

# **WOMEN'S RIGHTS SECTION**

# CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

**MISSION TO LIBERIA, 12-15 JUNE 2006** 

# FINDINGS AND RECOMMENDATIONS OF EXPERTS

Note: The present report was compiled and synthesized from experts' individual reports by the Division for the Advancement of Women.

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# **EXECUTIVE SUMMARY**

Following a request from the Government of Liberia for support in the implementation of the obligations under the Convention on the Elimination of All Forms of Discrimination against Women (the Convention), an internationally recognized panel of experts

of Ireland and the Division thanks the Government of Ireland for its continued support of the Division's programme in countries emerging from conflict.

#### 1. BACKGROUND TO THE MISSION

#### 1.1 Introduction

This report outlines the outcome of high-level consultations on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW or the Convention) held in Liberia in June 2006. These consultations were the first part of an overall effort by the Division to support and strengthen the capacity of the Government of Liberia, at its request, to put in place laws and policies and identify strategies for implementation of the Convention. The purpose of the mission was to identify the gaps and challenges faced by the Government in its efforts to implement the Convention as well as to develop appropriate recommendations for priority action for enhanced implementation. The high-level consultations were also guided by the desire to strengthen the catalytic role of the national machinery for the advancement of women in ensuring that the Government as a whole embraces the objective of implementation of the

Peoples' Rights and more recently became a party to the Protocol to the African Charter on the Rights of Women in Africa. Liberia has not submitted its initial and subsequent periodic reports under article 18 of the Convention. The only report submitted by Liberia so far has been that under the Convention on the Rights of the Child, which was examined by the Committee on the Rights of the Child in May 2004.

The scope of the Convention requires an ongoing and concerted effort on the part of the State party to achieve compliance with all Convention provisions. Such an effort should be based on an initial comprehensive review of national legislation, administrative rules and procedures and practices to determine the degree of compliance with the terms of the Convention. During such a review, attention needs to be paid

targeted support in the preparation and finalization of the State party's initial and combined report. The Division would use the recommendations in this report to formulate adequate follow-up training programmes in Liberia within its available resources. It is also hoped that the recommendations made in this report will facilitate further support by other institutions, organizations and donors for the promotion and protection of women's human rights in Liberia.

#### 1.4 Implementation of phase one: mission to Liberia

Phase one of the programme of technical support, the high-level consultations with key ministries and other stakeholders, took place from 12-15 June 2006. A team of internationally recognized experts in the provisions of the Convention visited Liberia and met with a number of key ministries and other stakeholders in order to:

assess the current status of awareness about the provisions of the Convention; review the provisions of the Convention and their implications for the work of the respective ministries;

discuss challenges in implementation of the provisions of the Convention;

identify opportunities for using the Convention and its provisions as a strategic tool in legislative and policy processes and in programme development to enhance adherence to its provisions;

discuss coordination mechanisms to facilitate collaboration between the Ministry of Gender and Development and other ministries, as well as with civil society to monitor progress in implementation of the Convention; and

develop a set of recommendations to priority action for implementation of the Convention in Liberia.

The following experts participated in the mission to Liberia:3

Dr. Charlotte Abaka, former chairperson and member of the Committee on the Elimination of Discrimination against Women;

Ms. Dorcas Coker-Appiah, member of the Committee on the Elimination of Discrimination against Women;

Ms. Elizabeth Delport, consultant and member of the faculty of law, University of Pretoria, South Africa; and

Professor Joseph Oloka-Onyango, member of the faculty of law, Makerere University, Uganda.

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<sup>&</sup>lt;sup>3</sup> The biographies of the experts is attached as appendix one.

Ms. Saras Jagwanth, adviser in the Women's Rights Section in the Division for the Advancement of Women, and Ms. Carolina Vizcaino, associate human rights officer in the Division, accompanied and supported the team in Liberia.

The experts held meetings with the following ministries: Ministry of Gender and Development, Ministry of Health and Social Welfare, Ministry of Labour, Ministry of Justice, Ministry of Education, Ministry of Planning and Economic Affairs and Ministry of Internal Affairs. They also met with

development in the longer term. The plan does not have a section covering women's issues, but the Ministry of Gender and Development is involved in various of its aspects, including in the facilitation and return of refugees and internally displaced persons, the revitalization of agricultural production, strengthening of the judiciary and the rule of law and establishing a caucus for women legislators.

While there is much political support for women's human rights, Liberia's commitment to international human rights standards remains to be translated into domestic law and policy aimed at the practical realization of principle of equality between women and men (see article 2(a) of the Convention). Discrimination against women is pervasive and women are subject to discriminatory and harmful customs, prejudices and other practices. Discrimination is more prevalent in the rural areas where the laws of the hinterland or traditional justice continues to supplement civil law. The practice of trial-by-ordeal exists, in which severe pain often amounting to torture continues to be applied against people, including women and girls suspected of witchcraft. Sixty-six percent of female heads of household have no or only elementary education. While 80 percent of the population lives below the poverty line, most of the poor are found in the rural areas where subsistence farming is the main source of livelihood. The majority of the farmers are women.

Violence against women, especially sexual violence, is very prevalent and is linked to women's low position in society, reinforced by discriminatory cultural values that see women as inferior and subject to the control of the male family member. While the civil war has devastated Liberia, its effects were felt particularly acutely by women and girls. Thousands of women and girls were subject to widespread and systematic sexual violence during the war, including rape and sexual slavery. Even though security has improved, women are still at risk of suffering human rights abuses and violations, including sexual exploitation, transactional sex, rape and domestic violence.

Within civil law, statutes and practice are embedded in patriarchy, and laws are often interpreted by the justice system in a manner resulting in deprivation by women of their human rights. Women's access to justice is limited by multiple factors such as the weakness of the judicial system, historical unwillingness to investigate and prosecute cases of domestic violence or property disputes, the absence of legal aid services and the lack of awareness amongst most women of their rights. The legal system remains unable to effectively address sexual offences against children, including girls, in a context where

The situation in Liberia remains fraught with difficulties. Yet, prompted by the election of a woman President and the priority she gives to gender issues in the course of her work, there is considerable political will and desire to implement the Convention and advance women's rights in Liberia. Many of the ministries that were visited strongly gave this impression. However, without considerable further resources and human capacity, the prospect of serious change is grave. The United Nations Mission in Liberia offers some back-up and support, but the international community, bilateral donors and international non-governmental organizations (NGOs) have a greater role to play in supporting Liberia to implement fully and effectively the obligations it assumed by gravg0.0flg e obliE.22e006bl[gravg0.0flg e fraught wile to pl5eriet/)-10cinssiw0.e to pl5e19-J-flg e fa

the staff of the MGD, including their catalytic role in implementation, needs further development, especially on the Convention. There is also need for the appointment of persons with legal training in the MGD, including so that they can undertake, inter-alia, an analysis of the impact of all legislation on women.

The many challenges facing the MGD must be acknowledged. There is an acute shortage of both human and financial resources in the Ministry. Lack of resources is attributable to a number of factors, including budgetary constraints and prioritization of areas other than equality between women and men as the country struggles to reconstruct its society, economy and state institutions after years of devastating conflict. Financial and human resources are needed to support the national machinery for the advancement of women to adequately fulfill its role to advance and protect women's rights in Liberia.

#### 2.3 Law reform and constitutional review

Article 2 of the Convention, inter alia, provides that States parties must eliminate legal discrimination against women by revising existing and enacting new legislation, and by abolishing customs, traditions and other practices that discriminate against women. The legal system in Liberia discriminates against women and there is a need for the country to harmonize its laws to conform to the provisions of the Convention. De jure and de facto discrimination against women continues to exist in law and in practice. The situation is complicated by the fact that the Liberian legal system consists of civil and customary laws which conflict with each other and result in discrimination against women. The rules and regulations governing the hinterland in particular provide for a number of traditional practices which are harmful to women. These include for example 'trial-by-ordeal' of persons suspected of witchcraft, guidelines for the payment of dowries, payment to the husband in the case of adultery and a different legal age for marriage.

These laws and practices violate the Constitution, which provides in article 2 (2<sup>nd</sup> paragraph), inter alia, that any law or custom inconsistent with the Constitution shall be void and of no legal effect.<sup>4</sup> Furthermore, among the grounds on which discrimination is prohibited by the Constitution is sex (see article 11(b)). The implication of these provisions is that the rudimentary tools for designing an effective approach to engaging with discriminatory cultural practices already exist, which prevails over other countries

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<sup>&</sup>lt;sup>4</sup> Article 2 of the Constitution of Liberia, 1986, states: Any laws, treaties, statutes, decrees, customs and regulations found to be inconsistent with it shall, to the extent of the inconsistency, be void and of no legal effect. The Supreme Court, pursuant to its power of judicial review, is empowered to declare any inconsistent laws unconstitutional.

that do not proscribe discrimination (particularly on matters of family law and succession) on the basis of sex or gender.

Positive steps have been taken towards law reform, such as the establishment of the Law

involvement of the women in Liberia, could also be designed as part of the process of constitutional reform and to educate the public on constitutionalism.

#### 2.4 The rural/urban divide and discriminatory traditional practices

The Convention protects the rights of rural women in article 14 and provides that States parties shall take into account the particular problems faced by them and their significant roles in the economic survival of the families. Article 2(f) and article 5(a) refer specifically to the need to abolish all social and cultural patterns of conduct which constitute discrimination against women.

Perhaps the most resilient of the structures of discrimination and inequality that operate in the Liberian context are those that emphasize the division between the rural and the urban and negative traditional practices that are harmful towards women. It appears that Liberia has essentially created two parallel worlds governed by two parallel legal regimes: one for the urban areas and one for the hinterland, which has serious implications for the elimination of discrimination and realization of equality between women and men in Liberia. Invariably negative and harmful traditional practices target women much more regularly and consistently than they do men.

Much of the discussion around the issue of harmful and discriminatory traditional practices was on female genital mutilation/ cutting, although there are other practices such as the subordination of women and girl children that are known to exist and operate, particularly in the rural areas. Among them are levirate marriage, trial-by-ordeal and polygamy. Some steps have been taken to deal with certain discriminatory traditional strictures to women's autonomy and equality but there was a great deal of ambivalence over many forms of discriminatory traditional practices, particularly amongst members of Parliament and in some ministries.

Dealing firmly with harmful traditional attitudes and practices is essentially a matter of political will, which is frequently expressed in Liberia. This requires, however, Government to commit adequate resources and take pro-active measures, including the passage of laws, in order to demonstrate that it is genuinely committed to the eradication of these practices. A combination of legislation outlawing the practices, awareness-raising within the communities that condone and support the practices, and devising alternative methods of addressing what the practices stand for, are essential, with special emphasis on the rural areas.

Considerable resources and capacity-building efforts are required to re-build the justice system to a level where it can function adequately, particularly for the protection of women's human rights. To that end, matters pertaining to women and justice, including women's access to justice, need to become a priority in the MGD and Ministry of Justice, which need to make greater and more systematic use of the Convention and enhanced responsibility for women's issues. Lack of knowledge and awareness of the Convention and women's human rights among the judiciary and law enforcement officials need to be addressed through capacity-building and awareness-raising efforts.

#### 2.7 Awareness-raising

The mission's purpose did not include an assessment of the level of awareness of women's human rights and discrimination against women among the general public, but experts gained some insights through discussion with various groups. There is a significant lack of awareness that discrimination against women is a violation of women's human rights and of the State's international legal obligations under the Convention. There is also a lack of understanding of the concept of equality embodied in the Convention and the State party's responsibility to identify and eradicate both de jure and de facto discrimination against women in all spheres. This limited awareness of the persistence of inequality, discrimination and disadvantage of women, and of opportunities to use the Convention as a tool for promotion of gender equality across all areas of Government requires immediate and urgent means of redress. These should include in particular broad-based discussion on gender equality as a societal responsibility, and specific capacity-building initiatives for staff in the MGD and other line ministries.

#### 2.8 Temporary special measures

Article 4, paragraph 1, of the Convention provides for the use of temporary special measures aimed at accelerating de facto equality between men and women. General Recommendation 25 encourages States parties to employ more temporary special measures, such as preferential treatment or quotas to accelerate achievement of women's equality in fields such as education, the economy, politics and employment. General Recommendation 25 further advises States parties to establish quotas and targeted recruitment procedures and appointments to particular posts, such as the judiciary, in order to overcome the cultural barriers that remain, after de jure compliance has been achieved.

Temporary special measures remain to be put in place by the Liberian authorities. There needs to be a greater understanding of the nature, focus and objective of temporary special measures as one of the critical areas that will need to be the subject of concerted attention. Against the backdrop of the situation in Liberia where even before the conflict the situation of women was difficult, it is nece

in their activities. However, these activities seem to be disparate and it is not clear if synergy has been developed between civil society and Government initiatives.

#### 2.10 Education

A high illiteracy rate, low school enrolment, the lack of suitably qualified teachers and infrastructure, such as the lack of suitable school buildings, pose serious challenges to the education of girls. Although boys and girls are affected by these challenges, factors such as cultural bias, gender-based violence, early marriages, preference for the education of boys and poverty result in girl children being at a greater disadvantage. Literacy levels of women and girls in Liberia are alarmingly low.

The existence of systemic discrimination against women in the field of education in Liberia was widely acknowledged. It was also acknowledged that this discrimination is partly rooted in age-old gender-role stereotyping and harmful traditional and religious practices. To eradicate such discrimination, the authorities are required not only to put in place appropriate measures – including legislative and administrative measures – but also to undertake educational campaigns to persuade society to change these discriminatory traditional attitudes and practices. While Liberia's recent political history and current financial resources limits the services it can make available to its citizens, significant efforts are needed for Liberia to meet its obligations under article 10 of the Convention.

The Education Ministry appears to have moved quickly to address many of the issues of discrimination and inequality that relate to its mandate, culminating in a policy to govern the operation of the Ministry with regard to schools and other educational institutions at every level. However, as pointed out in section 2.1, the MGD wa

scrutiny of Government policies and encourages the involvement of various sectors of society in their formulation and review; provides a baseline against which States parties can evaluate the progress made in respect to implementation of the Convention; enables States parties to develop a better understanding of the problems and shortcomings involved in the progressive realization of the aims; and enables the Committee and States parties as a whole to identify the most appropriate means by which the international community might assist them.

The MGD should use the opportunity, during this period when sector ministries are preparing their short and medium term plans to assert itself and play its coordinating role to ensure that women's rights issues and issues relating to implementation of the Convention are clearly and explicitly reflected in the sector ministries' plans and programmes.

There are a large number of civil society organizations, both local and

others in the key Government departments, the judiciary and elsewhere including civil society.

Staff in other line ministries, including their ordinary staff. The training programme should focus on the relevant provisions of the Convention and their applicability in various sectors, including education, economic and development planning, justice and health. The integration of gender perspectives in the development of all policy and programming, gender-sensitive resource allocation (gender-sensitive budgeting), the collection of sex-disaggregated data should also be included in this training. This training would be carried out by staff trained as trainers.

Parliamentarians, the judiciary, law enforcement officials and prosecutors should be targeted. This training would include the use of international human rights law, in particular the Convention, including violence against women, in the domestic legal process and decision-making.

#### 4.4 Awareness-raising

There is an urgent need for awareness-raising in Liberia on women's human rights and the Convention across all sectors and levels of Government. Steps should include:

Media campaigns to promote awareness about women's human rights and the persistence of discrimination against women, and to make the Convention more widely known.

Educational measures and awareness-raising campaigns to facilitate an enhanced understanding of equality between women and men.

Targeted programmes and activities designed to raise awareness of and eliminate violence against women and harmful practices and stereotypes, including female genital mutilation/cutting.

#### 4.5 Supporting civil society

It is recommended that civil society organizations be supported and strengthened, particularly in the framework of Government-civil society partnerships in support of gender equality. There is a need to provide the necessary support to civil society organizations active in combating discrimination and ensuring equality between women and men. Bilateral and multilateral donors are especially encouraged to support joint Government-civil society activities and pilot projects for gender equality.

#### 5. DESCRIPTIVE ACCOUNT OF MEETINGS HELD

# **5.1** Ministry of Gender and Development

The meeting began with a presentation by the Deputy Minister, who stressed the commitment of the Government to implement the Convention as reflected in the objectives of the 150-Day Plan of Action. The Minister of MGD was in the process of reactivating the National Gender Forum, which consisted of all stakeholders involved in women's activities, to provide guidelines for policy formulation on gender issues. The reactivation of the NGF would, inter -alia, be used for discussion on gender issues for Government officials including gender focal points in line ministries and NGOs. County gender coordinators have been appointed in fourteen out of fifteen counties who responded directly to the Minister. Steps were being taken to develop a national action plan. Part of the plan included strengthening the capacity of the gender focal points in the line ministries, as well as the gender coordinators in the respective counties. The MGD was currently in the process of assessing the capacity of the gender coordinators to identify ways to empower them. The Minister stressed excellent cooperation with the Ministry of Planning and Economic Affairs which she described as her parent Ministry. The issue of lack of capacity and resources, human, financial and structural, was repeatedly mentioned.

Members of the panel of experts made short presentations on various aspects of the Convention. Ms. Abaka noted that Liberia had signed the Convention without reservations. She commended the Ministry for the advocacy campaign undertaken in 2005 to promote registration to vote among women that resulted in 51 percent of vote. Ms. Abaka's presentation included an overview of the Convention and she urged the Ministry to use the Convention as a tool to achieve equality between women and men in

In order to achieve de jure and de facto equality, Liberia needed strong political will to revise legislation that discriminated against women, the effective enforcement of laws and the implementation of policies for the advancement of women. The Government was encouraged to ratify the Optiona

Take into account lessons learned and good practices of other countries' efforts to implement the Convention through techni

home. The possibility of evening classes for pregnant girls so that they could continue with their education was raised, and the Ministry was considering a pilot project in Monrovia.

The issue of temporary special measures was also raised. Under the policy on girls' education, while numbers were not yet established, a quota system will be introduced for a certain percentage of girls to access secondary and tertiary education. However, there

Day Plan of Action, the Ministry was due to take emergency action to review outdated laws on the statute books.

The Liberian Emergency Employment Programme was targeting the informal sector and women's improvement, including micro-credit and loans. This included standardizing vocational training to ensure quality training so that persons who went through the training will be employable. The proliferation of international NGOs was also leading to the formation of vocational centres. The decentralization of these efforts to the counties was important.

The Minister also raised the situation of women working in the rubber plantations. There were recurrent problems on the plantations especially regarding the lack of protection for women and children. The conditions on the rubber plantations compelled people to bring their families to help them do their jobs. A task force, with various line ministries, was charged with preparing a comprehensive report and Government plans. Partnerships across all relevant sectors demonstrating commitment to ending the problems on the plantations, which have a multi-sectoral approach including gender issues, would have to be built to address this issue as a serious cabinet problem.

# **5.5 Ministry of Justice**

In his opening comments, Prof. Oloka-Onyango highlighted the issues of law reform in the areas of the hinterland and the rural areas, trafficking, adoption of children and temporary special measures. Ms. Coker-Appiah stressed the need to look at culture and customary practices in law review and noted in particular the plural legal system which provided for different laws in the hinterland and urban systems. She noted the need to review some of these practices towards strengthening and developing their people. The legal framework could provide an avenue and a basis for change of outmoded customs and traditions.

The Deputy Minister described the Constitution as very good because it gave a choice which system (civilized or hinterland) to choose. She noted that those from the hinterland fought to keep their cultural values intact with their own traditional way of resolving conflicts, including in the tribal courts. She ascribed most problems in the legal regime to discriminatory cultural and traditional practices. The Deputy Minister also brought up the issue of female genital mutilation/cutting. She noted that it was part of the culture of the communities.

The Deputy Minister stated that all laws were being examined to consider the position of women under them. The Association of Female Lawyers was assisting in the gender impact analysis of all the laws. The Ministry had only 5 lawyers but they need 65, and they were trying to build the capacity of women to be part of the senior staff (mainly male at the moment) in the Department. She also noted that much of the international aid was channeled to NGOs and the need to ensure resources for the Government.

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#### **5.7 Ministry of Internal Affairs**

In her opening address, Ms. Elize Delport provided an overview of articles 6, 7 and 14 and asked about the level of women's representation in the counties. She also addressed the issue of gender- based violence and harmful practices against women. Ms. Abaka stressed the key role of the superintendents as well as the importance of strengthening the collaboration channels between the Ministry of Internal Affairs and the Ministry of Gender and Development, Ministry of Health and the Truth and Reconciliation Commission. She also suggested that interaction and collaboration between the superintendents and the chief's could be strengthened and inquired about the possibility of training chief's to become development focal points.

The Minister expressed reluctance about some of these ideas but shared the concerns of the experts regarding inequality between women and men in Liberia. The election of a woman President was already a demonstration of the commitment of the Liberian people to gender equality. He further indicated that while the Constitution guaranteed equal rights to women and men, human behaviour was the main barrier to ensure gender equality.

The number of women at the superintendent level was low, with only 5 women. Superintendents were appointed by the President and one of the goals of the Ministry was to put in place a new electoral process for their appointment as well as to achieve representation of 50 percent of women in the next 2 years. Some of the challenges included lack of capacity and education of women, as well as the lack of skills of the gender coordinators located at the superintendent level to ensure that the gender perspectives were taken into account in the development of all county policies.

The Minister agreed on the need for education to address the problems related to women, including gender-based violence and harmful traditional practices such as female genital mutilation/ cutting. He further reiterated that every society had harmful practices and that changes of traditions do not happen overnight.

# 5.8 House Standing Committees on the Judiciary, Human Rights, Gender and the Women's Caucus

Ms. Abaka, Ms. Coker-Appiah, and Ms. Delport provided an overview of the Convention and focused on articles 2, 3, 5 and 16. Prof. Oloka-Onyango stressed the strategic position of Parliament and encouraged Parliamentarians to use the opportunity to ensure

that the gender dimension is taken into account in legal reform. He also recommended that they start by promoting women's rights within Parliament.

The discussion focused on women's rights and

committed to provide special attention to women and children at all stages (before, during and after the crisis) for which it is trying to establish a close relationship with the MGD as well as with NGOs. The intention is to have a participatory process in the hearings and the full involvement of civil society in the functioning of the TRC.

Offices will be established throughout the country to conduct the hearings, although the Chairman recognized that logistics and infrastructure are challenging. There are plans for TRC members to travel to the Ivory Coast, Ghana and Guinea to promote the work of the TRC among Liberian refugee groups living in these countries.

The Chairman highlighted the challenge of making known the work of the TRC. High levels of illiteracy made it necessary to use communication sources such as radio and drama schemes. The TRC has limited financial resources and lacks specialists in women's rights and gender equality. Among the factors impeding the respect for women's rights was the persistence of discriminatory traditional practices, such as early marriages, and the low bargaining power of women to use contraceptive methods.

A commissioner discussed the situation of women at the end of the conflict. New dynamics and survival mechanisms observed were emerging in the refugee and internally displaced camps where women are taking a leading role, for example in the distribution of relief efforts.

#### 5.10 Civil society

Twenty-one representatives of 14 NGOs, including 3 international and 9 local organizations, and the University of Liberia attended the meeting. NGO representatives briefed the experts about their organizations and their areas of work which included women and peace building, children, victims' health assistance and advocacy.

Ms. Coker- Appiah provided an overview of the Convention and Ms. Abaka focused on the role of NGOs in the implementation of the Convention. Prof. Oloka-Onyango focused his questions on 4 areas: (i) the influence of stereotypes and the re-emergence of discriminatory traditional harmful practices after the war, (ii) sexual exploitation of children, including street children and child soldiers, response of the Government, and the incidence of abuses by peacekeepers (iii) accountability for war crimes including rape and gender-based violence; and (iv) the need for legal and constitutional reform. Ms. Delport sought information about the incidence

conducted and used in the design of projects and the incidence of female genital mutilation/ cutting. Ms. Abaka inquired about ongoing activities in the area of mental health.

The NGO representatives informed the experts of the following:

#### Role of NGOs

The role of NGOs was limited, among other factors, because of decrease of funding due to the end of the emergency phase. There was limited capacity for gender equality in many areas, including within Government and the Truth and Reconciliation Commission.

# Discriminatory cultural practices

Discriminatory cultural practices and religious beliefs were some of the main factors which contributed to human rights abuses. Many organizations found customary laws and practices to be the main challenge to their work, including in their efforts to provide access to education, economic resources and health and to tackle early marriage. The incidence of female genital mutilation/cutting was high and a source of income for many women. However, not many organizations appeared to be dealing with the problem of female genital mutilation/ cutting.

# Sexual exploitation

During the 1990s poverty and the shortage of food forced people to look for alternative ways for survival including the encouragement by parents to their daughters to marry soldiers and/or to engage in 'transactional sex' for food. Comprehensive information was provided about cases of sexual exploitation in camps for refugees and internally displaced people. Some organizations emphasized that sexual exploitation still existed in the camps, as well as in some resettled communities and that the perpetrators included peacekeepers, staff of humanitarian services and men in the communities.

#### Rape

The adoption of the rape law had little or no effect on many people, given the high level of impunity and the complete distrust in the court system, lack of dissemination of information and enforcement of the law. A main obstacle to the work of NGOs stemmed from the high

Most participants felt that they had limited or no knowledge of the Convention and suggested that the Ministry undertake awareness raising on the Convention and simplify it into local languages.

# **5.11 Deputy Special Representative of the Secretary General**

The experts had the opportunity to meet with Mr. Luiz Carlos da Costa, Deputy Special Representative of the Secretary-General (DSRSG) who briefed them about the current situation in the country and specifically about the Government's plans and challenges. Mr. Da Costa discussed in particular the country's 150-Day Plan.

Mr. Da Costa noted that the task force of the Law Reform Commission, which had been initiated with the National Transitional Government, had completed three reports (i.e. strategy, implementation, and bench mark costing). Elements of these task force reports were included in the 150-Day Plan of the current Government as priorities, including the establishment of a constitutional and legal reform commission, the need to strengthen the judiciary including with infrastructural support, and the establishment of the TRC.

#### 5.12 Human rights and protection section, UNMIL

Ms. Dorota Gierycz, Chief of the Human Rights Protection Section (HRPS), UNMIL gave a brief overview of the work of the HRPS. The section had previously assisted the Government in the preparation of a report under the Convention on the Rights of the Child. The section was conducting a human ri

current situation in Liberia and the UNCT efforts. He emphasized the political will of President Ellen Sirleaf Johnson to implement the rights of women. He further noted that the Government's intention to mainstream gender perspectives in the 150-Day Action Plan, which is based on four pillars: (i) expanding peace and security; (ii) revitalizing economic activity; (iii) rebuilding infrastructure and providing basic services; and (iv) strengthening of governance and rule of law. This plan will also be used as a basis of the Poverty Reduction Strategy Paper that is currently being drafted. The preparation of the Common Country Assessment (CCA) was underway, whose aim was to ensure a conflict sensitive approach in order to address the drivers of conflict and to address the needs of the victims of war including women and girls. Mr. Ryan urged the Mission to avoid the duplication of efforts and ensure that any follow-up action is done in conjunction with the work plan of the UNCT.

Following Mr. Ryan's introduction, Ms. Abaka asked about efforts to translate the Convention into more simple language and support to the Government and NGOs to comply with the reporting obligation. Prof Oloka-Onyango asked about current efforts to undertake a constitutional review, implementation of temporary special measures as required in article 4.1 of the Convention, and programmes on reproductive health care, specifically to address female genital mutilation/ cutting. Ms. Delport sought information about the most prevalent forms of gender-based violence (GBV) in Liberia and about the incidence of trafficking. Ms. Coker-Appiah sought information about the prevalence of prostitution and its extent. A question regarding efforts to collect data was also raised.

Members of the UNCT reported on latest developments, specific programmes of the respective agencies underway, main concerns and responded to questions raised as follows:

#### Legal reform

UNIFEM intended to sponsor a comprehensive review of the existing legislation. According to the UNCT there were no current plans to embark on a review of the Constitution.

#### Gender-based violence (GBV)

The UNCT was supporting the Ministry of Health and Social Welfare (MHSW) and providing technical and financial assistance for the establishment of a GBV secretariat, as well as technical support to the Institute of Statistics to include a domestic violence component in the upcoming health survey. Results are expected for June 2007. According to the UNCT, a main concern in the area of

gender-based violence was the lack of coordination among key stakeholders including the Ministry of Justice, MHSW, and MGD.

The most prevalent forms of violence reported were domestic violence, sexual violence and forced marriage. Preliminary results of an assessment made by the International Rescue Committee (IRC) indicated that 80 percent of women interviewed said they were victims of rape during the war and 6.9 percent were forced to engage in early marriage. The assessment was undertaken in the 15 counties and will be finalized by August 2006.

# Discriminatory cultural practices

There are a number of such practices in Liberia, including female genital mutilation/ cutting, which was a serious

#### 5.14 Wrap-up meeting with the Minister of Gender and Development

At the end of the mission, the experts shared their perceptions, experience and findings with Ms. Gayflor, Minister of Gender and Development, officials of UNIFEM and the Office of the Gender Adviser of UNMIL.

Experts reported that the knowledge of the Convention was still very scant in ministries, non-governmental organizations and Parliament. They welcomed the commitment shown by the ministries to address women's rights, but expressed concern about the position of some Ministers with regard to discriminatory traditional practices. After a presenting a brief analysis of the meetings, experts pointed out that the MGD had a strong role in coordinating the ministries' efforts to ensure that gender perspectives are integrated in all policies and laws. As a strategy, experts suggested to involve the gender focal points at the planning stages. Experts highlighted the following additional suggestions for the MGD:

underscore the legally binding nature of the Convention at all levels and the State party's obligation for its full implementation and dissemination among key stakeholders;

prepare a national action plan as an immediate priority;

take a prominent role in law reform and constitutional reform;

together with the Ministry of Education, to put in place efforts to improve access to education and prevent drop-out of teenage mothers;

sensitize Government officials and the 05 bp 10

# **BRIEF BIOGRAPHIES OF THE EXPERTS**

**Dr** Charlotte Abaka is the UN Independent Expert on Human Rights in Liberia, a post she has held since October 2002. Dr. Abaka was a Member of the Committee on the Elimination of Discrimination against Women (CEDAW) from 1991-2002, and was Chair of CEDAW from 2000-2002. She was a Consultant and Advisor to the World Health Organization for its 1999 International Conference on Tobacco and Health in Kobe, Japan. For five years (1989-2002) she served as Chair of the National Women's

**Professor Joseph Oloka-Onyango** is professor of law and former dean at the faculty of law at Makerere University and Advocate of the Courts of Judicature in Uganda. He is the director of the Makerere University Human Rights and Peace Centre (HURIEPC). He has been a visiting professor at law schools throughout the world, including New York University and the University of Cape Town. He was a member and Special Rapporteur on Globalization and Human Rights of the United Nations Sub-Commission on the Promotion and Protection of Human Rights, and is a Trus

#### **Annex 2: Lists of attendees**

#### **Ministry of Gender and Development**

- Vabah Kazaku Gayflor, Minister, MGD
- 2. Annie J Demen, Deputy Minister, MGD
- 3. Benetta Tah, Deputy Minister, MGD
- 4. Oliver Dupley, Personnel Officer, MGD
- 5. Louise Sumo, Director Administration, MDG
- 6. Jestina Kouie, Accountant, MGD
- 7. Ndebelmolio Boilay, Coordinator National Gender Forum, MDG
- 8. Simon Kutrin, Planning Officer, MGD
- 9. Kataline Kun, Planning Officer, MGD
- 10. Steven Furkgba, Comptroller, MGD
- 11. Annete M Kiaru, National Gender Programme Officer, MGD/UNIFEM
- 12. Miatta Sheriff, Planning Officer, MGD
- 13. Muriel Nelson, Assistant, MGD
- 14. Daniel G Mulbah, Special Assistant, MGD
- 15. Fuitina Coope, Communications Officer, MGD

# Attendees debriefing

- 1. Vabah Kazaku Gayflor, Minister, MGD
- 2. Fuitina Coope, Communications Officer, MGD
- James M Muriah, Gender Officer, UNMIL DGAI
- 4. Joana Foster, Gender Advisor, UNMIL
- 5. Kagwira Mbogori, Programme Manager, UNIFEM
- 6. Benetta Tarr, Deputy Minister Planning and Administration, MGD
- 7. Daniel G Mulbah, Special Assistant, MGD
- 8. Annete M Kiaru, National Gender Programme Officer, MGD/UNIFEM

# **Ministry of Education**

Joseph Korto, Minister

#### **Ministry of Health and Social Welfare**

- 1. S. Mohammed Sherrif, Deputy Minister
- 2. Atty. Vivian J Cherve, Deputy Minister
- 3. ST Varpilah, Deputy Minister
- 4. Victoria B Wana, Assistant Director

#### **Ministry of Labour**

- 1. Samuel Kofi Woods, Minister
- 2. Regina I W Dor, Deputy Minister
- 3. Vivian R Swaray, Director, General Employment Service
- 4. Emma Benson, Director Public Affairs
- 5. Biepho Scott, Acting Minister Special Assistant

#### **Ministry of Justice**

1. Ceaniah Clinton-Johnson, Deputy Minister

# **Ministry of Planning and Economic Affairs**

- 1. Mulah Reeves, Deputy Minister
- 2. John Wolobah, Planning Officer
- 3. Abel Massacu, Senior Demographer
- 4. Stephen Koizou, Assistant
- 5. D Sleh, Official

#### **Ministry of Internal Affairs**

- 1. Ambullah Johnson, Minister
- 2. Soko v Sackor, Deputy Minister of Administration
- 3. Yah Kialim, Deputy Minister of Operations
- 4. G Nathaniel Fair, Assistant Minister
- 5. Ernest R Verje, Assistant Minister
- 6. Samuel Kamara, Director RDP
- 7. Arthur M Tartue, Director
- 8. Peter N Jimmy, Director
- 9. J. Esther Leemu, Gender desk
- 10. Peter P. Lenyea, Director of Personnel
- 11. Charles D F Frateh, Director Public Affairs
- 12. Edward Walker. Director Culture Affairs
- 13. Duoko Homo, Director
- 14. Paul Taylor, Director Security
- 15. Beatrice Gonkatec, Director RDP

# House Standing Committees on the Judiciary, Human Rights, Gender and the Women's Caucus

1. Victoria Lynch, Representative Mo County

- 2. Nom Kidau, Representative Numba County
- 3. Regina S Teah, Representative Mont County
- 4. M Jallabah, Representative Loga County
- 5. Armah Sarnor, Chairman
- 6. Emanuel J Nuquay, Representative
- 7. Hon. Siryon, Representative Bomi County
- 8. Hon. A Ennos, Representative Mont County
- 9. Hon. C Barclay, Representative Bong County
- 10. Hon M Ses Tananpolie, Representative Mont County
- 11. Hannah Brend, Representative Mont County
- 12. Senator Jewel Howard Taylor, Co Chair Gender Committee
- 13. Senator Joyce Freeman, Chairman

#### **Truth and Reconciliation Commission**

- 1. Clr. Jerome Verdier Chairman
- 2. Millicent O Gergli, Special Assistant
- 3. John H T Stewart, Commissioner
- 4. Oumu Syllah, Commissioner
- 5. Pearl Bull, Commissioner

13. Jonathan Andrews, Assistant to the DSRSG, UNMIL