

LIBERIA

Time to take human rights seriously - placing human rights on the national agenda

Introduction

After seven years of a protracted civil war, which resulted in massive human rights abuses, Liberia made a transition to an elected constitutional civilian government in 1997. In furtherance of the terms of a peace agreement (Abuja Accord of August 1995 and its supplement of 1996) general presidential and legislative elections were held on 19 July 1997. In all, thirteen political parties contested the elections, including political parties of three former warring faction leaders. The proportional representation system was adopted as a mechanism of ensuring the representation in the legislature of the diverse groups and factions in the country.

Charles G. Taylor, a former warring faction leader and his Party (the National Patriotic Party) won both the presidential and legislative elections with a majority of more than two-thirds of the votes cast. On 2 August 1997, Charles G. Taylor was sworn in as the President of the Republic of Liberia. A new government has since been sworn in under the 1985 Constitution of Liberia which is still the operative basic law of the land. During President Taylor's inaugural address he promised to give high priority to issues of reconciliation, rule of law and human rights in his policies of national reconstruction.

Amnesty International believes that only when human rights are taken seriously in post-conflict Liberia and placed on the national agenda of reconstruction can there be an enduring peace and true reconciliation. The future of Liberia must therefore be founded on human rights.

Throughout the seven-year war human rights abuses were committed with impunity. It is very difficult to get an exact number of victims of serious human rights violations during the period. It is nevertheless estimated that about 200,000 people were killed. Some 700,000 were forced to become refugees and yet another estimated 1.4 million people, of a pre-war population of 2.8 million, were, and some still are, internally displaced.

All the warring factions committed serious human rights abuses including deliberate and arbitrary killings of unarmed civilians, torture and cruel, inhuman and degrading treatment of prisoners, summary executions, rape, hostage taking and forced displacement of civilians.

Amnesty International is calling for an end to impunity for human rights violations in Liberia (as elsewhere in the world). It is therefore important that those who committed or ordered the commission of human rights abuses must be investigated to determine individual and collective responsibility and to provide a full account of the truth to the victims, their relatives and society. The investigations must be undertaken by impartial institutions independent of

government or former factions. Accountability for past violations is a vital ingredient in the search for a long-term peace and reconciliation. The cycle of impunity must be broken.

Amnesty International monitored the state of human rights during the war and expressed concern about human rights abuses which were carried out by the West African Monitoring Group (ECOMOG) which carried out the function of law enforcement in Liberia.

During the period of hostilities, Amnesty International expressed concern that the peace agreements which were negotiated did not make any provision for the protection of human rights.

In 1993, pursuant to a Security Council Resolution (866), United Nations' Observer Mission (UNOMIL) was created by the UN and later entrusted with the mandate to investigate and report on human rights violations in Liberia. UNOMIL has three human rights officers with the responsibility of submitting human rights reports to the UN Secretary-General. UNOMIL's mandate expires at the end of September 1997. The extension of the mandate of the human rights unit of UNOMIL and increase of its staff would augur well for the monitoring of human rights in post-election Liberia. The UN should take steps to ensure that the monitoring function of UNOMIL remains beyond September 1997, or with increased capacity to undertake monitoring of the human rights violations during the crucial post conflict period.

In May 1997, Amnesty International, mindful of these concerns, sent a delegation to Liberia. During the visit, the delegation held meetings with the Council of State, Ministers of the then Liberian National Transitional Government (LNTG), political parties, former warring faction leaders, human rights non-governmental organizations, journalists, the Bar Association, social movements, traditional rulers (chiefs), international organizations including the United Nations agencies and UNOMIL, foreign missions and the high command of ECOMOG.

At the different meetings, Amnesty International expressed concern about a number of human rights issues. These included: the future of human rights in Liberia, both during and after the elections; the issue of impunity and bringing to justice those responsible for the past human rights violations; effective implementation of human rights provisions contained in the 1985 constitution of Liberia which is still the operative fundamental law of the country; strengthening and reforming of the judiciary, the police force, armed forces; the establishment of a national human rights commission and other civic institutions for human rights awareness and the return of refugees and internally displaced people and the promotion and protection of their rights.

Earlier in March 1997, a consultative meeting was organized by Amnesty International to discuss with a number of Liberians, other activists and academics abroad how to improve the human rights situation in post war Liberia. The recommendations contained in this report are in

part informed by both the consultative meeting and meetings with the various groups during the visit in May 1997.

This report does not chronicle human rights violations or abuses in contemporary Liberia. Some of the serious and gross human rights violations which have taken place just before and during the war are well-documented by Amnesty International ¹. Instead, this report highlights concerns and recommendations which Amnesty International believes could form the basis of long-term protection of human rights in post-civil war Liberia by creating a human rights culture and building of institutions to uphold the tenets of the rule of law and international human rights norms.

The recommendations made in this report are directed at the new government of Liberia and the international community in general, to demonstrate in concrete terms that the protection and promotion of human rights are a priority, an essential element of any plans for post-conflict peace building, and that they should not be compromised at this crucial time.

¹ Amnesty International's main publications on Liberia just before and during the war are: Death Penalty in Liberia (AI Index: AFR 34/03/85); Death Sentences For Ritual Murder (AI Index: AFR 34/06/88); Liberia: Imprisonment of Opposition Leaders (AI Index: AFR 34/01/89); 10 Prisoners of Conscience Released (AI Index: AFR 34/03/90); Liberia: No Chance for a Lasting Peace Without Effective Human Rights (AI Index: AFR 34/01/93); Liberia: A New Peace Agreement - An Opportunity to Introduce Human Rights Protection (AI Index AFR 34/01/95)

Peace, reconciliation and human rights - impunity a principal concern.

Fifteen peace agreements were sponsored and negotiated as a means of ending the war.² Peace is certainly an important ingredient in the promotion and protection of human rights; it creates a climate conducive to the exercise of civil and political rights. But for peace to be enduring it must be predicated upon human rights guarantees and a shared sense of justice. The various negotiated peace agreements did not accord any importance to human rights protection. The principal amongst the agreements is the Cotonou Accord of 25 July 1993. All the subsequent agreements referred to the Cotonou Accord. The accord was signed by Economic Community of West African States (ECOWAS), Organization of African Unity (OAU), United Nations (UN) and leaders of the warring factions.

Article 19 of the Cotonou Accord stipulated that:

“The parties hereby agree that upon the execution of this agreement there shall be a general amnesty granted to all persons and parties involved in the Liberian civil conflict in course of actual military engagements. Accordingly, acts committed by parties in the course of actual combat are hereby granted amnesty.”

This general amnesty, in the view of Amnesty International, does not cover acts such as attacks on civilians, torture, hostage-taking, rape and extrajudicial executions. Such acts, as the Cotonou Accord implies, have nothing to do with military engagements and are as such prohibited by Common article 3 to the four Geneva Conventions of 1949 and Protocol II of 1977. In addition, such acts are in contravention of customary international law. The Cotonou Accord did not give a blank cheque to anyone or any faction to commit human rights abuses with impunity. Amnesty International believes that the phenomenon of impunity for human rights violations is one of the contributing factors to the continuing pattern of human rights violations. In a report submitted in August 1996 by the UN Special Rapporteur on impunity in civil and political rights, Louis Joinet defined impunity as:

“The impossibility, *de jure* or *de facto*, of bringing the perpetrators of human rights violations to account, whether criminal, civil, administrative or disciplinary

²The peace agreements were: The Banjul Communique, ECOWAS Peace Plan of 7 August 1990; The Bamako Cease-fire of 28 November 1990; the Banjul Joint Statement of 21 December 1990; the Lomé Agreement of 13 February 1991; The Yamoussoukro Accords I - IV of June to October 1991; the Geneva Cease-fire of 17 July 1993; the Cotonou Accord of 25 July 1993; the Akosombo Agreement of 12 September 1994; the Accra Clarification of 12 December 1994; the Abuja Accord of 26 August 1995 and the supplement to the Abuja Accord of 17 August 1996.

proceedings, since they are not subject to any inquiry that might lead to them being accused, arrested, tried and if found guilty, convicted.”

The principal human rights concern in post-conflict Liberia is the issue of breaking the cycle of impunity. Liberia’s history is replete with several instances of how state officials, and later faction leaders, failed to take necessary action to prevent individual violations. Or they themselves have breached the law and were not called to account. This ultimately undermines peoples’ confidence in the State and its institutions which invariably leads to political violence and the challenges which it poses for the protection of human rights.

Other concerns which need to be addressed in post-conflict Liberia include:

- C the powers conferred upon the President by the Constitution to derogate from human rights provisions contained in the same Constitution.
- C the ratification of certain international human rights treaties.
- C ensuring the independence of the judiciary.
- C institutionalising the monitoring of human rights violations and investigating these reported violations with a view to seeking redress.
- C human rights education which would invariably create and sustain a culture of human rights.
- C restructuring the armed forces, police force and other law enforcement officials and training them to uphold international human rights standards.
- C the protection of the rights of voluntarily returning refugees and internally displaced people.
- C investigating human rights abuses allegedly committed by the ECOMOG peace-keeping troops.

The recommendations made in this report are directed at the government of Liberia, ECOWAS, OAU, UN, the international community and social movements in Liberia

Proposals for human rights protection and promotion in post-conflict Liberia

Amnesty International is calling upon the **Government of Liberia** to:

- C** **investigate as a matter of urgency human rights abuses which took place during the war.** Amnesty International believes that it is important that all allegations of human rights abuses be investigated and that those who committed or ordered attacks on innocent unarmed civilians, acts of torture or disappearances be brought before an independent tribunal. The object of such investigations should be to determine individual and collective responsibility and provide full account of the truth to the victims, their relatives and society. Investigations must be undertaken by an independent and impartial institution. Accountability for past human rights violations for any period in Liberia's history where the requisite evidence could be brought must be entertained by any such body instituted to investigate the past human rights violations including the period prior to the civil war. In addition, the government should provide victims of human rights violations with fair and adequate redress including financial compensation. Amnesty International takes no position on post-conviction pardons. Once the truth is known and the judicial process completed, it is then for the country's government and society to decide if such post-conviction amnesties, indemnities or pardons for people suspected of responsibility for human rights abuses may contribute to national reconstruction.

The establishment of a Truth Commission with adequate powers and resources to investigate, may help to establish the truth about past human rights abuses. The Truth Commission should enjoy the trust and confidence of people from all sectors of the Liberian population to be effective in its work. It should be empowered to receive and investigate all allegations of human rights abuses and to consider requests for redress from victims of human rights abuses. It should also be authorized to refer for prosecution cases in which it finds adequate evidence to assign responsibility for human rights abuses to a particular individual or groups of persons.

- C** **make a categorical public statement showing commitment to international human rights law and standards and indicate clearly its own agenda for human rights protection and promotion which it intends to implement during the government's tenure of office.** Such an agenda, should specify the international human rights instruments the government intends ratifying. Liberia has already signed, but not ratified the International Covenant on Economic and Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR). Amnesty International urges the government to ratify these two treaties and accede to the two protocols to the ICCPR, the first of which allows individuals to file complaints with the Human Rights Committee and the second which abolishes the death penalty. Amnesty International also urges the government to become a party to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment.

Amnesty International further recommends that, as part of its action plan, the government starts to prepare its first initial report to the African Commission on Human and Peoples' Rights. The preparation of this report would be in accordance with Liberia's obligations as a party to the African Charter on Human and Peoples' Rights.

- C** **take concrete measures to effectively implement the human rights provisions contained in Chapter Three of the 1985 Constitution of Liberia;** Chapter Three guarantees human rights in sections 11 - 26. Most of the rights provided for by the sections are consistent with the rights enshrined in the ICCPR. However, the President has powers under Chapter Nine of the Constitution to derogate from its obligations of protecting human rights during times of emergency. All rights are seemingly derogable under this provision. This is inconsistent with international human rights law, especially Article 4 of the ICCPR which makes some core rights non-derogable even during times of proclaimed public emergency. These core rights are: the right to life, freedom from torture or cruel, inhuman or degrading treatment or punishment, freedom from slavery and slave trade, prohibition of imprisonment for inability to fulfil a contractual obligation, prohibition of retroactive criminalization of acts which were not criminal at the time of their committal, equality before the law and the right to freedom of thought, conscience and religion. These categories of rights must be protected at all times. Amnesty International calls upon the government and the legislature of Liberia to set in motion a process in accordance with the Constitution towards amending the section on the emergency powers of the president in order to make it consistent with international human rights law and standards.
- C** **ensure and respect the independence of the judiciary.** The judiciary as interpreters of the Constitution should be independent from the executive and legislature in accordance with United Nations Basic Principles of the Independence of the Judiciary which stipulates that: the independence of the judiciary should be guaranteed by the state; judges shall decide matters before them impartially; judges shall not be subjected to any inappropriate or unwarranted interference in their dispensation of justice or the judicial process; every one shall have the right to be tried by the ordinary courts or tribunals using established legal procedures; that the judicial proceedings are conducted fairly and that the parties are respected; persons selected for judicial office shall be individuals of integrity and ability with appropriate training or qualifications in law; the term of office of judges, their independence, security, adequate remuneration, conditions of service, pensions and age of retirement shall be secured by law; decisions of disciplinary action, suspension or removal of judges should be the subject of an independent review.
- C** **provide for the establishment of an independent National Commission on Human Rights.** The commission must be invested with the powers to investigate complaints of human rights violations. The commission should have the power to issue subpoenas demanding that any public official or any person residing within the country

appears before it and produce any document or record relevant to the investigation of alleged human rights violations. The Commission should also have the powers to bring proceedings to a competent court to remedy any conduct or decision that has violated, or is likely to violate, human rights. Such a Commission should have the function of educating the public on their constitutional and human rights through lectures, seminars, symposia and publications. The Commission could also ensure that schools at all levels include human rights education in their syllabi. People to be appointed as members of this Commission should be personalities of highest reputation, known for their integrity, impartiality, competence and a demonstrated conviction for, and belief in human rights norms and the principles of the rule of law.³

- C** **instruct the Ministries of Education and Information to consult with local and international human rights experts and agencies to develop a human rights program.** Using the vernacular of the various ethnic groups and other national cultural mediums of expression (such as drama, dancing and drumming) they should embark upon a human rights sensitization and awareness program.
- C** **restructure the military, police and prison system.** There should be a comprehensive training program for the security forces to acquaint them with human rights standards in law enforcement. In particular, it is proposed that the armed forces and the police should be made aware of, and enforce the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Given the recent experience of mistrust of the police force within the various communities of Liberia there is the need to create a local police committee whereby the police and elected community leaders would work together in investigating any complaints of abuses by the police.
- C** **create a conducive environment for relocation of internally displaced people and guarantee the human rights of refugees** voluntarily returning to their respective counties in Liberia without fear of any form of persecution.

³For a comprehensive information and guidelines on the mandate, composition and functioning of national institutions for the promotion and protection of human rights, refer to Proposed Standards for National Human Rights Commissions (AI Index: IOR 40/01/93).

Amnesty International is appealing to **ECOWAS States:**

- C **support the call for investigations into past human rights violations and bringing those responsible to justice;** make a public statement through its secretariat, endorsing the promotion of international human rights in Liberia; set up a body to investigate allegations of human rights abuses by some ECOMOG soldiers.

Amnesty International is calling upon the **OAU:**

- C to continue to monitor the human rights situation in Liberia through the Special Representative of the Secretary General and provide periodic advice on the human rights developments in the country.
- C to use the Bureau for Refugees to assist Liberian refugees in other African countries who want to voluntarily return to the country and also prevent other member states from embarking on *refoulement* of Liberian refugees.
- C to engage the Conflict Resolution Mechanism in strengthening human rights protection as part of its post-conflict confidence building exercise in Liberia.

Amnesty International is calling upon the **African Commission on Human and Peoples' Rights:**

- C to use its promotional mandate, especially as provided for by article 45 of the African Charter on Human and Peoples' Rights, to promote human rights in Liberia including: undertaking research on Liberian problems in the field of human rights, organising seminars, symposia and conferences, disseminating information and making recommendations upon which the government may base its legislation. Amnesty International is also suggesting that the Commission use its particular powers under Article 45(1)(b) of the Charter to assist the new government of Liberia to "formulate and lay down, principles and rules aimed at solving legal problems relating to human and peoples' rights and fundamental freedoms upon which African governments may base their legislation". The Liberian government could make a specific request for assistance with regard to certain specific legislation. These requests might be included with the report which the government should submit to the African Commission as required by Article 62 of the Charter. Liberia's initial report was due as far back as 1988.

Amnesty International is urging the **United Nations:**

- C **to include a technical co-operation program in its in-country program.** The technical co-operation program might give training for law enforcement officials. It

could also provide capacity building assistance to the existing local human rights organizations and other social movements. This work could be done in association with the UN Development Program (UNDP). The technical co-operation program could provide assistance to the government in the establishment of a national human rights commission. Further technical co-operation could be provided to the Liberian Government to assist in the ratification and implementation of international and regional human rights treaties.

- C** **to enhance the capacity of the in-country program to investigate allegations of human rights violations and publish regular, public reports** on its findings to be disseminated widely, including to the Secretary-General for his inclusion in future reports to the Security Council. All UN staff in the field and international humanitarian field personnel should be aware of the role and work of the in-country program. They should report through explicit and proper channels any human rights violations that they may witness or serious allegations of human rights violations they receive.
- C** **to ensure that the in-country program has adequate funding which guarantees the necessary political and administrative backing over a sustained period of time.** This could be done through the Voluntary Fund for Technical Cooperation (established by the Secretary-General in 1987 in response to the need for additional financial support for the provision of advisory services and technical assistance). Amnesty International would urge donors to specify that their contributions to this fund should be allocated to technical co-operation in Liberia.

Amnesty International is requesting the **Human Rights Non-Governmental Organizations and Social Movements:**

- C** **to publicly pledge their support for the realization of international human rights law and standards in post-conflict Liberia.**
- C** to demand accountability for the past human rights violations and abuses and wage a campaign against the violation of human rights with impunity.
- C** to promote international human rights norms using the cultural mediums of expression of the various ethnic groups in the country. This must be seen to be non-partisan.
- C** to play a very central role in persuading the government to adopt a human rights program of action.

APPENDIX

Background and Context of Current Human Rights Concerns.

The Liberian state had disintegrated by 1990, yet it is the oldest republic on the continent, founded in 1822 by freed slaves from the United States of America who later declared a sovereign independent state in 1847. The freed slaves known as Americo-Liberians, dominated the indigenous African population. The Americo-Liberians monopolised political and economic power until 1980. The mechanism of domination was through a monolithic political party: The True Whig Party. In spite of political dominance of Liberian state and society by the True Whig Party, government conducted the affairs of state in accordance with the constitution. The indigenous Africans were, however, excluded from participating in the political decision-making organs of the state. There was no competitive politics. The indigenous population were denied the right to equally participate in government. So also were they denied the right to work under just and favourable conditions. In fact, many were subjected to forced labour (*corvée*) in the hinterland. In 1930, for example, the President and the Vice-President were forced to resign from office on charges of applying slave-like treatment to some of the indigenous African population. Modern educational facilities, health centres and other social infrastructure were concentrated in the areas of Americo-Liberian settlements, mainly the capital, Monrovia. Over the decades of the Americo-Liberian dominance, there was virtually no significant resistance from the indigenous Africans. The indigenous Africans who are themselves a very heterogeneous group, nevertheless nursed a grievance against the Americo-Liberians, especially those who later became educated and lived in the urban towns.

In the late 1970s, educated indigenous Africans who had returned from academic studies in the United States created organizations through which they began to challenge the Americo-Liberian hegemony.

Master Sergeant Samuel Doe, an indigenous African junior rank officer, staged a coup in 1980 and formed a military government: Peoples' Redemption Council (PRC). It appeared to have been a response, among other things, to the grievances and agitations to wrestle political power from the Americo-Liberian minority community. As a result, the coup was initially welcomed by the majority of the indigenous Liberians. Just after the coup, Doe ordered the execution of thirteen senior government officials without trial. The Doe government initially endeared itself to the radical urban intellectuals and students (who had resisted Americo-Liberian dominance) by appointing some of them, including those who were held in detention, to positions of government. Doe's military government later became repressive as it came under challenge from the same urban intellectuals. Those appointed to political positions either escaped into exile or were detained, and, as resistance grew, Doe resorted to much more brutal violations of human rights as a way of suppressing the resistance. Torture, disappearances, extra-judicial executions, imprisonment of opposition leaders, restriction of freedom of expression were all common-place violations of human rights under Doe's government. This period was

marked by contempt for rule of law and the injection of violence into the fabric of Liberian politics. The judiciary was intimidated and lost its independence. Doe personified the state in himself. All institutions of state became subordinated to the presidency. His government overstretched the concept of "threat to national security" to cover any activity or associational life within civil society that he (Doe) did not approve of. Opponents, or those perceived as such, were violently persecuted. His own Vice-President was executed. As the basis of his legitimacy eroded, he began to lean on his ethnic group, the Krahn and the Mandingoes, a minority Muslim community in Liberia to entrench himself in power. The politics of divide and rule became the order of the day. Doe relied very much on the Armed Forces of Liberia (AFL) to carry out the atrocities. During the same period the Liberian government received substantial military assistance from the United States. As domestic and international pressure mounted President Doe was forced to organize elections in 1985. Most reports indicated that the elections were rigged; and he proclaimed himself president. It is generally believed that the real winner was one Jackson Doe (not related to President Samuel Doe). In the same year a former member of his government, General Thomas Quiwonkpa, who had fled Liberia three years earlier, tried to invade the country from Sierra Leone. He was captured and publicly tortured to death. The AFL responded to this threat to Doe's government with further repression and human rights violations of which the Mano and Gio ethnic groups in the Nimba county became the target because both Jackson Doe and the former General Quiwonkpa hail from that county.

The country also witnessed serious economic crisis during this same period and the standard of living fell drastically. These factors culminated in and created a general climate of discontent which contributed to the launching of the war in 1989.

The war started when fighters of the National Patriotic Front of Liberia (NPFL) led by Charles Taylor entered the country through Nimba county to wage a war with a view to overthrowing the Doe government. The NPFL committed serious human rights abuses during the process of trying to oust the Doe government. The Krahns and Mandingoes ethnic groups or people who were suspected of belonging to these groups, were killed, tortured or held captives. Many unarmed civilians lost their lives. There were also reports of rape of women by NPFL combatants. In an attempt to repel the NPFL advance into the country, the AFL attacked innocent unarmed civilians especially the Gio and Mano ethnic groups who mainly occupy the Nimba county. By June 1990 the NPFL was controlling more than 90% of Liberian territory. Soldiers of the Economic Community of West Africa States (ECOMOG) installed an interim nominal government of national unity (IGNU) under the presidency of Amos Sawyer, from 1991 to 1994, but the government controlled only the capital, Monrovia. Taylor proclaimed his government of "Greater Liberia" with its capital at Gbarnga. His main aim was to take over Monrovia. The attempt by Taylor to take over Monrovia brought about casualties. Many people also escaped to the other West African countries to seek refuge; especially in Sierra Leone, Guinea, Côte d'Ivoire and Ghana. Some people were pursued in these countries by the NPFL. The resistance to NPFL came from combatants of Prince Johnson who as a commander of NPFL broke away to form his own faction: the Independent National Patriotic Front of Liberia

(INPFL). Prince Johnson captured Doe after a military confrontation and tortured him to death. As the war dragged on, the armed factions multiplied. From the beginning of the war in December 1989 until the end of the disarmament process on 9 February 1997, six main warring factions emerged to militarily contest power and territory. They were also the major domestic political actors. They were: the National Patriotic Front of Liberia (NPFL) led by Charles G. Taylor, the Independent National Patriotic Front of Liberia led by Prince Johnson, the Lofa Defence Force, which operated in the Lofa County, it was led by François Massaquoi; the Liberian Peace Council led by George Boley, drawing its support and combatants from the Krahn ethnic group; the United Liberation Movement of Liberia for Democracy (ULIMO) created sometime in 1991 by Krahn and Mandigo ethnic groups and initially led by Alhaji G.V. Kromah. In 1994 there was a breakaway faction which was composed by the Krahn ethnic group. This breakaway faction (referred to as ULIMO-J) was led by Roosevelt Johnson.

Many reasons could be assigned for the proliferation of the factions. Some emerged to prevent the NPFL from taking over power in Liberia. Yet other faction leaders argue that they came into existence to defend themselves and their ethnic groups from being attacked by other factions who targeted their communities. Control and access to minerals and other natural resources was also a contributory factor in the emergence of some of the factions. This might explain why heavy combat often took place in towns such as Tubmanborg. In addition, the waging of war made each faction leader a political force to reckon with, making them parties to the various negotiations which sought to seek political settlement to the conflict.

All the former warring factions committed serious human rights abuses such as deliberate and arbitrary killings of unarmed civilians, torture and cruel, inhuman and degrading treatment of prisoners, summary executions, rape, hostage taking and forced displacement of civilians. Other forms of serious violations were perpetrated which related directly to the fight over natural resources. Most of the factions made use of forced labour contrary to article 8 of the International Covenant on Civil and Political Rights (ICCPR). Child soldiers, in contravention of the 1989 Convention on the Rights of the Child, were also forcibly conscripted to take part in the combats.

Regional and International Dimensions

The civil war was also sustained by a complex network of alliances formed with, and nurtured, by some of the countries within the West African sub-region. The NPFL received substantial support from the government of Côte d'Ivoire and Burkina Faso. ULIMO-K for its part received the security and intelligence collaboration of the government of Guinea. The Nigerian government at the outbreak of the war was opposed to NPFL and tacitly gave support to the AFL and LPC who were fighting against the NPFL. This however changed by 1994; Nigeria no longer opposed Charles Taylor's NPFL. The Liberian war therefore engulfed countries in the sub-region with very serious repercussions for human rights when security personnel in some host countries were collaborated with some of the Liberian factions by returning people who

were fleeing from persecution. Guinea security personnel, for example, returned scores of Liberians fleeing the war back to ULIMO-K.

Eight months after the outbreak of the war, the Economic Community of West African States (ECOWAS)⁴ undertook the initiative to bring about a cease-fire in Liberia. The ECOWAS States created a military observer group (ECOMOG) in 1990 to keep peace in the country. The intervention reduced the faction killings. Taylor's NPFL opposed the ECOMOG intervention; he construed their presence to be an occupying force. President Doe and Prince Johnson welcomed the forces. Until about 1995 ECOMOG and NPFL were in a number of military confrontations. The NPFL in contravention of international humanitarian law resorted to the summary execution and hostage-taking of nationals of ECOWAS countries resident in Liberia as reprisals against those countries which constituted the ECOMOG contingent. ECOMOG itself did not abide by humanitarian law or international standards for law enforcement.⁵ No status of forces agreement was signed to define the legal mandate of ECOMOG. Throughout the period of peace-keeping ECOMOG also performed the function of maintaining law and order. The ECOMOG contingent did not include any civilians or legal experts to advise the high command. There was also no mechanism for seeking redress against alleged human rights abuses by ECOMOG staff. ECOMOG ran detention camps to which civilians had no access. Throughout the period of peace keeping Amnesty International received reports of human rights abuses including torture, arbitrary detention and reported cases of summary executions committed by ECOMOG. During the disarmament exercise, between November 1996 and February 1997, ECOMOG beat up and tortured people who were suspected of having weapons in their possession.

In the early years of the hostilities, in order to prevent Charles Taylor's NPFL from taking over the whole country, ECOMOG supported what had remained of the AFL which had to all intents and purposes been transformed from a national army into one of the factions. Factions such as the LPC received weapons from ECOMOG. There were also several reports of looting by ECOMOG soldiers.

By Resolution 866 (1993) the UN Security Council established an Observer Mission in Liberia (UNOMIL) to monitor the implementation of the Cotonou Peace Agreement (of 1993) jointly with ECOMOG. UNOMIL's mandate has undergone several changes; it expires on 30 September 1997.

⁴The Economic Community of West African States (ECOWAS) are made up of: Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Ghana, The Gambia, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Sénégal, Sierra Leone and Togo.

⁵See Amnesty International publication: Peace-keeping and Human Rights (AI Index IOR 40/01/94).

A three-person human rights unit within UNOMIL has gone some way to fulfilling its mandate to support local human rights groups and to report on human rights violations to the UN Secretary-General. During the last session of the UN Commission on Human Rights in April 1997, the Chairman made a statement which urges the Centre for Human Rights “to provide at the end of the election and at the request of the Government of Liberia advisory services and technical assistance to enable it to revive the ailing human rights structures and mechanisms, and calls on the United Nations Secretary-General to consider sending international electoral monitors and human rights monitors to Liberia, at least during and after the elections”. The UN Secretariat has failed to put forward a detailed proposal for a monitoring mission. The UN is considering one person to look at human rights issues as part of the follow-on operation after the termination of UNOMIL.

Peace Agreements.

Beginning 1990 ECOWAS brokered many peace agreements which sought political solutions to the conflict in Liberia. Almost all the agreements were breached by the armed factions. In spite of repeated requests from Amnesty International, the agreements did not make provision for human rights protection. The agreements also did not stipulate how combatants or faction leaders were to be made accountable for human rights abuses. The agreements focussed on issues of power-sharing among prominent warring faction leaders and the creation of interim or transitional government. The latest of the Accords entered into, before the transition to constitutional rule, was in Abuja, Nigeria on 26 August 1995. It provided for a six-member council, comprised of Wilton Sankawolo at its chair; George Boley, representing the coalition of LPC, CRC, NPFL and LDF; Alhaji Kromah of ULIMO-K; Oscar Quiah of Liberian National Conference (LNF); Tamba Taylor; (no relation of Charles Taylor) and Charles Taylor of NPFL. The AFL was given the defence portfolio, while Roosevelt Johnson's wing of ULIMO (ULIMO-J) was offered a number of ministerial appointments. The Accord set up a timetable for the return of a civilian constitutional government through a general election. The Accord prohibited the seizure of power by any faction by force. This Accord, too, was breached when fighting erupted in April 1996 between the various factions resulting in the death of about 3000 members of the armed groups and unarmed civilians. Human rights defenders and journalists were particularly targeted by the factions for harassment and intimidation as a way of suppressing freedom of expression and association. Between April and May 1997, when the hostilities continued, hundreds of people became internally displaced mostly in the capital Monrovia. These hostilities led to the adoption of yet another agreement, the Abuja Accord Supplement of 17 August 1996. It provided, among other things, for disarmament, demobilization, reintegration and the holding of national elections. The signatories of the new Accord were: the NPFL, ULIMO J&K, the LPC, LDF and CRC. The Abuja Accord Supplement, August 1996, provided for sanctions which included: travel restrictions, exclusion from elections and the establishment of a war crimes tribunal for any faction which did not comply with the terms of the peace accord. On 3 September, Ruth Sando Perry, was designated as the chair of the new Council of State, of the third Liberian National Transitional government. In accordance with the

terms of the Accord, disarmament started on 22 November 1996 and was deemed to have been completed on 9 February 1997. After this date, it was illegal for any armed faction to exist or operate as such or any private citizen to bear arms without the appropriate authorization. A total of 20,322 out of the estimated total of 33,000 combatants were disarmed. The original estimate of combatants was 60,000 but ECOMOG claims that this figure was an exaggeration by former faction leaders. The security situation in the country improved after disarmament. There was also relative decline in human rights abuses. However, even after disarmament the local government structures in the counties were still controlled and managed by the former warring factions of which some of the superintendents were former senior commanders of armed groups. This state of affairs prevented many refugees and other internally displaced persons from voluntarily returning to their respective counties.

In accordance with the provisions of the Abuja II Accord, presidential and legislative elections were originally scheduled to take place on 30 May 1997. After an assessment by an ECOWAS committee, and an endorsement by UNOMIL, it was agreed that the elections be postponed to 19 July. Of the thirteen political parties which contested the elections, three were led by former warring faction leaders. They were: George Boley, Alhaji Kromah and Charles Taylor. Charles Taylor won the elections and was sworn in on 2 August 1996. During the electoral campaign the various factions repatriated an estimated number of 50,000 refugees from the neighbouring countries to participate in the elections. The UN High Commissioner for Refugees (UNHCR) representative in Liberia assisted in the voluntary return of about 1,800 refugees as in July 1997. The voluntary return of refugees and the protection of their rights on their return is a concern of Amnesty International.

What is Amnesty International?

Amnesty International is a worldwide voluntary movement that works to prevent some of the gravest violations by governments of people's fundamental human rights. The main focus of its campaigning is to:

- *free all prisoners of conscience.* These are people detained anywhere for their beliefs or because of their ethnic origin, sex, colour, language, national or social origin, economic status, birth or other status -- who have not used or advocated violence;
- *ensure fair and prompt trials for political prisoners;*
- *abolish the death penalty, torture and other cruel treatment of prisoners;*
- *end extrajudicial executions and "disappearances".*

Amnesty International also opposes abuses by opposition groups, including hostage-taking, torture and killings of prisoners and other deliberate and arbitrary killings.

Amnesty International, recognizing that human rights are indivisible and interdependent, works to promote all the human rights enshrined in the Universal Declaration of Human Rights and other international standards, through human rights education programs and campaigning for ratification of human rights treaties.

Amnesty International is impartial. It is independent of any government, political persuasion or religious creed. It does not support or oppose any government or political system, nor does it support or oppose the views of the victims whose rights it seeks to protect. It is concerned solely with the protection of the human rights involved in each case, regardless of the ideology of the government or opposition forces, or the beliefs of the individual.

Amnesty International does not grade countries according to their record on human rights; instead of attempting comparisons it concentrates on trying to end the specific violations of human rights in each case.

Amnesty International has around 1,000,000 members and subscribers in 162 countries and territories. There are 4,273 local Amnesty International groups registered with the International Secretariat and several thousand school, university, professional and other groups in over 80 countries in Africa, the Americas, Asia, Europe and the Middle East. To ensure impartiality, each group works on cases and campaigns in countries other than its own, selected for geographical and political diversity. Research into human rights violations and individual victims is conducted by the International Secretariat of Amnesty International. No section, group or member is expected to provide information on their own country, and no section, group or member has any responsibility for action taken or statements issued by the international organization concerning their own country.

Amnesty International has formal relations with the United Nations Economic and Social Council (ECOSOC); the United Nations Educational, Scientific and Cultural Organization (UNESCO); the Council of Europe; the Organization of American States; the Organization of African Unity; and the Inter-Parliamentary Union.

Amnesty International is financed by subscriptions and donations from its worldwide membership. No funds are sought or accepted from governments. To safeguard the independence of the organization, all contributions are strictly controlled by guidelines laid down by the International Council.