

# Immigration and Naturalization Service



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## Liberia

<b>Response to Information Request Number:</b>	LBR01008.ZAR
<b>Date:</b>	August 29, 2001
<b>Subject:</b>	Liberia: Information on the Treatment of Homosexuals, Persons with Mental Illness, Liberians of American Descent, and Criminal Deportees in Liberia
<b>From:</b>	INS Resource Information Center
<b>Keywords:</b>	Liberia / Deportation / Discrimination based on mental disabilities / Discrimination based on sexual orientation / Ethnic conflicts / Ethnic minorities / Homosexuals / Intolerance / Mental disorder / Mental health facilities / Public health / Social services / Vulnerable groups

### Query:

1. What is the status and societal treatment of homosexuals in Liberia?
2. How are people with mental illness treated in Liberia?
3. How are Liberians of American descent who have lived for many years in the United States treated upon return to Liberia?
4. Does Liberia imprison criminal deportees who are returned to Liberia from the United States?

### Response:

#### BACKGROUND

Liberia is still in the process of recovering from a brutal seven-year civil war that ended in 1996. One million Liberians remained refugees in 1999, and difficulties with repatriation from neighboring countries continued (HRW 1999); "15,000 to 20,000 children had directly participated in violent acts, were exposed to fighting, and were themselves brutally victimized" during the civil war (HRW 1999); 25,000 women were raped during the war (Johnson 28 July 1997); "torture, ill-treatment and other human rights violations continued to be carried out by the security forces" during the year 2000 (AI 2001); and there have been "five serious outbreaks of fighting since the 1997 elections" (HRW 2001). Under these conditions, the resources to provide support to individuals with psychological or other problems returning from the U.S. appear to be very limited. At the same time, other pressing priorities might limit the potential for Liberian authorities to target or discriminate against individuals returning from the U.S. who are not seen as a direct political threat.

#### THE STATUS AND SOCIETAL TREATMENT OF HOMOSEXUALS IN LIBERIA

Homosexuality is illegal in Liberia. Liberian criminal law, Section 14.74 (1976 Revised Liberian Statutes) provides that a person guilty of "voluntary sodomy" has committed a first-degree

misdemeanor. Voluntary sodomy is defined as engaging in "deviate sexual intercourse under circumstances not stated in Section 14.72 or 14.73" (which cover "involuntary sodomy," including cases of forced sexual relations, sex with a minor or a person of diminished capacity, or by duress or fraud). "Deviate sexual intercourse" between people of the same sex is thus an offense under Liberian laws (ILGA 1999; Behind the Mask Oct. 1997).

A study of the status of homosexuals in Liberia, carried out by a Liberian human rights organization, found:

"Liberian society frowns on or rejects [homosexual] acts for the mere fact that such acts are immoral, unchristian, uncultural and unhealthy . . . While it is true that there are Gays in Liberia, such people operate underground. They are believed to be residing in concession areas and cities. Members of the Gay society carry on their activities under the thick curtain of darkness, in secret, for fear that if it becomes public knowledge, they could be arrested, prosecuted, ostracized, ex-communicated and ridiculed by their non-gay friends, families and society at large" (Behind the Mask Oct. 1997).

The study notes that,

"For the first time in the history of Liberia, the issue of Gay-life was publicly raised at the ILA [Interim Legislative Assembly] where a presidential nominee was rejected by members of that Assembly because the nominee was allegedly considered to be a renowned Gay" (Behind the Mask Oct. 1997).

A representative of the National Endowment for Democracy confirmed the atmosphere of discrimination that exists toward homosexuals in Liberia, and their need to remain 'underground' to avoid potential acts of violence toward them (NED 28 Aug. 2001).

#### TREATMENT OF PERSONS WITH MENTAL ILLNESS IN LIBERIA

According to the U.S. State Department's human rights report for Liberia for year 2000:

"As a result of the civil war, a large number of persons have permanent disabilities, in addition to those disabled by accident or illness. It is illegal to discriminate against the disabled; however, in practice they do not enjoy equal access to public buildings. No laws mandate accessibility to public buildings or services. Disabled persons face discrimination particularly in rural areas. Deformed babies often are abandoned" (U.S. DOS Feb. 2001).

According to the National Endowment for Democracy's representative for Liberia, a person with a serious mental illness would have little opportunity for treatment in Liberia on account of the destruction of health care infrastructure during the country's recent civil war and the number of injured people requiring treatment. An individual's best hope for care and support would be through the family network, if such existed, but little aid could be expected from the state or from non- governmental organizations due to lack of resources and other priorities (NED 28 Aug. 2001). A person with a serious mental illness would not likely be targeted or persecuted simply on account of the illness, but if a lack of resources and support pushed the individual toward crime, e.g., stealing, little sympathy could be expected in a climate where 'street justice' is common toward those caught committing crimes (NED 28 Aug. 2001).

#### TREATMENT UPON RETURN TO LIBERIA OF LIBERIANS OF AMERICAN DESCENT WHO HAVE LIVED FOR MANY YEARS IN THE U.S.

The current president of Liberia, Charles G. Taylor, who came to power in elections in 1997, is of part Americo-Liberian descent. At this time, there does not appear to be a policy of discrimination toward Liberians of American descent who make up 5 percent of the population and played a dominant role in Liberian politics up to 1980 (U.S. DOS Feb. 2001; DOS Feb. 2000). However, the president is quite unpopular, according to the NED representative, and hostility toward Taylor could be directed against those identified with his policies or with his ethnic background. However, no specific examples of this form of discrimination were given (NED 28 Aug. 2001).

According to a Liberian Embassy official in Washington, Liberians returning to the country from the United States are normally welcomed with open arms, as a 'source of inspiration' and possible gifts. So, the fact of having lived in the U.S. for a long period is not viewed as negative (Embassy of Liberia 27 Aug. 2001). However, the NED representative noted that a person returning from the U.S. empty-handed, having failed to take advantage of the great opportunities offered, might be a possible target of scorn and derision (NED 28 Aug. 2001).

#### TREATMENT UPON RETURN TO LIBERIA OF LIBERIAN NATIONALS WHO ARE CRIMINAL DEPORTEES RETURNED FROM THE U.S.

According to an official at the Liberian Embassy in Washington, D.C., if a Liberian is deported to Liberia after serving a sentence for a crime in the United States that individual is a free citizen and will not be detained or imprisoned by Liberian authorities upon return (Embassy of Liberia 27 Aug. 2001).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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