

Responses to Recommendations

LIBERIA

Review in the Working Group: 1 November 2011
 Adoption in the Plenary: 16 March 2011

Liberia’s responses to recommendations (as of 18.04.2011):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
72 REC accepted; 41 pending	Out of the 41 pending, 1 accepted and 40 commented but which were “neither accepted nor rejected” (-> no clear response)	The delegation said that they had “made some corrections” to the addendum and stated being “not able to take a position on deferred recommendations”. We keep them as “no clear position”	Accepted: 73 Rejected: 0 No clear position: 40 Pending: 0

List of recommendations contained in Section II of the Report of the Working Group A/HRC/16/3:

77. The following recommendations formulated during the interactive dialogue and listed below have been examined by Liberia and enjoy its support:

A - 77.1. Consider ratifying the CRPD, along with the two Optional Protocols to the CRC, to which it is a signatory (India);

A - 77.2. Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France);

A - 77.3. Ratify the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance (Senegal);

A - 77.4. Complete the process of examining regional and international human rights instruments to which the country is party, so as to revise national legislation and better fulfill its regional and international obligations imposed by such instruments (Algeria);

A - 77.5. Continue to prioritize and implement policies and legislation to address violence against women and the protection of the human rights of children (South Africa);

A - 77.6. Prioritize enforcement of its domestic legislation, including the Penal Law, the Rape Law and the National Gender-Based Violence Plan of Action, empower its Special Court for Rape and Other Forms of Violence as well as the Sexual and Gender-Based Violence Unit under the Ministry of Justice, and implement appropriate national public awareness programmes to address violence against women (Slovakia);¹

A - 77.7. Implement legislation and policies aimed at eliminating sexual and gender-based violence, and increase the capacity of Liberian courts specializing in sexual violence to ensure the expedient processing of rape and other sexual assault cases (Australia);

A - 77.8. Accelerate the process for the adoption of the national human rights action plan for Liberia and the adoption of the proposed children's act (Egypt);

A - 77.9. Take further legislative and policy measures to protect the rights of children, including by ensuring that Liberia meets its obligations under the CRC and the Optional Protocol on the sale of children, child prostitution and child pornography (Australia);

A - 77.10. Pursue efforts to harmonize its national legislation with its international obligations (Senegal);

A - 77.11. Consider establishing the post of an ombudsman to coordinate and monitor the performance of its institutions, assess the outcome and impact of various initiatives, and provide periodic reports (Finland);

A - 77.12. Finalize the establishment of the Independent National Commission of Human Rights with wide civil society involvement regarding nominations (Hungary);

A - 77.13. Encourage the structural strengthening of civil society organizations that advocate the promotion and protection of human rights (Côte d'Ivoire);

A - 77.14. Continue to strengthen the technical capacity and expertise of Ministries and other governmental organs and other institutions with competence in the field of human rights (Chile);

A - 77.15. Continue to strengthen the National Human Rights Commission (Bangladesh);

A - 77.16. Continue to reinforce its national programmes in the area of education and to seek the necessary technical and financial assistance to accompany it in its integration of human rights education and training into its programmes (Morocco);

A - 77.17. Relaunch the work of the Steering Committee responsible for conceptualizing and adopting the National Human Rights Action Plan (Algeria);

A - 77.18. Continue to pay particular attention to the rights of children and women, including through the development and enactment of national action plans (Egypt);

A - 77.19. Strengthen Government oversight of its rough diamond sector, as well as its engagement in collaborative initiatives to enhance the enforcement of the certification scheme in the West African region (Canada);

A - 77.20. Strengthen efforts to improve the protection of human rights across the country, capacity-building of local authorities and empowerment of communities, in particular women and girls, ensuring the involvement of the civil society, both urban and rural and across the country, in the follow-up to the review report (Norway);

A - 77.21. Consider issuing a standing invitation to the special procedures (Brazil);

A - 77.22. Consider the possibility of issuing a standing invitation to the Special Rapporteurs as a way for the system to cooperate in defining the Government's policies for human rights (Chile);

A - 77.23. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);

A - 77.24. Strengthen law enforcement by ensuring that clear instructions are given to police forces to always act in compliance with international human rights law (Canada);

A - 77.25. Strengthen its Professional Standard Division within the Liberian National Police to investigate and prosecute all allegations of professional misconduct in accordance with international standards, and implement extensive human rights education and training programmes for law enforcement personnel (Slovakia);

A - 77.26. Improve prison conditions and hold accountable all those who are responsible for torture and discrimination in penitentiary facilities (Hungary);

A - 77.27. Intensify its efforts to humanize its penitentiary system, including the identification and closure of all unauthorized prisons and detention centres (Slovakia);

A - 77.28. Give human rights groups full access to detention facilities (Ireland);

A - 77.29. Continue to combat violence against women (Azerbaijan);

A - 77.30. Take measures to promote and protect the human rights of women, namely, measures to prevent, to inform and to fight against discrimination and violence against them (France);

A - 77.31. Develop and implement education campaigns aimed at preventing sexual violence and addressing the attitudes and stereotypes which perpetuate such violence (Canada);

A - 77.32. Take all necessary measures to ensure the full enjoyment of human rights by women and girls, including by way of properly and promptly investigating and prosecuting cases of gender-based and sexual violence (Sweden);

A - 77.33. Address the high level of female genital mutilation and early marriage through more concerted efforts, involving local levels (Norway);

A - 77.34. Increase public awareness campaigns against female genital mutilation (FGM) (United States of America);²

A - 77.35. Take measures to guarantee effective access to justice and protection for women victims of gender-based violence (Brazil);³

A - 77.36. Consider the adoption of a legal framework to address violence against women (Bangladesh);

A - 77.37. Move forward with efforts to expand the work of the Sexual and Gender-Based Violence (SGBV) Unit, under the Ministry of Justice, and to create permanent SGBV Units around the country (United States of America);

A - 77.38. Encourage Liberia to strengthen its policies to combat against child trafficking (Thailand);

A - 77.39. Reinforce actions for the protection of child victims of trafficking and sexual exploitation (Bangladesh);

A - 77.40. Take several measures in the area of the administration of justice to accelerate the reform of the judicial system, to fight against abuses of preventive detention, and to draft and transmit the report expected since 2005 by the Committee against Torture (France);

A - 77.41. Intensify efforts to strengthen the criminal justice system and reform the juvenile justice system (Ghana);

A - 77.42. Continue to prioritize the allocation of resources to the key institutions in the criminal justice system and provide extensive training for judges, prosecutors, defence counsel and investigators to ensure safe prosecutions and respect for due process (South Africa);

A - 77.43. Develop the capacity of the justice sector to ensure that court cases are brought to trial in a reasonable time (Canada);

- A - 77.44. Strengthen further the criminal justice system (Germany);
- A - 77.45. Strengthen the judicial system in compliance with international standards, as planned, which would also lower the high percentage of pre-trial detainees and support the fight against impunity (Hungary);
- A - 77.46. Continue to adopt measures in order to strengthen the Judiciary and the penitentiary system (Argentina);
- A - 77.47. Ensure the strengthening of institutional and operational capacities of the Judiciary (Côte d'Ivoire);
- A - 77.48. Take steps to tackle corruption in the judiciary and the police, including by increasing access to relevant training, increasing oversight of both organizations and taking action when inappropriate behaviour is discovered (United Kingdom);
- A - 77.49. Address the issues affecting the lack of public trust in the Judiciary and the law enforcement system, as reflected in paragraph 102 of the national report, and strengthen the independence of the Judiciary (Azerbaijan);
- A - 77.50. Encourage Liberia to strengthen its judicial system, especially in view of promoting accountability, in order to bring to justice those committing violence against women and children (Thailand);
- A - 77.51. Continue implementing the recommendations emanating from the Truth and Reconciliation Commission (South Africa);
- A - 77.52. Take essential steps to implement the issues raised and recommendations made by the Truth and Reconciliation Commission (Czech Republic);
- A - 77.53. (Aware of the socio-cultural and economic factors which tend to limit the participation of women in all sectors of a country's life, Angola congratulated Liberia on having elected a female President and for having taken measures to increase women's participation. Noting this success Angola recommended that Liberia continue and strengthen the measures adopted.) Continue and strengthen measures adopted to increase the participation of and progress achieved by women in all sectors of the life of the country/political life (Angola);
- A - 77.54. Prioritize action to address the concerns raised by the United Nations human rights treaty bodies regarding the situation of women, particularly in the informal sector, and the lack of rights and social benefits, including maternal protections available to them (Ghana);
- A - 77.55. Continue to apply the strategies and socio-economic development plans designed to reduce poverty (Cuba);
- A - 77.56. Take effective measures to reduce poverty and unemployment in the country (Azerbaijan);
- A - 77.57. Pursue the effort to increase the standard of living of all Liberians with specific programmes in the areas of accommodation, health, education and other basic social services (Algeria);
- A - 77.58. Encourage stronger promotion of the rights of women and children by meeting their immediate post-conflict needs. These include, for example, the elimination of gender inequalities, the promotion of equal educational opportunities as well as equal opportunities for socio-economic and political participation, and the elimination of violence against women and children (Thailand);
- A - 77.59. Expand its School Feeding Programme and integrate it with local agricultural production (Brazil);
- A - 77.60. Take appropriate steps, with the help of the international community, to ensure for the Liberian people an adequate standard of living, and the rights to food, health and education (Egypt);

A - 77.61. Pay particular attention to efforts aimed at reducing maternal mortality, including through international assistance and seeking good practices (Egypt);

A - 77.62. Increase its efforts to reduce its high maternal mortality rate (Azerbaijan);

A - 77.63. Continue the implementation of programmes and plans for the enhancement of education in Liberia at all levels, as well as earmarking more financial resources for this purpose (Libyan Arab Jamahiriya);

A - 77.64. Promote and deploy further efforts to bridge the gap between boys and girls in completing the primary, secondary and university levels (Libyan Arab Jamahiriya);

A - 77.65. Take steps to effectively guarantee the right to education (Italy);

A - 77.66. Make accessible to the general public and teach human rights in school and university establishments, as well as in the professional sector (Congo);

A - 77.67. Reinforce the protection and promotion of the rights of vulnerable groups, namely, children, women, disabled and elderly persons (Algeria);

A - 77.68. Sustain efforts to promote and protect the rights of groups and of the vulnerable population, such as children, women, disabled and elderly persons (Cuba);

A - 77.69. Continue to reinforce efforts to promote the rights of vulnerable groups such as women and children, especially orphaned and disabled children and child victims of trafficking and sexual exploitation (Bangladesh);

A - 77.70. Encourage Liberia, with the support of relevant United Nations agencies, particularly the UNHCR, to make greater efforts in finding durable solutions for refugees (Thailand);

A - 77.71. Request the technical assistance of United Nations bodies in implementing ratified international instruments and for the effective functioning of structures which have been put in place (Côte d'Ivoire);

A - 77.72. Request Liberia to seek technical and material assistance from the international community to overcome difficulties and impediments cited in its national report, and also to support the commendable new initiatives undertaken by the Government, such as the land commission, anti-corruption and good governance. (Sudan).

78. The following recommendations will be examined by Liberia, which will provide responses in due course, but no later than the 16th session of the Human Rights Council, in March 2011:

N/C - 78.1. Ratify the Optional Protocol to ICESCR, first Optional Protocol to ICCPR, Optional Protocol to CEDAW and the two Optional Protocols to CRC (Slovakia);

N/C - 78.2. Sign and ratify: the Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the Optional Protocol to CEDAW; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Optional Protocols to the Convention on the Rights of the Child; the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto; and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

N/C - 78.3. Sign and ratify the Optional Protocol to the ICESCR, as soon as possible (Portugal);

N/C - 78.4. Ratify both Optional Protocols to the CRC (Slovenia);

N/C - 78.5. Incorporate into domestic law already ratified international human rights conventions (Norway);

N/C - 78.6. Repeal the aforementioned law [2008 bill making armed robbery, terrorism and hijacking capital offences where they result in death] and bring its legislation in line with its international obligations (Sweden);

N/C - 78.7. Repeal the July 2008 law that allows the death penalty, in line with Liberia's obligations under the Second Optional Protocol to the ICCPR (Australia);

N/C - 78.8. Amend legislation that provides for the application of the death penalty, in light of the obligations undertaken under the Second Optional Protocol to the International Covenant on Civil and Political Rights (Argentina);

N/C - 78.9. Bring its legislation into line with its international obligations, notably those arising from the Second Optional Protocols to the ICCPR, and review the national law adopted in June 2008 re-establishing the death penalty for the crimes consisted in making armed robbery, terrorism and hijacking (Czech Republic);

N/C - 78.10. Carry out an in-depth review of the country's legal system so as to ensure that the Constitution and other national laws are compatible with international human rights obligations and standards. In this connection, amend and/or repeal all laws that have a discriminatory effect, including customary norms (Mexico);

N/C - 78.11. Review and change national and local legislation with a view to reducing social, economic and ethnic divides within Liberian society (United Kingdom);

N/C - 78.12. Incorporate the principle of equality between women and men into the Constitution (Ghana);

N/C - 78.13. Implement international human rights instruments which it has already duly ratified (Congo);

N/C - 78.14. Envisage abolishing the law of July 2008 reintroducing the death penalty, so as to respect its international obligations as per the Second Optional Protocol (France);

N/C - 78.15. Abolish the death penalty and create, in the meantime, a moratorium (Germany);

N/C - 78.16. Introduce a permanent de facto and de jure moratorium on death penalties with a view to adopting a law abolishing the death penalty, and commute without delay all death sentences to terms of imprisonment (Sweden);

N/C - 78.17. Consider revising legislation with a view to abolishing the death penalty (Brazil);

N/C - 78.18. Abolish the death penalty (Norway);

N/C - 78.19. Review the legislation on armed robberies, terrorism and hijacking, in accordance with the Second Optional Protocol to the ICCPR, and to commute all death sentences to life imprisonment and maintain the moratorium on the death penalty in place since 1979, with a view to completely abolishing capital punishment (Italy);

N/C - 78.20. Establish a moratorium with a view to abolishing the death penalty, in accordance with the above-mentioned General Assembly resolutions 62/149 and 63/168 (Portugal);

N/C - 78.21. Criminalize female genital mutilation (Canada);

N/C - 78.22. Specifically prohibit the practice of female genital mutilation (Portugal);

N/C - 78.23. Specifically prohibit the practice of female genital mutilation as a matter of urgency (Sweden);

N/C - 78.24. Adopt legislative provisions in order to prohibit, sanction and effectively prevent the practice of female genital mutilation (Argentina);

N/C - 78.25. Adopt a law to prohibit female genital mutilation (Senegal);

N/C - 78.26. Legally prohibit female genital mutilation, in accordance with international standards and in line with the recommendations contained in paragraph 21 of the 2009 CEDAW report (Italy);

N/C - 78.27. Bring its legislation into conformity with its international human rights obligations by criminalizing the practice of female genital mutilation (United States of America);⁴

N/C - 78.28. Take measures to guarantee effective access to reparation for women victims of gender-based violence (Brazil);⁵

N/C - 78.29. Take all necessary measures to ensure the full protection of women from sexual and gender-based violence (Portugal);

N/C - 78.30. Take all the necessary measures to eliminate sexual violence in the country, including the full prosecution of all reported cases of sexual violence (Slovenia);

A - 78.31. Prepare a comprehensive road map to reform the judiciary sector with timelines and benchmarks and clear tasking for national agencies, and involve development partners in this process (Finland);

N/C - 78.32. Provide substantial resources to the key institutions in the criminal justice system and extensive training for judges, prosecutors, defence counsels and investigators in order to ensure safe prosecutions and respect for due process (Republic of Korea);

N/C - 78.33. Remove all obstacles that obstruct effective access to justice, considering the acknowledgement of alarming rates of violence against women, and adopt appropriate measures to increase women's basic legal training and knowledge of their rights, including the right to obtain legal reparation through the courts (Mexico);

N/C - 78.34. Take appropriate measures to enforce the law criminalizing trials by ordeal (Canada);

N/C - 78.35. Repeal regulations permitting trials by ordeal and amend the Penal Code to criminalize the organization of such trials (Republic of Korea);

N/C - 78.36. Bring to trial all defendants within a reasonable time, and that systems and procedures are put in place to ensure this (Ireland);

N/C - 78.37. Address fully the recommendations of the Truth and Reconciliation Commission and do so to at a published timetable (United Kingdom);

N/C - 78.38. Support the work of the Truth and Reconciliation Commission, in particular to achieve the enjoyment of women and child rights and the implementation of its recommendations (Sudan);

N/C - 78.39. Strengthen further functioning of the State enforcement agencies with the aim of combating criminality in the country, and ensure full and unhampered access to justice for all members of society (Czech Republic);

N/C - 78.40. Continue its efforts to promote the rights of workers and to reduce the rate of unemployment among Liberian young people, particularly through the revision of the draft proposed labour law called "Decent Work" (Sudan);

N/C - 78.41. Continue to regard maintaining social stability as its first priority, and make efforts to improve the people's living standards, providing necessary housing and medical care and increased educational opportunities, and improving electricity services, drinking water and the road network; and streamline the relationship between its domestic legislation and the international human rights instruments that it has signed by bringing its domestic legislation into line with the requirements of international law (China).

Notes

1 The recommendation made during the interactive dialogue was “Prioritize enforcement of its domestic legislation, including the Penal Law, the Rape Law and the National Gender-Based Violence Plan of Action, empower its Special Court for Rape and Other Forms of Violence as well as the Sexual and Gender-Based Violence Unit under the Ministry of Justice, and implement appropriate national public awareness programmes to address this negative phenomenon” (Slovakia).

2 The recommendation as made during the interactive dialogue was “Increase public awareness campaigns against Female Genital Mutilation (FGM), and bring its legislation into conformity with its international human rights obligations by criminalizing the practice (United States of America)”.

3 The recommendation as made during the interactive dialogue was “Take measures to guarantee effective access to justice, reparation and protection of women victims of gender-based violence (Brazil).

4 The recommendation as made during the interactive dialogue was “Increase public awareness campaigns against Female Genital Mutilation (FGM), and bring its legislation into conformity with its international human rights obligations by criminalizing the practice (United States of America).

5 The recommendation as made during the interactive dialogue was “Take measures to guarantee effective access to justice, reparation and protection of women victims of gender-based violence (Brazil)”.

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