



Home Office

Country Policy and Information Note

Liberia: Sexual orientation and gender identity

Version 2.0

February 2017

Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained within this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country information

The COI within this note has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office's research guidelines, Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office's COI material. The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

Independent Chief Inspector of Borders and Immigration,
5th Floor, Globe House, 89 Eccleston Square, London, SW1V 1PN.

Email: chiefinspector@icinspector.gsi.gov.uk

Information about the IAGCI's work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Policy guidance

Updated: 9 February 2017

1. Introduction

1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm by the state and/or non-state actors because of the person's actual or perceived sexual orientation and/or gender identity.

1.2 Points to note

- 1.2.1 This note provides policy guidance on the situation generally of gay men, lesbians, bisexuals and transgender persons. They are referred to hereafter collectively as 'LGBT persons', though the experiences of each may differ.
- 1.2.2 Where a claim is refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as Liberia is listed as a designated state in respect of men only.
- 1.2.3 Decision makers must also refer to the Asylum Instructions on [Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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2 Consideration of issue

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Particular social group

- 2.2.1 LGBT persons in Liberia form a particular social group (PSG) within the meaning of the Refugee Convention because they share a common characteristic that cannot be changed and have a distinct identity which is perceived as being different by the surrounding society.
- 2.2.2 Although LGBT persons in Liberia form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question to be addressed is whether the particular person will face a real risk of persecution on account of their membership of such a group.
- 2.2.3 For further guidance on particular social groups, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.3 Assessment of risk

a. General points

- 2.3.1 Decision makers must establish whether or not the person, if returned to their country of origin, will live freely and openly as a LGBT person. This involves a wide spectrum of conduct which goes beyond merely attracting partners and maintaining relationships with them. If it is found that the person will in fact conceal aspects of his or her sexual orientation/identity if returned, decision makers must consider why the person will do so. If this will simply be in response to social pressures or for cultural or religious reasons of their own choosing and not because of a fear of persecution, then they may not have a well-founded fear of persecution. Decision makers should also consider if there are individual or country specific factors that could put the person at risk even if they choose to live discreetly because of social or religious pressures.
- 2.3.2 But if the reason why the person will resort to concealment is that they genuinely fear that otherwise they will be persecuted, it will be necessary to consider whether that fear is well founded.
- 2.3.3 For further guidance, see the [Asylum Instruction on Sexual Identity Issues in the Asylum Claim](#).

b. State treatment

- 2.3.4 Consensual same-sex sexual activity for both men and women is illegal in Liberia. It is classed as a first degree misdemeanor and carries a sentence of up to a year's imprisonment (see [The law](#)).
- 2.3.5 A Bill was passed by the Senate in July 2012 seeking to make same-sex sexual activity a more serious crime with a longer prison sentence. However the Bill has not been enacted as the President made clear that she would veto it (see [Political attitude](#)).
- 2.3.7 The law making consensual same-sex sexual activity illegal is rarely enforced and there have been no recent convictions (see [Enforcement of the law](#)).
- 2.3.8 Most LGBT persons say that they have never experienced first-hand discrimination and stigma when accessing public services (see [Access to public services](#)).
- 2.3.6 LGBT activists have however alleged that the police target or harass people they believe to be LGBT (see [Police attitude](#)) and a number of politicians have made hostile public statements about homosexuality, stressing religious and cultural arguments (see [Political attitude](#)).
- 2.3.7 In general there is no real risk of state persecution as the authorities do not actively seek to prosecute LGBT persons and there is no real risk of prosecution, even when the authorities become aware of such behaviour. Each case must however be considered on its facts with the onus on the person to demonstrate that they would be at real risk on return.

c. Societal treatment

- 2.3.9 As a result of anti-LGBT rhetoric following the introduction of the 2012 Bill in the Senate, societal discrimination, harassment, and stigmatization has become more prevalent. This was exacerbated by the outbreak of Ebola in the country which many religious leaders sought to blame on homosexuality (see [Political attitude](#) and [Religious leaders](#)).
- 2.3.10 Most LGBT persons claim to have been subject to verbal abuse and harassment at some point in their lives and some have reportedly been victims of physical assault (see [Political attitude](#) and [Societal ill-treatment](#)).
- 2.3.11 LGBT persons are cautious about revealing their sexual orientation or gender identities generally to avoid stigma and humiliation. There are reports of individual members of the LGBT community being accepted by their parents, but there are also many who are forced to leave home and who are abandoned by their families. Those that have come out to their families, voluntarily or not, often remain reluctant to come out to the general public for fear of reprisals (see [Societal treatment and attitudes](#)).
- 2.3.12 Groups supporting LGBT people also tend to keep a low profile, and there are only two non-governmental organizations openly advocating for the rights of LGBT people in Liberia. There have been reports of activists and their relatives having faced violence from the public (see [Societal treatment and attitudes](#) and [LGBT activists and advocacy groups](#)).
- 2.3.13 Not every member of the LGBT community in Liberia experiences a level of discrimination or hostility that, even when taken cumulatively, reaches the level of being persecuted in nature although some clearly do. Each case will depend on the particular circumstances of the person with the onus on the person to demonstrate that they would be at real risk on return.
- 2.3.14 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.4 Protection

- 2.4.1 Where the person's fear is of persecution or serious harm at the hands of the state, they will not be able to obtain protection.
- 2.4.2 There are no laws against discrimination or hate crimes based on sexual orientation or gender identity; there is no legislation on gender recognition or on rights for transgender or intersex people (see [The law](#)).
- 2.4.3 If the person is at risk of persecution or serious harm from a non-state actor, the person may be able to seek protection from the Liberian authorities. Many victims are said not to report crimes to the police due to a fear of stigma and discrimination. There are reports that the police do not always respond to, or properly investigate crimes perpetrated against LGBT people (see [Police attitude](#)).
- 2.4.4 On the other hand there are also reports which demonstrate that the police have been willing and able to provide LGBT activists with effective protection (see [LGBT activists and advocacy groups](#)).

- 2.4.5 A person's reluctance to seek protection does not necessarily mean that effective protection is not available. Decision makers must consider each case on its facts. The onus is on the person to demonstrate why they would not be able to seek and obtain state protection.
- 2.4.6 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.5 Internal Relocation

- 2.5.1. Where the threat is from the state, internal relocation is not a viable option.
- 2.5.2. Where the threat is from a non-state actor, decision makers should consider each case on its individual circumstances to ascertain if the threat is local and could be removed by internal relocation.
- 2.5.3. Internal relocation will not be an option if it depends on the person concealing their sexual orientation and / or gender identity in the proposed new location for fear of persecution.
- 2.5.4. For further guidance on considering internal relocation and the factors to be taken into account, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.6 Certification

- 2.6.1. Liberia is listed as a designated state under section 94 of the Nationality, Immigration and Asylum Act 2002 in respect of men only. However where a claim made on the basis of the person's sexual orientation is refused, it is unlikely to be certifiable because in general the claim when taken at its highest is unlikely to be so clearly without substance that it is bound to fail.
- 2.6.2. For further guidance on certification, see [Certification of Protection and Human Rights Claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(early unfounded claims\)](#).

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3 Policy summary

- 3.1.1 Consensual same-sex sexual activity for both men and women is criminalised although the law is rarely enforced.
- 3.1.2 Societal discrimination, harassment and threats of violence (including some actual violent incidents) have increased since 2012 following the passage through the Senate of a Bill to increase the criminal penalty for same sex practice. However the Bill has not been enacted as the President made clear that she would veto it. Homophobic rhetoric also increased as religious leaders blamed the country's outbreak of Ebola on homosexuality.
- 3.1.3 Not every member of the LGBT community in Liberia experiences a level of discrimination or hostility that, even when taken cumulatively, reaches the level of being persecutory in nature although some clearly do.
- 3.1.4 The person may be able to seek protection from the Liberian authorities, but many victims are said not to report crimes due to a fear of stigma, discrimination and the police not always responding to or investigating crimes perpetrated against LGBT people.
- 3.1.5 However each case needs to be considered on its facts, with the onus on the person to demonstrate that they are at real risk and would not be able to obtain effective state protection.
- 3.1.6 Some LGBT activists in the country with a high profile have been targeted with acts of violence and they may be able to demonstrate the need for international protection.
- 3.1.7 Decision makers must give careful consideration to the relevance and reasonableness of international protection on a case-by-case basis taking full account of the individual circumstances of the particular person.
- 3.1.8 Where a claim is based on a person's sexual orientation or gender identity, it is not likely to be certifiable as 'clearly unfounded'.

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Country information

Updated: 19 January 2017

4 Legal context

4.1 The law

4.1.1 According to International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA):

'Articles 14.74, 14.79 and 50.7 [of the Penal Code of 1976] consider "voluntary sodomy" as a first degree misdemeanour, with a penalty of up to one year imprisonment, with sodomy being defined as "deviate sexual intercourse" between human beings who are not (living as) husband and wife, that consists of contact between penis and anus, mouth and penis or mouth and vulva. A sexual contact involves "touching of the sexual or other intimate parts of a person for the purpose of arousing or gratifying sexual desire"'¹

4.1.2 A copy of the relevant parts of the [Penal Law of 1976](#) is available on the Liberian Legal Information Institute (LIBERLII) website².

4.1.3 The US Library of Congress report on Laws on Homosexuality in African Nations, 2015, provided the same information and added that they found no laws against the advocacy of LGBT matters and that same sex marriage is not recognized³.

4.1.4 A December 2014 report by the Swedish International Development Cooperation Agency (Sida) stated that: "There are no laws against discrimination based on sexual orientation or gender identity, nor protection against hate crimes based on sexual or gender identity. There is also no legislation on gender recognition or other rights for transgender or intersex people who may wish to change their legal documents."⁴

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¹ International Lesbian, Gay, Bisexual, Trans and Intersex Association. State Sponsored Homophobia 2016. A world survey of sexual orientation laws: criminalisation, protection and recognition. Page 72. http://ilga.org/downloads/02_ILGA_State_Sponsored_Homophobia_2016_ENG_WEB_150516.pdf. Date accessed: 5 January 2017.

² Penal Law of 1976, §§ 14.74 & 50.7, IV Liberian Codes Revised tit. 26 (rev. ed. 1998), available on the Liberian Legal Information Institute (LIBERLII) website, at <http://www.liberlii.org/lr/legis/codes/plr26lcolr367/>. Date accessed: 5 January 2017

³ US Library of Congress, Laws on Homosexuality in African Nations, 2015. <http://www.loc.gov/law/help/criminal-laws-on-homosexuality/homosexuality-laws-in-african-nations.pdf>. Date accessed: 5 January 2017

⁴ Swedish International Development Cooperation Agency (Sida). The Rights of LGBTI People in Liberia, December 2014. <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf>. Date accessed: 5 January 2017

4.2 Enforcement of the law

- 4.2.1 Human Rights Watch, in their report of 3 December 2013 'It's Nature, Not a Crime', noted that the current law is rarely enforced⁵. An article in Global News Network in October 2016 stated that the law had not been used to prosecute anyone in several years⁶.
- 4.2.2 The United States Department of State stated in its country report on human rights practices covering 2015, that at the end of 2015 two persons were in custody for sodomy in the Monrovia Central Prison, one of whom had been held in pre-trial detention for more than three years⁷.

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5 State treatment and attitudes

5.1 Political attitude

- 5.1.1 A December 2014 report by the Swedish International Development Cooperation Agency (Sida) noted that:

'In July 2012, a Bill was passed in the Senate that would ban same-sex marriage, making it a first degree felony offence, punishable by imprisonment for up to five years. The bill was passed in the Senate as an amendment to the Domestic Relations Law, but it has not been enacted. The President has stated that she would veto any proposed 'homosexuality' legislation and it appears the law has stalled. The President has also stated that she would not engage in any LGBTI politics, referring to cultural and traditional values. Indeed, the country's former Solicitor General remarked, "If she tried to decriminalise the current [anti-gay] law it would be political suicide". A number of politicians have made previous unsuccessful attempts to toughen legislation on same-sex sexual acts with their supporters actively resisting the agenda of [then] UN Secretary General, Ban Ki Moon, who urged African leaders to consider LGBTI rights.

'A number of politicians have made hostile public statements about homosexuality, crossing religious and cultural arguments.'⁸

⁵ Human Rights Watch, It's Nature, Not a Crime, Discriminatory Laws and LGBT People in Liberia, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime>. Date accessed: 5 January 2017

⁶ Global News Network. GNN Personality Of The Week: Ellen Johnson Sirleaf As She Turns 78 Years Tomorrow Saturday. 28 October 2016. <http://gnnliberia.com/2016/10/28/gnn-personality-week-ellen-johnson-sirleaf-turns-78-years-tomorrow-saturday/>. Date accessed: 6 January 2017.

⁷ US Department of State: Country Report on Human Rights Practices 2015 - Liberia, 13 April 2016. Section 6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252697>. Date accessed: 5 January 2017

⁸ Swedish International Development Cooperation Agency (Sida). The Rights of LGBTI People in Liberia, December 2014. <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf>. Date accessed: 5 January 2017

- 5.1.2 An article published by Global News Network in October 2016 reported President Sirleaf's position on LGBT rights as follows:

'Following a speech made by [then] United States Secretary of State Hillary Clinton in December 2011 that America's foreign aid would be used to promote the protection of gay rights, the issue of LGBT rights became a significant political topic in Liberia...

'In February 2012, Bong County Senator Jewel Taylor proposed a bill that would carry a term of ten years in prison for homosexual activity, while a similar bill was introduced in the House of Representatives. On 13 March, Sirleaf addressed the issue, saying that she would not repeal the current law but would also not sign into law either of the two proposed bills.

'Sirleaf added, "We like ourselves just the way we are [...] we've got certain traditional values in our society that we would like to preserve." According to Tiawan Gongloe, Liberia's former Solicitor General, "If she tried to decriminalise the [current anti-gay] law it would be political suicide."

'In a letter to The Guardian, Sirleaf's press secretary challenged the portrayal of her remarks in the media saying that "There currently exists no law referencing homosexuality in Liberia and as such the President could not be defending a law on homosexuality. The President is on record as saying [...] that any law brought before her regarding homosexuality will be vetoed. This statement also applies to the initial attempt by two members of the Liberian legislature to introduce tougher laws targeting homosexuality." The letter added "the status quo in Liberia has been one of tolerance and no one has ever been prosecuted under that [current] law," and went on to hint at future possible liberalization stating that "the President thinks that with the unprecedented freedom of speech and expression Liberia enjoys today, our budding democracy will be strong enough to accommodate new ideas and debate both their value and Liberia's laws with openness, respect and independence."

'The Guardian published a correction to its story, "Nobel peace prize winner defends law criminalising homosexuality in Liberia was updated to restore material cut in the editing process. The restored material clarifies the stance that President Ellen Johnson Sirleaf is taking on laws concerning homosexuality in Liberia. That is: she refuses to dismantle the existing anti-sodomy law, while also saying she will refuse to sign two new bills that would toughen laws on homosexuality." 'The comments, letter, and clarification suggest that she considered the status quo for gay rights in Liberia to be one of de facto tolerance up until the recent controversy and would not support decriminalization of homosexuality, but also refuses to support further criminalisation of homosexual acts which was being attempted in Liberia and hints at future liberalization. This is a view she reaffirmed during an interview with Tony Blair.⁹

⁹ Global News Network. GNN Personality Of The Week: Ellen Johnson Sirleaf As She Turns 78 Years Tomorrow Saturday. 28 October 2016. <http://gnnliberia.com/2016/10/28/gnn-personality-week-ellen-johnson-sirleaf-turns-78-years-tomorrow-saturday/>. Date accessed: 6 January 2017.

5.1.3 An article published by World Politics Review in October 2016 stated:

'Last month, a warlord turned senator in Liberia named Prince Johnson kicked off his candidacy for next year's presidential election with a sharp denunciation of sexual minorities and those who defend them. "A government under our watch will never, ever accept gay rights," said Johnson, who is best known for his role in wartime atrocities, including the torture and killing of President Samuel Doe in 1990. "Liberia is not Sodom and Gomorrah."

'The statement, and the attention it received from local journalists, was consistent with a campaign in which the rights of lesbian, gay, bisexual and transgender Liberians have taken on heightened political prominence. Liberia's penal code criminalizes same-sex sexual conduct, and sexual minorities are sometimes subject to verbal and physical attacks. No political leaders have expressed interest in removing the anti-gay legal provisions or taking meaningful steps to curb anti-gay violence, and there is no indication voters would pressure them to do so. Yet the topic keeps coming up. FrontPageAfrica, a leading Liberian newspaper, has identified gay rights as one of the "major issues that could or should decide" next year's general election [due to be held on 10 October 2017]. And candidates have repeatedly been asked for their views on same-sex marriage, despite the absence of a local movement to adopt it.'¹⁰

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5.2 Police attitude

5.2.1 A December 2014 report by the Swedish International Development Cooperation Agency (Sida) noted that "Activists allege that the police target or harass those they believe to be LGBTI."¹¹

5.2.2 Human Rights Watch, in their report of 3 December 2013 [2013 HRW report] 'It's Nature, not a Crime' documented the response of the police:

'Despite the explicit threat [by anti-gay campaigners] to cause harm to the named individual, the police or National Human Rights Commission did not take any action to conduct an investigation to ensure that people's lives and rights were not violated or endangered...

'Perpetrators of violence against LGBT people do so with impunity because they know that their victims are so afraid of stigma and discrimination that they are unlikely to report to the police and that in the few instances where they report they face police inaction or indifference.

'Generally undisciplined, poorly managed, and ill-equipped, Liberian police do not always respond to, or investigate crimes perpetrated against LGBT people. Many of those interviewed by Human Rights Watch did not trust the

¹⁰ World Politics Review. Liberia Sees a Backlash Against Gay Rights Ahead of Next Year's Election. 27 October 2016. <http://www.worldpoliticsreview.com/articles/20290/liberia-sees-a-backlash-against-gay-rights-ahead-of-next-year-s-election>. Date accessed: 5 January 2017

¹¹ Swedish International Development Cooperation Agency (Sida). The Rights of LGBTI People in Liberia, December 2014. <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf>. Date accessed: 5 January 2017

police enough to report incidents of abuse against them, and those that did said they had not had positive experiences, citing inefficiency, corruption and inaction.

‘Four people who did report crimes to the police said that police seemed more preoccupied with how homosexuals had sex than securing justice. The shortcomings of police have the broader effect of undermining trust in the criminal justice system as a whole. In the four cases that were reported to the police, Human Rights Watch was informed by the interviewees that none proceeded beyond the initial report, and no investigation or prosecution occurred.’¹²

- 5.2.3 The US State Department report covering 2015 report stated ‘societal stigma and fear of official reprisal may have prevented victims from reporting violence or discrimination based on sexual orientation or gender identity’¹³

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5.3 Access to public services

- 5.3.1 The 2013 HRW report noted, ‘Negative stereotypes of LGBT people in Liberia, including within the health services, also create a hostile environment that is not conducive to encouraging LGBT persons to voluntarily come out to access health services.’

- 5.3.2 However the report also noted that ‘many interviewees told Human Rights Watch that although they had never experienced first-hand discrimination and stigma while accessing public services, they would not voluntarily divulge their sexual orientation, partly because of their fear of stigmatization by the service provider and partly because of their self-inflicted stigmatization instilled through years of socialization.’¹⁴

- 5.3.3 An article published in August 2015 by The Bush Chicken – a media outlet dedicated to in-depth news and analysis on Liberia’s current events – stated that Liberia Women Empowerment Network (LIWEN) conducts sensitivity training with hospitals and police depots. The Executive Director of LIWEN is quoted as saying ‘that the training is not gaining systematic traction. “Usually, one or two nurses and police officers would become fully invested in being sensitive to the LGBT community but that person would move to another assignment or job and they would have to start from scratch”. Overall, she said LIWEN is training professionals, “but they’re not willing to put the training into action.”’¹⁵

¹² Human Rights Watch, It’s Nature, Not a Crime, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime>. Date accessed: 6 January 2017.

¹³ US Department of State: Country Report on Human Rights Practices 2015 - Liberia, 13 April 2016. Section 6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252697>. Date accessed: 5 January 2017

¹⁴ Human Rights Watch, It’s Nature, Not a Crime, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime>. Date accessed: 6 January 2017.

¹⁵ The Bush Chicken. Liberia’s LGBT Community Say They Lack Basic Freedoms. 2 August 2015. <http://www.bushchicken.com/liberias-lgbt-community-say-they-lack-basic-freedoms/>. Date accessed: 6 January 2017.

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6 Societal treatment and attitudes

6.1 Societal attitudes

- 6.1.1 The December 2014 Swedish International Development Cooperation Agency (Sida) report also noted:

‘General social attitudes towards lesbian, gay, bisexual, transgender and intersex (LGBTI) people are homophobic and transphobic. There is increasing hostility on the political level, as a result of LGBTI people’s claims for rights becoming more visible, and there is open discrimination against LGBTI people who face hate crimes and rejection by their families. It is common for many people to enter straight marriages due to family pressure and lack of other options and resources.’¹⁶

- 6.1.2 The article published in August 2015 by The Bush Chicken stated that:

‘Cynthia Gonleh, the Executive Director of the Liberian Women Empowerment Network, said life is difficult for members of the LGBT community partly because Liberians hold a lot of misconceptions about them.

‘Gonleh said she once heard a rumour that gay people are incapable of producing children. Another time, she heard women complaining that supermarkets were out of tampons because the gays were now using it too. Or that because of anal prolapse they supposedly encounter from having sex, they cannot sit in chairs regularly and have to tilt their butts because of the pain. Another popularly held idea is that a lot of people copy homosexual behaviour from friends in an attempt to fit in. While Gonleh agrees that the last myth may be true, she said it only applies to a minority.

‘These misconceptions and other prejudices cause members of the LGBT community to face difficulties when performing even the most mundane of tasks.’¹⁷

- 6.1.3 The US Department of State stated in its country report on human rights practices covering 2015, that ‘the culture is strongly opposed to homosexuality’ and LGBTI persons were cautious about revealing their sexual orientation or gender identities.’¹⁸

¹⁶ Swedish International Development Cooperation Agency (Sida). The Rights of LGBTI People in Liberia, December 2014. <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf>. Date accessed 5 January 2017

¹⁷ The Bush Chicken. Liberia’s LGBT Community Say They Lack Basic Freedoms. 2 August 2015. <http://www.bushchicken.com/liberias-lgbt-community-say-they-lack-basic-freedoms/>. Date accessed: 6 January 2017.

¹⁸ US Department of State: Country Report on Human Rights Practices 2015 - Liberia, 13 April 2016. Section 6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252697>. Date accessed: 5 January 2017

6.2 Religious leaders

6.2.1 The 2014 Swedish International Development Cooperation Agency (Sida) report observed that more than 100 religious leaders had signed a prejudiced and potentially dangerous statement linking Ebola with homosexuality¹⁹. This was also noted by Freedom House in its Freedom in the World 2015 report stating that religious leaders blamed the Ebola outbreak on homosexuality and other "sins."²⁰

6.2.2 Reuters reported on 23 October 2014 how such statements have affected LGBT people in Monrovia:

'[Leroy] Ponpon, an LGBT campaigner in the Liberian capital says gays have been harassed, physically attacked and a few have had their cars smashed by people blaming them for the hemorrhagic fever, after religious leaders in Liberia said Ebola was a punishment from God for homosexuality...' 'Since church ministers declared Ebola was a plague sent by God to punish sodomy in Liberia, the violence toward gays has escalated. They're even asking for the death penalty. We're living in fear,' Ponpon told the Thomson Reuters Foundation by telephone from Monrovia.

'Earlier this year, the Liberian Council of Churches said in a statement that God was angry with Liberians "over corruption and immoral acts" such as homosexuality, and that Ebola was a punishment.'

'In May, Archbishop Lewis Zeigler of the Catholic Church of Liberia said that "one of the major transgressions against God for which He may be punishing Liberia is the act of homosexuality." Local media reported.

'Francois Patuel, Amnesty International representative in West Africa, said there had been reports of threats and violence against the LGBTI community in Monrovia since the incendiary remarks made by the local Christian leaders.'²¹

6.2.3 In the article published in August 2015 by The Bush Chicken it was stated that in 2014 "...at the height of the Ebola outbreak ... the National Council of Churches issued a statement blaming Ebola on gays. Many news sources subsequently reported that gay persons were being attacked".²²

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¹⁹ Swedish International Development Cooperation Agency (Sida). The Rights of LGBTI People in Liberia. December 2014. <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf>. Date accessed: 5 January 2017

²⁰ Freedom House, Freedom in the World 2015 - Liberia, 28 January 2015, <https://freedomhouse.org/report/freedom-world/2015/liberia#.VQqCT-FxyE>. Date accessed: 5 January 2017

²¹ Reuters, Gay community under attack in Liberia over Ebola outbreak. 23 October 2014, <http://uk.reuters.com/article/2014/10/23/us-foundation-ebola-liberia-gay-idUKKCN0IC1GV20141023>. Date accessed: 19 January 2017.

²² The Bush Chicken. Liberia's LGBT Community Say They Lack Basic Freedoms. 2 August 2015. <http://www.bushchicken.com/liberias-lgbt-community-say-they-lack-basic-freedoms/>. Date accessed: 6 January 2017.

6.3 The media

- 6.3.1 The 2013 HRW report stated, 'Numerous newspaper articles published since December 2011 that Human Rights Watch reviewed lacked the views or voices of LGBT persons and included pejorative language that depict LGBT people as immoral, sinful, and deviant.'²³
- 6.3.2 The 2014 Swedish International Development Cooperation Agency (Sida) report noted, 'The media, as a main source of information and exposure to LGBTI people and issues, contributes to the climate of intolerance and violence against LGBTI individuals through misleading, biased and inflammatory reporting.'²⁴
- 6.3.3 An article published by Global News Network in October 2016 noted that since a speech made by the then US Secretary of State Hillary Clinton in December 2011 that America's foreign aid would be used to promote the protection of gay rights, Liberian newspapers have published numerous articles and editorials describing homosexuality as 'degrading', 'abusive' and an 'abomination'²⁵.

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6.4 Societal ill-treatment

- 6.4.1 Stephen McGill, director of Stop AIDS Liberia (SAIL), an organization that provides AIDS-related services to the LGBT community in Monrovia, is quoted in Human Rights Watch, 'It's Nature, Not a Crime' report in 2013 as saying:
- "Before these [proposed] laws, LGBT persons had few problems, they were able to come and go freely, even had gay parties without interference from the public. There was public harassment here and there but hardly ever anything to the degree that it is experienced today. Since the [proposed] laws were introduced, SAIL has had more and more cases of public harassment, violent attacks, families disowning their children, and even evictions from rented space."²⁶
- 6.4.2 Reuters reported on 23 October 2014, "[Leroy] Ponpon, an LGBT campaigner in the Liberian capital, says gays have been harassed, physically assaulted and a few have had their cars smashed by people blaming them for the hemorrhagic fever, after religious leaders in Liberia said Ebola was a punishment from God for homosexuality"²⁷

²³ Human Rights Watch, It's Nature, not a Crime, 3 December 2013.

<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime>. Date accessed: 6 February 2017

²⁴ Swedish International Development Cooperation Agency (Sida). The Rights of LGBTI People in Liberia, December 2014. <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf>. Date accessed: 5 January 2017

²⁵ Global News Network. GNN Personality Of The Week: Ellen Johnson Sirleaf As She Turns 78 Years Tomorrow Saturday. 28 October 2016. <http://gnnliberia.com/2016/10/28/gnn-personality-week-ellen-johnson-sirleaf-turns-78-years-tomorrow-saturday/>. Date accessed: 6 January 2017.

²⁶ Human Rights Watch, It's Nature, Not a Crime, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime>. Date accessed: 6 January 2017.

²⁷ Reuters, Gay community under attack in Liberia over Ebola outbreak. 23 October 2014 <http://uk.reuters.com/article/2014/10/23/us-foundation-ebola-liberia-gay-idUKKCNOIC1GV20141023>

6.4.3 The 2013 Human Rights Watch report also stated:

'To avoid stigma and humiliation, and in some cases to spare their families from suffering the same, LGBT people in Liberia - both men and women - routinely live double lives, maintaining relationships with the opposite sex and even getting married while secretly continuing same-sex relationships. More than half the people interviewed said they were in heterosexual relationships to cover up their true sexual orientation ... Almost all the interviewees reported having been verbally abused, ridiculed, or harassed at some point in their lives.'²⁸

6.4.4 The same report also noted:

'Several interviewees, mostly gay men, said they had been assaulted because of their gender expression and sexual orientation in the past two years. They told Human Rights Watch that the assaults were often preceded by verbal abuse and harassment that could quickly escalate into physical assault. Most interviewees said as long as there was no physical confrontation they typically tried to ignore the taunts and insults, although this rarely worked.

'The testimonies also show that LGBT people are vulnerable to abuse and attacks by neighbors and acquaintances who suspect them of being homosexual.'²⁹

6.4.5 The US State Department report covering 2015 report stated 'There were press and civil society reports of harassment of persons perceived to be LGBTI'³⁰.

6.4.6 The August 2015 article published by The Bush Chicken contained interviews with four members of the Liberian LGBT community in which they described some of the daily difficulties they face. In order to protect their identities (each was been provided with a pseudonym):

'All of the interviewees said they avoided going to marketplaces because of the constant stares and harassment. Additionally, in a city where it is difficult to find transportation and town without a private vehicle, they said they often had to charter taxis to get most places, instead of catching a ride like the average person does. This can cause the price of transportation to be increased to five to six times the original price.

'Rico, a 27-year-old student at the African Methodist Episcopal University, said stigmatization and discrimination were their biggest problems as gays in Liberia. "We don't have access to freedom of speech, freedom of

Date accessed 19 January 2017.

²⁸ Human Rights Watch, It's Nature, Not a Crime, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime>. Date accessed: 6 January 2017.

²⁹ Human Rights Watch, It's Nature, Not a Crime, 3 December 2013. <http://www.hrw.org/reports/2013/12/03/its-nature-not-crime>. Date accessed: 6 January 2017.

³⁰ US Department of State: Country Report on Human Rights Practices 2015 - Liberia, 13 April 2016. Section 6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252697>. Date accessed: 5 January 2017

movement,” he said. He said there are few public places where they can meet, especially for nightlife.

‘Although he said he grew up with the attention of many girls because of his good looks, Rico said he has always liked men. He said both of his parents accept him now, but it was not easy for him to come out as bisexual to his family. In fact, he remains at odds with his older brother to this day because of the humiliation that his brother caused him by calling him a “faggot” to his entire neighbourhood. Rico even has scars from physical altercations with his brother due to his bisexuality. He said, “I regret the day he and I came from the same womb.”³¹

- 6.4.7 The same article also gives other examples of members of the LGBT community being accepted by their parents, but states that the vast majority of LGBT people have to leave home because their families abandon them. The LGBT men and women who were interviewed for the article and those who come out to their families, voluntarily or not, all said that they did not believe conditions are safe for them to come out to general public.³²

- 6.4.8 The same article continues:

‘Despite all the issues the LGBT community faces, Gonleh [Executive Director of the Liberia Women Empowerment Network] believes situations are improving. She mentioned a prominent Liberian who came out as gay one year ago on Facebook after he moved to the United States. The incident prompted a lot of discussion in Liberia, especially among people who had already suspected that he was gay.

‘In more signs of improving conditions, Gonleh said most of her “boy children” are getting married even if they do it in secret. She recalled two adults who recently married in a “grand wedding” in rural Liberia. She said there were about 70 people attending the wedding, all of whom were either members of the LGBT community or sympathetic to the cause. Both men now live together in Old Road Community. Gonleh said one of the men is slightly insulated from some of the stigma because he has some money and helps his family, instead of relying on them. Within larger society, he has always been open about his sexuality, although community members sometimes get in grief.

‘As of late, there has been a push by NGOs and western governments to push for gay rights in African countries, even when their countries did not accord gay people equal rights. In what they see as an invasion of their culture, African governments have often attempted or made a bigger push back that ends up making conditions worse for gays.’³³

³¹ The Bush Chicken. Liberia’s LGBT Community Say They Lack Basic Freedoms. 2 August 2015. <http://www.bushchicken.com/liberias-lgbt-community-say-they-lack-basic-freedoms/>. Date accessed: 6 January 2017.

³² The Bush Chicken. Liberia’s LGBT Community Say They Lack Basic Freedoms. 2 August 2015. <http://www.bushchicken.com/liberias-lgbt-community-say-they-lack-basic-freedoms/>. Date accessed: 6 January 2017.

³³ The Bush Chicken. Liberia’s LGBT Community Say They Lack Basic Freedoms. 2 August 2015. <http://www.bushchicken.com/liberias-lgbt-community-say-they-lack-basic-freedoms/>. Date accessed:

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7 LGBT activists and advocacy groups

- 7.1.1 According to the HRW 'It's Nature, Not a Crime' report, SAIL [Stop AIDS in Liberia] and Action Aid Liberia are the only two non-governmental organizations openly advocating for the rights of LGBT people in Liberia and said that 'Other civil society organization [sic] that insisted on remaining anonymous expressed fearing loss of donor support and loss of faith by communities should they be openly associated with LGBT issues.'³⁴
- 7.1.2 The same source also stated:
- 'In 2012, the Movement for the Defense of Gays and Lesbians in Liberia (MODEGAL) was established, with Archie Ponpon as its head. The Liberian government rejected the movement's request for registration, and Ponpon - a much-maligned figure in Liberia - has since faced violent reactions to his efforts, including death threats, an arson attack on his mother's house, and confrontation by a violent mob in March 2012 after leaving a radio interview in which he had spoken in favor of LGBT rights. Although Ponpon has claimed he is active on behalf of the Liberia's LGBT community, he has received very little support from its members, many of whom blame him for generating more hostility towards them.'
- 7.1.3 BBC News³⁶ and Voice of America³⁷ have both also reported Ponpon being confronted by angry mobs on at least two occasions and that the police intervened to protect Ponpon from harm; and on one occasion, Ponpon and another MODEGAL campaigner have sought safety at the police headquarters.
- 7.1.4 In a September 2014 briefing paper, the International Service for Human Rights (ISHR) noted that Liberian LGBT activists such as Archie Ponpon have faced violent reactions from the public because of their activism. His mother's home was set alight in February 2012 and she has been in hiding since then. Mr. Abraham Komara was also reportedly stoned and attacked by angry students at the University of Liberia³⁸.
- 7.1.5 The USSD 2015 report noted, 'A few civil society groups promoted the rights of LGBT people, but most maintained a very low profile due to fear of misjudgment.'³⁹

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³⁴ Human Rights Watch, It's Nature, Not a Crime, 3 December 2013.

<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime>. Date accessed: 6 January 2017.

³⁵ Human Rights Watch, It's Nature, Not a Crime, 3 December 2013.

<http://www.hrw.org/reports/2013/12/03/its-nature-not-crime>. Date accessed: 6 January 2017.

³⁶ BBC News Liberian Anger over Gay Rights Call. 19 March 2012 <http://www.bbc.co.uk/news/world-africa-17380950> Date accessed 9 January 2017.

³⁷ Voice of America. Liberian Homosexual Rights Effort Faces Violence, Criminalization. 11 March 2012 <http://www.voanews.com/content/liberian-homosexual-rights-effort-faces-violence-criminalization-142379905/181256.html#>. Date accessed: 9 January 2017.

³⁸ International Service for Human Rights (ISHR). The situation of Human Rights Defenders: Liberia. UPR Briefing Paper - September 2014. <https://www.ishr.ch/sites/default/files/article/files/liberia.pdf>

³⁹ US Department of State: Country Report on Human Rights Practices 2015 - Liberia, 13 April 2016.

- 7.1.6 The 2014 Swedish International Development Cooperation Agency (Sida) report noted, 'There are a few organisations working for LGBTI rights in Liberia. Main challenges for the movement are legal and security issues, discrimination in the community and health institutions, and increasing hate crimes. The lack of a legal framework for protection of basic human rights creates problems, including issues of blackmail.'⁴⁰

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Section 6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252697>. Date accessed: 5 January 2017

⁴⁰ Swedish International Development Cooperation Agency (Sida). The Rights of LGBTI People in Liberia, December 2014. <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-liberia.pdf>. Date accessed: 5 January 2017

Version control and contacts

Contacts

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Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from **9 February 2017**

Changes from last version of this note

Update of country information and revision of policy guidance.

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