Statement: UPR Pre-session on Liberia
Geneva, April 2, 2020
Delivered by: Tonieh A. Talery-Wiles
Independent National Commission on Human Rights (INCHR) - Liberia

1. This statement is delivered on behalf of the Independent National Commission on Human Rights of Liberia (INCHR-Liberia) during the UPR pre-session 3rd cycle review and summarizes the Liberia human rights situation. The INCHR-Liberia is an “A” Status National Human Rights Institution (NHRI) of Liberia. It was established in 2005 by an Act of Legislature in conformity with the UN Paris Principles of 1993. Its mandate includes the promotion and protection of human rights, and ensuring the implementation of the Truth and Reconciliation Recommendations. Special attention is given to women, children, persons with disabilities, LGBTIQ and other vulnerable/marginalized groups. The INCHR has established the CSO Human Rights Platform, Women Human Rights Defenders Network, and reactivated the Transitional Justice Working Group of Liberia as platforms to ensure the voice of the voiceless is heard.

2. The INCHR-Liberia serves as an observer on the National Human Rights Action Plan Steering Committee (NHRAPSC). It also advises and provides technical support to the Government of Liberia (GOL) in meeting its treaty obligations. Consequently, The INCHR participated in the consultations for drafting of the GOL 3rd Cycle UPR report, and provided technical support throughout the process. On January 17, 2019, the (NHRAPSC) constituted a technical drafting team comprising representatives from Ministries and Agencies, and CSOs, including the INCHR, to develop Liberia’s 3rd Cycle Report. Consultations were held (May 21-24, 2019 - Gbarnga; September 27-28, 2019 - Ganta) with partners and local actors including Faith Based Organizations (FBO), youth groups, women groups, disabled persons organizations, street peddlers (Yarna boys), marketers (Market women), student leaders, traditional leaders amongst others, for broader inputs and participation. During these consultations the technical committee noted achievements and challenges as well as reviewed recommendations from the previous reports. On February 20, 2020, a national validation session was held in Buchanan City, Grand Bassa County, Liberia, and the final UPR State Report was subsequently submitted to the office of the High Commission for Human Rights (OHCHR) through the Ministry of Foreign Affairs.

---

1 the technical committee, composed of focal persons from various NHRAP stakeholder institutions, was setup to draft the Report
2 1st & 2nd cycle reports
3. Plan of the Statement
   i. This statement addresses the following issues: (1) Discrimination and Marginalization of Persons with Disabilities in Liberia-The National Commission on Disabilities (NCD), (2) Strengthening capacity and independence of the Independent National Commission on Human Rights (INCHR).

4. Statement
   ii. Discrimination and Marginalization of Persons with Disabilities in Liberia

   A. Follow-up to the 2nd review: During the 2nd cycle review of Liberia in 2014, several countries advanced recommendations to address issues affecting the Rights of Persons with Disabilities. Mali and Uruguay called for the ratification of the Optional Protocol to the Convention on the rights of Persons With Disabilities (A/RES/61/106) which was adopted on 13 December 2006 at the United Nations Headquarters, and took effect on 3rd May 2008. Liberia ratified the Convention on July 26, 2012 but is yet to ratify the Optional protocol. Cote d’Ivoire in recommendation 186, called for the strengthening of the National body responsible for the protection of persons with disability against all forms of violations, and promote their full integration into society.

   B. New developments since the 2nd review: The Ministry of Education has allocated minimum funds to support inclusive education to address the issue of access to education. A 5-Year National Action Plan has been developed. A Mental Health Policy to address mental disability is in place. Despite these efforts, The NCD is still challenged by inadequate budgetary allocation. The total amount budgeted for the NCD for fiscal year 2019/2020 is 243,254 USD, which is inadequate to support the various categories of disabilities and its nationwide activities. Other challenges include, lack of National Social Security benefits as the Social Security Law of Liberia only addresses the working class. There is limited access to employment and educational opportunities. Accessibility to public infrastructure remains a major challenge. Persons with mental disability live in deplorable conditions with very little access to medication and care. Mental health facilities are lacking in the country with only one clinic dealing exclusively with mental health patients. The 2008 Census report of Liberia indicate Persons with Disability make up 3% of the population.

   C. Recommendations:
      That the issues of Persons With Disability be given priority during the upcoming UPR review. We therefore recommend:
      a. That GOL ensures that amendment to the Act establishing the NCD presently before the Legislature be passed and increase budgetary allocation to the NCD.
      b. Provide adequate budgetary support for the implementation of the June 23, 2017 Mental Health Act, and reanimate the Catherine Mills Mental Health and Rehabilitation Center.
c. GOL Ratifies the Optional Protocol to enable individuals bring complaints before the Committee.

iii. **Strengthening capacity and independence of the Independent National Commission on Human Rights (INCHR)**

A. **Follow up from the 2nd review:** The INCHR continues to be challenged by low budgetary allocation, and lack of independence to effectively execute its mandate. The GOL fund salaries and rent, but not programs and activities of the INCHR. During the 2nd cycle Universal Periodic Review of Liberia, several states advanced recommendations to GOL to address the independence and effective implementation of the INCHR mandate. Egypt called for the provision of adequate resources to the INCHR to enable it discharge its core mandate; France called for necessary measures to be taken to ensure that the INCHR complies with the Paris Principles; Portugal called for measures to develop internal governance procedures, and strengthen coordination of Human Rights Monitoring, investigation and field activities of the INCHR.

B. **New developments since the last review:** GOL has made progress in taking steps to raise awareness of human rights. African Union and ECOWAS Human Right Days are used to raise awareness. A new National Human Rights Action Plan (NHRAP) has been adopted and Human Rights indicators are integrated in the GOL Pro-Poor Agenda for Prosperity and Development. The GOL also made provisions to pay the INCHR membership/subscription to NHRI-WA and NHRI in 2017 and provided funding towards the implementation of the Truth and Reconciliation recommendation to construct one memorial. New Commissioners were appointed in 2016. To date a substantive Chairperson has not been appointed. The reduction in budgetary allocation to Government institutions, with significant reduction in salaries severely impacted the INCHR. Also the preparation and disbursement of salaries have been centralized under the direct control of the Ministry of Finance and Development Planning, compromising the independence of the INCHR. This compromises the independence and integrity of the INCHR. As an integrity institution, the INCHR must maintain the highest standards at all times and ensure compliance with the Paris Principles.

C. **Recommendations:** That States continue to give prominence to the INCHR-Liberia in the review process, and ensure that the independence of the institution is upheld in compliance with the Paris Principles.

   a) Restore the INCHR administrative autonomy, including management of its own payroll.
   b) That GOL provides adequate budgetary allocation to the INCHR to perform its mandate.
   c) That GOL appoints a substantive Chairperson. (4 years without one).