 **REPUBLIC OF LIBERIA**

**MINISTRY OF JUSTICE**

FORMAL REMARKS BY

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A VIRTUAL CONFERENCE ON LIBERIA’S THIRD CYCLE REVIEW (2020)

OF THE HUMAN RIGHTS COUNCIL

UNDER THE UNIVERSAL PERIODIC REVIEW

**HELD NOVEMBER 2ND, 2020**

**Mr. President**

**Your Excellences**

**Distinguished Ladies and Gentlemen**

I bring whole-hearted greetings and thanks from the President of the Republic of Liberia to you, Mr. President and the Honorable Council, for organizing this forum under difficult global circumstances, occasioned by the Covid -19 global pandemic.

Your Excellencies, following the submission of our report in 2015 during the Second Cycle review of the human rights situation in Liberia, this Council advanced a number of recommendations to Liberia, in furtherance of its obligations.

In light of the immediate post conflict economic and developmental challenges then facing the country, exacerbated by ethnic and cultural sensitivities, we accepted about 187 recommendations related to civil and political rights, as well as social and economic rights.

In the implementation of the recommendations, the Government adopted a National Human Rights Action, into which it incorporated all the recommendations it accepted; and constituted a Steering Committee comprising representatives from the line ministries and agencies of Government, Civil Society Organizations (CSOs), particularly the Independent National Commission on Human Rights (INCHR), to lead and guide the process of implementation.

As a country emerging out of brutal armed conflicts and striving at post-conflict national renewal and reconciliation, Liberia has not and cannot afford to lose sight of its moral and political commitments in meeting its international human-rights obligations and sustainable development goals.

We are, therefore, pleased as a state-party to officially present the Third Cycle National Report to the Human Rights Council (HRC), in compliance with the Universal Periodic Review (UPR) process, as a fulfillment of our obligations.

Your Excellencies, Let me firstly confirm and affirm that Liberia remains a responsible party of this Human Rights Council, with the unfettered commitment to abide by all obligations it has undertaken, under the various international human rights treaties and instruments to which it is signatory.

Following our appearance here in 2015, Liberia conducted a peaceful presidential and general elections, characterized by the international community as free, fair and transparent, which led to the smooth transition of authority, the first since 1980, from Her Excellency Madam Ellen Johnson Sirleaf to the incumbent President, His Excellency George Manneh Weah.

Liberia remains calm and peaceful with no reports of persistent patterns of human rights violation with impunity. Every incident bordering on abuse or violation of human rights, under the laws of Liberia and international instruments to which Liberia is signatory, is routinely investigated, those responsible charged, prosecuted and punished consistent with law. There are no political prisoners in Liberia.

Mr. President, Liberia’s Third Cycle Report being presented covers concrete and demonstrable actions taken by the Government since 2015. We are pleased to report that, through the National Human Rights Action Plan, Liberia has made significant progress in terms of the implementation of the recommendations of the Council, as set forth and contained in the Report that we have submitted.

Liberia still maintains its “abolitionist by practice” stance on the death penalty which translated into a “de facto moratorium” on the death penalty since 1990 and moving toward a de jure abolition in due course, consistent with the Second Optional Protocol of the ICCPR, signed in 2004 and ratified in 2005.

Over the past several years the Government, in close collaboration with non state actors, has engaged in sustained public education and awareness of the harmful effects of Female Genital Mutilation (FGM) and other harmful traditional practices, with the view to laying the foundation for attitudinal change and paving the way for law reform. Notwithstanding, these harmful traditional practices that border on human rights violations, such as “Trial by Ordeal” have been criminalized .

Mr. President, over the years, the Government of Liberia has also been able to address other critical human rights issues, such as the protection of free speech and the protection of women’s rights.

For example, in compliance with the “Table Mountain Declaration,” the Government of Liberia in 2018 repealed Chapter 11 of the Penal Law of 1978 on criminal libel against the President; Section 11.12 on Sedition and 11.14 on Criminal Malevolence, which led to the passage into law of the Kamara Abdullai Kamara (KAK) Act of 2019 for Press Freedom, to promote free speech, expression, independence and safety of the Liberian press. These reforms in the law have paved the way for an unfettered promotion and protection of press freedom, freedom of expression and a more wholesome media environment in Liberia.

Mr. President, in the area of constitutional reform, the Senate and House of Representatives of the 54th Legislature of the Republic of Liberia, on September 30, 2019, adopted a Joint Resolution, Leg-002/2019, consistent with Article 91 of the Constitution, proposing a Constitutional Referendum to Amend Articles 28, 45, 47, 48, 49, 50, & 83(a) and (c) of the 1986 Constitution of the Republic of Liberia.

This Resolution was approved by the President of Liberia on October 4, 2019 and a Referendum is scheduled for December 8, 2020. If voted yes, the Constitution of Liberia will see a reduction in the tenure of elected officials, including the President and legislators, dual citizenship, as well as an “Affirmative Action Clause” that will guarantee equal representation and participation for women in the governance of Liberia. The President has also signed into law the Local Government Act of 2018, which decentralized governance and provides for women participation in local governance, including opportunities for training of women and girls in matters of leadership.

Mr. President, the achievements made by Liberia were not without challenges. Liberia, like many other countries around the globe, has had its share in the global COVID-19 Pandemic. We are pleased to report that, taking cue from the 2014 EBOLA experience, Liberia managed, through robust proactive measures, to contain and minimize the spread of the Virus.

As part of its response to the pandemic, Government introduced stringent measures, including a Declaration of a National Health Emergency, which was followed by a Declaration of a State of Emergency, initially for 60 days and subsequently extended by another 30 days up to July 21, 2020. During the state of emergency, Government was compelled to impose restrictions on schools, public gatherings, free movements of people, goods and services throughout the country, among others. The impact of these restrictions have had a toll on the Country: Rise in unemployment, impediments in local and international trade and travel; drastic fall in GDP; slow and contraction of revenue generation and hard currency earning. Notwithstanding, courts remained open and the Writ of Habeas Corpus was not suspended.

Additional challenges included the lack of funding for the operationalization of the National Mechanism for treaty Reporting and Follow-up (NMRF); insufficient capacity of existing prison facilities to address prison congestions; and inadequate funding to support the National Human Rights Action Plan.

In closing, Mr. President, we also like to note that implementation of the UPR recommendations has helped in the achievement of Liberia’s Sustainable Development Goals; specifically, in the area of access to justice. As a state-party, the Government of Liberia has embarked on the path of Alternative Dispute Resolution (ADR), as access to justice outside of court room litigation, to complement the overstretched formal justice system.

Progress is being made in this area, as an ADR national Policy has been formulated, and is currently being reviewed nation-wide by stakeholders.

Subsequently, the draft ADR National Policy will be submitted to the Cabinet by the Minister of Justice for endorsement. The ADR Policy eventually will lead to the drafting of an ADR Law – all of which are intended to enhance the legal framework for a people-centered access to justice in Liberia.

In addition, the Government has drafted an amendment to the Penal law and to the Judiciary law to provide for “Plea Bargaining”, with the view to minimize delays in trials, and prolonged pretrial detentions.

Mr. President and Honorable Members of the Council, may we seize the occasion to thank the United Nations, ECOWAS, the AU and other international partners for their continued support to Liberia’s peace building efforts.

We are also grateful to the Office of the High Commissioner for Human Rights (OCHR) for establishing a national office in Liberia which has been and continues to provide the needed technical and financial support to the Government of Liberia in furtherance of human rights promotion and protection.

Finally, we wish to reaffirm Liberia’s support to the UPR process and its commitment to fulfilling all of its international Human Rights Treaty obligations.

I thank you.