

LIBERIA

*Azubike C Onuora-Oguno**

Summary

Using a qualitative methodological approach, the study examined the situation of persons with disabilities in Liberia. In addition, it examined the efforts of the Liberian government in ensuring the protection of their rights within both the African and Global Human Rights frameworks to ascertain the extent of state effort towards protecting, fulfilling, and promoting the rights of persons with disability. The study engages with relevant stakeholders to ascertain the extent of implementation of state obligations and the role of institutions and policies in ensuring that persons with disabilities are not subjected to violations. Conclusively, the study finds that despite the efforts of government and collaboration with Civil Society Organisations and other agencies, there is yet so much need for promotional activities to ensure the realisation of the rights of persons with disabilities in Liberia.

1 Population indicators

1.1 What is the total population of Liberia?

Liberia is estimated to be about 5,033,120.¹

* LLB, BL (Nigeria), LLM, LLD (Pretoria), Senior Lecturer Department of Jurisprudence and International Law, Faculty of Law, University of Ilorin, azubike.onuoraoguno@gmail.com. Research Fellow, International Institute of Social Studies, Erasmus University, The Netherlands.

1 World Meter 'Liberia population' <https://www.worldometers.info/world-population/liberia-population/> (accessed 21 April 2020).

1.2 Describe the methodology used to obtain the statistical data on the prevalence of disability in Liberia. What criteria are used to determine who falls within the class of persons with disabilities in Liberia?

The Disability Data in Liberia is based on the 2008 National Population and Housing Census.² Difficulty in sight, mobility and ability to engage in employment were the major bases used to determine individuals classified as having disability.³

1.3 What is the total number and percentage of people with disabilities in Liberia?

Exact statistics about disability in Liberia *are out of date*, but according to a UNICEF study from 1997, 16 per cent of the population has a disability.⁴ The uncertainty of the data is further presented in an underestimated value of 3,10 per cent of Liberian Population with disability.⁵ Similarly the Liberia Labour Force Report, finds that '4% of the eligible population reported a disability, with very little difference in the rates as between males and females'.⁶

1.4 What is the total number and percentage of women with disabilities in Liberia?

The number of disabled persons reported by the Census was 110 260; females constituted 53 698 (48,7 per cent) and males 56 562 (51,3 per cent).⁷

1.5 What is the total number and percentage of children with disabilities in Liberia?

This statistic is not readily available. It was stated in a Concluding Observation that:

The Committee, taking into account the very high incidence of disability in the State party as a consequence of the armed conflict, is concerned at the lack of statistical data on children with disabilities in the State party, at the inadequate legal and practical protection, at the situation of children with physical and mental disabilities and, in particular, at the limited specialized health care, rehabilitation programmes, education and employment possibilities.⁸

The challenge of collecting data on disability continues to emerge and available data must be treated with some caution as advised by the Labor Force Report of 2010. It was specifically stated in the report that: 'It is generally recognised that it is difficult to collect disability data through national surveys, so these figures should be treated as indicative only'.⁹

2 The Disability Rights Portal <https://www.disabilitydataportal.com/explore-by-country/country/Liberia/> (accessed 21 April 2020).

3 Report on the Labour Force of Liberia (2010) https://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/presentation/wcms_156366.pdf7 (accessed 13 July 2020).

4 Borgen Project 'What you need to know about people with disability in Liberia' <https://borgenproject.org/disabilities-in-liberia/> (accessed 5 June 2020).

5 Clinton Health Access Initiative 'Final Report: Assistive technology country capacity assessment in seven African countries using WHO Assistive Technology Assessment-Capacity Tool' (April 2020) https://at2030.org/static/at2030_core/outputs/Final_Draft_CCA_in_7_African_Countries_web.pdf (accessed July 16 2020).

6 n 3.

7 https://www.lisgis.net/pg_img/Gender%20Demension%20final%202010512.pdf (n 2).

8 Para 44 <https://www.refworld.org/type,CONCOBSERVATIONS,,LBR,42d28f214,0.html> (accessed 20 May 2020).

1.6 What are the most prevalent forms of disability and/or peculiarities to disability in Liberia?

Exact statistics on persons with disabilities is lacking, but available data from a UNICEF study from 1997 show that 16 per cent of the population have a disability. Of these 61 per cent have a mobility disability, 24 per cent are visually impaired, 7 per cent are deaf and 8 per cent have an intellectual or psychosocial disability. The disability prevalence is probably closer to 20 per cent because of the civil war, meaning around 800 000 persons.¹⁰

For a full tabular distribution of disability prevalence in Liberia see the table below:¹¹ of that 16 per cent, 61 per cent struggle with mobility, 24 per cent are visually impaired, seven per cent are deaf, and eight per cent have an intellectual or psychosocial disability. The Swedish International Development Cooperation Agency (SIDA), estimated in 2014 that due to the devastating civil war that ended in 2003 and the Ebola outbreak in 2014, the population of people with disabilities in Liberia is likely closer to 20 per cent.¹² In contrast the Liberia Labour Survey of 2010 finds that people with vision impairment are of high statistics followed by people with mobility challenges.¹³

Type of Disability	Total	Percent	Male	Percent	Female	Percent
Limited use of leg(s)	17858	16.2	9439	16.7	8419	15.7
Loss of leg(s)	3826	3.5	2114	3.7	1712	3.2
Limited use of arm(s)	4193	3.8	2549	4.5	1644	3.1
Loss of arm(s)	1514	1.4	922	1.6	592	1.1
Hearing difficulty	9590	8.7	4753	8.4	4837	9.0
Unable to hear (deaf)	2574	2.3	1302	2.3	1272	2.4
Sight difficulty	33538	30.4	16849	29.8	16689	31.1
Loss of sight (blindness)	3701	3.4	2073	3.7	1628	3.0
Speech impairment	1417	1.3	803	1.4	614	1.1
Unable to speak (mute)	1552	1.4	814	1.4	738	1.4
Mental retardation	1797	1.6	938	1.7	859	1.6
Mental illness	2924	2.7	1466	2.6	1458	2.7
Deaf and Dumb	952	0.9	500	0.9	452	0.8
Other Multiple Disabilities	6480	5.9	3047	5.4	3433	6.4
Others	18344	16.6	8993	15.9	9351	17.4
Liberia	110260	100	56562	100	53698	100

2 Liberia's international obligations

⁹ n 3 at 16.

¹⁰ SIDA 'Disability rights in Liberia' <https://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/disability/rights-of-persons-with-disabilities-liberia.pdf> (accessed 21 April 2020).

¹¹ 'Republic of Liberia 2008 Population and Housing Census: Analytical Report on Gender Dimensions' https://www.lisgis.net/pg_img/Gender%20Demension%20final%20210512.pdf (accessed 15 May 2020).

¹² Borgen Project (n 4).

¹³ n 3 at 16.

2.1 What is the status of the United Nation’s Convention on the Rights of People with Disabilities (CRPD) in Liberia? Did Liberia sign and ratify the CRPD? Provide the date(s).

Liberia signed and ratified the CRPD on 30 March 2007 and 26 July 2012, respectively.¹⁴ However, there is need for the CRPD to be domesticated in Liberia so that it can take full effect.

2.2 If Liberia have signed and ratified the CRPD, when is/was its country report due? Which government department is responsible for submission of the report? Did Liberia submit its report? If so, and if the report has been considered, indicate if there was a domestic effect of this reporting process. If not, what reasons does the relevant government department give for the delay?

Liberia gave its State Report to the committee on 23 July 2019. There is little or no effect domestically from the Report, reason being the need for financial, logistics and technical support by the government of Liberia.¹⁵ The Ministry of Justice in collaboration with the Ministry Of Foreign Affairs of Liberia are responsible for the report.

2.3 While reporting under various other United Nation’s instruments, or under the African Charter on Human and Peoples’ Rights, or African Charter on the Rights and Welfare of the Child, did Liberia also report specifically on the rights of persons with disabilities in its most recent reports? If so, were relevant ‘Concluding Observations’ adopted? If relevant, were these Observations given effect to? Was mention made of disability rights in your state’s UN Universal Periodic Review (UPR)? If so, what was the effect of these Observations/ Recommendations?

• **International Covenant on Civil and Political Rights**

The State Report of Liberia submitted on 9 December 2016¹⁶ was noted to have been submitted 11 years late, but was eventually considered by the Committee during its 3500th and 3501st meetings held on 23 July 2018. The State Report did not make mention of disability nor how persons with disability could be shielded from discrimination.

In its Concluding Observation, the Committee encouraged Liberia to

adopt comprehensive legislation against discrimination that includes a definition of all forms of discrimination and an expanded list of prohibited grounds of discrimination, including national or ethnic origin, religion, disability, sexual orientation and gender identity.¹⁷

14 ‘United Nations Reporting Status for Liberia’ https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=LBR&Lang=EN (accessed 12 May 2020).

15 n 10.

16 ICCPR <https://undocs.org/en/CCPR/C/LBR/1> (accessed 4 June 2020).

17 Concluding Observations on the initial report of Liberia, Human Rights Committee (27 August 2018) UN Doc CCPR/C/LBR/CO/1 (2018) file:///C:/Users/User/Downloads/G1826053.pdf (accessed 09 November 2020) para 17.

The effect of the Concluding Observation is seen in efforts by the government to ensure that policies and institutional supports are put in place to enhance the positive experiences of persons with disabilities.

- **Convention on the Rights of the Child**

Liberia was due to submit its State Report to the CRC in 1995, but only submitted in May of 2005.¹⁸ The report noted the increase in children with disability occasioned by the war situations in the Country.¹⁹ Liberia reported the existence of the Group of 77 which was created to take responsibility for the welfare of disabled children. It, however, notes the limitation of the operations of the group to only physical disability and Monrovia town.²⁰

In the Committee's Observation, concern was raised about the poor state of the welfare of children with disabilities, stating:

the Committee is concerned at the persistence of de facto discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups, among others, girls, children with disabilities ...²¹

The Children Law and the Education Reform Acts can be seen as the offshoot of the Concluding Observations. Both laws are geared towards improving the access to education of children and also that of children with disability.

- **Convention on Elimination of All Forms of Discrimination Against Women (CEDAW)**

The State Report was due in 2013, but was submitted in March 2014.²² Liberia noted that:

A high proportion of the elderly are disabled due to old age and have sight difficulties. Most of these people live in the rural areas with 58% in Bomi, 5% in Gbarpolu and 2% in Grand Gedeh.

The state reiterated the efforts with respect to persons with disability to: 'Improve access to equitable social, political, and economic opportunities and provide full and equal enjoyment of all human rights and fundamental freedoms for persons with disabilities'.²³

In the response by the Committee, it saluted the signing of the CRPD in 2012 by the State of Liberia and also the Education Reform Act of 2011 which was aimed at driving inclusive education for the girl child. In addition, the effect of the Ebola outbreak and other pressing economic challenges were noted by the Committee as factors affecting women generally and encouraged the state to sustain efforts in improving the situation.²⁴

18 Consideration of reports submitted by states parties under article 44 of the Convention: Initial reports of states parties due in 1995: Liberia, CRC (22 September 2003) UN Doc CRC/C/28/Add.21 (2003).

19 CRC/C/28/Add.21 (n 18) para 165.

20 CRC/C/28/Add.21 (n 18) para 164.

21 Concluding Observations: Liberia, CRC (1 July 2004) UN Doc CRC/C/15/Add.236 (2004) para 23 https://www.refworld.org/type,CONCOBSERVATIONS,,LBR,42d_28f214,0.html (accessed 20 May 2020).

22 Consideration of reports submitted by states parties under article 18 of the Convention Seventh and Eighth Periodic Reports of states parties due in 2013: Liberia, CEDAW (10 April 2014) UN Doc CEDAW/C/LBR/7-8 (2014) https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fLBR%2f7-8&Lang=en (accessed 09 November 2020).

23 CEDAW/C/LBR/7-8 (n 22) 12.

24 Concluding Observations on the Combined Seventh and Eighth Periodic Reports of Liberia, CEDAW (24 November 2015) UN Doc CEDAW/C/LBR/CO/7-8 (2015).

The inclusion of women in some boards like the Group of 77 could be inferred to be a positive response from the outcome of the Observation. Particularly article iv of the Children Law which specifically seeks a more inclusive for the girl child education is a key development.

- **Convention on Rights of Persons with Disability**

Liberia was due to submit its State Report in 2014, but submitted it in 2019, the Report was published in 2020.²⁵ The Report lauds the effort of the state in implementing laws and policies that would ensure the protection of the rights of persons with disability in Liberia. It takes into account that discrimination against persons with disabilities is still rife in Liberia. The state bemoaned the existence of certain laws that continue to entrench some form of discrimination against the protection of the rights of persons with disability when it notes that:²⁶

Unfortunately, measures by the State to reverse a law that excludes children with disability at the discretion of the principal have not been successful. The national legislature in 2011 passed a law that states that 'a school may exempt a child from free and compulsory education' based on their disabilities (4.6.1.c. IV). Other aspects of the same law assume that when a minister (3.2.4) or a school board member 4.1.1 becomes disabled, this alone is ground for replacement.

The Committee is yet to issue a concluding observation for the report.

- **Regional Reports**

African Commission on Human and Peoples' Rights (ACHPR)

Liberia submitted its Report to the African Commission 20 years later than was scheduled. The Report represented the situation of human rights in Liberia between 1982-2012.²⁷ The Report failed to adhere to several guidelines on state reporting and did not address a number of issues. The efforts to take part in the process was, however, lauded and Liberia was encouraged to ensure strict adherence to laid down policies of reporting and efforts to ensure the protection of human rights standards in Liberia.²⁸

In its Concluding Observation, the Committee noted the lack of action to protect the rights of senior persons with disability.²⁹ Given the high incidences of discrimination against persons with disabilities, especially children,³⁰ Liberia was encouraged to particularly 'take steps to eliminate discrimination of persons with disabilities, and also take measures to provide psychosocial support and health rehabilitation to children with disabilities'.³¹

- **African Committee on the Rights and Welfare of the Child**

Liberia submitted its Report in 2013 as against the initial due date of 2010.³² Liberia noted efforts to include the rights of children with disabilities in the

25 Initial report submitted by Liberia under article 35 of the Convention, due in 2014, CRPD (24 April 2020) UN Doc CRPD/C/LBR/1 (2014).

26 CRPD/C/LBR/1 (n 25) 4.

27 Concluding Observations and Recommendations - Liberia: Initial and Combined Periodic Reports, 1982-2012, ACHPR (19- 28 February 2015) <https://www.achpr.org/sessions/concluding-observation?id=57> (accessed 2 June 2020).

28 'Liberia appears for the first time before the African Commission' *ISHR* 06 June 2014 <https://www.ishr.ch/news/liberia-appears-first-time-african-commission> (accessed 5 June 2020).

29 Concluding Observations (n 27) para 22.

30 Concluding Observations (n 27) para 23.

31 Concluding Observations (n 27) para 49.

32 Government of Liberia's Initial Report to The African Committee of Experts on The Rights and Welfare of The Child <https://acerwc.africa/wp-content/uploads/2018/04/Liberia-Initial-Report.pdf> (accessed 5 June 2020).

Children Law which provides in Section 4, 'special care conducive to full integration and individual development'. In addition, the law also stipulates the duties of the local authorities to seek appropriate support from the central government to assist the families and caregivers of children with disabilities. The right of children with disabilities to enjoy a full and decent life is also protected.³³ Another initiative by the state includes the provision for exclusive education.³⁴

In its Concluding Observation,³⁵ the Committee commends the state party on the following achievements:

- a. The adoption of the Children's Law which domesticates the Charter and Encompasses the General Principles of the Charter
- b. The formulation of the Education Act of 2011
- c. The adoption of the Act to amend the Penal Code of January 2006, called the Rape Law,
- d. The ratification of the Convention on the Rights of Persons with Disabilities (CRPD) in 2012
- e. National Policy on Girls' Education (2006)
- f. Education Master Plan 2000–2010 and the Education for All Action Plan.³⁶

Financial constraints and insufficient institutional backing for the prosecution of certain offences were, however, identified by the Committee as drawbacks to the efforts of Liberia.³⁷

2.4 Was there any domestic effect on Liberia's legal system after ratifying the international or regional instrument in 2.3 above? Does the international or regional instrument that had been ratified require Liberia's legislature to incorporate it into the legal system before the instrument can have force in Liberia's domestic law? Have the courts of Liberia ever considered this question? If so, cite the case.

All international treaties signed and ratified by Liberia must be domesticated before they will have effect in Liberia. While the President has the constitutional backing to sign and enter into treaties for the country, the Senate must domesticate such treaty before it will have effect in Liberia.³⁸ Presently, there is no case law available on the applicability or otherwise of the international or regional instrument in 2.3 above. However, the setting up the National Commission on Disability is a laudable development and could be assumed to be an after-effect of the treaties signed and ratified.

2.5 With reference to 2.4 above, has the United Nation's CRPD or any other ratified international instrument been domesticated? Provide details.

Liberia has domesticated several international treaties. Examples include the Children Rights Convention, Geneva Convention of 1949 and its Optional Protocols. A list of relevant IHL treaties domesticated conventions can be found at

33 Article VII, section 4.1 of the Children's Law.

34 Section 4.3 of the Children's Law.

35 Concluding Recommendations (n 32).

36 As above.

37 As above.

38 Section 34 and 56 of the Liberian Constitution. See also H Kabbah 'Update: Liberian legal system and legal research' available at https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=98&Lang=ENUN Treatybody (accessed April 2020).

the International Committee of the Red Cross website,³⁹ as well as other treaties identified by Liberia.⁴⁰

- **Case Law**

Presently, there is no case law available on the applicability or otherwise of the international or regional instrument

- **Legislation**

Liberia has set up the National Commission on Disability which is informed by the various concluding observations from the various treaties' bodies.

Generally, Liberia is in the rebuilding phase after the years of war and its after-effect on the state. Specific efforts are put in place to ensure the protection of persons with disabilities, women and children generally. From the setting up of the National Commission on Disabilities to the enactment of Children's Law, it is noted that efforts are being made. On the Policy fronts, the Education Reform Policy is also targeted at ensuring inclusion for both girls and persons with disability. Still outstanding is the Education Sector Policy (ESP).

3 Constitution

3.1 Does the Constitution of Liberia contain provisions that directly address disability? If so, list the provisions and explain how each provision addresses disability.

No, the Constitution of Liberia, 1986 does not provide for nor address disability in any way.

3.2 Does the Constitution of Liberia contain provisions that indirectly address disability? If so, list the provisions and explain how each provision indirectly addresses disability.

No, the Constitution does not provide for disability. The only mention of the word disability is in article 64 which speaks to the election or otherwise of officers of the country. It is, however, noted that the use of the word disability in this sense does not refer to persons with disabilities but a basis for the President or Vice president to be unable to hold offices. However, the Constitution provides for the right to equality in article 6 and 7 and prohibits discrimination in article 8. This amounts to indirect protection of disability rights.

39 International Committee of the Red Cross 'Treaties, states parties and commentaries: Liberia' https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp_countrySelected=LR&nv=4 (accessed 09 November 2020).

40 As above.

4 Legislation

4.1 Does Liberia have legislation that directly addresses issues relating to disability? If so, list the legislation and explain how the legislation addresses disability.

- **National Commission on Disabilities (NCD) Act of 2005.** It is, however, noted that the 2005 Act was revised in 2011 and is expected to be passed into law by a 2011 Repeal Act

The Act has helped influence advocacy by Disability Persons' Organisations (DPOs) in the framing of the National Action Plan (NAP) to drive for inclusion of persons with disability.

- **The Educational Reform Act (August 2011)**

This requires a review to establish inclusive education. In addition, according to SIDA reports, The Agenda for Transformation 2012-2017 is providing overall guidance for development efforts and priorities in Liberia. It identifies disability as an important cross cutting issue.⁴¹ The National Action plan adopted by members from 24 DPO's; the Alliance for Disabilities; five government line ministries (Public Works, Education, Gender, Justice and Health); and other institutions concerned with the rights and welfare of persons living with disabilities realises the need for concerted national efforts to promote the welfare of persons with disabilities throughout the length and breadth of Liberia in line with the Liberian Constitution, the United Nations Convention on the Rights of Persons with Disabilities which Liberia signed and ratified in 2012, and the Sustainable Development Goals (SDGs): 'the DPOs stated in the joint resolution seek the Inclusion of Persons with Disabilities to promote the welfare and rights of persons with disabilities throughout Liberia'.⁴²

- **The National Health and Social Welfare Policy and Plan 2011-2021**

This law requires an inclusive approach to cater for the health needs of persons with disability. Under Section 4.3 of the Policy, it is provided that a⁴³

detailed package of services that will be prioritized and made available incrementally, including services for people with physical and mental health disabilities, prevention of disabilities, child and family services, child protection, as well as aged, juvenile, youth development, substance abuse and prison services.

4.2 Does Liberia have legislation that indirectly addresses issues relating to disability? If so, list the main legislation and explain how the legislation relates to disability.

- **The Liberia National Human Rights Commission Act 1997**

The Commission aspires to improve respect for human rights and protection of same in Liberia.

41 SIDA (n 10).

42 'Liberia: Persons with disability want inclusion' *Reliefweb* 14 July 2018 <https://reliefweb.int/report/liberia/liberia-persons-disabilities-want-inclusion> (accessed 20 May 2020).

43 National Health and Social Welfare Policy https://extranet.who.int/countryplanningcycles/sites/default/files/country_docs/Liberia/ndp_liberia.pdf (accessed 15 July 2020).

In addition, given that Liberia provides for the right to equality, legislation applies to all and as such, indirectly address issues of disability.

5 Decisions of courts and tribunals

5.1 Have the courts (or tribunals) in Liberia ever decided on an issue(s) relating to disability? If so, list the cases and provide a summary for each of the cases with the facts, the decision(s) and the reasoning.

There are no reported decisions of courts or tribunals.

6 Policies and programmes

6.1 Does Liberia have policies or programmes that directly address disability? If so, list each policy and explain how the policy addresses disability.

- **The Education Reform Policy**

This Policy is targeted at ensuring inclusion for both girls and persons with disability.

- **The Education Sector Policy (ESP)**

This Policy is targeted at ensuring inclusive education for children with disability in Liberia.

- **The National Action Plan on Disability 2018-2020**

The policy is targeted at ensuring that persons with disability are included in all sectors of Liberia's national development and shielded from all forms of discrimination. In addition, it ensures the inclusion of persons with disabilities in Liberia's governance process, by requiring that all laws or sections of laws discriminating against persons with disabilities be abolished. The plan also seeks among others, financial assistance through provision of social security and welfare for persons with disabilities; as well as teaching of sign language as a required course in schools in Liberia – from elementary to college levels. The government is also working on offering a tax incentive to businesses that hire someone who has a disability.⁴⁴

6.2 Does Liberia have policies and programmes that indirectly address disability? If so, list each policy and describe how the policy indirectly addresses disability.

Yes, namely:

⁴⁴ A Ashenfelter 'Changing Liberian attitudes toward the disabled' (28 March 2013) <https://buildingmarkets.org/blogs/liberia/2013/03/28/changing-liberian-attitudes-toward-the-disabled/> (accessed 7 June 2020).

- **Poverty reduction strategy paper – PRSP (2008)**⁴⁵

This policy seeks poverty eradication in Liberia.

- **National policy and response strategy on climate change**⁴⁶

This policy is to drive adaptation of guidelines that would mitigate the effects of climate change in all spheres of the nation's existence.

- **National disaster management policy 2012**⁴⁷

This policy, among several others, aims to ensure effective institutional frameworks that would drive good governance and ensure sustainable national development.

- **National adaptation programme of action – NAPA (2008)**⁴⁸

This policy provides an avenue to identify areas of urgent development concern.

7 Disability bodies

Other than the ordinary courts or tribunals, does Liberia have any official body that specifically addresses violation of the rights of people with disabilities? If so, describe the body, its functions and its powers.

- **The Independent National Human Rights Commission of Liberia**

The Commission was created in 2005. The Commission's mandate is to support the protection of human rights in Liberia and support various law reforms to ensure a high level of respect for human rights in the country. In addition, the Commission advises the government on measures of ensuring compliance with human rights obligations. They are also saddled with the responsibility of producing reports of the state of human rights to the relevant government arms. The Commission also engages with numerous laws including the CRPD.⁴⁹

45 Liberia: Strategy Reduction Paper (2008) <https://www.preventionweb.net/english/policies/v.php?id=9357&cid=98> (accessed 7 June 2020).

46 As above.

47 As above.

48 As above.

49 Independent National Commission on Human Rights <https://inchrliberia.com/index.php/about-us/what-we-do#:~:text=The%20Independent%20National%20Commission%20on,of%20human%20rights%20in%20Liberia> (accessed 7 June 2020).

8 National human rights institutions, Human Rights Commission, Ombudsman or Public Protector

- 8.1 Do you have a Human Rights Commission, Ombudsman or Public Protector in Liberia? If so, does its remit include the promotion and protection of the rights of people with disabilities? If your answer is yes, also indicate whether the Human Rights Commission, Ombudsman or Public Protector of Liberia has ever addressed issues relating to the rights of persons with disabilities.**

Liberia has a Human Rights Commission.⁵⁰ The Commission does not provide for the protection of disability rights specifically, but provides for the general protection of human rights. The Commission is to protect only the rights provided for in the Constitution and engage in human rights education. The Commission is part of the bodies in Liberia engaging in advocacy to advance the protection of human rights and by extension the rights of persons with disability in Liberia.

9 Disabled peoples organisations (DPOs) and other civil society organisations

- 9.1 Do you have organisations that represent and advocate for the rights and welfare of persons with disabilities in Liberia? If so, list each organisation and describe its activities.**

Several DPOs exist in Liberia,⁵¹ however, the following are identified as DPOs with specific focus on disabilities:

- AIFO-Liberia: AIFO, Liberia is a professional non-profit health and development organisation that enables opportunities for persons affected by leprosy, persons with disabilities, women, children and members of poor and vulnerable groups, through focused healthcare, education and economic empowerment initiatives in Liberia with the aim of providing a better quality of life and creating large-scale positive change.⁵²
- Alliance on Disability: The Alliance consists of six organisations (AIFO, Carter Centre,⁵³ Handicap International,⁵⁴ NCD, NUOD and Sight Savers).⁵⁵ The major focus of the Alliance is to advocate for the implementation of the CRPD.

50 Human Rights Commission Act of 1997.

51 See generally the Diagnostic Study on Disabled Peoples Organisations Italian Agency for Development Cooperation on Start of NGO https://www.academia.edu/37978553/Diagnostic_Study_on_Disabled_Peoples_Organisations_DPOs_in_Liberia (accessed 5 June 2020).

52 <https://aifoliberia.org> (accessed 5 June 2020).

53 The Carter Center 'Liberia' <https://www.cartercenter.org/countries/liberia.html> (accessed 6 June 2020), focused on electoral governance and inclusion of PWD.

54 Hi.org 'Liberia' <https://hi.org/en/country/liberia> (accessed 6 June 2020), focused on inclusive education.

55 Sightsavers 'Liberia' <https://www.sightsavers.org/where-we-work/liberia/> (accessed 6 June 2020), focused on Visual impairment.

- National Union of Organisations of the Disabled (NUOD).⁵⁶ It coordinates the advocacy of issues of the rights of persons with disabilities.
- Group of 77: The largest intergovernmental organisation for developing countries. They are focused on inclusion of persons with disability and other development rights.
- Liberian National Association of the Deaf (LNAD)⁵⁷ sustains advocacy on the rights of the deaf in Liberia.
- Cultivators of Users' Hope (CFUH)⁵⁸ work with mental disability.
- Christian Association of the Blind⁵⁹ provides equal opportunities for persons with disabilities especially with sight impairment.

9.2 In the countries in your region, are DPOs organised/coordinated at a national and/or regional level?

- **National Union of Organisations of the Disabled (NUOD)**

NUOD is the largest coalition of DPO's in Liberia, it is made up of about 17 different bodies with focus on the development of advocacy on issues of persons with disabilities.

- **Italian Association Amici di Raoul Follereau**

Comprises of six groups with focus on different areas of disability advocacy.

9.3 If Liberia has ratified the CRPD, how has it ensured the involvement of DPOs in the implementation process?

DPO's in Liberia are quite organised and have sustained advocacy in this respect. In an email conversation with Mr Samuel Dweh⁶⁰ it was clear that the roles of the DPO's in ratification of the CRPD is quite commendable. He informed that Ms Naomi B Harris is President of the National Union of Organisations of the Disabled (NUOD) which is Liberia's current most vibrant independent advocacy body for the Country's disabled community, and is currently advancing the rights of persons with disability.

9.4 What types of actions have DPOs themselves taken to ensure that they are fully embedded in the process of implementation?

Advocacy and visits to the relevant government agencies which could positively influence the situation of the rights of persons with disabilities.⁶¹ Additionally, DPOs are advocating for the establishment of the National Commission on Disabilities and inclusions of persons with disabilities in national Development and Programs.

56 SIDA (n 10), an independent group on disability rights advocacy https://www.sida.se/globalassets/sida/eng/partners/human_rights-based-approach/disability/rights-of-persons-with-disabilities-liberia.pdf (accessed 6 June 2020).

57 World Federation of the Deaf <https://wfdeaf.org/who-we-are/members/wfd-members/name/liberia-national-association-of-the-deaf-inc/> (accessed 5 June 2020).

58 <https://www.licormh.com/cfuh> (accessed 5 June 2020).

59 <http://www.cablberia.org> (accessed 5 June 2006).

60 Email conversation of 4 May 2020.

61 *Reliefweb* (n 42).

9.5 What, if any, are the barriers DPOs have faced in engaging with implementation?

Funds remain the greatest challenge to activities of DPOs.

According to Mr Samuel Dweh, monetary⁶² restraints affect the gathering of relevant information from individuals and organisations involved in gathering information on issues of disabilities and consequently affects planning around programmes targeted at persons with disabilities.

9.6 Are there specific instances that provide ‘best-practice models’ for ensuring proper involvement of DPOs?

Yes, according to Mr Williams, the African Youth with Disabilities Network-Liberia (AYWDN-Liberia) played a very vital role in the 2018 Amended Disability Act, creating and strengthening the 2005 Disability Act of the National Commission on Disability of Liberia with funding from the OSIWA. According to Mr Williams, *the AYWDN-Liberia and partners* drafted and submitted a Disability Act of 2018 to a plenary session of the lower House of the Liberia National Legislature which was subsequently passed by same.⁶³

9.7 Are there any specific outcomes regarding successful implementation and/or improved recognition of the rights of persons with disabilities that resulted from the engagement of DPOs in the implementation process?

Yes, the consortium of Disabled People Organisations (DPOs), the Alliance for Disabilities, and other institutions concerned with the rights and welfare of persons with disabilities, have adopted and signed a joint resolution for the implementation of the plan.⁶⁴

9.8 Has your research shown areas for capacity building and support (particularly in relation to research) for DPOs with respect to their engagement with the implementation process?

The areas that require capacity building include, but are not limited to, training to assist DPO’s understanding guidelines for reporting by state parties and the shadow reporting process before the various treaty bodies, and also engaging effective advocacy for implementation of projects. The understanding of this process would enhance the implementation, monitoring and evaluation processes to effectively track government activities. Consequently, there is the urgent need to ensure that capacity of DPOs, NCD and NUOD to carry out their mandates and operational processes for sustained advocacy, fundraising and empowerment is extensively strengthened and they also receive training for technical capacity development.

62 Email conversation of 4 May 2020.

63 Email of 6 May 2020.

64 Liberia Permanent Mission to the UN <http://pmun.gov.lr/index.php/news-and-events/142-government-of-liberia-committed-to-ensuring-inclusive-society-develops-policies-and-programs-for-people-with-disabilities> (accessed 12 May 2020).

9.9 Are there recommendations that come out of your research as to how DPOs might be more comprehensively empowered to take a leading role in the implementation processes of international or regional instruments?

Funding, programme management training and exposure. Liberia needs financial and technical support for the development of a national sign-language programme, provision of assistive devices, ICT equipment and establishment of a national registry for persons with disabilities, among others.

9.10 Are there specific research institutes in your region that work on the rights of persons with disabilities and that have facilitated the involvement of DPOs in the process, including in research?

Yes, they are:

- African Youth Disability Network-Lib and the National Union of Organisation of the Disabled (NUOD).
- The Deputy Director for the National Commission on Disabilities Mr Fallah Cymbianoh and the Coordinator for Women with Disabilities at the National Commission on Disabilities, Ms Michal Dennis Zahn formed part of the Liberian delegation to the 12th Session of the Conference of State Parties to the United Nations Convention on the Rights of People with Disabilities (CRPD).⁶⁵
- Open Society Initiative for West Africa (OSIWA) has supported the activities of the African Youth Disability Network-Lib to engage in advocacy. The Humanity for Inclusion Project is also training teachers to equip them with required technical know-how on how to ensure inclusive education.⁶⁶
- Clinton Health Access Initiative and Global Disability Innovation (GDI) Hub: CHAI and GDI conducted an inaugural Liberia country capacity assessment (CCA) in 2019 on access to Assistive Technology for persons with disabilities to provide in-depth understanding on Liberia's capacity to finance, procure and provide quality assistive devices to persons with disabilities and further assessed relevant policy and regulatory environments, qualified human resources and rehabilitation institutions to provide efficient and effective assistive technology and rehabilitation services to persons with disabilities, especially the elderly population who are usually susceptible to functional limitation and disability.⁶⁷

⁶⁵ As above.

⁶⁶ Humanity & Inclusion 'In Liberia, Humanity & Inclusion continues to run programs under the operating name "Handicap International.'" <https://www.hi-us.org/liberia#i> (accessed 12 May 2020).

⁶⁷ Final Report: Assistive Technology Country Capacity Assessment in seven African Countries using WHO Assistive Technology Assessment-Capacity Tool https://at2030.org/static/at2030_core/outputs/Final_Draft_CCA_in_7_African_Countries_web.pdf (accessed 18 July 2020).

10 Government departments

10.1 Do you have a government department/departments that is/are specifically responsible for promoting and protecting the rights and welfare of persons with disabilities? If so, describe the activities of the department(s).

The National Commission on Disabilities has the mandate to ensure the promotion of the rights of persons with disability. The NCD in collaboration with the Liberia Land Authority conducted a two-day awareness workshop on the National Action Plan for the inclusion of persons with disability and Land Rights Act in Tubmanburg, Bomi County and Grand Bassa County respectively. The event aimed at creating more awareness on a five-year action plan developed by the Commission through the support of UNDP. It also aimed at acknowledging persons with disabilities on their right to land ownership and the legal procedure in acquiring land. The workshop brought together about 200 participants from Gbapolu, G.Cape Mt and Bomi and another 186 participants from Rivercess, Margibi and G. Bassa respectively. The event was supported by UNDP. The NCD is also working with the UNDP to support the event to be extended in other regions of the country.⁶⁸

There is also the Ministry of Gender Children and Social Protection (MGCSP), the Ministry of Health National Eye Health Division, and Non Communicable Disease Division that supports persons with disabilities with visual impairments.

11 Main human rights concerns of people with disabilities in South Sudan

11.1 Contemporary challenges of persons with disabilities in Liberia (eg in some parts of Africa is ritual killing of certain classes of persons with disabilities such as people with albinism. Tanzania has been in the headlines in this regard. We should have a way of interrogating customary practices that discriminate, injure and kill persons with disabilities).

Persons with albinism in Liberia face discrimination and exclusion from gainful employment.⁶⁹ They continue to face verbal and physical attacks. Persons with

68 National Commission on Disabilities Facebook page https://web.facebook.com/pages/category/Legal/National-Commission-on-Disabilities-356657604964339/?_rdc=1&_rdr (accessed 7 June 2020).

69 J Kanubah 'Liberian Albinos fight for rights' *DW.com* 24 July 2013 <https://www.dw.com/en/liberian-albinos-fight-for-rights/a-16971982#:~:text=Liberian%20albinos%20fight%20for%20rights,formed%20their%20own%20advocacy%20group> (accessed 1 June 2020).

mobility impairment are also confronted with the challenges of reasonable accommodation and employment.

11.2 Describe the contemporary challenges of persons with disabilities and the legal responses thereto, and assess the adequacy of these responses to:

- **Access and accommodation:**

Article 19 of the CRPD commits states parties to take all appropriate measures to ensure that the built environment, transportation, information, communications, and other services are accessible and free of obstacle. However, this is very low in Liberia, as the transport system and access to public institutions are still fraught with non-friendly infrastructure. At the moment, there are no legal initiatives in these regards.

- **Access to social security:**

Articles 11 and 13 of the Liberian Constitution guarantee the security of both individuals and citizens of Liberia. However, persons with disability continue to suffer from abuse and violation of the right to security. There is no record of any legal response in this regard. In this sense, it is important to note that both physical and social security remain huge challenges for persons with disabilities in Liberia. This is more so that the National Social Security and Welfare Corporation (NASSCORP) Act makes the scheme nuanced by persons with disabilities.⁷⁰

- **Access to public buildings:**

Articles 5 and 9 of the CRPD advocate for access and elimination of barriers and discrimination of persons with disability from accessing public buildings. However, public buildings in Liberia largely remain inaccessible to persons with disability.⁷¹

- **Access to public transport:**

Article 9 of the CRPD covers this aspect, however, despite consultations since 2013,⁷² projections towards an inclusive transportation system are still unrealistic.⁷³ Additionally, there is poor support in terms of access to Assistive Technology/Devices. Approximately 84 per cent of persons with disability in Liberia do not have access to quality assistive devices to enhance their daily mobility and functionality which often limits their full participation in education, employment and community life and deprives them from leading healthy and productive lives.⁷⁴

- **Access to education:**

The Children Law in article iv provides for access to education of the girl child and persons with disability. It is noted that efforts in this regard are growing. However, there is still much to be desired. The quality of content of education in Liberia remains poor and the various challenges related to quality like infrastructure, availability of academic materials and the like continue to ensure that inclusive education is far from being realised in Liberia.

70 'Harmonisation of the Social Security and Public Sector Schemes' <https://ww1.issa.int/gp/182224> (accessed 10 December 2020).

71 LS Mendin 'Make public buildings accessible again: European Disability Forum calls on Liberian government' *AIFO Liberia* 26 November 2018 <https://aifoliberia.org/2018/11/26/make-public-buildings-accessible-european-disability-forum-calls-on-liberian-government/> (accessed 2 June 2020).

72 'Liberia: Disability inclusive transport sector consultation begins in Monrovia' *AllAfrica* 19 July 2013 <https://allafrica.com/stories/201307191045.html> (accessed 6 June 2020).

73 'Disability and Development Report' <https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2019/07/disability-report-chapter2.pdf> (access 10 December 2020).

74 Clinton Health Access Initiative (n 5).

- **Access to vocational training:**

The Vocational Rehabilitation and Employment (Disabled Persons) Convention of 1983 supports the inclusion of persons with disability,⁷⁵ thus in Liberia vocational training is on the increase for persons with disabilities. Organisations like HOPE and some other DPO's⁷⁶ are in the forefront of training persons with disabilities and empowering them with requisite skills to function.

- **Access to employment:**

Access to employment of persons with disabilities in Liberia is provided for by the National Decent Work Act of 2015. Internationally, Liberia has ratified 25 International Labour Conventions. However, the discrimination against persons with disabilities is still prevalent. The involvement of persons with disability on the Board of the National Commission of Persons with Disability is a laudable development.

- **Access to recreation and sport**

Article 30 of the CRPD promotes the right to sports and leisure of persons with disabilities. Liberia has sports programmes for persons with disability. Football is a popular sport that they look forward to.

- **Access to justice**

This is a fundamental right of every individual, article 20 of the Liberian Constitution promotes access to justice and the rule of law. Article 13 of the CRPD protects the right to access justice by the CRPD. However, in Liberia this remains a huge challenge. The poor access to education of persons with disabilities implies the poor awareness and knowledge of the rights of persons with disabilities. The direct implication of this is that they are in several circumstances oblivious to their rights. The state of the court in terms of reasonable accommodation and assistive language facilities are all major indicators as to the poor state of access to justice of persons with disability.

11.3 Do people with disabilities have a right to participation in political life (political representation and leadership) in Liberia?

Article 63 of the Liberian Constitution cites disability as a ground for the removal of the President or Vice President. These provisions negate the spirit of article 29 of the CRPD. It is important to note, however, that considering the economic status of persons with disability, their involvement is very minimal and poor.

11.4 Are people with disabilities' socio-economic rights, including the right to health, education and other social services protected and realised in Liberia?

The state of economic and social rights is very poor. As already discussed above in 11.2, there are still so many grounds to be covered before it can be said that there are sufficient efforts in terms of law, policy and implementation.

75 Liberia Truth and Reconciliation Commission 'Accounting for the "less fortunate" and their psychosocial needs' Vol 3, Title VIII (30 June 2009) <https://www.legal-tools.org/doc/66b519/pdf/> (accessed 3 June 2020).

76 "My job is to make children hopeful": Inside Liberia's deaf school' *The Guardian* <https://www.theguardian.com/global-development/2016/aug/10/liberia-school-deaf-marginalised-my-job-is-to-make-children-hopeful> (accessed 6 June 2020).

11.5 Specific categories experiencing particular issues/vulnerability.

- **Women with disabilities**

Women with disabilities remain part of the most vulnerable group of the disability community. Aside the challenges suffered because of disability, cultural discrimination, and sexual and domestic violence contribute to the very poor experience of this group of persons with disability. Furthermore, it is noted that the effects of civil war had adverse effects on both women and men. More females being affected with various disabilities reflects a more complex situation which calls for multidimensional responses to the disability problem. The government needs to empower women with disabilities who are more affected, in that they will fit in the development process as disability is not inability.

- **Children with disabilities**

Children with disabilities like women suffer what can be best described as a twofold blow. The poor state of education in Liberia means that inclusive education is a huge challenge confronting children with disabilities. Several children with disabilities are hungry and also suffer severe forms of cultural discrimination.⁷⁷

- **Other (eg indigenous peoples)**

There is no record of any recognised indigenous group.

12 Future perspective

12.1 Are there any specific measures with regard to persons with disabilities being debated or considered in Liberia at the moment?

Yes, especially with the debates on inclusive education and governance debates. Also, the learning of sign language and campaign for accessibility to public buildings. This debate is centred around the Children Law and the Education Reform Act, which is targeted at ensuring that children with disability are not discriminated against in school.

12.2 What legal reforms are being raised? Which legal reforms would you like to see in Liberia? Why?

It is important to have disability specific legislation in the Country. Of equal importance is the need to ensure that the policies are interpreted from a disability-law perspective. The reason for this is it would enhance the inclusive involvement of persons with disability and ensure a targeted and measurable approach towards improving the experiences of persons with disability.

⁷⁷ 'Impact of armed conflict on nutritional situation of children' *FAO.org* <http://www.fao.org/3/w2357e/W2357E02.htm> (accessed 5 June 2020)