and access to justice is limited.

There is no law prohibiting female genital mutilation (FGM) and this practice remains widespread. An estimated 50% of women in Liberia have undergone some form of FGM.

Despite the passage of the 2005 Anti-Human Trafficking Act, human trafficking remains a serious problem in Liberia particularly for domestic work and other labour. Young women are especially at high risk for trafficking. Although penalties for trafficking range from one year to life imprisonment, enforcement remains weak.

### • **Obstacles to access to education and employment**

Despite ongoing efforts aimed at increasing enrolment and retention of girls in schools, structural and traditional barriers to the education of girls persist, including gender-based stereotypes and harmful traditional practices such as early marriage and teenage pregnancies. Furthermore, girls are vulnerable to sexual harassment in schools in the absence of laws penalising such harassment. Liberian women also face obstacles concerning access to employment. Women are highly concentrated in the informal sector and lack rights and social benefits including maternity protections.

## • Under-representation in political life

Although there have been some efforts made to increase women's participation in public and political life, there remains a low level of participation of women at the highest levels of decision-making due in part to prevailing social and cultural attitudes. As of 2008, there were 4 female ministers, 12 female deputy ministers, 5 women in the Senate, 9 women in the House of Representatives, 5 female county superintendents, 1 female mayor of Monrovia, and 2 female Supreme Court associate justices.

## The Coalition of the Campaign calls on the authorities of Liberia to:

- **Reform or repeal all discriminatory statutory laws** in conformity with CEDAW and the Maputo Protocol.
- **Harmonize statutory and customary laws** in conformity with CEDAW and the Maputo Protocol and ensure that where conflicts arise between statutory provisions and customary law, statutory provisions prevail.
- **Strengthen other measures to protect women from violence and support victims**, including by removing obstacles to victims' access to justice; ensuring effective prosecution and punishment of offenders; implementing training for all law enforcement personnel; and establishing shelters for women victims of violence.
- **Increase efforts to ensure women's equal access to education and employment**, including measures to ensure equal access at all levels of education and by regulating the informal sector.
- **Improve access, quality, and efficiency of public health care**, strengthen efforts to reduce the incidence of maternal and infant mortality, increase awareness of and access to affordable contraceptive methods, improve sex education and establish family planning services.
- **Adopt all necessary measures to reform or eliminate cultural practices and stereotypes that discriminate against women**, including through awareness raising programmes targeting women and men, traditional and community leaders.
- **Ratify the Optional Protocol to CEDAW.**
- **Implement all recommendations issued by the CEDAW Committee** in July 2009.

## • Obstacles to access to health

Liberia's health-care infrastructure was strongly affected by the conflict. Liberia lacks basic resources and capacity to implement its health-care policies. Liberia has high rates of maternal mortality (1200 per 100,000 births), due in part to the lack of sexual and reproductive health services and post-natal care, the lack of sex education and contraceptive usage, and the high rate of teenage pregnancy. HIV/AIDS is prevalent, particularly amongst women.

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### PRINCIPAL SOURCES

- Focal Point: RWHR
- CEDAW Committee Recommendations, July 2009.
- Wikigender, [www.wikigender.org](http://www.wikigender.org)

**For more information on women's rights and the actions of the campaign in Liberia, see: [www.africa4womensrights.org](http://www.africa4womensrights.org)**

### THE CAMPAIGN FOCAL POINT IN LIBERIA

#### **Regional Watch for Human Rights (RWHR)**



Regional Watch for Human Rights (formerly Liberia Watch for Human Rights) monitors compliances with human rights standards, assesses human rights situation in West African countries, and pressurizes governments and other influential actors to change their practices in order to improve respect for human rights.

<http://blog.rwhr.org>