

# **Liberia**

## **Recommendations to the International Contact Group on Liberia, New York, 28 February 2003**

On 28 February 2003 the International Contact Group on Liberia meets in New York to consider the international community's response to the political, security and humanitarian situation in Liberia.<sup>1</sup> The international community's commitment to resolve the internal armed conflict and bring peace and security to Liberia – and to the wider region of West Africa which is directly affected by continuing instability in Liberia – must include initiatives aimed at ending the serious human rights abuses being perpetrated by both Liberian government forces, and militia allied to them, as well as the armed opposition Liberians United for Reconciliation and Democracy (LURD).

Amnesty International welcomes the International Contact Group's determination, made clear at its meeting in Dakar, Senegal, on 19 December 2002, to seek a comprehensive solution to all aspects of the crisis, including respect for the rule of law and human rights.<sup>2</sup> As the International Contact Group reconvenes, respect and protection of human rights must be central to efforts to galvanize the international community's quest for a durable solution to the crisis in Liberia.

This meeting occurs at a critical time. A recent resurgence of fighting in Liberia has resulted in widespread human rights abuses, further population displacement and exacerbation of an already desperate humanitarian situation. Together with the violence which has emerged in Côte d'Ivoire since 19 September 2002, continuing conflict in Liberia has fuelled the movement of combatants and arms across borders, further threatening the stability of the region, including newly-found peace in neighbouring Sierra Leone.

A concerted and coherent response, both political and financial, is needed. The International Contact Group, as part of the comprehensive strategy for the international community elaborated by the United Nations (UN) Security Council in December 2002<sup>3</sup>, must respond to the continuing threat to the lives and security of thousands of Liberian civilians.

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<sup>1</sup> The International Contact Group on Liberia was formed in September 2002 and held its first working session on 19 December 2002 in Dakar, Senegal. It comprises representatives of the United Nations, the European Union, the African Union, the Economic Community of West African States (ECOWAS), France, Morocco, Nigeria, Senegal, United Kingdom, and United States of America. It is coordinated by ECOWAS.

<sup>2</sup> International Contact Group on Liberia press release, 19 December 2002.

<sup>3</sup> Presidential Statement, S/PRST/2002/36, 13 December 2003

The peace talks on Liberia scheduled to take place in Bamako, Mali, on 8 and 9 March 2003, under the auspices of the Economic Community of West African States (ECOWAS), must also confront continuing human rights abuses. Both parties to the conflict must be urged to adhere to international human rights and humanitarian law. The impetus provided by the International Contact Group and other initiatives by ECOWAS must be sustained.

Amnesty International's recommendations to the International Contact Group at this stage focus particularly on ending human rights abuses which are now occurring. Specifically, attention is drawn to ending impunity for these abuses, the particular vulnerability of refugees and internally displaced people, continuing military assistance to fighting forces, and the importance of an international human rights presence.

As initiatives towards resolving the conflict progress, attention also needs to be paid to post-conflict reconstruction and rehabilitation which are based on good governance and respect for human rights and which include the establishment of effective institutions for the protection of human rights in the future.

### **Continuing human rights abuses**

Internal armed conflict in Liberia has resulted in widespread loss of life, destruction of property and infrastructure and population displacement. As LURD forces have advanced, since January 2003, through Gbarpolu and Bomi Counties towards the capital Monrovia and into Grand Cape Mount County in areas bordering Sierra Leone the situation has deteriorated further.

While frequently difficult to obtain detailed and accurate reports from areas affected by fighting, it is clear that the serious abuses against unarmed civilians which have characterized the conflict since 1999 are continuing.<sup>4</sup>

Government forces and armed militia fighting with them have committed – with almost total impunity – extrajudicial executions, torture and ill-treatment, including rape and other forms of sexual violence, arbitrary arrest and detention and forcible recruitment of children under 18. Government forces are ill-disciplined and government-allied militia, including up to 1,500 former combatants of the Sierra Leonean armed opposition Revolutionary United Front (RUF) now in Liberia, operate without chain-of-command structure or other systems of accountability

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<sup>4</sup> For further information on human rights abuses in Liberia see *Liberia: State of emergency signifies a greater need for international involvement in human rights protection* (AI Index: AFR 34/002/2002), published by Amnesty International on 9 April 2002, *Liberia: Killings, torture and rape continue in Lofa County* (AI Index: AFR 34/009/2001), published by Amnesty International on 1 August 2001, and *Liberia: War in Lofa County does not justify killing, torture and abduction* (AI Index: 34/003/2001), published by Amnesty International on 1 May 2001.

The LURD is also responsible for deliberate and arbitrary killings of civilians and captured combatants, torture, including rape, abduction and recruitment of children under 18 years as combatants, although to a lesser extent than government forces. The LURD leadership is reported to have made some efforts to ensure that combatants respect civilians' human rights. As offensives by government forces intensify, however, reports of abuses increase. Refugees fleeing to Guinea and internally displaced people have been particularly at risk. Civilians have been systematically used as forced labour.

Human rights abuses by both parties to the conflict have been reported as fighting has intensified since the beginning of the year. Civilians fleeing from Bomi County have reported summary executions by government forces. Government-allied militia were reported in January 2003 to have rounded up young men and women in pick-up trucks and forcibly recruited them to fight; those refusing to fight have been summarily executed. On 4 February 2003, in the village of Gbodueh, Montserrado County, 11 civilians fleeing fighting were reported to have been summarily executed by government forces after they refused to join fighting forces or carry arms and ammunition. On 5 February 2003 at Zunnah, on the Po River, Montserrado County, two young men were reported to have been summarily executed by government-allied militia when they refused to fight.

Reports of forcible recruitment, including of children under the age of 18, in internally displaced people's camps are common. On 26 January 2003 government forces were reported to have entered the TV Tower displaced people's camp in Gbarnga, Bong County, in search of young men and women to repel the LURD advance. One of those who resisted arrest was reported to have been stabbed twice. On 5 February 2003, armed militia were reported to have entered the Wilson Corner Displaced Camp in Brewerville, Montserrado County, close to Monrovia, and arrested six boys, whose exact ages were not clear, who were then taken away; one subsequently escaped, the fate of the others was unknown. At Jah Tondo displaced people's camp, about 17km west of Monrovia, following an upsurge of fighting in western Liberia, armed militia were reported to have entered the camp and forcibly conscripted young men. Internally displaced people have also been harassed by government-allied militia who regard them as supporters of the LURD.

Abductions of civilians by the LURD have also been reported. As LURD forces advanced towards Robertsport, Grand Cape Mount County, around 12 February 2003, they were reported to have abducted more than 100 civilians. Similarly, LURD forces were reported to have abducted 25 civilians, mainly from the towns of Kley, Tubmanberg and Cheesemanburg, in Bomi County, as they retreated. Reports suggest that they are being used both to carry goods, arms and ammunition, but also as human shields.

The Liberian government's attacks on its critics have been sustained and brutal. Prominent among victims have been political opponents, journalists and human rights activists who have been arbitrarily arrested and detained, tortured and ill-treated.

Recent cases include that of Hassan Bility, a journalist with *The Analyst* newspaper and a human rights activist, was arrested in June 2002 and held in incommunicado detention

without charge or trial for six months.<sup>5</sup> Following his release in December 2002, which was dependent on his departure from the country, he described the appalling conditions in which he was held and the torture to which he was subjected. This included severe beatings, suffocation, electricity applied to his genitals and other parts of his body and being tied so tightly with wire that it cut into his flesh. Others arrested with or shortly after Hassan Bility remain held in incommunicado detention without charge or trial. Another prominent human rights activist, Aloysius Toe, who was arrested on 4 November 2002 and charged with treason, is currently on trial. There is no basis to the charge against him; he has been imprisoned and charged solely because of his activities in defence of human rights.<sup>6</sup> On 14 December 2002 Throble Suah, a journalist with *The Inquirer* newspaper, was stopped in a street in Monrovia and severely beaten by what are believed to have been members of the Anti-Terrorist Unit (ATU); he required urgent medical treatment.

Liberian government forces, including the Armed Forces of Liberia, and special security units such as the ATU and the Special Operation Division (SOD), are routinely responsible for torture and ill-treatment. They are ill-trained and undisciplined and are rarely held to account for human rights violations. The security forces need to be restructured and trained, including in international human rights and humanitarian law.

### **Recommendations**

- Serious violations of international human rights and humanitarian law by both government forces, including government-allied militia, and by LURD forces should be condemned in the strongest possible terms;
- those governments able to exercise direct influence over the Liberian government or leaders of the LURD should insist at every opportunity that effective measures be put in place to end human rights abuses and ensure respect for international human rights and humanitarian law;
- the Liberian government must be urged to send an unequivocal message to its security forces, and to civil society, that violations of international human rights and humanitarian law will not be tolerated under any circumstances and that those responsible will be brought to justice;
- equally, leaders of the LURD should exert effective control over their combatants in order to prevent human rights abuses;

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<sup>5</sup> For further information, see *Liberia: Hassan Bility: Incommunicado detention without charge* (AI Index: AFR 34/011/2002), published by Amnesty International in August 2002.

<sup>6</sup> For further information, see *Liberia: Aloysius Toe: Human rights activist on trial for treason* (AI Index: AFR 34/029/2002), published by Amnesty International on 22 November 2002.

- all allegations of human rights abuses should be promptly and independently investigated and those responsible brought to justice in accordance with international standards;
- reform, restructuring and training, including in international human rights and humanitarian law, of the Liberian security forces should be an essential element of the international community's response to the situation in Liberia;
- support should be provided to non-governmental human rights groups, whose members have been arbitrarily arrested and detained, tortured and ill-treated, solely because of their legitimate activities in defence of human rights.

### **Ending impunity for human rights abuses**

A major contributing factor to continuing human rights abuses in Liberia has been the near total impunity for perpetrators. The scale and nature of human rights abuses in Liberia demand that those responsible are held accountable and brought to justice. Unless the issue of impunity is effectively addressed, a durable solution to the conflict and an end to human rights abuses will remain unattainable.

Since the 1997 elections, the Liberian government has done little or nothing to prevent human rights violations, including by bringing perpetrators to justice. Victims of human rights violations are frequently inhibited from lodging complaints as they fear reprisals by the security forces. Mechanisms such as the Liberian Human Rights Commission, intended to monitor and report on human rights abuses, have not functioned.

The Liberian judicial system still suffers from the effects of prolonged internal armed conflict and is in dire need of logistics and resources. Judicial officials need training in human rights standards. There are also major concerns about the independence and impartiality of the judiciary.

#### **Recommendations**

- The search for a durable solution to the conflict must include effective measures towards ending impunity;
- the international community, including international financial institutions, should contribute towards the reform and strengthening of the legal and judicial systems and other national institutions for the protection and promotion of human rights in order to ensure long-term protection of human rights.

### **Refugees and internally displaced people**

Recent intensification of fighting in Liberia, together with the crisis in Côte d'Ivoire, has had a devastating impact on the hundreds of thousands of refugees and internally displaced people both in Liberia and in neighbouring Côte d'Ivoire, Guinea and Sierra Leone, as well as adding

significantly to their numbers. Internally displaced people and refugees in Liberia have been particularly vulnerable to human rights abuses by both government and LURD forces.

According to the UN High Commissioner for Refugees (UNHCR), fighting resulting from the recent advance of LURD forces towards Monrovia and into the southwest of the country has resulted in an influx of an additional 30,000 internally displaced people into Monrovia as well as the flight of some 6,000 Liberian refugees into Sierra Leone, where some 45,000 Liberians have fled in the past year. Sierra Leone refugees in Liberia who have yet to be repatriated have also been affected by the recent deterioration in the security situation.

While resources are seriously stretched to assist and protect those in established refugee and internally displaced people camps in Liberia, large numbers of civilians in areas affected by conflict have no access to protection and humanitarian assistance.

Events in Côte d'Ivoire have also resulted in huge population displacement; an estimated one million people have become either refugees or internally displaced, raising serious problems in providing humanitarian assistance and protection against human rights abuses. While all those affected by the crisis in Côte d'Ivoire, both refugees of diverse nationalities and internally displaced Ivorian civilians, face serious difficulties and hardship, there is particular and pressing concern for some 40,000 Liberian refugees in Côte d'Ivoire.<sup>7</sup> Many of these refugees are at imminent risk of being killed by both Ivorian security forces and groups of civilians, some of them armed by the Ivorian government, who are targeting Liberian refugees. These refugees are indiscriminately associated with the armed opposition in Côte d'Ivoire and seen as a destabilizing force. Amnesty International has received numerous reports of Liberian refugees being killed, ill-treated and harassed by Ivorian security forces and armed civilians.

Liberian refugees in Côte d'Ivoire fled the conflict in their own country. Many, particularly those of the Krahn and Mandingo ethnic groups, would again be at risk of being killed, tortured or ill-treated by Liberian government forces if they returned to Liberia. Repeated requests by UNHCR to other countries in West Africa to accept them and for the Ivorian government to facilitate their removal to safer locations in the country and to provide adequate security have, however, gone unheeded. Despite the risks, an estimated 43,000 Liberians have already had no option but to return to Liberia.

### **Recommendations**

- Urgent additional funding and resources should be provided to UNHCR to enable it to respond effectively to the particular protection needs of Liberian refugees and internally displaced people as well as the wider refugee crisis in West Africa;

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<sup>7</sup> For further information, see *Côte d'Ivoire: Liberian refugees at imminent risk* (AI Index: AFR 34/003/2003), published by Amnesty International on 20 February 2003, and *Liberia: Civilians face human rights abuses at home and across borders* (AI Index: 34/020/2002), published by Amnesty International on 1 October 2002.

- the Ivorian government should be urged to take immediate measures to end attacks on Liberian refugees and cooperate fully with UNHCR in finding safer locations for Liberian refugees;
- while recognizing that several countries in the region are already hosting large numbers of refugees, borders should remain open and refugees should be allowed to cross borders without restriction;
- effective responsibility-sharing with countries in West Africa should be ensured; this could include providing assistance to cope with the influx and relocation of refugees from both Liberia and Côte d'Ivoire, and also ensuring that resettlement places are available in third countries for those groups considered to be particularly vulnerable and who have no prospects of other durable solutions;
- every effort should be made to ensure the safety of internally displaced people; internally displaced people's camps in Liberia should be provided adequate protection from all fighting forces;
- all efforts should be made to ensure that there is adequate access for humanitarian and human rights agencies to refugees and internally displaced people in order to monitor their safety and provide humanitarian assistance; in particular, pressure should be brought to bear on both the Liberian government and LURD forces to ensure safe access in areas of the country where insecurity currently prevents assistance.

### **Continuing military assistance to Liberian government forces and the LURD**

Amnesty International believes that, given the widespread nature of human rights abuses by both parties to the conflict, the provision of combatants, arms, ammunition and other types of military equipment – whether direct or indirect – to Liberia will most likely contribute to human rights abuses against civilians.

Reports by the UN Panel of Experts on Liberia established by the UN Security Council to monitor compliance with UN Security Council Resolutions 1343 (2001) and 1408 (2002), which imposed a ban on the sale or supply to Liberia of “arms and related *matériel* of all types” have shown that the ban has been violated and that arms continue to reach Liberian security forces.

In order to protect human rights, effective measures should also be taken to prevent combatants or arms, ammunition and other types of military equipment reaching the LURD. UN Security Council Resolution 1343 (2001) prohibits all forms of military assistance to Liberia and the UN Security Council confirmed in November 2002 that the ban also applied to the LURD. Reports of the Panel of Experts, including its most recent report of 25 October

2002<sup>8</sup>, have identified that arms continue to reach the LURD through neighbouring countries of Côte d'Ivoire, Guinea or Sierra Leone. Guinea is widely acknowledged to support the LURD, which operates from its territory, although this has been denied by the Guinean government.

Amnesty International welcomes UN Security Council Resolution 1458 (2003) of 28 January 2003 re-establishing the Panel of Experts on Liberia for a further period of three months.

While the ban on the export of rough diamonds from Liberia remains in place, attention should continue to be paid to the link between the Liberian timber industry and the arms trade. Reports of the Panel of Experts have made an explicit link between the international trade in Liberian timber and the arms trade. Amnesty International is seriously concerned that revenue from the timber industry, and the activities of individual timber companies, may facilitate the acquisition of arms and ammunition or other military assistance which can reasonably be assumed to contribute to serious violations by government security forces and government-allied militia.

### **Recommendations**

- Further pressure should be brought to bear on the Liberian government to conform to UN Security Council Resolutions 1343 (2001) and 1408 (2002) which prohibit the transfer to Liberia of armed and related *matériel* of all types;
- all governments should take all possible measures to end military transfers, including arms, ammunition and other forms of military assistance, to both parties to the conflict since these will contribute towards serious human rights abuses;
- where the UN Panel of Experts has identified that arms reaching either Liberian government forces or the LURD have passed through third countries, including those in West Africa which are member states of ECOWAS, such violations of UN Security Resolutions must be properly investigated by the relevant government and effective measures put in place to prevent their recurrence;
- member states of ECOWAS should ensure the effective implementation of the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa in order to prevent further flows of arms into Liberia;<sup>9</sup>

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<sup>8</sup> S/2002/1115, 25 October 2002

<sup>9</sup> S/1998/1194, annex, 31 October 1998, S/2001/700, 5 July 2001. Participating States of the Wassenaar Arrangement on Export Control for Conventional Arms and Dual-use Goods and Technologies have committed themselves to support observance of the ECOWAS Moratorium. These states are: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands,

- continuing attention should be given to the established link between revenue from the Liberian timber industry and the arms trade to Liberia by the UN Security Council and the Panel of Experts; a credible, independent, public and verifiable auditing system should be established to track revenue and expenditure derived from the Liberian timber trade on a continuing basis, in order to ensure that the timber trade does not contribute to human rights abuses by government forces or any armed group by facilitating transfers of armed or other military equipment.

### **A strong international human rights presence**

Accurate and impartial monitoring and reporting of human rights abuses are essential as Liberia continues to face a human rights emergency. Amnesty International welcomes the appointment on 18 September 2002 of Abou Moussa as Special Representative of the UN Secretary-General in Liberia, as well as the Secretary-General's proposed extension of the mandate of the UN Peace-building Support Office in Liberia (UNOL) until 31 December 2003.

Amnesty International has consistently called for UNOL to include a strong human rights component, with adequate resources, to monitor actively and report publicly on human rights abuses. Comprehensive monitoring and reporting by the UN would help ensure that the UN Secretary-General and the Security Council are kept fully informed of the human rights situation.

Amnesty International therefore welcomed the statement of the President of the UN Security Council on 13 December 2002, which elaborated the development of the comprehensive strategy, of which the International Contact Group forms a key element, to address the situation in Liberia.<sup>10</sup> In particular, it welcomed the Security Council's commitment to promoting an expanded role for UNOL which would include: "enhancing and monitoring respect for human rights in Liberia, including through constructive dialogue with the government of Liberia, with particular attention to reaching out to local civil society groups and to encouraging the establishment of an independent and functional human rights commission". With the strengthening of UNOL's mandate, the Security Council also requested reports every three months.

Amnesty International understands that the Liberian government has recently responded to the UN Secretary-General's proposals for a revised UNOL mandate, including its extension until 31 December 2003 and steps to increase UNOL's capacity for objective reporting, and that an agreed text will shortly be presented by the UN Secretary-General to the Security Council for approval.

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New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and the United States.

<sup>10</sup> Presidential Statement S/PRST/2002/36, 13 December 2002

### **Recommendations**

- Priority should be given to swiftly establishing UNOL with its revised and expanded mandate;
- there should be an effective human rights component within UNOL which should include a sufficient number of human rights monitors, including experts on abuses against women and children, with a strong mandate to monitor actively the situation throughout the country;
- UNOL should prepare regular detailed written reports to the Security Council which are also made public;
- UNOL should also provide human rights advisory services, in close cooperation with local human rights organizations, to provide technical support and training to the judiciary, judicial institutions and the Liberian security forces;
- the UN Security Council should continue to provide political support to UNOL, also ensuring that it has adequate resources, so that it can carry out its mandate effectively.