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# Sexual Orientation, Gender Identity and Rights (SOGIR) in Africa

## Liberia Country Report

A Participatory Review and Analysis  
of the Legal, Social and Human Rights  
Environment for People of Diverse  
Sexual Orientation and Gender Identity

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## **Liberia**

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of the Legal, Social and Human Rights  
Environment for People of Diverse  
Sexual Orientation and Gender Identity

**April 2020**



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## Acknowledgements

The Sexual Orientation, Gender Identity and Rights (SOGIR) in Africa project was implemented by UNDP, OHCHR and local partners as a joint learning initiative aimed at understanding the legal, political and social challenges faced by LGBT people, their access to justice and health services, and the relevant laws and policies. It also contributes to an understanding of the needs of civil society organizations working on sexual orientation and gender identity, the space in which they operate, and their capacity to engage in human rights and policy dialogues. As this is a rapidly changing field there may be recent developments that were not included in this report at the time of publication.

This report documents the presentations and discussions from the Liberia National Roundtable held on 27<sup>th</sup> September 2018 at the RLJ Kendeja Resort & Villas Hotel in Monrovia. Additional insights were gathered from stakeholder consultations between September and December in 2017. This was supplemented by a desk review of published literature.

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National Steering Committee, SOGIR Project, Liberia

## Abbreviations and acronyms

<b>ACHPR or African Commission</b>	African Commission on Human and Peoples' Rights
<b>African Charter</b>	African Charter on Human and Peoples' Rights
<b>AIDS</b>	Acquired Immunodeficiency Syndrome
<b>ALL+</b>	Association of Gay Men Living Positively with HIV
<b>CAT</b>	UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
<b>CEDAW</b>	UN Convention on the Elimination of All Forms of Discrimination against Women
<b>CIHR</b>	Centre for International Human Rights
<b>CRC</b>	UN Convention on the Rights of the Child
<b>CRPD</b>	UN Convention on the Rights of Persons with Disabilities
<b>HIV</b>	Human Immunodeficiency Virus
<b>IBBS</b>	Integrated Bio-Behavioural Surveillance survey
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>INCHR</b>	Independent National Commission on Human Rights
<b>LEGAL</b>	Lesbian and Gay Association of Liberia
<b>LGBT</b>	Lesbian, Gay, Bisexual and Transgender
<b>LIPRIDE</b>	Liberian Initiative for the Promotion of Rights, Identity, Diversity, and Equality
<b>LIWEN</b>	Liberian Women Empowerment Network
<b>MSM</b>	Men who have sex with Men
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human rights

<b>SAIL</b>	Stop AIDS in Liberia
<b>SOGI</b>	Sexual Orientation and Gender Identity
<b>SOGIR</b>	Sexual Orientation, Gender Identity and Rights
<b>TIERs</b>	Initiative for Equal Rights
<b>TNOL</b>	Transgender Network of Liberia
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNMIL</b>	United Nations Mission in Liberia
<b>UPR</b>	Universal Periodic Review
<b>YAL</b>	Youth Alive Liberia



# Executive Summary

This country analysis report was prepared by the Human Rights and Protection Section of the United Nations Mission in Liberia (UNMIL) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) as part of the joint SOGIR Africa Project led by OHCHR and the United Nations Development Programme (UNDP).

The aim of this initiative was to conduct a rapid initial assessment of the legal situation, social environment and the role and capacity of key government institutions and civil society organizations in addressing the human rights of people of diverse sexual orientation and gender identity in Liberia. Specifically, the study sought to draft a situation assessment of key human rights challenges experienced by lesbian, gay, bisexual and transgender people (LGBT). As discussed in the report, these challenges include arbitrary detention, violence, discrimination, stigma, inequality, social exclusion and denial of rights to freedom of expression, association and assembly.

Protection, fulfilment and respect for human rights of all persons without discrimination are enshrined in Liberia's 1986 Constitution consistent with other regional and international human rights treaties such as the African Charter on Human and Peoples' Rights (African Charter), International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social, and Cultural Rights (ICESCR) and other human rights standards. These international and regional human rights standards guarantee rights to all persons without distinction, including on the basis of sexual orientation and gender identity. However, discriminatory laws remain in force in Liberia, including the Penal Law of 1978, which criminalizes same-sex sexual behaviour. The Liberia National Police have used this law to arbitrarily arrest and incarcerate people on the basis of their real or perceived sexual orientation or gender identity, some of whom report abuses in detention. The existence of the law also discourages LGBT victims of hate crimes from coming forward to report incidents to the police because of concerns of re-victimization and possible arrest on homosexuality-related charges.

Prevailing public attitudes towards people of diverse sexual orientation and gender identity in Liberia are negative, contributing to a hostile climate for them. Individuals who participated in consultations for this report describe their experiences of violent attacks, intimidation, castigation and other forms of social exclusion. Negative stereotypes are widespread. This stigma is exacerbated by some political, religious and community leaders who engage in hate speech branding LGBT people as "sick" or "dangerous", and promote harmful so-called "conversion" therapies.

There is no effective anti-discrimination legislation in place at the national level that would protect individuals from discrimination based on sexual orientation and gender identity. The 2013 National Human Rights Action Plan and the National HIV and AIDS Strategic Plan 2015-2020 are the only national policy documents, of the five policies reviewed for this report, to include specific references to the rights and needs of persons of diverse sexual orientation and gender identity. The needs of LGBT people are not integrated into other areas of national policy.

Political attitudes and public perceptions are negatively influenced by the media, which typically reports issues relating to sexual orientation and gender identity using intimidating, pejorative, and incendiary language. Few civil society organizations, including human rights organizations, are willing to work on issues of sexual orientation and gender identity and those groups that do so report that they have been denied legal registration explicitly because they work on LGBT issues.

The abuses described in this report are serious, widespread and constitute a pattern of human rights violations that requires a concerted response from the authorities in Liberia. Action is needed in order to meet the commitments enshrined in the country's Constitution, in the Universal Declaration of Human Rights, and in the numerous international human rights treaties to which Liberia is a signatory. The Government of Liberia has expressed a willingness to address human rights violations of and abuses against persons of diverse sexual orientation and gender identity. These acts of violence and abuse of rights are incompatible with Liberia's Constitution and its human rights obligations at both regional and global levels. The government is under an obligation to exercise due diligence to combat this phenomenon, which includes independent, objective and thorough investigation of all cases of abuse as well as punishment of the perpetrators and the provision of adequate remedy and redress for both victims and survivors. The government could seek and receive technical assistance from the United Nations and other partners to implement its human rights obligations and commitments in this area.

In 2015, during the second cycle of the Universal Periodic Review (UPR), the Government of Liberia condemned discrimination, including discrimination based on sexual orientation and gender identity, and committed itself to implementing provisions in the National Human Rights Action Plan in respect of, inter alia, the rights of LGBT persons.<sup>1</sup> The time has now come to follow through on these commitments.

#### → Recommendations:

The following recommendations are made in the context of the mandate of the United Nations system, including the Office of the High Commissioner for Human Rights and the United Nations Development Programme, to provide support to the state and institutions of Liberia to fulfil its commitments related to human rights and sustainable development, as well as its obligations under international human rights law, including treaties ratified by Liberia, to protect, respect and fulfil the human rights of all persons.

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<sup>1</sup> UN Human Rights Council (2015). Report of the working group on the Universal Periodic Review: Liberia. Addendum. A/HRC/30/4/Add.1, 25 September 2015.

### **To the Government of Liberia in general:**

- Repeal sections of the penal law such as Section 14.74 that criminalize consensual same-sex relations and that currently criminalize persons based on their sexual orientation or gender identity, in order to comply with applicable international human rights standards and treaties ratified by Liberia.
- Ensure prompt and effective investigations into allegations of homophobic and transphobic violence and ensure that alleged perpetrators are investigated and prosecuted if guilty. Victims of such abuses should be provided with effective support, care and remedy. Take steps to ensure that LGBT persons are able to report such violations to the authorities without fear of stigma, arrest or further victimization by law enforcement officials.
- Ensure that individuals are not arrested or detained on the basis of their sexual orientation or gender identity. Ensure that LGBT people who are arrested or detained are not subjected to any form of abuse or ill treatment from officials or other detainees.
- Ensure journalists and editors are trained in the human rights of LGBT people and take commensurate steps to ensure they do not disseminate information that incites hatred or violence against members of the LGBT community
- Ensure that the national protection system to prevent and respond to human rights violations is inclusive of persons of diverse sexual orientation and gender identity, that it addresses homophobic and transphobic violence and discrimination, and that it provides assistance to victims. Victims should have access to justice, medical and psychological services and, where protection concerns arise, support in relocating from their host communities.
- Ensure that relevant Government ministries and state institutions consider the problems and issues facing LGBT and other gender non-conforming persons in the context of their respective mandates and responsibilities, and to identify measures to address the violence and discrimination that they face. Such measures should be integrated in the work programmes and policy documents of relevant Government institutions.

- **Prohibit and combat discrimination against individuals based on sexual orientation and gender identity including, in the context of employment, education, health, housing, access to essential services, civil and political participation as well as access to justice and remedy.**
- **Ensure recognition and respect for the gender identity of transgender people by public officials as well as ensuring equal access to employment, education, health, housing, essential services and legal redress.**
- **Undertake comprehensive public information campaigns in consultation with LGBT representatives and civil society organizations to raise awareness of the causes and consequences of homophobic and transphobic violence. These campaigns must include dialogue with key actors across the country and might entail talk shows, documentary films, theatre plays and educational programmes.**
- **Ensure that law enforcement and service providers for victims of sexual and gender-based violence receive sufficient training and resources to fulfil their duties without stigma or discrimination towards people of diverse sexual orientation and gender identity.**
- **Uphold the rights to freedom of association, expression and peaceful assembly for LGBT people. Ensure that there is an enabling environment for the work of civil society organizations and human rights defenders working on advancing protection of the human rights of LGBT persons and that civil society organizations are able to obtain legal registration and other documents without discrimination based on sexual orientation and gender identity.**

**To the Ministry of Justice:**

- **Develop mechanisms to enhance collaboration with the Ministry of Internal Affairs to hold accountable those who perpetrate violence or human rights abuses based on actual or perceived sexual orientation and gender identity.**
- **Provide adequate protection for victims and witnesses of homophobic and transphobic violence through appropriate protection measures and mechanisms for testifying in court without fear of reprisals.**
- **Collaborate with the Ministry of Internal Affairs to conduct training for law enforcement officials and judges to address judicial gender stereotyping of LGBT persons and to handle cases in the best interest of victims and survivors in line with international human rights standards.**
- **Conduct training for police, county attorneys, city solicitors and others with a view to ensuring that cases involving human rights abuses motivated by homophobia and transphobia are administered objectively in accordance with the rule of law and human rights standards. Such training should be followed up with effective monitoring and assessment processes.**
- **Ensure that victims of homophobic and transphobic violence are aware of the means to report cases, access protection and other services.**
- **Engage with experts, including United Nations experts, on the rule of law and human rights with a view to identifying further measures to enhance the technical and institutional capacity of the Government, police, courts and other aspects of Liberia's justice system to address accountability for homophobic and transphobic motivated violence and crime.**
- **Introduce a module in the police academy on human rights, sexual orientation and gender identity rights.**

**To the Ministry of Health:**

- **Prioritize training for health care personnel on the human rights of persons of diverse sexual orientation and gender identity.**
- **Integrate the fundamental human rights principles of non-discrimination, respect for the physical and psychological integrity of persons as well as privacy in national policies and strategic plans to include comprehensive and adequate health care service provision for LGBT persons.**
- **Establish mechanisms to effectively investigate and address the allegations of professional misconduct in the medical sector and to ensure prompt provision of essential services to victims of homophobic and transphobic violence.**

**To the Ministry of Internal Affairs:**

- **Engage and sensitize traditional leaders, district commissioners, employees of the Ministry of Internal Affairs and other actors, at national, local and grassroots levels, concerning the adverse effects of homophobic and transphobic violence.**
- **Collaborate with the Ministry of Justice to hold accountable those who perpetrate or incite violence or commit human rights abuses based on sexual orientation and gender identity.**
- **Design and implement a policy in line with human rights standards that requires officials of the Ministry of Internal Affairs to request the Liberian National Police and the national justice system to investigate alleged LGBT hate crimes.**

**To the Independent National Commission on Human Rights:**

- Engage with international and regional human rights mechanisms, including United Nations treaty bodies and special procedures, the Universal Periodic Review (UPR) and the African Commission on Human and Peoples' Rights (ACHPR), to continue to raise awareness of homophobic and transphobic violence and discrimination.
- Collaborate with the government and civil society to conduct sensitization training and to raise public awareness, including among religious and traditional leaders, on the human rights of LGBT people and on the adverse effects of homophobic and transphobic violence and discrimination.
- Advocate the repeal of discriminatory laws that establish and perpetuate human rights violations against persons of diverse sexual orientation and gender identity, including the criminalization of consensual same-sex relations.
- Prioritize monitoring of homophobic and transphobic violence, discrimination and other forms of human rights abuses perpetrated against LGBT persons and to bring to the Government's attention cases of police and judicial misconduct in this context. Provide support to establish strategic litigation in cases of violations of the rights of members of the LGBT community.
- Advocate with government and civil society organizations for the implementation of Liberia's international and regional human rights obligations, including protecting persons from violence and discrimination based on sexual orientation and gender identity. This includes implementation of UPR recommendations as already integrated in Liberia's National Human Rights Action Plan.

**To the Ministry of Gender, Children, and Social Protection:**

- Collaborate with the Ministry of Justice and civil society groups to conduct public awareness campaigns and dialogues on how to protect and respect the rights of persons of diverse sexual orientation and gender identity.
- Oversee protection services for victims and survivors of homophobic and transphobic violence, which includes relocating affected persons from their host communities in instances of security concerns.
- Conduct gender awareness training in local communities to combat harmful stereotypes that contribute to human rights abuses against LGBT persons.
- Ensure LGBT persons are provided accurate information about sexual and reproductive health and rights and that they have access to adequate, professional, and confidential youth-friendly sexual and reproductive health services.

**To civil society organizations:**

- Regularly provide information on human rights violations related to sexual orientation and gender identity in public reports.
- Collaborate with the Independent National Commission on Human Rights (INCHR) to advocate for the repeal of discriminatory laws that target people on the basis of sexual orientation and gender identity including laws criminalizing consensual same-sex conduct.
- Work with the government and the INCHR to organize awareness-raising campaigns to combat violence and discrimination against persons of diverse sexual orientation and gender identity.



**To the United Nations and other international partners:**

- Provide support to government initiatives and to the INCHR and civil society to address human rights violations and exclusion faced by persons of diverse sexual orientation and gender identity.
- Provide training to religious and traditional leaders on the human rights of LGBT people.
- Support the exchange of experiences between Liberian officials, institutions, civil society organizations with their respective peers in other countries on implementing international human rights norms and standards.
- Ensure that any efforts undertaken to address violence and discrimination against individuals based on their sexual orientation and gender identity are developed in consultation with and the active participation of LGBT people and organizations to align with international human rights norms and standards.
- Continue to advocate for full realization of Liberia's international human rights commitments and obligations. This must include the Universal Periodic Review and the work of the United Nations Special Procedures and treaty body mechanisms.

**To donors:**

- Support the work of the government, Independent National Commission on Human Rights, civil society organizations and the United Nations system in Liberia to take effective measures that reduce levels of violence, stigma and discrimination faced by LGBT people in Liberia.

# Introduction

The Universal Declaration of Human Rights (UDHR) affirms that “All human beings are born free and equal in dignity and rights,” and that “Everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”<sup>2</sup> Individuals are similarly protected from discrimination on grounds of, *inter alia*, “sex” and “other status” in a raft of subsequent international human rights treaties – with United Nations treaty bodies repeatedly confirming that such grounds include a person’s sexual orientation and gender identity.<sup>3</sup> By becoming parties to international human rights treaties, states assume legally binding obligations to respect, protect and fulfil human rights. The obligation that States share to protect individuals from violence and discrimination based on sexual orientation and gender identity is therefore anchored in international human rights law.

Over the past 25 years, United Nations treaty bodies have repeatedly confirmed that states have an obligation to ensure that all persons – including LGBT people – can enjoy their human rights without undue interference or discrimination. States must take the necessary steps to make sure that domestic laws do not discriminate against people based on sexual orientation and gender identity as well as protecting individuals from such discrimination by third parties. These obligations are based on existing international human rights norms and standards. The human rights obligations relating to LGBT people are the same as for everyone else and include the rights to life, physical and psychological integrity, freedom from torture and ill-treatment, liberty, privacy, identity, freedom from discrimination, education, health, housing and employment, freedom of expression, assembly and peaceful association.

The United Nations Human Rights Council has condemned violence and discrimination based on sexual orientation and gender identity multiple times; and, in 2016, established a special procedures mandate tasked with investigating and reporting on such abuses. The United Nations Office of the High Commissioner for Human Rights (OHCHR) has consolidated international human rights norms and standards and emphasized five core legal obligations of all UN member states with respect to protecting the human rights of LGBT persons.<sup>4</sup> States have an obligation to:

- protect individuals from homophobic and transphobic violence;
- prevent torture and cruel, inhuman and degrading treatment of LGBT persons;
- decriminalize homosexuality and repeal other laws used to criminalize LGBT persons;
- prohibit discrimination based on sexual orientation and gender identity; and
- respect freedom of expression, association and peaceful assembly.

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<sup>2</sup> UN General Assembly (1948). Universal Declaration of Human Rights. 10 December 1948, 217A (III), articles 1 and 2.

<sup>3</sup> See Report of the High Commissioner for Human Rights to the United Nations Human Rights Council (A/HRC/19/41) paras. 5-19.

<sup>4</sup> OHCHR (2012). Born Free and Equal. Sexual Orientation and Gender Identity in International Human Rights Law. HR/PUB/12/06. New York and Geneva, 2012.

In a 2016 publication, OHCHR catalogued some 200 recent legislative, policy and programmatic government initiatives designed to protect the rights of LGBT persons in more than 60 countries around the world.<sup>5</sup> Even so, human rights violations based on sexual orientation and gender identity continue to affect large numbers of people. In many cases, even the perception of homosexuality or transgender identity can put people at risk.<sup>6</sup>

In this context, the United Nations Development Programme (UNDP) and OHCHR are collaborating on a joint project: “Sexual Orientation, Gender Identity and Rights (SOGIR) Africa.” The project is designed to contribute to the reduction of human rights violations, inequalities and exclusion experienced by people of diverse sexual orientation and gender identity. While it is anticipated that certain findings will have regional and wider relevance, national-level activities are being focused on Botswana, Cameroon, Liberia, Nigeria, Senegal, Tanzania and Zambia. The project aims to strengthen the evidence base with respect to rights violations and exclusion based on sexual orientation and gender identity in these countries. The objective is to develop related advocacy capacity and public information materials, to convene regional and national dialogues that bring together national decision makers from the executive, legislative, and judicial branches of government with civil society organizations, their allies and other stakeholders.

As part of this project, the United Nations Mission in Liberia (UNMIL) Human Rights Protection Section and the OHCHR have commissioned a study. The overall aim of the study is to conduct a rapid assessment of the overall legal situation, social environment, role, and capacity of key government institutions and civil society organizations in addressing the human rights of people with diverse sexual orientation and gender identity in Liberia.

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5 OHCHR (2016). *Living Free and Equal: What States Are Doing to Tackle Violence and Discrimination against LGBTI People*. HR/PUB/16/3. New York, United Nations, 2016.

6 UN General Assembly (2011). *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity*. Annual report of the United Nations High Commissioner for Human Rights. Human Rights Council Nineteenth session, Agenda items 2 and 8. A/HRC/19/41, 17 November 2011.

## The Liberia National Dialogue

This report reviews the legal, social, and human rights environment for persons of diverse sexual orientation and gender identity in Liberia, drawing on desk research, consultations, and a number of interviews conducted between 25 September and 20 December 2017. The findings of the report were validated and complemented with the views of 70 LGBT community members in a one-day event, which took place on 27 September 2018.

The study began with initial desk research and interviews with relevant national stakeholders, including the National Human Rights Institution, civil society organizations, and persons of diverse sexual orientation and gender identity. These sources contributed to a situation assessment report on stigma, discrimination, inequality, social exclusion and violence committed against persons of diverse sexual orientation and gender identity. The desk review included international, regional, and domestic legal instruments; reports by human rights treaty monitoring bodies; reports by civil society organizations; newspaper articles; and other materials in print and electronic format.

This study's authors consulted with key actors in Montserrado, Gran Bassa, and Nimba counties. They used purposive snowball sampling to reach out to respondents who identify as LGBT or gender non-conforming at each study site and consulted with government officials, representatives of civil society organizations, traditional and religious leaders, amongst others.

The authors created semi-structured key informant interview guides to engage with key informants, and focus-group discussion guides to encourage contributions from LGBT individuals in Grand Bassa and Nimba counties. Cell phone audio recorders were used to capture key informant interviews and focus group discussions. The authors created summaries from transcribed voice notes and grouped them by theme. Excerpts from the transcripts are found throughout this report.

It should be noted that discussing issues of sexual orientation and gender identity is sensitive in Liberian society. In many cases respondents preferred to do so in private and in confidence. To protect individuals, all interview and focus group discussions are anonymous throughout this report.

No specific information was obtained on the situation of intersex people in Liberia, which remains a gap in the research. The report focuses on human rights violations based on sexual orientation and gender identity as well as the challenges faced by lesbian, gay, bisexual and transgender people. The following section explores recent developments on human rights, sexual orientation and gender identity in Africa, the legal and policy environment in Liberia, and how this is implemented by law enforcement authorities. The report goes on to explore cultural and social attitudes and the role played by religious and other key Liberian institutions, before turning to the experiences shared by LGBT individuals consulted for this report.

## Human rights, sexual orientation and gender identity in Africa

The African Commission on Human and Peoples' Rights (ACHPR or African Commission) has emphasized that the African Charter on Human and Peoples' Rights (the African Charter) protects the human rights of all persons. The ACHPR has condemned discrimination, violence and other human rights violations against persons based on their real or perceived sexual orientation and gender identity. The ACHPR has tasked nation states to implement measures to end acts of violence and abuse by state and non-state actors, to prohibit such violence and to ensure investigation and prosecution of such acts in order to deliver justice to victims and protect human rights defenders, including those working on these issues. Liberia is party to several regional human rights instruments, including the African Charter, the African Charter on the Rights and Welfare of the Child, and the Protocol to the African Charter on the Rights of Women in Africa.<sup>7</sup>

On the African continent, there have been some positive developments with regard to respect for, fulfilment of, and protection of the rights of LGBT and other gender-non-conforming persons. In May 2014, the African Commission adopted Resolution 275, an important milestone.<sup>8</sup> In it, for the first time, the African Commission explicitly condemned violence and discrimination based on sexual orientation and gender identity. The resolution called upon member states of the African Union to end all acts of violence and abuse, whether committed by state or non-state actors by enacting and effectively applying appropriate laws prohibiting and punishing all forms of violence, including those targeting persons on the basis of their real or imputed sexual orientation or gender identity. The resolution further called on states to ensure proper investigation and prosecution of perpetrators of such violence and to establish judicial procedures responsive to the needs of victims.<sup>9</sup>

Other positive developments in African countries have included legal reforms, adoption of new legislation, and court decisions upholding the fundamental human rights of LGBT people in Seychelles<sup>10</sup>, Mozambique,<sup>11</sup> Mauritius<sup>12</sup> and Botswana.<sup>13</sup>

<sup>7</sup> UN Mission in Liberia (UNMIL), OHCHR (2015). An Assessment of Human Rights Issues Emanating from Harmful Traditional Practices in Liberia. December 2015. Retrieved 12 December 2018 from [https://unmil.unmissions.org/sites/default/files/report\\_on\\_harmful\\_traditional\\_practices.pdf](https://unmil.unmissions.org/sites/default/files/report_on_harmful_traditional_practices.pdf).

<sup>8</sup> UNDP and UN Human Rights Office of the High Commissioner. Sexual Orientation, Gender Identity and Rights (SOGIR) Africa. Reducing Inequalities, Exclusion and Human Rights Violations Experienced by People of Diverse Sexual Orientation and Gender Identity in Africa.

<sup>9</sup> African Commission on People's and Human Rights (2014). Resolution on Protection against Violence and other Human Rights Violations against Persons on the basis of their real or imputed Sexual Orientation or Gender Identity. <https://www.achpr.org/sessions/resolutions?id=322>.

<sup>10</sup> Seychelles Penal Code (Amendment) Bill, 2016. See also Seychelles Employment Act (1995) arts. 2, 46A (1) and 46B, amended by Act 4 of 2006.

<sup>11</sup> Mozambique Law 35/2014 amending the Penal Code came into effect in June 2015. See also Mozambique Labour Law (2007) arts. 4, 5 and 108.

<sup>12</sup> Mauritian Equal Opportunities Act (2008) page 8 prohibits discrimination in employment and other activities on many grounds, including sexual orientation.

<sup>13</sup> See High Court of Botswana, Thuto Rammoge et al. v Attorney General of Botswana, MAHGB-OOO 175-13 (2014), 14 November 2014 and Court of Appeal of Botswana, CACGB-128-14, 16 March 2016. See also Botswana Employment (Amendment) Act 10 of 2010.

While these and related developments are very welcome, there remain important concerns about gaps in protection. Thirty-four out of 54 nations in Africa still criminalize consensual same-sex relations.<sup>14</sup> Recently, some countries including Liberia have broadened the scope of existing discriminatory criminal laws and penalties and have chosen to crack down on advocacy by LGBT and ally organizations.<sup>15</sup>

## Legal and policy environment

Liberia has ratified numerous international human rights treaties. These include the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the United Nations Convention on the Rights of the Child (CRC), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of Persons with Disabilities (CRPD), the ICESCR, and the ICCPR.<sup>16</sup> The principle of non-discrimination is also guaranteed in regional instruments, including the ACHPR.<sup>17</sup> As a signatory to these treaties, Liberia is required to submit regular reports to relevant UN treaty monitoring bodies that describe the steps taken in order to meet its obligations under the treaties concerned.

Liberia has received numerous recommendations from the Universal Periodic Review and United Nations treaty bodies with regard to its treatment of LGBT people.<sup>18</sup> In its recent review of compliance with the ICCPR, the Human Rights Committee expressed its concern at the impact of laws criminalizing same-sex sexual conduct, stigma and discrimination experienced by LGBT individuals and reprisals against those who advocate on their behalf. The Committee called on the Liberian authorities to take steps, as a matter of urgency, to decriminalize same-sex sexual relations between consenting adults, and to reject and redress stigma, discrimination and violence directed towards LGBT and intersex persons. Recommended measures included introducing new anti-discrimination measures coupled with the investigation and prosecution of any and all perpetrators of hate-motivated violence and ensuring the systemic collection of data of such acts to shape commensurate public education campaigns.<sup>19</sup>

<sup>14</sup> International Gay, Lesbian, Bisexual and Transgender Association (ILGA) (2017). State-sponsored homophobia: A world survey of sexual orientation laws—criminalisation, protection and recognition. 12th Edition, May 2017. (numbers updated in relation to Chad).

<sup>15</sup> Amnesty International (2013). Making love a crime: Criminalization of same-sex conduct in sub-Saharan Africa. AFR 01/001/2013, 25 June 2013.

<sup>16</sup> UN General Assembly (1966). International Covenant on Civil and Political Rights (ICCPR). Adopted 16 December 1966, entered into force 23 March 1976, in accordance with article 49. Retrieved 10 December 2018 from <https://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf>.

<sup>17</sup> Organization of African Unity (1981). African Charter on Human and Peoples' Rights. Adopted Nairobi 27 June 1981, entered into force 21 October 1986. Retrieved 10 December 2018 from <https://www.achpr.org/legalinstruments/detail?id=49>.

<sup>18</sup> Liberia received 12 recommendations related to sexual orientation and gender identity in the context of the 2015 Universal Periodic Review, three of which they accepted, including recommendations concerning criminalization and non-discrimination. See UN Human Rights Council (2015). Report of the working group on the Universal Periodic Review: Liberia. Addendum. A/HRC/30/4/Add.1, 25 September 2015.

<sup>19</sup> UN Human Rights Committee, Concluding observations on the initial report of Liberia. 27 August 2018, CCPR/C/LBR/CO/1; paras. 18-19.

Consistent with its commitments to international and regional human rights standards, the Constitution of the Republic of Liberia enshrines a series of fundamental human rights. These include the right to life and security of the person,<sup>20</sup> the right to equality before the law and to equal protection of the law,<sup>21</sup> the right to freedom of expression,<sup>22</sup> the right to privacy,<sup>23</sup> and the rights to freedom of thought, conscience and religion.<sup>24</sup> Liberia's Constitution also prohibits hindrance in the exercising of these and other rights on the basis of sex and other qualifications.<sup>25</sup> In its 2016 report to the UN Human Rights Committee, Liberia's Ministry of Justice reiterated that equal protection of all under the law is a constitutional right, and that this includes the right to be free from discrimination based on race, creed, religion, sex or gender.<sup>26</sup>

However, the Liberian Penal Law criminalizes consensual same sex conduct, which contravenes this commitment to non-discrimination. Under the heading "voluntary sodomy," Section 14.74 of the Penal Law stipulates that a person who engages in "deviate sexual intercourse," under circumstances previously excluded in the law as "involuntary", has committed a first-degree misdemeanour.<sup>27 28</sup>

The penalties for voluntary sodomy are specified in Chapter 50 of the Penal Law. Sections 50.7 and 50.9 provide that a person convicted of a misdemeanour of the first degree, such as voluntary sodomy, may be sentenced either "to a definite term of imprisonment to be fixed by the court at no more than one year,"<sup>29</sup> or to a fine of up to \$1,000.<sup>30</sup> Repeat offenders may be subjected to even heavier penalties.

There are several reports of police arresting, charging and detaining individuals based on these provisions in the Penal Code.<sup>31</sup> In October 2016, a gay man was arrested at his home and taken to the Central Police Station in Monrovia to investigate charges under section 14.74 of the Penal Code. He was later transferred to Kakata Central Prison where, at least as of April 2017, he continued to be detained.<sup>32</sup>

**20** Ibid., Article 20, pp 5

**21** Ibid., Article 11(c) pp 3

**22** Ibid., Article 15(a) pp 4

**23** Ibid., Article 16, pp 4

**24** Ibid., Article 14, pp 4

**25** Ibid., Article 11(b) pp 3

**26** Liberia National Human Rights Action Plan Steering Committee (2016). Initial Report to the International Covenant on Civil and Political Rights. Monrovia, Liberia, September 2016.

**27** Liberia Penal Law (1978). Title 26: Liberian Code of Laws Revised. Volume IV, Title 26. Approved 19 July 1978, published 3 April 1978. Retrieved 12 December 2018 from: <http://www.icla.up.ac.za/images/un/use-of-force/africa/Liberia/Penal%20Code%20Liberia%201978.pdf>.

**28** The law further defines "deviate sexual intercourse" as "sexual contact between human beings who are not husband and wife or living together as man and wife though not legally married, consisting of contact between the penis and the anus, the mouth and the penis, or the mouth and vulva." Ibid., chapter 14.79.

**29** Ibid., chapter 50.7(a)

**30** Ibid., chapter 50.9 (c)

**31** SAIL, TNOL, LEGAL, et. al. (2018). Human rights violations against lesbian, gay, bisexual, and transgender (LGBT) people in Liberia.

**32** Incident Reported to SAIL



Another individual was arrested in October 2016 for alleged sodomy and detained at the Monrovia Central Prison.<sup>33</sup>

As discussed in the next section, Liberian law has numerous pernicious effects. Beyond the immediate threat of arbitrary arrest and detention, the existence of laws criminalizing consensual same-sex conduct may deter victims of homophobic and transphobic hate crimes from coming forward to report incidents to the police – for fear of exposing themselves to harassment, extortion or arrest by police officers if their sexual orientation or gender identity were to become known. Criminalizing same sex conduct also has a wider social effect by creating a permissive environment for family members and others in the community to discriminate, harass, and intimidate people of diverse sexual orientation and gender identity. Even if they are rarely implemented, laws that criminalize consensual same-sex behaviour constitute discrimination in and of themselves.

Liberia’s criminalization of adult, consensual same-sex sexual relations violates Articles 17, 23, and 26 of the ICCPR, and Articles 2, 12, and 9 of the UDHR, which protect against unreasonable interference with regard to privacy, arbitrary detention and the right to freedom of opinion and expression.

The current legislative and social trends appear likely to make this difficult. In 2012 and in 2018 lawmakers attempted to make the laws criminalizing same-sex relationships even more severe. Three different legislators introduced bills that would have

- expanded the definition of criminal same-sex sexual conduct,
- reclassified the offense as a felony rather than a misdemeanor,
- increased the penalties for same-sex sexual conduct, and
- explicitly criminalized same-sex marriage.

The first bill would have had the effect of making violation of the same-sex marriage prohibition a first-degree felony, punishable by a minimum of ten years in prison and a maximum penalty of death.

The second bill proposed an amendment to the Penal Code to enable prosecution of anyone who “purposefully engage[s] in acts that arouse or tend to arouse another person of the same gender to have sexual intercourse,” or who “willfully and without regard to societal moral dignity, seduces, encourages, and promotes another person of the same gender to engage in sexual activities.”<sup>34</sup>

Similarly, the bill tabled in December 2018, which continues its progress in Congress at the time of writing, proposes amendments to the Penal Code to enable prosecution of any person who “has sexual intercourse with another person of the same gender (male/female) with our without consent of either person”, or who “purposefully engage

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**33** Incident Reported to SAIL

**34** Human Rights Watch (2013). It’s nature, not a crime: Discriminatory laws and LGBT people in Liberia. New York, 3 December 2013; page 23.

in acts that arouses or tend to arouse another person of the same gender (male/female) to have sexual intercourse”, or who “willfully, and with total disregard to societal moral dignity, seduces, encourages, promotes another person of the same gender (male or female) to engage in sexual activities”. The bill further proposes that “same sex practices” are a “felony of second degree”.<sup>35</sup>

In September 2015, the Liberian representative to the Human Rights Council in Geneva addressed this during his presentation of the country’s second cycle report to the Council’s UPR process. The then Minister of Justice, Councillor Benedict Sannoh, told the Council:

→ **Liberia notes recommendations on the subject of persons of diverse sexual orientation and gender identity. While it is true that the Constitution of Liberia prohibits discrimination and protects the fundamental rights and freedom of all persons within its borders without distinction on the basis of sexual orientation, the government would like to tread cautiously in this area until there has been adequate public discourse, sensitization and awareness on the need to protect these rights.**<sup>36</sup>

In addition to research of the Penal Code, a review of national policies has been included in this report to identify whether and how they address sexual orientation and gender identity rights. These include plans addressing human rights, HIV and AIDS, public health, employment and gender. Only two plans explicitly address these concerns.

The Liberia National Human Rights Action Plan (2013)<sup>37</sup> recognizes the situation of vulnerable and marginalized groups in Liberia, defined as including children, ethnic or religious groups, refugees and internally displaced persons, persons with disabilities, people living with HIV and affected by HIV, naturalized Liberians, the homeless, those struggling with substance abuse, the elderly and persons of a different sexual orientation and gender identity. The National Human Rights Action Plan commits to a number of actions in relation to this plan, notably in relation to people with disabilities, and more generally in relation to vulnerable groups. Unfortunately, no further specific actions are identified that pertain to people of diverse sexual orientation and gender identity.

<sup>35</sup> Bill presented on 8 November by Hon Clarence Korty Massaquoi.

<sup>36</sup> Oral intervention of Councillor Benedict Sannoh in September 2015, UPR review on the recommendations regarding LGBT rights by Brazil, France, Poland, Ireland, Canada and Colombia regarding LGBT rights.

<sup>37</sup> Liberia National Human Rights Action Plan Steering Committee (2016). Initial Report to the International Covenant on Civil and Political Rights. Monrovia, Liberia; page 23.

The only other national policy document that makes reference to sexual and gender minorities is the National HIV and AIDS Strategic Plan 2015-2020.<sup>38</sup> This plan acknowledges that the HIV burden is more pronounced among men who have sex with men (MSM). Liberia has reported to UNAIDS that 19.8% of MSM are living with HIV.<sup>39</sup> The National AIDS Commission, working with the Ministry of Health recognizes that information on HIV prevention and related services must be provided in order to meet the needs of each key population group, including MSM.

The other policies reviewed do not specifically mention sexual orientation or gender identity. In 2010, the national legislature amended the Public Health Law (1976) to address HIV and AIDS. The law prohibits vilification and stigmatization of people living with HIV. Additionally, the Ministry of Justice has established a Human Rights Unit that provides legal support for economically vulnerable groups; however, people of diverse sexual orientation and gender identity are not specifically mentioned.

The current Liberian Employment Policy<sup>40</sup> includes strategies aimed at increasing gender equality, enhancing accessible employment of people with disabilities as well as ensuring social inclusion of disadvantaged youth. However, there are no clear-cut strategies for improving employability or reducing discrimination in the workplace for persons of diverse sexual orientation and gender identity.

The National Gender Policy (2009)<sup>41</sup> recognizes children, youth, the elderly, people living with HIV and people with disabilities as vulnerable groups that require support to participate in and benefit from national development programmes. The policy specifically recognizes that these groups face unique challenges, including lack of user-friendly facilities and services in the job market. While plans do exist to support each of these groups, the policy is conspicuously silent on persons of diverse sexual orientation and gender identity.

Under the current circumstances, local authorities and law enforcement officials lack clear guidance beyond the Penal Law on sexual orientation and gender identity; as discussed in the next section, this absence shows clearly in the ways existing laws are implemented.

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**38** Republic of Liberia (2014). National HIV & AIDS Strategic Plan 2015 – 2020. July 2014. Retrieved from: [http://www.nacliberia.org/doc/Liberia%20NSP%202015-2020%20Final%20Authorized\\_%20OK.pdf](http://www.nacliberia.org/doc/Liberia%20NSP%202015-2020%20Final%20Authorized_%20OK.pdf).

**39** UNAIDS. Liberia country factsheet 2017. Retrieved 12 December 2018 from: <http://www.unaids.org/en/regionscountries/countries/liberia>.

**40** Republic of Liberia Ministry of Labour (2009). Employment Policy, 1 April 2009; page 16.

**41** Ministry of Gender and Development (2009). The National Gender Policy, Abridged Version, 2009. Retrieved 12 December 2018 from: [http://www.africanchildforum.org/clr/policy%20per%20country/liberia/liberia\\_gender\\_2009\\_en.pdf](http://www.africanchildforum.org/clr/policy%20per%20country/liberia/liberia_gender_2009_en.pdf).

## Local authorities and the police

Liberian judiciary officials have emphasized that sexual orientation or gender identity should not be grounds for prosecution of anyone and further, that the judiciary should not be influenced by negative social attitudes, myths and stereotypes about sexual orientation or gender identity. An attorney in Grand Bassa county interviewed for this report said:

—————> **We cannot judge people based on how other people judge them. The justice system must stand straight. You must have evidence to prosecute anybody.**

When asked to give his comments about equal protection of the law and equal enjoyment of rights for LGBT persons in Liberia, the same respondent observed:

—————> **The rights of all people are supposed to be protected. It is the judiciary that interprets the law. The only time you can be criminalized is when you violate laws, but what is not on [the] books shouldn't [be] perceived [as] a crime ... so, the judicial system is supposed to protect everybody: gay, lesbian, transgender, bisexual etc.**

However, the research for this report found numerous instances where police either harassed people based on their real or perceived sexual orientation or gender identity, or failed to investigate crimes against those persons. As noted above, there continue to be reported instances of arbitrary arrest and detention of individuals suspected of engaging in same-sex sexual conduct. Although there have been no reported cases of convictions, the accused are often held in jail, without trial, for prolonged periods of time. The police have reportedly abused detainees, both verbally and physically, and have confiscated their property.

The Liberian National Police confirmed that Community Policing Departments receive reports from LGBT persons of violence and related human rights abuses based on sexual orientation and gender identity. Civil society organizations have also documented cases in which police detained individuals without charge or trial, or subjected them to abusive treatment and blackmail, on the basis of sexual orientation or gender identity.<sup>42</sup> A 2018 shadow report to the United Nations Human Rights Committee provides several recent cases of arbitrary arrest and detention.<sup>43</sup> In cases where police action

<sup>42</sup> Human Rights Watch (2013), *It's nature, not a crime*; and Swedish International Development Cooperation Agency (Sida) (2014). *The Rights of LGBTI People in Liberia*, December 2014. Retrieved 12 December 2018 from: <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/LGBTi/rights-of-LGBT-persons-liberia.pdf>.

<sup>43</sup> Stop AIDS in Liberia (SAIL), Transgender Network of Liberia (TNOL), Lesbian and Gay Association of Liberia (LEGAL), et. al. (2018). *Human rights violations against lesbian, gay, bisexual, and transgender (LGBT) people in Liberia: Submitted for consideration at the 122nd Session of the Human Rights Committee, April 2017*. Retrieved 12 December 2018 from: [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/LBR/INT\\_CCPR\\_ICO\\_LBR\\_27270\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/LBR/INT_CCPR_ICO_LBR_27270_E.pdf).

does result in arrests, perpetrators are frequently released without charge, and in the absence of adequate investigations.<sup>44</sup> During consultations for this report, a police official at the Central Police Station in Monrovia acknowledged this, saying:

→ **When we go to meet people during our town hall meetings, we receive information that sometimes our officers lash out at LGBT people. Additionally, we receive claims that police officers do not give credence to reports of human rights abuse brought by persons of diverse sexual orientation and gender identity.**

The reluctance to investigate hate crimes against LGBT people described by this official was underscored in the sources for this report. The Liberian Initiative for the Promotion of Rights, Identity, Diversity, and Equality (LIPRIDE), which has provided human rights training to members of the Liberian National Police, found that 40 out of 52 persons of diverse sexual orientation and gender identity who visited a police station in Montserrado county in a 12-month period did so in order to report a violation of their human rights.<sup>45</sup> However, LGBT victims of crimes face multiple barriers in accessing justice and remedy. They described concerns about disclosing their sexual orientation or gender identity to law enforcement officials; fears of retaliation; lack of confidence in the police, judiciary and other agencies; and bias and corruption in the investigative agencies.

Worse still, there are documented cases of LGBT victims of crime going to the police to report a crime only to face arrest themselves under the Penal Law. In November 2017, for example, the police arrested an individual who had come to a police station to report a theft and same sex intimate partner violence. Instead of investigating the victim's allegations, the police arrested and charged him with committing sodomy.<sup>46</sup> Similarly in September 2016, a gay man reported to the police that he had been receiving death threats. Investigations were initially carried out, but the case was thrown out on the spurious grounds that the victim "was a homosexual man, and homosexuality is against the law."<sup>47</sup> The victim who had reported the death threats was arrested and held overnight in a police cell.

<sup>44</sup> SAIL, TNOL, LEGAL et al (2018). Human rights violations against LGBT People in Liberia.

<sup>45</sup> Canada: Immigration and Refugee Board of Canada, Liberia: Information on the Liberian Initiative for the Promotion of Rights, Identity and Equality (LIPRIDE) and the Liberia Women Empowerment Network (LIWEN), including objectives; treatment of members by society and authorities (2014-January 2017), 23 January 2017, LBR105721.E, available at: <https://www.refworld.org/docid/59b248b04.html> [accessed 17 January 2019]

<sup>46</sup> Incident reported by SAIL during the research of this report in an individual interview in September 2017

<sup>47</sup> Incident reported by SAIL during the research of this report in an individual interview in September 2017

In yet another instance, in early 2016, a gay man who had been assaulted and beaten reported the offense to the police. However, instead of investigating the victim's complaint, the police arrested the victim because the alleged perpetrator told the police that the victim was a homosexual.<sup>48</sup>

The Liberian Constitution, under Chapter 3, article 11, part (c), calls for equal protection of all persons before the law and equal protection of the law.<sup>49</sup> This right is likewise enshrined in the ACHPR and the ICCPR and should be upheld by law enforcement in Liberia.

## Cultural and social attitudes

Discrimination and violence against individuals based on their sexual orientation and gender identity is widely reported in Liberia. Tradition and religion strongly influence beliefs, practices, values and norms and as a result many Liberians hold negative and pejorative views of LGBT people.

In 2012, the former Chairman of Liberia's Truth and Reconciliation Commission, Jerome Verdier, wrote in an open letter that homosexuality is "anti-Liberian and anti-God" and is "condemnable as an abomination for the nation."<sup>50</sup> Other political personalities have also made homophobic statements and disseminated harmful myths and stereotypes, characterizing homosexuality as "un-African" as well as being contrary to traditional African values.<sup>51</sup> These views ignore findings by historians that LGBT persons have long been part of Liberian society and traditional societies across Africa.<sup>52</sup>

LGBT people are frequently targets of inflammatory, derogatory, and intimidating language in both private and public spaces in Liberia.

<sup>48</sup> United States Department of State (2016). Bureau of Democracy, Human Rights and Labor, Country Reports on Human Rights Practices for 2016: Liberia. Retrieved 12 December 2018 from: <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265270>; p. 26.

<sup>49</sup> Constitution of the Republic of Liberia (1986). Retrieved 12 December 2018 from: <https://wipo.lex.wipo.int/en/text/207595>.

<sup>50</sup> Front Page Africa (2012). Jerome Verdier, *Open Letter, Homosexuality is Anti-Liberia! Anti-God!* Jan. 12, 2012. The letter has since been removed from the newspaper's website.

<sup>51</sup> Human Rights Watch (2013). It's nature, not a crime: Discriminatory laws and LGBT people in Liberia; supra note 16, p. 32.

<sup>52</sup> Epprecht M (2004). *Hungochani: The history of a dissident sexuality in Southern Africa*. Montreal, Canada: McGill-Queen's University Press; Evans-Pritchard EE (1976). *Witchcraft, Oracles and magic among the Azande*. Oxford: Oxford University Press; Morgan R and S Wierenga (2005). *Tommy boys, lesbian men and ancestral wives*. Gauteng, South Africa: Jacana Media; and Murray S and W Roscoe (1998). *Boy-wives and female husbands: studies of African homosexualities*. New York: Palgrave MacMillan.

As a result, consultations for this report found widespread fear to disclose sexual orientation. One respondent in Grand Bassa county noted:

—————> **We are many in Liberia, but some of our friends are still in the ‘closet’ for fear of the way people will talk about them. They fear discrimination from the community. Besides, some of us are still young, and we are still living with our parents. We depend on our parents for every day needs like housing, school fees, and food. I cannot tell my parent or relative that I am a gay. I will be thrown out of the house if my parent comes to know about it.**

During the consultations held between September and December 2017, several organizations noted that those perceived to be gay, lesbian, bisexual or transgender are often subjected to intimidation, bullying, insults, and social exclusion, as well as the threat of arbitrary arrest and detention. According to representatives of those organizations, perpetrators of violence can attack LGBT persons with impunity because they know that the victims are afraid of stigma and discrimination and are unlikely to report incidents to the police, and, if they do, may face police inaction, indifference or worse.

In its 2018 submission to the United Nations Human Rights Committee, the Lesbian and Gay Association of Liberia documented numerous recent incidents of violence against LGBT individuals in Liberia – some of which were never reported to the police, others that were reported but where the perpetrators were never prosecuted. Such incidents include the case of a young trans man attacked and beaten in Monrovia and the gang rape of a trans person in Grand Bassa county in 2017.

During consultations, it was found that some parents and members of the public report people to the police station upon suspecting them of being lesbian, gay, bisexual or transgender. One lesbian respondent in Montserrado county stated:

—————> **I was beaten and taken to the police station by my parents on suspecting I was lesbian. They also took my friend and we were both locked up in the police cell.**

Many influential figures including cultural leaders express intolerance and negative attitudes towards LGBT people. During a consultation with a traditional leader in Nimba County for example, he stated:

→ **Traditionally it is not good for people to practice such behaviour of homosexuality. If I get to learn of it, I will invite them for a meeting to inform them that what they are doing is not good. But if they continue, we deal with them traditionally because this is not good to be in our midst. We are cultural and traditional people; this is not the way we are supposed to teach our children. We should teach them so that they are able to follow the footsteps of our ancestors. I will not allow a person of diverse sexual orientation and gender identity to be part of my community because they will convince other peers to be like them. If a member of my tradition is LGBT, we issue a fine to him or her. Or we will pick the person and place him or her somewhere. Traditionally, we will collect him and put him in the “bush schools”<sup>53</sup> for a few months or year, so that he can change.**

## Religion

During the consultation event all participants noted that religion has a big impact on the way the LGBT community is perceived in society and is responsible for the high level of harassment and discrimination they face. Many reported that they are frequently told they are “not living according to God’s principles”, and as a consequence have been asked to leave their churches.

Numerous statements by religious leaders discriminate or incite hate or violence against LGBT people. In 2012, a number of religious figures formed an “Anti-Gay Rights Campaign” to lobby the government against the human rights of gay and lesbian persons.<sup>54</sup> In 2014, members of the clergy in Liberia signed a resolution placing the blame for the Ebola outbreak on LGBT people.<sup>55</sup> A senior cleric declared that God was “punishing Liberia for being too gay.”<sup>56</sup> These remarks led to a wave of violence and threats against persons perceived as LGBT.

On 3 December 2017, the Facebook page of the Liberian talk show “Society and Religion,” reported how an LGBT human rights defender was verbally attacked by a religious leader; the religious leader further advocated for the mass incarceration of

<sup>53</sup> “Bush Schools” are centres where boys and girls are taken to learn from traditional leaders where they are initiated in traditional practices and thought about the roles of men and female in society.

<sup>54</sup> The Analyst, AllAfrica.com (2012). Liberia: Christians intensify anti-gay campaign - rally more signatories to press govt pass felonious law. AllAfrica.com, 2 September 2012. Retrieved 12 December 2018 from: <http://allafrica.com/stories/201209030769.html>.

<sup>55</sup> Aravosis J (2014). Catholic, Episcopal leaders in Liberia: Ebola is God’s punishment for “penetrating homosexuality.” America Blog, 7 August 2014. Retrieved 12 December 2018 from: <http://americablog.com/2014/08/catholic-episcopal-leaders-liberia-blame-gays-ebola.html>.

<sup>56</sup> Ibid.



those identifying as persons of diverse sexual orientation or gender identity in Liberia.<sup>57</sup>

Some religious leaders openly support barring LGBT people from active involvement in church activities. For example, a religious leader in Nimba county told the authors of the present report:

→ **I will allow them to be part of the congregation but I will not allow them to take leadership roles because it will be like I am encouraging other people to do the same. As a leader, other people will learn from your example, if you are somebody living in sin, and not just sin, but you are going against nature, and against what God wants to be done in human life, I will not allow you to be in leadership, I will counsel you so that you change.**

Homophobic and transphobic statements and actions such as these affect the protection of the rights and freedoms of LGBT and other gender non-conforming individuals, and foster a climate of fear, hatred, violence and discrimination.

Another participant described their ostracism by their church group:

→ **I was part of a singing group at the church, and was outed by a member of the group who knew I was gay. The executive committee called me to a meeting to admit my sexuality. I had to go through a process with the spiritual and evangelism team to stop being gay. I refused to attend. I was kicked out of the group, and all the members every time they saw me in the street started finger-pointing me. I couldn't take it. I had to leave and find another place to live.**

However, it's important to note that support from religious leaders is growing in Liberia. Indeed, religious leaders from the Lutheran and Muslim community in 2019 starting to run workshops and awareness raising activities about the rights of LGBT people and the need to ensure they are accepted and protected within their community.

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57 "Society and Religion," Facebook, Dec. 1, 2017 [https://www.facebook.com/permalink.php?story\\_fbid=936999119786468&id=729098663909849](https://www.facebook.com/permalink.php?story_fbid=936999119786468&id=729098663909849) (accessed January 2019)

## Key Institutions

There is acknowledgment by key national institutions that persons of diverse sexual orientation and gender identity exist in Liberia. However, as noted above, few have any concrete plans to address the needs of these communities, and discrimination is widespread.

In particular, many agencies do not recognize or respect the gender identity and expression of transgender people, which contributes to the violence and discrimination that they face, including from public officials. Participants shared examples of officials harassing and attacking transgender people based on their appearance, and denying transgender people access to public buildings, transport, and health facilities. For example, in April 2016 a transgender social worker was reportedly harassed and denied entry to the Ministry of Health by security personnel and asked to leave because “[her] hair makes [her] look like a woman.”<sup>58</sup>

Even agencies that have the clear mandate to address rights violations based on sexual orientation and gender identity may struggle to do so effectively. The Human Rights Section of the Ministry of Justice works with LGBT persons to redress cases of human rights violations and abuse. As noted before, the then Minister of Justice in September 2015, when addressing the recommendations of the second cycle of the UPR noted that “the government has taken on the position to tread cautiously in how it goes about protection and promotion of the rights of people of diverse sexual orientation and gender identity.”<sup>59</sup>

The legislature has the mandate to enact laws that safeguard the rights of all citizens without distinction on grounds of sexual orientation, gender identity or any other status. Nevertheless, both the Penal Law, in its present form, and recent draft bills proposed in Parliament, are clearly discriminatory. A member of the Human Rights Committee of the House of Representatives explained to the authors of this report that different viewpoints exist within Parliament on this matter, with some members of Parliament arguing in favour of the draft anti-gay bills that were proposed in the name of their Christian beliefs.

Similarly, the Independent National Commission on Human Rights (INCHR) recognizes that cases of human rights violation against persons based on sexual orientation and gender identity are referred to them. However, in consultations for this report representatives of the INCHR noted that victims of human rights abuses based on sexual orientation or gender identity often fear disclosing the motivation for the attack, partly because of the level of stigma associated it.

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**58** SAIL, TNOL, LEGAL, et. al. (2018). Human rights violations against LGBT people in Liberia.

**59** Oral intervention of Councillor Benedict Sannoh in September 2015, UPR review on the recommendations regarding LGBT rights by Brazil, France, Poland, Ireland, Canada, Colombia regarding LGBT rights.

Thus, the context is often hidden even in the few cases that are reported. During consultations, an official confirmed this and explained:

—————> **At the police station, they report that the party was disturbed and we were beaten, or some of us received death threats. The police, in most cases, find it challenging to address the case without correct or complete evidence. Thus [they] refer it to us [the Commission] as an issue where some rights were denied or violated.**

Thus, the continued existence of laws that criminalize persons based on their perceived or real sexual orientation and gender identity entrenches discrimination and adversely affects the rule of law.

The INCHR highlighted additional challenges in terms of organizing activities on the topic, given the political sensitivities. Nonetheless, human rights defenders and members of Liberia's LGBT community have made tremendous progress in raising awareness. Their activities include human rights training, community dialogues and campaigns such as human rights training workshops with representatives of key populations exposed to the risk of HIV, including individuals of diverse sexual orientations and gender identities as well as sex workers.

Traditional leaders continue to have a great deal of influence and extraordinary powers in Liberia. Nearly all aspects of life continue to be subject to tribal and traditional rules: such as community administration, conflict resolution, law enforcement, security, community health and the preservation of cultural and traditional heritage.

Participants at the consultation event noted that traditional leaders often speak out against the rights of the LGBT people or deny the existence of the LGBT community. These positions exacerbate mistreatment and justify discrimination. One gay participant told us:

—————> **Traditional leaders always say that gays do not exist in Africa, they only exist in Europe. And because of this, everyone in the community feels [it] is ok to harass us, and treat us badly.**

The Liberian Constitution guarantees the right to civil and political participation to every citizen, and civil and political rights are further enshrined in the ACHPR and the ICCPR ratified by Liberia. However, for most LGBT Liberians, active participation in the political process is effectively hindered by fear of smears, intimidation and physical attack from members of the public. During the presidential and legislative election campaigns of 2017, for example, some candidates for election made hateful statements with regards to homosexuality and LGBT people.<sup>60</sup>

<sup>60</sup> See World Politics Review, *Liberia Sees a Backlash Against Gay Rights Ahead of Next Year's Election*, article by: Robbie Corey-Boule. 27 October 2017. Available at: <https://www.worldpoliticsreview.com/articles/20290/liberia-sees-a-backlash-against-gay-rights-ahead-of-next-year-s-election>. Accessed on 17 January 2019.

During the consultation, participants noted that they do not feel they can engage in political or civic activities. One gay participant told us “I was denied to run to be the chairman of the Atlantic Youth Club, because everyone knew I was gay.” In particular, transgender women told us they feel their ability to participate in the public sphere is limited.

In the absence of strong support from most key national institutions, civil society organizations have played an important role, such as Stop AIDS in Liberia (SAIL), the Transgender Network of Liberia (TNOL), the Lesbian and Gay Association of Liberia (LEGAL), the Association of Gay Men Living Positively with HIV (ALL+), the Liberian Initiative for the Promotion of Rights, Identity, Diversity, and Equality (LIPRIDE), ActionAid Liberia, the Liberian Women Empowerment Network (LIWEN) and Youth Alive Liberia (YAL). All these organizations work directly or indirectly with persons of diverse sexual orientation and gender identity.

These organizations joined forces in 2018 to produce and submit a joint shadow report to the United Nations Human Rights Committee on the human rights situation of LGBT persons in Liberia, with additional support from the Initiative for Equal Rights (TIERS), the Centre for International Human Rights (CIHR) of North-western Pritzker School of Law, and Synergía - Initiatives for Human Rights.

LIPRIDE and its member organizations also work directly with state institutions to increase awareness of the health and human rights challenges facing LGBT persons. National partners in this context include the Ministry of Justice, the Liberia National Police, and the Armed Forces of Liberia.

Even so, LGBT organizations reportedly continue to face serious challenges in sensitizing officials and overhauling policy and practice. Harassment, hate speech, negative attitudes and limited cooperation from other civil society organizations and government institutions remain areas of concern. In addition, as discussed further below, leaders of some organizations working with LGBT persons in Liberia reported continued obstacles to obtaining registration with some being told by officials that their work is illegal in Liberia.

**Protection  
of the rights  
of people of  
diverse sexual  
orientation  
and gender  
identity  
in Liberia**



## Family affairs

Most Liberians who identify as LGBT report fearing to come out as gay, lesbian, bisexual, or transgender. Being known as gay, lesbian, bisexual or transgender carries a high risk of becoming a social pariah, shunned by family, neighbours, the church and social circles and isolated from the broader community. Many Liberians treat LGBT people as scapegoats for a variety of ills from poverty to natural disasters, HIV and disease.<sup>61</sup>

There have been reports of parents and siblings shunning, disowning and disinheriting members of their family because of their sexual orientation and gender identity<sup>62</sup> – in some cases intimidating, threatening or using physical violence against them as punishment for bringing so-called shame on the family.

During the consultation event, most participants noted that they were asked to leave their homes when they came out to their parents and, as a consequence, many have experienced homelessness. One of the participants told us:

→ **At the age of 17, after coming out, my family disowned me, and I ended up in the street. I became a prostitute, and I still am.**

During the same consultation event, another participant noted that in October 2016, a 19-year-old gay man was thrown out of his home by his mother once she found out about his sexual orientation. The mother told the young man to leave as soon as possible, based on the harmful myth that his sexual orientation was unnatural and could be passed on to others. This highlights the important public education work that needs to be carried out to counter the widespread stigma, harmful myths and stereotypes about LGBT people in Liberia.

Many of the members of the LGBT community in the consultation event noted that prejudice, social stress and rejection at home have had an adverse effect on their long-term mental health and self-acceptance.

<sup>61</sup> Human Rights Watch (2013). It's nature, not a crime.

<sup>62</sup> Human Rights Watch (2013), It's nature, not a crime; supra note 16, pp. 11, 28, 33-36.



## Education

Everyone is entitled to an education free from violence and discrimination. This right is enshrined in the Liberian Constitution and in international and regional human rights treaties ratified by Liberia.

Nevertheless, evidence gathered for this report suggests that students who are discovered to be lesbian, gay, bisexual or transgender are far more likely than their peers to experience persistent harassment and bullying from fellow students both at school and in higher education. Some schools have reportedly expelled students because of their sexual orientation or gender identity, blighting their chances to obtain qualifications and gain employment.<sup>63</sup>

During the consultation event, transgender people, gays and lesbians all noted that their educational experience was marred by bullying, discrimination, and in some cases violence, including sexual violence. They highlighted the adverse treatment they had experienced from peers and teachers, and the discriminatory policies and laws that stigmatize and disadvantage students of diverse sexual orientation and gender identity. One of the participants reported, “When I was in school, boys usually pushed me and punched me, and teachers never did anything.”

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**63** SAIL, TNOL, LEGAL, et. al. (2018). Human rights violations against lesbian, gay, bisexual, and transgender (LGBT) people in Liberia.



## Work and employment

The Liberian Constitution provides that “All Liberian citizens shall have equal opportunity for work and employment regardless of sex, creed, religion, ethnic background, place of origin or political affiliation, all shall be entitled to equal pay for equal work.”<sup>64</sup> Furthermore, according to Liberia’s Employment Policy, “[...]some groups of young people face specific hardships due to discrimination and social exclusion, including those with disabilities, those affected by HIV and AIDS, demobilized soldiers, ethnic minorities, and migrants.” The policy recommends that programmes aimed at these special groups should be developed by government with support from skilled and experienced development experts.<sup>65</sup>

Unfortunately, LGBT persons are not cited explicitly in the policy as vulnerable to discrimination and social exclusion and no mention is made of employment programmes directed towards improving their social and economic livelihood.

As is the case in countries around the world,<sup>66</sup> testimonies by LGBT people in Liberia indicate widespread discrimination in employment on the basis of sexual orientation and gender identity. Reports suggest that many employers in Liberia treat LGBT persons with contempt, and would fire or refuse to hire someone based purely on their sexual orientation or gender identity. As a result, according to persons of diverse sexual orientations and gender identities in Monrovia and Montserrado County interviewed for this report, LGBT employees in both the public and private sector are under enormous pressure to conceal their identities for fear of abusive and discriminatory treatment, by both employers and co-workers. This is consistent with reports from Liberian civil society organizations.<sup>67</sup>

For many, according to participants in the consultation event, finding a job is very difficult. This is particularly true for members of the transgender community. One of the transgender participants told us:



**I am a sex worker. There is nothing else I can do. People see me, and they do not take me seriously, or don’t want to be around me. I understand that being a sex worker is the only thing I can do as a job.**

<sup>64</sup> Constitution of the Republic of Liberia (1986); article 18..

<sup>65</sup> Republic of Liberia Ministry of Labour (2009). Employment Policy, page 16.

<sup>66</sup> International Labour Organization (2016). Gender Identity and sexual orientation: Promoting rights, diversity and equality in the world of work. 16 May 2016. Retrieved 12 December 2018 from: [https://www.ilo.org/gender/Informationresources/Publications/WCMS\\_481575/lang--en/index.htm](https://www.ilo.org/gender/Informationresources/Publications/WCMS_481575/lang--en/index.htm).

<sup>67</sup> Human Rights Violations Against Lesbian, Gay, Bisexual, and Transgender (LGBT) People in Liberia Submitted for consideration at the 120th Session of the Human Rights Committee Submitted by Stop AIDS in Liberia (SAIL), Transgender Network of Liberia (TNOL), Lesbian and Gay Association of Liberia (LEGAL), Liberian Initiative for the Promotion of Rights, Identity, Diversity and Equality (LIPRIDE), Association of Liberian People Living with HIV and AIDS (ALL+), ActionAid Liberia (AAL), The Initiative for Equal Rights (TIERs), Center for International Human Rights (CIHR), Northwestern Pritzker School of Law Global Initiatives for Human Rights (GIHR) of Heartland Alliance for Human Needs & Human Rights. Available at: [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/LBR/INT\\_CCPR\\_ICO\\_LBR\\_27270\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/LBR/INT_CCPR_ICO_LBR_27270_E.pdf). Accessed on 17 January 2019.





## Community and society

The rights to life, liberty and security of the person are protected under Article 20 of the Liberian Constitution, Articles 4 and 6 of the ACHPR and Articles 6 and 9 of the ICCPR. These rights apply to all persons without distinction, including on the basis of someone's sexual orientation and gender identity. Everybody is entitled to protection from violent attacks, and to expect that any such attack, should it occur, be promptly and thoroughly investigated, the perpetrators prosecuted, and victims provided with remedy.

However, as noted above, the reality of many LGBT people in Liberia is characterized by the threat of violence. In many instances, perpetrators commit their crimes with impunity. All participants in the consultation event reported that they had either experienced some type of violence during their lifetime or know of someone who has been a victim of violence because of their sexual orientation or gender identity.

In particular, many told us they have been victims of sexual violence. One gay participant told us:



**I was raped by my uncle, after I came out to my parents, when I told my mother, she said I was lying. She told me that my uncle called her to tell her that I was stealing money. She did nothing. She believed him.**

Human rights defenders who either identify as LGBT or who advocate in support of the rights of LGBT persons are at heightened risk of attack. During consultations preceding the preparation of this report, as well as for the consultation event, human rights defenders reported being attacked for their work by their own neighbours as well as by members of the public. Representatives of a NGOs in the consultation event reported that on 22 September 2018, the weekend preceding the consultation event, four of their staff were attacked by members of the local community after an HIV awareness-raising event. According to the NGO, police officers who tried to disperse the fight were also beaten by the community.



## Health including HIV

Article 16 of the ACHPR upholds the right of every person to enjoy the highest attainable state of physical and mental health, without discrimination and calls on States to take necessary measures to protect the health of their people and ensure they receive medical attention. The right to health is likewise enshrined in the UDHR and the ICESCR ratified by Liberia.

While LGBT people are vulnerable to numerous health issues, including heightened risk of HIV, they report widespread health sector discrimination that impedes their access to health services.

In Liberia, HIV is concentrated among key populations vulnerable to the virus, including MSM and transgender people. Liberia reports extremely high HIV prevalence of 19.8% among MSM, as compared to 1% HIV prevalence among men aged 15 to 49 in the general population.<sup>68</sup> Stigma, discrimination and laws that penalize consensual same-sex relations fuel the spread of HIV by making it harder for key populations, including men who have sex with men and transgender women, to access prevention services, and dissuades them from seeking treatment.

LGBT people report that they are less likely than their peers to seek health care for fear of experiencing stigma and discrimination at health facilities. Human rights organizations have documented widespread negative stereotypes towards LGBT people in Liberia on the part of medical workers.<sup>69</sup> Some LGBT individuals who have sought medical attention report being subjected to humiliating treatment.<sup>70</sup> For example, in May 2015 a transgender woman was turned away from a hospital, although she was bleeding heavily after having been attacked. The nurses at the hospital told her, “People of [her] kind should not pollute the hospital.”<sup>71</sup>

LGBT people at the consultation event noted that they have all experienced discrimination in accessing health services. According to participants, as a result of this discrimination many either no longer seek medical attention or conceal their sexual orientation or gender identity when they do. Members of the lesbian and transgender communities noted that they face significant levels of harassment in health centres especially when accessing health and reproductive advice, whilst people who identify as gay highlighted that they have frequently been refused consultation or treatment.

68 UNAIDS (2017). Country fact sheets: Liberia. Retrieved 14 December 2018 from: <http://www.unaids.org/en/regionscountries/countries/liberia>.

69 Human Rights Watch (2013). *It's Nature, Not a Crime*.

70 SAIL, TNOL, LEGAL et al (2018). Human rights violations against LGBT people in Liberia.

71 Ibid.

One lesbian participant told us:



**There are challenges from health centre to health centre. If you go to the health centre for treatment they are not concerned about your health, but only about your sexual orientation. Telling them who you are is not good, because if you tell them you are not given treatment.**

The fundamental human rights of lesbian and bisexual women, as well as transgender persons, sex workers and others most at-risk of violence and related human rights violations, have not been adequately protected, including in the context of efforts to combat sexual and gender based violence as well as in the provision of sexual and reproductive health services and information.<sup>72</sup>

Furthermore, it is important to note that the World Health Organization has emphasized multiple times that homosexuality is not a disease, that it does not require treatment, that attempts to forcefully change someone's sexual orientation is harmful, unethical and ineffective.<sup>73</sup>



## Media including information and communication technology

With relatively few LGBT people in Liberia able to disclose their sexual orientations and gender identities, most form their perceptions of LGBT people from the media, religious leaders and politicians who have often stoked anti-LGBT sentiment. The media in particular has actively contributed to a climate of stigma, intolerance and violence through misleading, biased and inflammatory reporting and editorials.<sup>74</sup>

For example in June 2016, *The Inquirer*, a newspaper, published a cartoon and sponsored an essay contest that compared homosexuality to female genital mutilation, and asked readers which was worse for Liberian society.<sup>75</sup> In December 2017, *The Parrot*, another newspaper, published an edition that stoked public fear and homophobia by linking a candidate for election with gay people.

<sup>72</sup> Liberia Initiative for the Promotion of Rights, Independence, Diversity, and Equality (LIPRIDE) and ILGA (2015). Shadow report on Liberia. Submitted to: Committee on the Elimination of Discrimination Against Women. October 2015. Retrieved 12 December 2018 from: <https://ilga.org/wp-content/uploads/2016/02/Liberia-Shadow-Report-for-the-62nd-Session-of-CEDAW.pdf>.

<sup>73</sup> Cochran SD, Drescher J, Kizmödi E et. al. (2014). Proposed declassification of disease categories related to sexual orientation in the *International Statistical Classification of Diseases and Related Health Problems (ICD-11)*. Bulletin of the World Health Organization, 92: 672-679. Retrieved 14 December 2018 from: <https://www.who.int/bulletin/volumes/92/9/14-135541/en/>.

<sup>74</sup> Sida (2014). The rights of LGBTI people in Liberia.

<sup>75</sup> SAIL, TNOL, LEGAL et al (2018). Human rights violations against LGBT people in Liberia.



## Other concerns: Housing

While the right to adequate housing without discrimination is enshrined in the Universal Declaration of Human Rights and the ICESCR, interviews with LGBT people in Monrovia for this report highlighted that they are sometimes denied accommodation by landlords based on their sexual orientation and gender identity.

Some noted that discrimination when accessing housing is widespread, particularly for members of the transgender community and those in a same-sex relationship. Most noted that they have at some point in their lives either been denied accommodation, or asked to leave when their landlord became aware of their sexual orientation. One gay participant said,

—————> **I have been with my boyfriend for over 6 years, and although we want to live together, we fear that the landlord will not accept it. When my boyfriend comes to visit me, he always leaves early, and makes sure no one sees him.**

Another participant said,

—————> **After negotiating with the landlord, I gave him the money, but when I went with my things, he refused to give me the room. He told me the people in the house knew I was gay and did not want to live with me. He said if I went to the police, he would tell them I gave him the money because I wanted to sleep with him. So I left, but had no money. I was homeless for almost one month because I didn't have savings.**

# Capacity of SOGI organizations in Liberia

Currently, there are seven Liberian civil society groups that work directly with human rights, sexual orientation and gender identity. These organizations have formed LIPRIDE, a coalition with 17 member organizations. The coalition and its members confront an array of challenges – from legal and security threats, to widespread social and legal discrimination, increasing incidents of hate crimes as well as the lack of a legal framework for protection of the basic human rights of LGBT persons.<sup>76</sup>

LIPRIDE and SAIL are both legally registered entities. However, at least two other organizations – the Lesbian and Gay Association of Liberia and the Transgender Network of Liberia – have been denied registration as legal entities by the Liberian Business Registry on grounds of the names and objectives of their organizations being “legally unacceptable” in Liberia. The Executive Director of the Transgender Network of Liberia (TNOL) reported that her organization was denied a business registration certificate on the basis that “the work of the organization is not legal in Liberia.”

Communications and campaigns on issues concerning LGBT persons are usually initiated through LIPRIDE. Through LIPRIDE, some organizations have been able to report on the human rights situation of LGBT persons in Liberia through shadow reporting to UPR<sup>77</sup>. The coalition however, faces capacity constraints, especially in the area of advocacy and public information work.

Some of the organizations working with LGBT, MSM and persons living with HIV have been involved in an Integrated Bio-Behavioural Study (IBBS),<sup>78</sup> a programmatic mapping study, and a key population size estimation study, working with institutions such as the Ministry of Health and international NGOs such as Population Services International Liberia.

A baseline survey conducted by ActionAid Liberia<sup>79</sup> identified seven areas where further capacity and organizational development is needed: fundraising, strategic planning, office administration procedures, internal and external communication, project management, managerial/leadership skills, and advocacy. Organizations and groups working with LGBT persons in Liberia face severely limited funding. Smaller groups have too few resources – financial and human – to engage in effective outreach.

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**76** Sida (2014). The rights of LGBTI people in Liberia.

**77** LIPRIDE and ILGA (2015). Shadow report on Liberia.

**78** Republic of Liberia (2014). National HIV & AIDS Strategic Plan 2015 – 2020; Page 38.

**79** ActionAid Liberia (2015). Women and the City III: A Summary of Baseline Data on Women's Experience of Violence in Seven Countries, available at: [https://actionaid.org/sites/default/files/women\\_and\\_the\\_city\\_iii.pdf](https://actionaid.org/sites/default/files/women_and_the_city_iii.pdf). Accessed on 17 January 2019.

# Conclusion

While Liberia has committed to upholding human rights for all, this report finds that the continuing criminalization of same-sex sexual behaviour is linked to widespread stigma, discrimination and violence that keep Liberian LGBT people living virtually in hiding. These abuses extend from the public sphere to the private and mean that LGBT people in Liberia live with the constant threat of violence, fear of reporting violent crimes to the police, arrest, blackmail, extortion, and the risk of expulsion from family, religious institutions, employers, schools and homes.

In the face of these multiple layers of threats and violence, the courage of individuals to come forward and share their experience is inspiring, as is their ability to come together under the umbrella of civil society organizations to advocate for their fundamental human rights. Their actions in participating in this report should inspire greater responsibility from state institutions and the government in order to ensure that all Liberians enjoy their constitutional rights.

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