

**Complementary Report to the Initial Report of the Government
of Liberia on the Implementation of the African Charter on the
Rights and Welfare of the Child, compiled by**

**The Liberian Child Rights NGO Coalition
September 2013**

Back ground of the Coalition

The Liberia Child Rights NGO Coalition (LCRNC) is an organization of child rights groups in Liberia. LCRNC was founded on July 19, 2012 by DCI-Liberia, ANPPCAN-Liberia, Plan International-Liberia, Save the Children International, Child Fund-Liberia, RADO, RHRAP, FAWE-Liberia, Right to Play and Think-Liberia. It currently has 35 members with the objectives of promoting the full and effective implementations of all documents on the rights of children to include, the UN convention on the rights of the child (UNCRC), the African charter on the rights and welfare of the child (ACRWC), the 138 and 182 ILO convention, the UNCRC additional protocols and the Liberian children's Law in Liberia.

LCRNC is a coalition of child rights NGOs in Liberia and is registered as a Not-For-Profit Corporation in the Office of the Ministry of Foreign Affairs, Republic of Liberia.

At the launch of LCRNC on February 6th, 2013, its NGO members committed themselves to pay special attention to promoting a culture of respect for human and child rights in Liberia. LCRNC's work for and with children is guided by relevant international and regional treaties, including the UN Convention on the Rights of the Child and its Additional Protocols, the ILO Conventions No. 182 and No. 138 on child labor, and the African Charter on the Rights and Welfare of the Child. LCRNC is dedicated to the rights-based approach to development and believes that, efforts to fully realize child rights in Liberia cannot be divorced from efforts aimed at poverty reduction, and inclusive and sustainable human development.

LCRNC is mainly governed by an Executive Committee (EC) of 8 elected members. The EC is the highest decision-making body and its members are elected after every 4 years. The Technical Committees meet regularly and report to the EC. The current efforts of LCRNC are aimed at building the capacity of its Secretariat, and strengthening the coalition and its NGO members through workshops, training, knowledge sharing and programming.

The Government of Liberia, through the Ministry of Gender and Development, has applied tremendous effort to organize the child protection network alliance since 2008 which comprised members from national/local organizations, Civil Society Organizations (CSOs), INGOs, UN agencies, and various Line Ministries. The network alliance meets once every month to discuss and harmonize protection related issues affecting children in Liberia. The Ministry of Gender and Development, with the support from Non-governmental organizations, has also put in place the Children Representative Forum at the county and national levels to ensure equal participation of children in all programmatic issues relative to their growth, survival and development. The Ministry in collaboration with other organizations has also endeavored to establish Child Welfare Committees in almost every part of the country.

Acknowledgement

This Alternative Report was documented with immense contribution from members of the Liberia Child Rights NGO Coalition. The Executive Committees and Members of the Liberia Child Rights NGO Coalition would like to extend her gratitude to all Organizations and individuals who played significant roles in submitting cogent information, submission of thematic reports, validating, and finalizing the reports. Special thanks go to Plan International-Liberia, Defence for Children-Liberia, Save the Children International, for Planning, coordinating, funding the process of data gathering and report writing. Finally our profound thanks and appreciations are extended to the consultant, Mr. Abdul Manaff Kemokai for compiling this report

Foreword

This report has been prepared as an Alternative Report to the state party Report submitted on May 9, 2013 to the African Committee of Experts on the Rights and Welfare of the Child in pursuant to the Provision of Article 43 of the Article Charter on the Rights and Welfare of the Child. This Report however contains cogent information to the State Party Report which includes list of issues, observation and Recommendations from all Coalition Members including NGOS, INGOs, Community Based Organizations and Civil Society Organizations of Liberia.

This is the initial State Party report submitted by the Government of Liberia to African Committee of Expert, indicating Progress made in implementing the African Charter since its ratification was prepared by the Ministry of Gender and Development. It highlighted Progress made by the Government in implementing the Charter.

Liberian children continue to be a vulnerable population needing special attention as the nation emerges from crisis to recovery. Liberia is just ten years into the return of peace. Much of the gap in fulfillment of rights can be traced to the disintegration of systems and infrastructures during the civil war. In the same vein, much of the progress being made lies not in the actual provision of services but rather in the enactment of policies.

The lives of the children of Liberia are actual existences, which do not lend themselves readily to condensation on stale pieces of paper. The succeeding pages are evidence of the attempt of the coalition to chronicle the key events and trends in the provision of the rights of children in the last four years. This first alternative report of Liberia on the African Charter on the Rights and Welfare of the Child contains the full efforts of the body in reporting the unmet needs identified during their interventions on behalf of Liberian children and equally important, progress in the fulfillment of rights.

The work which went into the production of this report was largely voluntary. Organizations concerned with the wellbeing of Liberian children went into their own coffers and wealth of experiences to extract the memories and records which compose this report. No effort was spared, but as this is a first alternative report there is still much to be learned. There is a Liberian saying which goes, "if you want to sit under a tree when you are older, plant it now." Our children will be all we have when we get older and all we leave to posterity after that. All efforts must be exerted to provide them with their best interests.

Foday M. Kawah
Chairman-Liberia Child Rights NGO Coalition

Coalition Members

1. AFRICAN NETWORK FOR THE PREVENTION AND PROTECTION AGAINST CHILD ABUSE AND NEGLECT (ANPPCAN)
2. FORUM FOR AFRICAN WOMEN EDUCATIONALISTS-LIBERIA
3. CHILD FUND-LIBERIA
4. GEM-LIBERIA
5. DEFENCE FOR CHILDREN -LIBERIA
6. LIBERIA INSTITUTE FOR KNOWLEDGE AND EXCELLENCE
7. RADO
8. RURAL HUMAN RIGHT ACTIVIST PROGRAM
9. PLAN INTERNATIONAL- LIBERIA
10. SAVE THE CHILDREN INTERNATIONAL
11. BEHOLD
12. DIVINE VISION
13. EQUIP-YOUTH
14. LIBERIA SHELTER FOR ABUSE WOMAN
15. NATIONAL CHILDREN REPRESENTATIVE FORUM
16. NATIONAL CHILDREN AND YOUTH ADVISORY BOARD
17. OUR CHILDREN'S FUTURE
18. RIGHT TO PLAY
19. ROCH
20. SAPA-LIBERIA
21. THINK-LIBERIA
22. WOCHIAD
23. LIBERIA CHILDREN FOUNDATION
24. CARE FOR HUMANITY
25. YOUTH ENVIRONMENTAL SERVICES
26. VISION AFRICA

Table of Content

Background of the Coalition.....	2
Acknowledgement.....	3
Foreword.....	4
Coalition Members.....	5
Executive Summary.....	9
Chapter 1: Introduction.....	10
Background.....	10
1.1 Situational analysis of child rights situation.....	10
Chapter 2: General Measures of Implementation.....	12
2.1 Legislations.....	12
2.2 Formal laws versus Customary Laws.....	13
2.3 The Law and the Child Protection System.....	13
2.4 National mechanisms for effective implementation of legislations, policies and action plans.....	14
24.1 The Children’s Protection and Development Division under the Ministry of Gender and Development.....	14
2.4.2 The Women and Child Protection Section of the Police.....	15
2.4.3 The Court.....	15
2.4.4 Child Welfare Committee.....	15
2.4.5 Other independent child rights specific national bodies.....	16
2.4.6 National monitoring and evaluation systems.....	16
2.4.7 Public awareness and understanding of the rights in the Charter.....	16
2.5 Recommendations under General Measures.....	16
Chapter 3: Definition of the Child.....	18
3.1 Definition of the Child.....	18
3.2 Recommendation.....	18
Chapter 4: General principles.....	19
4.1 Non-discrimination.....	19
4.2 Best interests of the child.....	19
4.3 Right to life, survival and development.....	19
4.4 Child Participation.....	20
4.5 Recommendations for general principles.....	21
Chapter 5: Specific Clusters of Rights.....	23
5.1 Political Rights and Freedoms.....	23
5.1.1 Name and Nationality.....	23
5.1.2 Birth Registration.....	23
5.1.3 Recommendation.....	24

5.2 Abuse and Torture.....	24
5.2.1 Situation of Abuse and Torture.....	24
5.2.2 Recommendations.....	24
5.3 Parental guidance	25
5.3.1 Alternative Care.....	26
5.3.2 Family reunification.....	26
5.3.3 Adoption and periodic review of placement	27
5.3.4 Recommendations.....	27
5.4 Health and Welfare.....	28
5.4.1 Environmental Hygiene.....	28
5.4.2 Prevent, treat and control epidemic and endemic diseases.....	28
5.4.3 Child and maternal health, sexual and reproductive health services.....	29
5.4.4 Primary Health Services.....	29
5.4.5 HIV/AIDs.....	29
5.4.6 Education, leisure and cultural activities.....	30
5.5 Recommendations.....	32
5.5.1 Free, compulsory primary education for all children- (specially the girl child, children with disability, children of minority groups, children from the rural areas, internally displaced children, and refugee children)	
5.5.1 Recommendations	
 Chapter 6: Children in situations of emergency	
6.1 Refugee, returnee and displaced children.....	33
6.1.1 Recommendations.....	33
6.2 Children in armed conflicts, including measures for child protection and care	33
6.2.1 Recommendations.....	33
6.3 Children in conflict with the law.....	33
6.3.1 The administration of juvenile justice.....	34
6.3.2 Children deprived of their liberty.....	35
6.3.3 Recommendations.....	36
6.4 Children of imprisoned mothers.....	37
6.4.4 Recommendation.....	37
6.5 Children in situations of exploitation and abuse.....	37
6.5.1 Economic exploitation including Child Labour.....	37
6.5.2 Recommendations.....	38
6.6 Drug Abuse.....	38
6.6.1 Recommendations.....	39
6.7 Sexual exploitation and abuse.....	39
6.7.1 Recommendations.....	40
6.8 Sale, trafficking and abduction.....	40
6.8.1 Recommendations.....	41
6.9 Children victims of harmful social and cultural practices.....	41
6.9.1 Recommendations.....	42

Chapter 7: Responsibility of the child

7.1 Implementation of responsibility of the child.....	43
7.2 Recommendation.....	43
8.0 Conclusions	

Executive Summary

As major partners to the State party in the implementation of the African Charter on the Rights of the Child and owing to the fact that CSOs are playing significant role in the promotion and implementation of the Charter, the Liberian NGO Coalition feel obligated to provide complementary information to the initial report of the Government of Liberia on the implementation of the Charter. The major objective of this complementary report is to provide additional information that reflects the actual situation of children in Liberia. The report was compiled by a group of national and international civil society organizations (CSOs) and children and youth groups through a Coalition.

During the process of compiling the report, members of the Coalition were divided into thematic groups based on their expertise, experience, knowledge in the thematic area and access to information about the thematic area. Initial reports including data that were received from the team leaders were compiled by an independent consultant. The first draft of the report was later discussed and validated at a workshop that was attended by Coalition members and children/youths.

The major findings of this report indicate that since the end of the civil war in Liberia in 2003, Government and its partners have invested so much in policy and institutional reforms including rehabilitation and construction of infrastructure. However, the old and the newly passed laws do not provide framework for child protection system building. The laws are more substantive rather than procedural. They do not provide any explanation on the processes and mechanisms particularly for strengthening of linkage between the formal and the traditional systems. In general, the current child protection system lacks an explicit and coherent vision and road map for meeting the holistic needs of children and families. The Children's Law (2012), seems to rely heavily on formalized bureaucratic service structures that are not only weak in terms of both human and financial resources but cannot be financed by the State Party and managed by the human resources available for social welfare in Liberia. The design of the Children's law is not compatible with the traditional structures and practices and the daily realities. Thus it seems to be creating a parallel system rather than one that can strengthen what already exists. It was also found out that implementation of the Charter has been driven much by interventions of NGOs/CSOs and UN agencies that were largely project based targeting specific groups of children, ignoring the system.

The umbrella recommendation is that the State party should carry out a comprehensive child protection system mapping survey aimed at developing a comprehensive child protection policy that will inform the design of interventions that look at the holistic needs of children and at the same time addressing their critical vulnerabilities. Results gained from the implementation of the policy can be used to review the Children's Law 2012 and other relevant laws.

Chapter One: Introduction

1.1 Background

This report was prepared through an extensive review of secondary information and data from research studies, policies and programs of the State party, and studies and project reports of NGOs/CSOs including members of the Liberia NGO Child Rights coalition, the World Bank and UN agencies particularly UNICEF and the UNCRC Committee's most recent (2012) Concluding Observations to the periodic report of the Government of Liberia. It strictly followed the Civil Society Organizations (CSOs) Complementary Report Guidelines adopted by the Committee, Conduct and Participation of CSOs in ACERWC Pre-session. Structurally, the report is categorized and presented in chapters based on the thematic clusters of the Charter. Though members of the Coalition did not carry out extensive nationwide consultations before putting this report together, they endeavored to include several other opinions from non-coalition members through the review of their reports. The Coalition intends to share this report with the Government, UN agencies, other NGOs and the public not only for the sake of transparency but more because of the rich information that it contains that would be very useful to all for different purposes. We therefore urge everyone to consider the principle of best interest of the child when using this report for any purpose.

1.2 Situational analysis of child rights situation

According to the 2008 census, Liberia's population is estimated at 3.5 million people living in 650,000 households, an average household size of 5.4. Nearly half (47 percent) of the population is under age 15. 64% of the population falls under the national poverty line and 48% fall under the extreme poverty line. The interpretation is that 2.2 million people living in 400,000 households are absolutely poor of which 0.5 million living in 100,000 households are moderately poor while 1.7 million living in 300,000 households are extremely poor.¹The report further indicates that 16 percent of the population live with disabilities.

Despite the adoption of a Poverty Reduction Strategy in 2008 and the drafting of a second Strategy in 2011, which clearly covers children's issues and social protection, the majority of the population lives in abject poverty, which has great implications on child care and development. Worse is the vast regional and gender disparities whereby children living in rural areas and children in female-headed households are poorer and food insecure than children living in the capital city and children in male-headed households². Liberia has a GDP per capita estimated at US\$190.2, making it one of the poorest countries in the world. Poverty is pervasive and is particularly acute in rural areas. It is estimated that 1.7 million Liberians live in poverty. About 1.3 million people live in extreme poverty, equivalent to 48 percent of the population. Poverty is higher in rural areas (67.7 percent) than in urban

¹United Nations :Social Protection issues in Liberia- a study commissioned in Monrovia December 2008

²UNCRC Committee concluding Observations to the report of Government of Liberia 2012

areas (55 percent). The country's infrastructure was severely damaged by the war. Access to electricity, improved water and sanitation facilities, adequate housing, and decent roads is severely limited. Only 25 percent of Liberians have access to safe drinking water, and 15 percent have access to human waste collection and disposal facilities. There is only around 700km of paved road surface, almost all of which is damaged, and 1600 km of unpaved roads, which are mostly in need of repair. Farm-to-market access is of paramount concern. Many parts of the country remain cut off during the rainy season. It takes at least an hour for rural dwellers to access a food market, or the nearest potential transport option. The limited railway network has not been operational for nearly 20 years. Food insecurity is high in and is evident in the poor nutritional status of the population including children.

In 2008, Liberia was considered one of the countries in Africa that did well in making higher percentage of budgetary allocation towards the advancement of children's rights, but the volume of resources allocated is still considered low in comparison with what it should be used for. Birth registration rate is 7%, one of the lowest in the world, putting majority of adolescents at risk of being deprived of legal protection particularly as it relates to judicial proceedings, access to education, health care and protection from hazardous labour. Child abuse is widespread and continues to persist even after the war. There are growing reports of sexual abuse and domestic violence against children. The Liberia Child Rights NGO Coalition members have reported and followed up several incidents of rape of girls under 12 years with the youngest survivor being 21 months. There were 50 reported cases of child endangerment during 2012; the true incidence level was believed to be much higher³

With regards access to quality education, primary school enrolment, which is currently 37% is very low; leaving majority of the children out of school. Girls school enrolment which is only 33% compared to that of boys (98%) at the primary level is as a result of declines in gender parity with grade, lack of adequate and sufficient sanitary facilities for girls in schools, persistence of gender-based violence and negative societal attitudes towards girls, including girls facing harassment at school by teachers⁴. About 70 percent of schools were damaged or destroyed during the war. Most schools lack books and other basic equipment. Many teachers have little or no training. Teacher attendance is low, at least partly due to low wages. There are substantial rural-urban differentials in education.

³ The US Department of State report 2012

⁴ UNCRRC Committee concluding Observations to the report of Government of Liberia 2012

Chapter 2: General Measures of Implementation

2.1 Legislations:

The Republic of Liberia ratified the African Charter on the Rights and Welfare of the Child in August 2007. Liberia is also a State Party to the United Nations Convention on the Rights of the Child. In fulfillment of her obligations, the Government of Liberia has attempted to domesticate both the ACRWC and the UNCRC through some legal reforms. Since the end of the war in 2003, some new legislations have been passed to promote and protect the rights of the child as prescribed in the ACRWC. These include:

- a. The Anti-Corruption Law of 21 of August 2008;
- b. The Act to amend the Penal Code of January 2006, called the Rape Law;
- c. The Independent National Commission on Human Rights Act of 11 March 2005;
- d. The Education Reform Act of 8th August 2011 and
- e. The Children's Act of 4th February 2012.

The passage of these laws demonstrates the willingness of the State party to implement both the ACRWC and the UNCRC. The Coalition also acknowledges the achievements of the State party for the ratification or accession to the following international and regional human rights instruments:

- a. Convention on the Rights of Persons with Disabilities in July 2012;
- b. Covenant on Civil and Political Rights in September 2004 and its second Optional Protocol in September 2005;
- c. Covenant on Economic, Social and Cultural Rights in September 2004;
- d. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol in September 2004;
- e. Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in December 2007;

Furthermore the Coalition appreciates the State party's efforts to put in place policies and plans aimed at advancing child rights, most notably:

- o National Action Plan for Prevention and Management of Gender-based Violence (2011-2015)
- o National Plan of Action against Human Trafficking (2008)

- National Policy on Girls' Education (2006)
- National Youth Policy for Liberia: A Framework for Setting Priorities and Executing actions (2006); and
- (e) (2004-2015).
- Education Master Plan 2000–2010 and the Education for All Action Plan

2.2 Formal laws versus Customary Laws

Like in many countries in Africa, Liberia has dual system of governance and justice; the formal system, which is governed by the State apparatus and the traditional system, governed by the traditional rulers (chiefs). Whilst the former is regulated by the Constitution, national legislations and policies, the latter uses customary laws and un-codified byelaws. Despite all the afore mentioned laudable efforts by the State Party to domesticate the Charter, the Coalition is strongly concerned that major gaps still exist between these legislations and the Customary laws in particular those relating to the definition of a child, minimum age of marriage, sexual consent and procedures involved in adjudicating child related matters. Though the Constitution dictates that national legislations should take precedence over customary laws, the customary laws are much more widely used and/or affected by majority of the population particularly in the rural areas, because the traditional system is much more accessible, easily understandable, cheaper to access and the proceedings do not last for long. A 2009 study of Liberia's dual justice system by the United States Institute of Peace (USIP) found that only 2 percent of criminal cases reached formal courts, 45 percent went to traditional/customary courts and the rest reached no forum at all.⁵The Coalition receives several reports from different parts of the country by its members indicating that chiefs are adjudicating matters outside their jurisdiction including sexual offences and in the process either compromise or levy fines that are not commensurate to the weight of the crime. The Coalition has also observed that some provisions of the existing legislations and customary law are not consistent with the principles and provisions of the Charter, in particular those relating to the minimum age of marriage, adoption, and juvenile justice.

2.3 The Law and the Child Protection System

The new Children's Law 2012 is the most significant step taken by the State Party to domesticate and implement the ACRWC and the UNCRC. It has important provisions that reflect the cardinal principles of the Charter and the Convention. It is comprehensive on issues relating to Child Survival, Development, Protection and Participation including right to protection and participation in Juvenile Justice Proceedings. It defines the roles of state and non-state actors, and provides operational standards. It recognizes and stipulates parental responsibilities, and defines the obligations of the government to respect and ensure the rights of children. It takes into account the African Charter on the Rights and Welfare of the Child including its reference to children's responsibilities. It contains

⁵STIMPSON 2012- To Combat Sexual Violence in Liberia: A Need for sharper focus on traditional justice

provisions on harmful practices, for example, Article VI on the Child's Responsibilities, Culture and Tradition prohibits marrying a child under the age of 18 years. Article IX sets standards in juvenile justice, such as the rule that at every stage of investigation and prosecution involving a child, diversionary measures shall be considered. This section also states that a child shall not be subjected to a pre-trial detention including remand, unless all other measures for dealing with the child pending trial have been exhausted.

However, the law does not create agenda for child protection system building. It does not define the processes and mechanisms for strengthening of linkage between the formal and the traditional systems. In general, the current system lacks an explicit and coherent vision or policy framework for meeting the welfare and protection needs of children and families. The Children's Law (2012), seems to rely heavily on formalized bureaucratic service structures that cannot be financed by the State Party and managed by the human resources available for social welfare in Liberia. The model of the Act is not compatible with the traditional structures and practices and the daily realities and hence a parallel system is still much in evidence. In rural areas children and families still lack access to appropriate support and services.

2.4 National mechanisms for effective implementation of legislations, policies and action plans

The Coalition applauds the State Party for their efforts in putting in place some institutions and mechanisms to implement and coordinate children's rights. The notable ones include the following:

2.4.1 The Children's Protection and Development Division under the Ministry of Gender and Development:

This Division used to be a unit within this Ministry until in 2008 when it was upgraded to a Division as part of Government's commitment to advance children's rights. The Division has responsibility for overall coordination of activities to implement the Charter and the Convention in the State party. This Division has established a Child Protection Network (CPN) to serve as coordination mechanism, which constitutes line ministries and other relevant Government institutions, UN agencies and INGOs and CSOs. This Network is also replicated at County level. The Network meets once every month at both national and county level, chaired by the head of the Division. Sometimes, the Minister of the Ministry (Gender and Development) is invited to the meeting. County level decisions and action points are fed into the National CPN through the Gender Coordinator assigned at the county offices. The Coalition has however observed that the Division is grossly under resourced both in terms of financial and human capacity and there is difficulty to access any information relating to resource allocation irrespective of the fact that the State Part has recently legislated the Freedom of Information law. Above all, the Coalition regrets the Division's lack of capacity to plan and finance its own initiatives without asking for funding from the NGOs/CSOs and UNICEF. Most times, the initiatives come from UNICEF and INGOs and they fund the programs. It also lacks the capacity and authority to be proactive and carry out policy level and strategic coordination among the various ministries and departments and between the national and county levels on child rights related matters.

2.4.2 The Women and Child Protection Section of the Police:

In 2005, the State party established the Women and Children Protection Section (WACPS) within the Liberian Police Force through a grant of USD 1.6 million from the Norwegian Government administered through UNDP to serve as a special mechanism that can effectively deal with sexual and domestic violence against women and children. The Liberian National Police (LNP) has now been able to establish Women and Children Protection Sections (WACPS) in over twenty locations in Liberia. The key mandate of the WACPS is to carry out investigation, prosecution and documentation of cases of child rights abuse/violations, domestic violence and sexual offences. The Section comprises both Police Officers responsible for criminal investigation of matters reported to them and civilian social workers who mainly deal with psychosocial problems of the victims. The Section is specialized in dealing with the cases mentioned above and. This Section has been important for its timeliness, which is reflected in the number of cases that it receives on a daily basis as observed by DCI Liberia during their daily monitoring visits to the Police Stations. These sections are meant to address the protection of women and children, especially against gender-based violence (GBV), including sexual violence. While having been recognized by the UN as representing a landmark effort, these sections nevertheless do not function as intended. There is a dire lack of resources for running these sections. Furthermore, GBV is not addressed in a comprehensive manner. Thus, police officers involved in the WACPS, in spite of often being well-trained, willing and qualified, often go through the motions rather than addressing the substantive challenges facing women and children.⁶ Additionally, the WACPS stations are not enough and their coverage is still very limited in the country, not easily accessible by majority of the population particularly in the rural areas. As a result, the chiefs who lack the requisite legal knowledge to handle such criminal cases are still adjudicating majority of the cases that fall within the jurisdiction of WACPS.

2.4.3 The Court:

There is only one functional Juvenile Court and one Juvenile Justice judge in the entire Liberia. The Court is located only in Monrovia at the Temple of Justice, leaving the other parts of the country without. As a result, juvenile cases in the provincial areas are handled by the Magisterial Courts. Majority of the Magistrates of the Magisterial Courts are neither lawyers nor have they had any specialized legal and child rights trainings that would give them the requisite skills and knowledge to handle juvenile crimes. As a result of these anomalies, many children and young people are found languishing in cells and prisons without going through the proper proceedings. Similarly, there is only one court located in Monrovia (Criminal Court E) specialized to handle rape cases. Rape cases outside Monrovia are adjudicated by the Circuit Courts, which are normal criminal courts that have no special provision for witness protection apart from the practice of conducting the court at the chamber of the Judge, which is closed to the public. Other forms of violence against children and family casework are dealt with by the magisterial courts.

⁶Benjamin de Carvalho and Niel Nagelhus Schia- Policy Brief, the Protection of Women and Children in Liberia

2.4.4 Child Welfare Committee

As a way of establishing specialized mechanisms to advance the protection and welfare of children at the local level, the State party through the Children's Law 2012 makes provision for the establishment of Child Welfare Committees (CWCs). CWCs are legacies of the UN and NGO projects that started during the war. As a result of their remarkable successes on the ground, the State party decided to legislate their existence. However, since the passage of the Children's Law in 2012, the State party has not done any significant investment in the CWCs. CWCs are still largely managed by NGO projects that are often not sustainable. There is still no budget allocation yet towards the operationalization of CWCs. The only remarkable step that the State party has taken so far is to issue identity cards to some of the CWCs. The role of CWCs and their linkage to the traditional system managed by the chiefs and the formal system of State Actors still remains unclear.

2.4.5 Other independent child rights specific national bodies

Currently, there is no independent child rights specific national body established by the State Party. The State party has established the Human Rights Commission since 2005 whose mandates were amended in 2009. Though in general terms the mandate of the Commission includes monitoring of child rights situation in the country as part of Human Rights issues, the Coalition is concerned that the Commission lacks explicit mandate to investigate children's complaints. The Commission has not been proactive and effective in advancing and implementing its mandate; particularly with regards children in the remote areas who are often forgotten.

2.4.6 National monitoring and evaluation systems to assess impact of interventions on children

The State party lacks any system in place for general and comprehensive monitoring and evaluation of child rights interventions. Most of the monitoring and evaluation works ever carried out are project specific and mostly done by NGOs in compliance with their donor contracts of the projects. There is no systemic data collection mechanism in place and as a result, the State party is hardly able to provide any updated data on child rights issues. Despite the fact that the State party has passed the Freedom of Information law in 2010, accessing information from the Government ministries and departments still remains challenging.

2.4.7 Public awareness and understanding of the rights in the Charter

The Coalition acknowledges the efforts of the State party in legislating the establishment of a Child Rights Advancement Fund to be managed by the Ministry of Gender and Development subject to the Revenue Code and any other financial laws and regulations that Government has in place⁷. The purpose of the fund will be to provide education on child rights and correlative duties of child wellbeing⁸. However, the Coalition is concerned that it is over a year now since the passage of the Children's Law 2012 but this fund has still not

⁷Part XI section 1 of the Children's Law 2012

⁸ State party Initial Report on the ACRWC

yet been established. The Coalition has also confirmed with the Ministry of Gender and Development that the State party does quarterly budgetary allocations towards child rights clubs and the civil society organizations to conduct awareness raising on children's rights. However, the Coalition is concerned that these funds have not been utilized for their intended purposes and there is no accountability measures in place for the benefit of the CSOs and children's clubs, who are suppose to be utilizing these funds

2.5 Recommendations under General Measures

In view of the concerns highlighted by the Coalition under General Measures, the Coalition recommends that:

- The State Party should carryout a relevant amendments of its legislation in order to harmonize it with the Charter and the Convention
- The State party should also make further efforts to harmonize its legislations with the customary laws
- The State Party should undertake a comprehensive child protection system mapping aimed at developing a policy and plan for child protection system strengthening, which can address the gaps between the formal and traditional systems
- The State party should also develop a comprehensive national plan of action, which can be adapted at County levels for the full implementation of the Children's Law linked to other sartorial plans, policies and legislations especially of health, education, social security, Poverty Reduction Strategy Paper and national budget
- The State Party must also ensure that if any provision in the Children's Law conflicts with other laws, the former must take precedence over the later
- The State party must ensure that enough budgetary allocation is done to the ministry of Gender and Development linked to its action plan and ensure that the staff are adequate and well trained and skilled to utilize the funds and implement the plan
- The State party must also give the required capacity and political backup (clout) to the Ministry of Gender and Development to be able to carryout inter-ministerial coordination
- The State Party should expedite the establishment of the Child Rights Advancement fund and engage in robust child rights education programs across the country involving the civil society and youth/children groups

3.1 Definition of the Child

Despite the fact that the newly enacted Children’s Law 2012 and several other legislations including the Rape Law define the child as a person below the age of 18 years, the Coalition is deeply concerned that some legislations provide different definitions that are inconsistent with the Charter. For example, Section 2.9 of the Inheritance and Customary Marriages Law 2003 provides for customary marriage of girls from the age of 16 and that the Revised Rules and Regulations governing the Hinterland permit marriage of girls at 15 years old. The Coalition is also concerned that the standard age definition (under 18 years) provided by the Children’s Law 2012 is not respected in practice particularly with regards to marriage and labour in the rural areas. Coalition members working in the field have given instances of early and forced marriage involving girls under 18 in several areas across the country. Similarly there are reports of children under 18 working with their parents at rubber plantation farms in the country.

3.2 Recommendation

The Coalition recommends that the State party do all it can to harmonize its laws to be in conformity with the Charter. Additionally, the State party must also ensure that this cardinal provision of the laws is adequately known by the general populace and ensure that it is fully monitored and enforced on the ground.

Chapter 4: General principles

4.1 Non-discrimination

The State party has made several attempts to address discrimination of children or certain category of children. The Children's Law makes several provisions that guarantee the rights of every child to non-discrimination irrespective of it sex, family, color, race, ethnicity, place of origin, language, religion, economic status, parents, or any other status. The Education Act follows suit. However customary laws⁹ that discriminate against girls particularly in the rural areas especially when it comes to inheritance and property rights are still being enforced¹⁰. More importantly, the distribution of social services is grossly imbalance between Monrovia and the rural areas, thereby making these social services prohibitive to the rural children. Similarly though school policies do not expressly discriminate against any child, the traditional arrangements of schools including male-female teacher ratio, infrastructure and services including toilets facilities make school environments unsuitable for girls and children with disability. The major barriers to achieving non-discrimination principle for all children include entrenched cultural beliefs and practices that are still maintained. For example a belief that land as a property in the rural areas belongs to the family (extended family) and the family should always be headed by a man. Another barrier is the traditional patriarchal administrative arrangements and governance systems that can hardly give space to women. School infrastructure (including stairs and steps without ramps) and learning equipment serve as repellants to children with disabilities from attending regular public schools.

4.2 Best interests of the child

The principle of best interest of the child was included in the Children' Law, which demonstrates the State party's commitment in promoting and implementing the principle. The Coalition is however deeply concerned that this principle is yet to be fully comprehended by the very Government officials responsible to implement it. Coalition members have expressed that at several forums including workshops and meetings, Government officials have demonstrated their limited understanding in this principle and often find it to be vague and abstract. As a result it has often been treated in isolation rather than being integrated into the application of all policies and programs including national budgeting, provision of services, family arrangements and judicial decisions. Children too often misconceive best interest principle as what the child wants rather than what is good for the child and the role that the child should play in deciding what is good for the child

⁹Revised Rules and Regulations Governing the Hinterland of Liberia

¹⁰ DCI-Liberia: Girl Power project report 2012

4.3 Right to life, survival and development

The Coalition applauds the State party for expressly incorporating children's rights to life and survival¹¹ into the Children's Law 2012, and for also taking steps to reduce infant and child mortality from 227 deaths per 1000 living births in 1990 to 103 deaths for 1000 living births in 2010. The Coalition would however like to present three of its main concerns regarding right to life and survival of the child. Firstly, hundreds of children are still dying from preventable diseases including malaria, typhoid, cholera and diarrhea. Secondly, the State party still maintains the provision of death penalty applicable to children aged 16 and 17¹² irrespective of the fact that section 3.2 of the Children's Law 2012 states that "No law shall be valid if it requires the execution or any form of killing of a child". The Penal Code of the death penalty is completely in contravention to the Charter and the UNCRC. Thirdly, there are also many reports of ritual killings and road accidents involving children, which cannot be disassociated with the inactions of the Government. Traffic police officers receive bribes from drivers and vehicle owners to allow vehicles that are not road worthy on the road. Additionally cost of living is generally high in Liberia, a country where most of the citizens are poor and live below the global poverty line. The country cannot produce its staple food (rice), importation is expensive and the burden is thus transferred to the consumers. This among other reasons causes child malnutrition and death.

4.4 Child Participation

The Coalition applauds the State party for legislating child participation. The new Children's Law 2012 makes vivid provisions regarding child participation. For example Article III Section 14.1 of the Children's Law provides that, "Every child shall have the right to freedom of expression subject to the following:

- Her or his evolving capacities;
- Her or his best interests;
- National security; or
- Public order, public health or morals or the rights and freedoms of other people.

"Every child shall, subject to hers or his evolving capacities have the right to seek, receive and impart information and ideas or otherwise express her or himself freely". The Law also indicates that 'every school and local authority shall progressively facilitate the formation of children's clubs, and other forums for the expression of views of children to advance child rights enjoyment and social justice environmental management and other matters that may be in the interest of children".

In spite of these, the Government has not been able to operationalize these legislative provisions. In the first place, it is not clear whether the formation of children's club at schools should be supervised by the Ministry of Gender and Development or the Ministry of Education. There is no plan in place to ensure this from the part of the Government. Formation of the clubs that are currently existing has been done by NGO projects, which

¹¹ Article III of the Children's Law 2012

¹²According to the existing Penal Code

has not been well coordinated. As a result, whilst some schools have, many others are still without. Children's clubs are not established across the country rather in few communities in some counties where international and national NGOs are operational. However, government is yet to take over the support of these groups. Currently the mechanism for children participation is limited to the national and county levels and yet to extend to the district and town/community levels. The government does not have any budgetary allocation for the functioning of the children's forums at both national and county levels.

It is also not clear how children can participate in decision making on issues that affect them once they are in the clubs. There are very limited mechanisms for engagement of children and limited room for their views to be given serious consideration. Relationship between teachers and pupils in terms of decision-making can better be described as "order and obey" relationship. Additionally, the clubs do not usually reflect fair and adequate representation of all children at the schools. Memberships in most schools do not reach 5% of the entire school population. The Coalition is also concerned that no provision is made for participation of children at community level and girls and children with disability are often more excluded according to a coalition member, DCI Liberia¹³.

4.5 Recommendations for general principles

The State party must:

- Ensure that all discriminatory laws including customary laws are repealed and/or revised to be inline with the provisions of the Charter
- Promote equal treatment of boys and girls must be practiced in all sectors of the society and Government must monitor and ensure that no form of gender discrimination whether intentional or not is encouraged
- Develop a policy on construction of public infrastructure particularly buildings and roads and set minimum standards that can ensure that they are accessible and user friendly by persons with disability
- Ensure that educational administration and facilities provided for learning and other needs are gender sensitive, for the benefit of both boys and girls
- Ensure fair distribution of social services, in order see that children living in remote communities can equally access and enjoy the services
- Educate professionals working with and for children and the public in general on the best interest of the child principle and monitor its application within public programs
- Ensure that the best interest of the child principle is adequately integrated and consistently applied in the designing and implementation of policies, programs and projects, administrative, legislative and judicial proceedings that concerned children
- Repeal the all provisions in the Penal Code that allows Death Penalty for children.
- Put sufficient mechanisms in place involving community-based structures for monitoring and prevention of ritual activities that take the lives of children. This

¹³Girl Power-Defence for Girls Project report 2011

must include ensuring that perpetrators are immediately arrested to face the legal consequences. For those that act on behalf of a group and/or institution, the State party must ensure that appropriate legal actions are taken against them including banning of the group and confiscation of their property, part of which should be used to compensate the victim's family.

- Put proactive measures in place to control road accidents. This must include proper inspections and examinations of vehicles before they are licensed, ensuring that drivers strictly abide by traffic rules, control corruption among the police and other officials concerned and other appropriate regulations
- Ensure that all children irrespective of their race, economic status and locations must have easy access to quality health care services particularly free access to preventative drugs such as vaccines.
- Ensure that all schools must have effective child participation mechanisms that can demonstrate evidence of inclusive participation of children in school governance and decision-making. This must also be extended to the communities
- Introduce initiatives that can promote participation of girls.
- Provide resources for the training and activities of child rights clubs so that children themselves can engage in peer education campaigns and advocacy with decision makers and public institutions for the enjoyment of their rights

Chapter 5: Specific Clusters of Rights

5.1 Political Rights and Freedoms

5.1.1 Name and Nationality

The Liberian Children's Laws 2012 guarantees children's rights to name and nationality. According to Article III section 4.1 of the new law, "Every child shall have a name that is not humiliating or degrading to the child except where these names are based on cultural and traditional practice". Section 4.2 further states that "Every child shall have to have her identity preserved." Traditionally, every newly born child is given a name by its parents through a special ceremony based on the culture or religion of the parents of the child or the environment in which they live. Hence every child in Liberia has a name and perceived nationality. However, nationality of every citizen is much more guaranteed by an access to birth certificate and passport. Unfortunately, many children in Liberia still do not have any birth certificate neither a passport and cannot claim their nationality outside Liberia. The Coalition is concerned that the State party has not made any efforts to review the constitutional provision that deny children who are born in Liberia citizenship based on colour and/or racial origin¹⁴, which are contrary to the Charter and the UNCRC.

5.1.2 Birth Registration

The Coalition commends the State party for establishing a birth registration system for children and ensuring that the Ministry of Health and Social Welfare puts together a policy that ensures that children below 5 years are registered and receive birth certificates free of charge. However attaching cost (\$7.00) to the registration of children over 5 years makes it prohibitive for these children, noted by the Coalition. The Coalition also commends the State party for their efforts in increasing birth registration rate from 4% in 2008 to 7.2% by 2012. However, the Coalition is concerned that this small increase involves more (6%) of urban children than those living in the rural areas who could only benefit by 3% even though they are in the majority. In general, the Coalition notes with concern that birth registration rate is still very low. This is because of low knowledge among the local people about the importance of birth registration and information on where to access the services. The services, which are usually housed within health centres and hospitals, are sparsely distributed particularly in the rural areas. Additionally, many women prefer to give birth at the homes of traditional birth attendants than going to public health centres and hospitals to avoid the costs involved.

¹⁴Article 27 of the Constitution and the Alien and the Nationalization Law

In the absence of a birth certificate, child rights defenders find it difficult to defend children when they are in contact with the law, involved in worst form of labour or want to access education and health care services as these issues can have age specific dimensions and regulations.

5.1.3 Recommendation

The State party must:

- Review its constitution and repeal every provision that is discriminatory to certain category of children because of their race and colour
- Double its efforts to increase registration rate of children. This must include intensification of public awareness raising programs and campaigns on the importance of birth registration using the media and community based mechanisms and local authorities.
- Consider including provisions for free and compulsory birth registration into customary and local byelaws that are more functional at the local level
- Urge pregnant women to deliver their babies at public hospitals and health centres and ensure that every child born at public facilities is registered and given free certificate.
- Consider developing standard guidelines on age verification for the use of judicial institutions for estimation of ages of young people in contact with the law who do not carry birth certificates

5.2 Abuse and Torture

5.2.1 Situation of Abuse and Torture

Whilst the Coalition acknowledges the State party's efforts in putting legislative ban on corporal punishment in correctional facilities¹⁵, the Coalition is worried that corporal punishment remains a legal and common practice in schools, homes and in alternative care settings. Corporal punishment is believed to be the best method of correcting children in Liberia and the public lack awareness on the negative effect of corporal punishment on children. Many children have fall out with their parents and moved out of the home or dropped out of school as a result of corporal punishment. However the situation is not monitored and documented to reflect its magnitude and impact on children. Domestic violence against children and women is also very common. Though the Children's Law contains various provisions on violence against children, and a special unit has been created within the police (WACPS) to be dealing with this issue among others, followed by several relevant trainings given to the responsible personnel, not many prosecutions have been forwarded by WACPS to the court on domestic violence. Domestic violence is often regarded as an issue of family affairs, and thus mostly dealt with outside judicial settings. The Coalition would also like to express its disappointment in the State party for not doing

¹⁵Article IX Section 3.5 of the Children's Law

much to prevent and deal with domestic violence irrespective of its magnitude and prevalence in the society.

5.2.2 Recommendations

The State party should:

- Ensure that corporal punishment is expressly prohibited by law and adequate mechanisms be put in place to monitor and enforce the law
- Establish and/or strengthen reporting mechanisms in school that can allow children to freely report and seek redress without receiving any negative repercussion from teachers
- Carryout awareness raising on the dangers of corporal punishment and domestic violence and their consequences on children
- Strengthen the Women and Child Protection Section of the Police to be able to promote prevention of corporal punishment and domestic violence through community partnership awareness raising programs and more importantly be able to effectively investigate and prosecute violence against children
- Provide adequate protection for child victims of violence particularly those whose cases are going through legal proceedings. Also ensure that victims have free access to legal assistance, psychosocial and medical therapy and treatment for their quick recovery

5.3 Parental guidance

The newly enacted Children's Law incorporated several provisions that guarantee the rights of children to parents and the rights of parents over their children. Under Article III section 6.1 and 6.2 of the Children's Law every child has right to appropriate parental guidance, and that every parent shall provide guidance to her or his child in a manner that is consistent with the child's evolving capacities. The National Social Welfare Policy that was adopted in 2009 also places high importance to children's relationship with the family. The Coalition is however concerned that there are many separated children living outside a family in a vulnerable situation. Though no reliable statistics is available to confirm the magnitude of the situation, the Coalition is confident to reveal that there are thousands of children permanently living in the street due to various reasons. Apparently, majority of families are poor and do not receive any supplementary support from the Government to be able to take care of their children. There is no system in place to provide supplementary resources and other forms of psychosocial assistance to parents particularly teenage parents and children heading households. It is also important to note the gender disparity eminent in child rearing.

Additionally, there is also a growing number of children who have been denied by their fathers. In Liberia, it is common for men to deny responsibilities for pregnancies of their girl friends and unfortunately there is no system in place to prove responsibility of a

pregnancy. DNA facility is still very expensive and inaccessible to most. Furthermore, there are still many fathers who are deliberately not taking care of their children and the maintenance system put in place to retrieve maintenance allowance from these fathers is weak and cannot effectively perform its roles. Hence despite the fact that there is a provision for legal obligation on maintenance in the law, the government finds it difficult to enforce it. The Women and Children Protection Section (WACPS) of the Liberia National Police, and the Ministry of Gender and Development usually do mediation to address such matters. When mediation becomes difficult they refer the matter to the courts.

5.3.1 Alternative Care

In 2012, the Ministry of Health and Social Welfare developed and launched the Alternative Care Standard to serve as a policy guide to regulate alternative care arrangements for children. Following this progress, a national Independent Accreditation Committee (IAC) was established to oversee and guide the selection of credible institutions providing alternative care services for vulnerable children. There is slow progress of the accreditation process of residential care institutions and the fate of the children in institutions, which are not accredited, is vulnerable and insecure. Out of the 88 alternative care institutions (Orphanages) that exist in the country, 100% have applied for accreditation. However, the IAC has only assessed 35 institutions and accredited 10 while the rest were just simply instructed to undertake relevant measures to comply with the standards. The full implementation of the regulations remains a challenge. This is primarily because Government has not allocated sufficient budget to the Department of Social Welfare to carry out its mandate in constantly monitoring and promoting the set standards to regulate the activities of the institutions. The conditions in most institutions have remained poor and Government is not acting.

Additionally, residential care institutions that were classified by IAC as substandard and not meeting government's regulations/standards continue to exist and receive subsidies from the government. This means that the IAC report is not given due weight by the Government. Additionally, Coalition members have observed that there is still large number of children living in residential homes and orphanages who do not fulfill the criteria or set standards to live there.

Access to recent data on children living under alternative care is a challenge. The NSF data for 2007 shows that 8,167 children lived in 117 orphanages of which only 50 were accredited and regulated by the Ministry of Health and Social Welfare¹⁶. The Coalition believes that though the figure might have been reduced due to the closing down of some of the orphanages, an alarming number of children are still institutionalized.

5.3.2 Family reunification

Following the end of the war in Liberia in 2003, the State party established the Liberia Repatriation, Reunification and Resettlement Commission (LRRRC) with the mandate to

¹⁶United Nations: Social Protection Issues in Liberia- a study commissioned by the UN Monrovia 2008

work with the international community in addressing issues that caused separation and internal displacement arising from armed conflicts, civil strife or natural disasters. The mandate of this Commission is limited to refugees and IDP responses. It does not include children deprived of family environment. The Ministry of Health and Social Welfare has the statutory mandate to respond to the needs of children deprived of family environment. Article VII, section 5.1 of the Children's Law guarantees that, "the Ministry of Health and Social Welfare shall work with the international community, civil society organizations and government, and public agencies and service providers to provide access to basic social welfare and services for refugee and internally displaced children." Section 5.2 requires that, "the Ministry responsible for social welfare shall facilitate as much as possible the reunification of unaccompanied or similarly situated children with their families. There is presently a Child Protection Working Group (CPWG) which was organized to discuss and handle emergency issues related to children affected by the Ivorian crises. The CPWG is comprised of government line ministries, the international community and civil society organizations. It is chaired by the Ministry of Gender and Development and co-chaired by the Ministry of Health and Social Welfare

5.3.3 Adoption and periodic review of placement

The coalition acknowledges Government's efforts in regulating adoption notably the establishment of a National Commission on Adoption in 2008 to examine domestic and inter-country adoptions, and the issuance of a moratorium on inter country adoption due to identified malpractices. The Coalition is deeply concerned about traditional child fostering arrangements that happen between parents and their relations or friends that is not monitored neither regulated. Many children are today suffering in servitude in the hands of their foster parents.

State party is also concerned that in many cases parents' informed consent is not provided. It is also concerned about the exploitation of children, as a consequence of informal adoption, and at the lack of legislation on adoption.

5.3.4 Recommendations

- State party must support poor families whose children are highly vulnerable so that the support can strengthen the families to be able to care for their children
- Expedite the alternative care homes assessment efforts and close down all substandard homes immediately
- Strengthen the alternative care monitoring mechanisms to be able to be doing continuing monitoring and enhancing the enforcement of the National Alternative Care Guidelines
- The State party must ensure that institutionalization of children in orphanages and other alternative care homes should be used as a measure of last resort. Efforts should be made to place children in family units

- All adoptions should ensure the best interest of the child and must seek informed consent of the parents
- The State party should expedite the enactment of the Adoption Bill and ensure that sufficient provisions are made to discourage or regulate informal type of adoptions or traditional fostering arrangements
- The State party must also ratify the 1993 Hague Convention on inter-country adoption

5.4 Health and Welfare

Whilst acknowledging the Free health Care policy for children under 5, the Coalition remains deeply concerned that maternal and infant mortality rate is still very high in the country. The several difficulties that pregnant women face in rural areas in accessing referral services, mainly due to long distances, poor roads, and non-availability of skilled and well-equipped health facilities and professionals especially in villages and remote areas which has largely contributed to an unacceptably high maternal mortality rate (103 death per 1000 live birth) in the Liberia, considered one of the highest in the world. The high levels of child morbidity and mortality are mainly attributable to malaria (67%), pneumonia (14%) and malnutrition (13%).

5.4.1 Environmental Hygiene

The Coalition notes that in May 2011 the “Water Supply, Sanitation and Hygiene” Sector Strategic Plan for Liberia 2011-2017 was adopted, to provide a framework for the improvement of environmental hygiene and water and sanitation. Whilst acknowledging commencement of implementation of the plan by the State party, the Coalition remains concerned that provision of drinking water, sanitation and housing which affect the healthy development of children remain grossly inadequate and substandard across the country. Access to toilet facility is still not possible for many especially in the rural areas and hence many people still use the bush or streams to defecate, which a serious concern. Last year alone, cholera and diarrhea outbreak claimed the lives of many people including women and children. The Coalition is also concerned about the high proportion of poverty among the Liberian population living below the poverty line (80%) and in extreme poverty (48%). It is moreover concerned about the regional and gender disparities whereby children living in rural areas and children in female-headed households are more poor and food insecure than children living in the capital city and children in male-headed households¹⁷

5.4.2 Prevent, treat and control epidemic and endemic diseases

The Coalition applauds the State party for the progress made in improving on primary healthcare services, which may have led to the reduction of child mortality, from 227 deaths per 1,000 living births in 1990 to 103 deaths for 1000 living births in 2010 and also efforts to eliminate Maternal and neonatal tetanus (MNT). The Coalition is however

¹⁷UNCRC Committee Concluding observation to State party's report 2012

concerned that many children are still dying from preventable diseases, notably, the high levels of child morbidity and mortality, mainly attributable to malaria (67%), pneumonia (14%) and malnutrition (13%). The Coalition is also concerned about the increasing use of breast milk substitutes in recent years and the very low rate of breastfeeding among suckling mothers.

5.4.3 Child and maternal health, sexual and reproductive health services

The Coalition notes that access to sexual and reproductive health services particularly for adolescents is very limited. As a result, teenage pregnancy reports are alarming particularly in certain areas of the State party, including Grand Kru, River Gee, Lofa and Montserrado counties. The Coalition's seriously worried about the high incidence of teenage pregnancies as well as the high level of clandestine and unsafe abortions by adolescent girls. The Coalition is concerned that adolescent-sensitive and confidential counseling services and support, particularly for adolescent mothers, are scarce in the State party. Furthermore, smoking, alcohol consumption and drug use remain widespread among adolescents and there are limited programs and services available for those affected by substance abuse

5.4.4 Primary Health Services

The Coalition acknowledges that as part of post war recovery and rehabilitation programs, many health facilities were reconstructed across the country. However, the Coalition remains concerned that many communities still lack access to basic health services particularly in rural areas. There are persistent inequalities and regional disparities in the distribution of essential health services and personnel. Access to the few facilities available is also difficult and even worse for pregnant women and nursing mothers as mentioned inter alia.

5.4.5 HIV/AIDs

The Coalition applauds the State party for demonstrating high level of commitment towards the fight against HIV/AIDS. In particular, the establishment the National AIDS Commission, chaired by the President and the State party's measures to increase the coverage and access to HIV testing clinics and the provision of anti-retroviral (ARVs) to pregnant women and children born to mothers with HIV. However, the Coalition remains concerned that HIV testing and ARVs are not evenly distributed across the country and thus not equally available to all children, teenagers and pregnant women.

5.4.6 Recommendations

- Step up efforts to improve access to basic health care services for all children and pregnant women, particularly in rural by ensuring that primary health care system covers the whole country;
- Make all efforts to improve on the quality of care and provide well equipped health care facilities and clinics including well trained health workers

- Intensify community health education programs using the media, religious leaders, traditional leaders, peer educators aimed at promoting nutrition, reduction in prevalence of infections, maternal and child mortality
- Improve access to ante-natal care provided by trained caregivers at home or in clinics, including care at delivery and for new-born babies in well-resourced and adequately staffed health clinics in remote areas; ensure access to emergency obstetric care
- Encourage pregnant women to seek antenatal care and deliver babies at hospitals wherever possible or in facilities attended by trained professionals
- Strengthen system of monitoring nutritional and health conditions of children and promote positive nutritional practices at community level. This includes developing nutritional programs that can limit stunting and other forms of malnutrition
- Continue to promote breast-feeding and enforce the International Code of Marketing of Breast-milk Substitutes, also as a means to combat the high prevalence of infant malnutrition in the country.
- Develop and adopt a national strategy on prevention of teenage pregnancy including adolescent-sensitive and confidential services
- Revise the legislation on abortion notably with a view to guaranteeing the best interests of pregnant teenagers and avoiding teenage girls resorting to clandestine abortions at the risk of their lives
- Develop strategic plan and programs to address drug abuse among children and adolescents including rehabilitation of addicts.
- Seek assistance from UNFPA, UNICEF, WHO and other partners to intensify participatory adolescent health programs that focus in particular on reproductive health rights and substance abuse.
- Intensify and widen the comprehensive HIV information-education campaign, and intensify its efforts to ensure proper coverage of HIV testing and ARVs provision.
- Particular attention to pregnant adolescents in rural areas and children born to mothers with HIV. The State party should seek technical assistance from, inter alia, the United Nations Joint Program on HIV/AIDS (UNAIDS), UNFPA and UNICEF

5.5 Education, leisure and cultural activities

5.5.1 Free, compulsory primary education for all children- (specially the girl child, children with disability, children of minority groups, children from the rural areas, internally displaced children, and refugee children)

The Education Reform Act was adopted in 2011. It governs and regulates the educational system and the delivery and management of the system to ensure the provision of quality education to all children between the ages of 3-15, and promote equal access to educational and the continuous efforts of the State party to reconstruct schools with the help of donors and development partners. In order to support the budgetary needs of the interventions for the Ministry of Education, the Act provides for allocation of 60% of the signatory fees coming from mining companies to the Ministry of Education. In spite of these laudable efforts, the coalition remains deeply concerned that the budget is not well promoting universal primary education. It is much skewed towards tertiary education and much of it (90%) are spent on salaries and wages, thus limiting opportunities for all children to achieve universal primary and second cycle education. This is evident in the low rate of primary school enrolment, which is currently 37%, of which only one-third complete the primary school. Many areas in the rural parts of the country are still without schools and in areas where there are schools, the availability of adequate trained and qualified teachers remains a huge challenge. Though the law provides for rights to education free-of-charge, other charges that teachers usually request from the pupils make schools prohibitive for many children particularly those coming from extremely poor homes. What is free has not been specified in the policy as current school requirements are getting higher than it was a tuition system. It may be believed that the tuitions are now spread in the forms of school requirements. According to views gathered from parents, student and school administrators reported that there is no free and fair compulsory education in Liberia, in fact, in government schools, learning material have increased now a day with uniform cost ranging from \$10 USD to \$15 USD. According to the US Department of State report 2012, extending tuition free and compulsory education by the Education Reform Act 2011 from the primary (grades 1-6) through junior secondary (grades 7-9) levels without adequate corresponding support to the schools has made many schools continue to charge informal fees to pay for teachers salary and operating costs that the Government fails to cover. These fees cause financial burden on the students and parents and has thus made education prohibitive to many.

Gender based violence in schools including sexual harassment by teachers is a grave concern for girl child education. Alarming rate of teenage pregnancy and early and forced marriage contribute significantly to girls drop out from school. Gender disparity is still eminent in schools; showing girls school enrolment rate at 33% compared to the boys (98%) at the primary level. Girls often complain that lack of adequate and sufficient sanitary facilities for girls in schools, and negative societal attitudes towards girls and the prohibition by some schools of pregnant girls to attend classes are still issues of concern to the Coalition. There is still high number of out of school children (63%). Furthermore, the State party lacks adequate facilities including public pre-schools for holistic early childhood development.

Coalition members have also observed high rate of school drop out during transition from

primary to secondary level owing to the fact that poor quality of primary education cannot prepare the children to cope with the standards and learning demands at secondary schools. With regional and gender disparities, and the lack of opportunities for children who drop out of school to have alternate forms of education, including vocational education, many children have remained illiterates in the State party. The Coalition is also concerned that the practice of “Bush Schools” licensed by the Ministry of Internal Affairs to be run by secret societies do not only deprive children of formal education, as well as a family environment but exposes them to economic exploitation and violence including female genital mutilation for girls. Finally, the Coalition has also observed that the school curricula is outdated and do not conform to modern educational standards. As a result, it creates challenge for Liberia children to fit into advanced educational system outside of Liberia. Above all, the curricula are also discriminatory with gender stereotyped ideals and lack of human/child rights education and other emerging issues.

Lastly, as mentioned inter-earlier, though the Children’s law provides for child participation in schools, there is no system or mechanisms in place to ensure that children can lend their views on issues that affect them in schools, decision-making and governance.

5.5.1 Recommendations

- Monitor and enforce the free-of charge compulsory education rights of children and punish teachers who push children out of school because of extra charges
- Take appropriate measures to improve on schools, services and teaching methodology
- Invest in teacher trainings and ensure provision of adequate training, including child rights, gender based violence and other emerging issues that teachers need to know how to deal with
- Ensure that all schools have effective child protection mechanisms including children’s access to safe reporting points without any fear of repercussion. Investigate thoroughly all such complaints, and ensure that perpetrators are brought to justice and punished accordingly
- Ensure that all schools have mechanisms on child participation and make it a strict rule that reports of school administrations must include how they are implementing child participation
- Increase the availability of schools at all levels in particular in rural areas in order to ensure equal access to education to all children;
- Create motivating and child-friendly educational programs for children who never attended schools so as to decrease the number of illiterate children, and while doing so integrate a gender perspective;
- Revise the curricula and include participatory learning tools as well and eliminate

any discriminatory provisions in the current one

- Intensify efforts to improve on access of girls to education. This includes special initiatives that can motivate girls and their parents towards education

6.1 Refugee, returnee and displaced children,

The Coalition acknowledges efforts made by the State party to legislate its commitment towards providing protection and necessary services for and facilitate reunification of refugee children including unaccompanied children¹⁸. The Coalition further commends the State party for establishing an inter-agency Child Protection Working Group (CPWG) that comprises of key child protection agencies including the Ministries of Gender and Development, Health and Social Welfare, UNICEF, Save the Children International, UNHCR, IRC and other NGOs to address the issues of refugee children and their families from Côte d'Ivoire. The Committee has been able to put in place health and education services at refugees' disposal. The Coalition is however concerned that the State party has not put any mechanism in place to assist and protect including regularization of the status of refugee children, in particular unaccompanied and separated children seeking asylum. The Coalition is further concerned that there are still Liberian children and youths living in the neighboring countries without proper integration. They are still living almost in refugee status and the State party has done nothing to track, repatriate and reintegrate them back into the Liberian society.

6.1.1 Recommendations

- The Coalition recommends that in addition to the ongoing efforts, the State party must initiate additional strategies that can provide more assistance to refugee children in full compliance with international refugee and human rights law. More attention should be focused on unaccompanied and separated children seeking asylum in order to ensure that their statuses are regularized and they can enjoy equal rights and opportunities as the Liberian children
- The State party must make efforts to look into the residual cases of Liberia children and youths who are still languishing in the neighboring countries since they went there as refugees. Special program should be developed to attract and support their return and reintegration into the Liberia society

6.2 Children in armed conflicts, including specific measures for child protection and care

The Coalition is pleased that the newly passed Children's Law¹⁹ explicitly prohibits children's involvement in armed or any other violent conflict, and criminalizes the recruitment or conscription of children into any form of military service. The major concern is that the State party has not done anything further to prevent the recruitment of children into armed groups particularly in the neighbouring countries. Reports reaching the Coalition indicate that armed groups in the ongoing conflict of Cote d'Voire are recruiting and using Liberian children and youths along the borders. This is a clear call to the State party that the law is not enough and much more need to be done to ensure that

¹⁸ Article XII, section 5.1 and 5.2 of the Children's Law

¹⁹ Article XII

Liberian children and youths will not remain vulnerable targets to arm groups in any uprising in the neighboring countries.

6.2.1 Recommendations

The State party should

- Put in place practical measures to prevent the recruitment and use of Liberia children and youths by arm groups operating in the border areas, in particular border areas with Cote d’Ivoire.
- Investigate and raise alarm at regional and international level about this problem and issue strong warning against the perpetrators using relevant international and regional instruments and bodies
- Apply all efforts to retrieve those children who are already with the arm groups and provide them with the necessary psychosocial and reintegration support for their recovery

6.3 Children in conflict with the law:

6.3.1 The administration of juvenile justice

The Coalition acknowledges progress made by the State party for incorporating provision for diversionary measures, the right to fair trial and training for personnel involved in juvenile justice into the Children’s Law and fixing age of criminal responsibility at 16²⁰. Amidst the above progress, the Coalition is deeply concerned that the provisions of these laws are far from being reflected in practice largely due to lack of effective mechanisms in place to implement and enforce them. In a more specific term, the Coalition would like to convey the following concerns:

- a) The extensive delay of trials and use of lengthy pre-trial detention for children due to lack of adequate juvenile courts and sufficient trained personnel. There is only one juvenile court in the entire country located in Monrovia as mentioned inter alia
- b) The Penal Code allows the Magisterial Courts to try cases of juveniles in areas without a constituted juvenile court. However, due to lack of legal knowledge among the magistrates most of whom do not have any legal background, they usually conduct the proceedings openly without respecting the privacy of children in conflict with the law
- c) Prosecution of cases of children under 16, there by making them criminally liable for crimes alleged against them. This is due to either lack of awareness of the investigators on how to deal with such cases and/or difficulties faced in verifying the ages of adolescents who have got no birth certificates. Age determinations are

²⁰ Penal Code

most often done at the discretion of officers of the Women and Children's Protection Section (WACPS) of the Liberia National Police. However, this process often results in confrontations between parents of juveniles, social workers and police. In 2012, DCI Liberia during its usual police station monitoring visits recorded 32 cases of children under 16 who were arrested and detained by the Police in for various offences in Monrovia, and 8 cases of under 16 juveniles who were tried at the Juvenile Court²¹. Currently, an 11 year old child is still in police custody since over two weeks for allegedly killing a 4 year old child according to DCI Liberia

- d) Juvenile offenders can be sentenced to Lifetime imprisonment and to sentences of 10-11 years
- e) Mismanagement of cases involving two minors (child on child offences). Irrespective of the fact that the children might be of the same age group, a Coalition member²² observes that the first person whose parent brings a complaint to the police is usually regarded as the victim and other one automatically the offender, and the police will start treating him/her like a convict throughout the investigation process rather than treating both as children in need of care and protection. For sexual offences, the boy is always considered the offender and the girl, the victim.
- f) Though diversion and pre-trial settlement of cases happen a lot at the police, it is associated with lots of inconsistencies due to that fact that there is no guidelines that police officers used to guide the process

6.3.2 Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial setting and compliance with the provisions of Article 5(3) of the Children's Charter prohibiting death sentences on children

While noting progress made by the State party to legislate abolition of the death penalty²³ (capital punishment) and life imprisonment of children under the age of 18 years, and further providing that "Corporal punishment, placement in a dark cell, closed or solitary confinement, or other punishment that may compromise the physical or mental health or well-being of the child concerned are hereby prohibited"²⁴the Coalition is deeply concerned that the Penal Code, which contains provisions for death penalty and life imprisonment of children has still not yet been repealed. The Coalition is also concerned that many children are in pre-trial detention at the Monrovia Central prison, in the same environment where adults are also held. In 2012 alone, DCI Liberia recorded 37 juveniles (29 males and 8 females) who were in pre-trial detention at the Monrovia Central Prison for over 6 months including some who have spent over a year there. All the 37 children were between 16 and 17 years and some who have passed 17 but not yet 18 are likely to end up at the adult facilities. This is because, in Liberia, the usual practice is that children who outgrow their ages at the children's facility are transferred to the adult facility to continue their detention terms. This is in contravention with international juvenile justice standards, which

²¹ Juvenile Justice report 2012 of DCI-Liberia

²² DCI Liberia

²³ Article 3.2 of the Children's Law 2012

²⁴ Article 3.5 of the Children's Law 2012

emphasizes that the trial and punishment of children should take into consideration the time they were involved in the crime- if the crime was committed at the time the accused was a child, he/she should be tried and punished as a child. Finally the State party lacks rehabilitation and reintegration program for juveniles. There is no post trial rehabilitation centre for juveniles. The only juvenile rehabilitation centre present in the entire country is the one run by Child Fund (an NGO) in Monrovia, but it has no link to the Juvenile Court. The Court does not refer cases to the centre. Juveniles that are given custodian sentences spend their terms at the Monrovia Central prison, without going through any rehabilitation program. This contributes to the growing rate of recidivism among juveniles.

6.3.3 Recommendations

The State party should:

- Consider reforming its juvenile justice system to be able to implement the new Child Rights Law, the Charter and the International Instruments that set minimum standards for juvenile justice. Ensure that during the view, the focus should be on developing system that is correctional and rehabilitation oriented rather than punishment focused. Seek technical assistance in the area of juvenile justice from the United Nations Interagency Panel on Juvenile Justice and its members, including UNODC, UNICEF, OHCHR and NGOs and make use of the tools developed by the panel when reforming the juvenile justice system
- Develop guidelines for dealing with children in conflict with the law who are under the age of criminal responsibility. This must also include incorporating practical guidelines on age verification for the benefit of adolescents without birth certificates
- Establish well-resourced juvenile courts in all counties across the country and train the judges and other personnel working in the court
- Repeal the provision of the Penal Code that impose life imprisonment and death penalty for juveniles
- Develop guidelines and effective mechanism for diversion of cases of juveniles. This may include creating mediation mechanisms within the police
- Develop community based mediation programs including para-legal programs in cooperation of with the CSOs/NGOs and faith based organizations
- Strengthen Child Welfare Committees and their linkage and partnership with the Police so that both can be working together to address juvenile cases from community perspective rather than institutional perspective
- Develop legal aid policy that would guarantee the rights of juveniles to free legal representation
- Create separate detention facility for children and ensure that detention is used as a measure of last resort
- Develop reintegration and rehabilitation programs for juveniles. This includes rehabilitation programs at detention facilities

6.4 Children of imprisoned mothers:

Whilst acknowledging the prohibition of imprisonment of expectant mother or a mother of a child below the age of 5 years and further providing that expectant convicted mothers shall be placed in a separate facility where she can continue to attend to her child with convenience²⁵, the Coalition is worried that no mechanism has been put in place to implement the above provisions of the Children's Law 2012. Hence mothers who fall within this category who are accused of heinous crimes are still likely to be detained in the same facility as others. ANPPCAN, a coalition member confirms that a suckling mother is currently (September 27th 2013) held at one of the police cells in Monrovia for allegedly committing a crime. When asked the police during their monitoring visit, the police responded that they were aware of the law but have no choice as there was no other alternative available to deal with her case. The police further opined that they have no provision for feeding and other welfare needs of the mother and baby. The family of the accused mother usually brings food for her and the baby and such situation might be worse for mothers without families that can do similar thing. Additionally, there is one woman currently living with her baby at the Monrovia Central Prison, according Coalition members who conduct frequent monitoring visit to the prison

6.4.4 Recommendation

The State party

- Should put in place appropriate mechanisms at the police, prison or outside to be in readiness to effectively implement article XXII section 6.1 of the Children's Laws 2012.
- Should also ensure that rehabilitation and social integration programs are developed for such mothers including paying special attention to teenage mothers

6.5 Children in situations of exploitation and abuse:

6.5.1 Economic exploitation including Child Labour

The Children's Law 2012 provides definition of child labour and went further to abolish it and emphasizes that victims should be treated as children in need of care and protection²⁶. Chapter 16.1 of the Penal Law provides that, "a parent, caregiver, guardian, or relative who engages in any act or connives with any other person to subject a child to sexual molestation, prohibited child labor, or such other act, that places the well being of a child at risk is guilty of a second degree felony". The Coalition also notes the establishment of the Child labour Commission within the Ministry of Labour to monitor child labour situation in the country. Despite the above progress child labour remains widespread in the country. According to the Rapid Assessment survey on Situation of Child Labor in Rubber Plantations in Liberia conducted by ANPPCAN Liberia with support from UNICEF in 2005, over 70% persons living in rubber plantations were children with 52% being males and 18% being females. The ages of working children range from 5-17 with more boys of age group 10-14 engaged in child labor as reflected in the rapid assessment report. School

²⁵ Article xxii section 6.1 of the Children's Law

²⁶ Article iii sections 20.1 and 20.2 of the Children's Laws 2012

enrolment especially at primary level is still low largely due to the factors mentioned above. This is confirmed by the UNCRC Committee who stated in their recent Concluding Observations on the State party report that child labour is prevalent and in almost all sectors of the economy, including hazardous work, mainly because of poverty, and at the serious implications that child labour has in the State party, specifically on children's health, development and education, resulting inter alia, in two thirds of children not enrolled in school²⁷. The UNCRC Committee further observes that companies and businesses accept children to help their parents meet their contract production quotas under hazardous conditions. In addition to the above, the Coalition is concerned that the Child Labour Commission is weak and cannot effectively perform its roles and responsibilities regarding enforcement of child labour laws and policies.

6.5.2 Recommendations

The State party should:

- Intensify public awareness raising in cooperation with the civil society and Child Welfare Committees on the dangers of child labour
- Strengthen the Commission of Labour with the requisite human and financial resources to be able to carry out their duties and be accountable to the Government and the public. This includes the Commission in turn strengthening CWCs to monitor and report child labour occurring at community level to the Commission
- Ratify the ILO Convention No. 138 on the Minimum Age for Admission to Employment and Work; and seek technical assistance from the International Programme on the Elimination of Child Labour of the International Labour Office (ILO-IPEC) to implement the Convention
- Urge companies and businesses to make strong undertakings regarding their adherence to Government policies relating to child labour and closely monitor their operations through the Commission of Labour
- Undertake comprehensive research to deepen knowledge and understanding in the root causes, prevalence and other realities of child labour

6.6 Drug Abuse

According to the Penal Law 16.6, "a parent or any person eighteen years old and above, who sells, sends a child to procure or serves alcoholic beverages, cigarettes or any narcotic or intoxicating drugs to a child or who employs a child in the sale of such beverage, cigarettes or narcotic and intoxicating drugs is guilty of a misdemeanor of the first degree. Despite this provision, the Coalition has observed that this law is not being enforced. The Coalition reports that drug sales and intake is very common among adolescents and youths particularly in certain slum communities in Monrovia. For example, the Red Light community well known by the public for high rate of drug abuse and criminality among

²⁷ Concluding Observations of the State party's (Government of Liberia) report 2012

young people but much has not been done by the police to address this menace. In particular, the Coalition is worried that marijuana intake level has not only increased among young people but the drug itself is cultivated in Liberia with the involvement of young people who work in the farms that are usually hidden in the bush.

6.6.1 Recommendations

- The police should strengthen its anti-drug unit so that the unit can step up its efforts in performing its duties
- The State party in collaboration with the police and social service providers should carry out a survey to understand the prevailing realities of drug abuse, including mapping out of drug infected communities and develop strategies to address the issue given consideration to the best interest of the child, such as avoiding any action that will lead to the arrest and incarceration of children involved and focus on rehabilitation programs.

6.7 Sexual exploitation and sexual abuse

The Coalition applauds the State party for demonstrating commitment to fight sexual exploitation and abuse. Significantly, the passage of the Rape Law, which provides stiff penalty for perpetrators of sexual violence, and the creation of the Women and Children's Protection Sections within the Liberia National Police as a specialized unit for the investigation and prosecution of sexual abuse, Gender Based Violence and domestic violence are commendable. The State party has also developed and adopted the National Plan for the Prevention and Management of Gender Based Violence. Whilst noting these developments, the Coalition would like to present the following concerns:

In comparison with the past years, Coalition members have observed that the culture of silence is gradually been broken. According to the US Department of State report 2012, there are now increasing reports of rape attributed by the Government and NGOs to an improved understanding of what constitutes rape, the pathway referral program, a combined efforts of the Government and NGOs, improved access to medical, psychosocial, legal and counseling assistance for victims. The report further reveals that the Women and children's Protection Section of the Liberia National police stated that approximately 369 rape cases were reported to the unit in 2012, of which 125 were forwarded to the court.

Despite the fact that rape has remained prevalent in the country even after the civil war, so far only few cases have been prosecuted and ended with conviction of the perpetrator. Only 6 rape cases were actually prosecuted; with 5 convictions and 1 acquittal.²⁸ Majority of the cases are either dealt with by the chiefs or family members who do not have jurisdiction over such cases or reached no forum at all. This is primarily because of limited access to formal justice institutions. Police stations and courts are mostly located in large urban areas away from majority of Liberians. According to STIMPSON, the average walking time

²⁸ The US Department of State report 2012

to the police stations and court is 3.5 hours and can go up to 10-12 hours²⁹ in some part of Liberia.

In a study done by the United States Institute of Peace in Liberia, respondents rank chiefs and elders as the arbiters of justice who are easiest to understand; formal courts were ranked lowest on issues of comprehensibility, fairness and respect for norms. “For most cases of rape, Liberians particularly in the rural areas prefer restorative and reconciliatory approach to justice of the customary system to the punitive approach of the statutory system”³⁰

6.7.1 Recommendations

The State party should:

- Intensify awareness raising on the Rape law, in particular about the clauses that provide punitive measures for compromise and also enforce the law
- Conduct a study on the traditional system of justice including grievance and dispute resolution process in order to better understand their the role the play in dealing with sexual violence
- Facilitate the development and signing of Memorandum of Understanding between the Women and Children’s Protection Section of the Police, Chiefs and Child Welfare Committee in order to strengthen their working relationship around sexual violence
- In cooperation with CSOs recruit and train paralegals and community legal advisors on Sexual Gender Based Violence cases so that they can facilitate proper channeling or referral of cases of sexual violence occurring within the community
- Decentralize mechanisms for the identification and investigation of SGBV cases including ensuring that rural people can equally access to free medical and legal assistance

6.8 Sale, trafficking and abduction

Despite the numerous challenges associated with the fight against trafficking in person, the State party has been able to do commendable job by enacting the Anti-Trafficking Act in 2005, and developed and adopted an action plan and the creation of a task force against Human Trafficking. However the Coalition is deeply concerned that despite the fact that there are increasing incidence of trafficking in children in the State party but no perpetrator has been convicted or sentenced yet. The Coalition reiterates the concern of the UNCRC Committee³¹ at the widespread phenomenon of relocating children from rural areas to live in Monrovia for a variety of purposes, including street vending, begging and domestic servitude. Reports reaching the Coalition also claims that orphanages and adoption agencies are used as hubs for child trafficking in the State party. Further more according to the Liberia Tier 2 Watch list, the country is a source, transit and destination country for young women and children subjected to forced labour and sex trafficking. The report further highlighted that most trafficking victims originate from and exploited within the country’s border and are subjected to domestic servitude. Forced

²⁹ STIMPSON 2012- To Combat Sexual Violence in Liberia: A Need for sharper focus on traditional justice

³⁰United States Institute of Peace 2009

³¹Concluding Observations 2012 of the Liberia State party’s report

begging, sex trafficking or forced labour in street vending, rubber plantations and alluvial diamond mines.³²

6.8.1 Recommendations

The State party should

- Urgently ratify the Optional Protocol to the UNCRC on Sales of Children, Prostitution and pornography
- Fully enforce the Anti human Trafficking Act 2005 including carrying public awareness raiding and education in cooperation with NGOs
- Create social protection programs including cash transfers to poor families
- Provide protection and other necessary support to victims of trafficking and ensure that they have automatic rights to status regularization for victims particularly those from another country
- Initiate inter-country co-operations aimed at fighting trafficking

6.9 Children victims of harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child; including early and forced marriage, female genital mutilation and Children who need special protection on account of being in risky or vulnerable conditions and situations such as street children or HIV/AIDS orphans

Whilst the Coalition acknowledges as positive the incorporation of an inclusive policy in the Education Sector Plan 2010-2020 as well as in the Children's Law and commends the State party for establishing the Commission on Disabilities in 2008 the coalition is deeply concerned that only 0.8 percent of the population of children with disability are in school³³. Children with disability face lots of discriminations in the society without enjoying protection from the authorities concerned. Liberia is a low income country with majority of its population living in poverty. Income disparity is high between the rich and the poor and social services are very limited. Most affected by these are women, children and elderly people living with disabilities and those living with HIV/AIDs. The situation is even worse for those who are heading households. A CFSNS report indicates that on the average 26 percent of all households are headed by chronically ill or persons with disability. In Grand Bassa County 55 percent of all households are disable headed³⁴. The report further quotes that in 2007, 8,167 children lived in 117 orphanages of which only 50 were accredited and regulated by the ministry of health and Social Welfare.

In western Liberia, for example, the practice of female genital mutilation/cutting and other harmful traditional practices are widespread across all four counties: Montserrado, Bomi, Lofa and Grand Cape Mount. In Lofa, a survey conducted by found a teenage pregnancy rate of 68% among girls aged 15-19. In Grand Cape Mount, members of the Sande society were carrying out FGM. Traditional Bush Schools are still operating in Liberia. Boys attend the Poro while girls attend the Sande. Besides being a cultural issue, it is also use a political weapon to win votes by some politicians. As the result, many politicians shy away from

³²2012 Trafficking in persons report on Liberia by the United States Department of State

³³ US Department of State report on Liberia 2012

³⁴United Nations: Social Protection Issues in Liberia- a study commissioned by the UN Monrovia 2008

discussing or taking steps in curtailing the practice for fear of losing votes. In a greater part of Liberia, one cannot win vote in an election if you are not part of one of the groups. The key concern of the Coalition regarding the above vulnerable groups is that there is no self-funded government project that can holistically address the critical vulnerabilities of these children; instead most of the interventions that targeted the above groups were carried out by NGOs or UN agencies. Child protection interventions have not been sustainable because they were not systemic and have relied on short-term NGO interventions. Many child protection NGOs have phased out of operations (mostly because of funding constraints) usually with no phase out plans in place.

6.9.1 Recommendations

- To be able to reach out to more children and address their problems comprehensively and maximize resources for the protection of children it is imperative to move from project to a systemic way of service delivery, which will position the child and his/her needs at the core of service provision
- The State party through wider consultations should adopt a policy that prohibit child FGM
- Step up efforts to fully implement and enforce the Disability law and amend the Education Act, to ensure that children with disabilities have equal access to education
- Adequately Train disability specialist teachers and professionals providing individual support in all schools and ensure that all the professionals trained can effectively ensure that children with disability can enjoy their right to quality inclusive education

Chapter 7: Responsibility of the child

7.1 Implementation of responsibility of the child

While noting the provisions made in the Children’s Law 2012 to implement the Charter in relation to children’s responsibilities, the Coalition is concerned that the State party has not put any mechanisms in place to implement and monitor these provisions.

7.2 Recommendation

The State party needs to organize consultations with children, parents, teachers and CSOs aimed identifying strategies and developing action plan with regards how to achieve the above

8.0 Conclusions

This report though was compiled by few CSOs; it provides a wide range of information collected from different important and reliable sources on the situation of children in Liberia. The report complements the initial report of the Government of Liberia on the implementation of the African Charter on the Rights and Welfare of the Child. Through this report, the Coalition was able to conduct honest opinion and commentary on the initial report of the Government of Liberia on the Charter, adding voice to progress made by Government on one hand and raising concerns on areas that need to be addressed. The report provides several recommendations that the Committee may consider when developing the Concluding Observations to the initial report of the State party. Similarly, the State party may consider the use of the recommendations when developing policies and programs to advance the Charter in the best interest of children in Liberia.