

LIBERIA

Liberia: Killings, torture and rape continue in Lofa County

Introduction

Widespread and gross abuses against unarmed civilians, including women and children, continue unabated in Lofa County, the northern region of Liberia bordering Guinea and Sierra Leone. There has been armed conflict in the area since renewed incursions by armed opposition groups into Lofa County from Guinea in July 2000. Hundreds of civilians have been victims of killings, arbitrary detention, torture and rape and the number of civilians fleeing fighting -- estimated to be tens of thousands -- has now reached an unprecedented level.¹

Testimonies and reports gathered by Amnesty International suggest that since late April 2001, government security forces, especially the Anti-Terrorist Unit (ATU), a special military unit frequently accused of human rights violations, have extrajudicially executed, arbitrarily detained or tortured -- including by the rape of women and girls -- more than 200 civilians suspected of supporting armed opposition groups. Civilians fleeing Lofa County have often been prevented from moving to safer areas by the security forces, on suspicion that dissidents were among them.

Armed opposition combatants, reportedly based in Guinea and belonging to the Liberians United for Reconciliation and Democracy (LURD), have also been responsible for abuses in recent months. They have reportedly carried out summary executions, torture and rape of civilians suspected of collaborating with the Liberian security forces.

This report details human rights abuses carried out by both government forces and armed opposition groups from April to July 2001 in Lofa County and contains recommendations to both parties to the conflict aimed at ending those abuses. It updates Amnesty International's report, *Liberia: War in Lofa County does not justify killing, torture and abduction*, of 1 May 2001 (AI Index: AFR 34/003/2001), and demonstrates the continuing failure of both the Liberian government and armed opposition groups to respond to repeated appeals by Liberian and international human rights organizations for a halt to such abuses.

¹See Amnesty International's report, *Guinea, Liberia and Sierra Leone. A human rights crisis for refugees and the internally displaced*, 25 June 2001 (AI Index AFR 05/005/2001).

On 23 July 2001, the European Union agreed to open consultations on human rights with the Liberian government in the light of the worsening human rights situation.² Amnesty International welcomes this step and calls on the European Union to press for immediate steps both to end immediately widespread extrajudicial executions and torture in Liberia and to prevent future violations. Amnesty International also urges influential governments in the sub-region and other members of the international community to exert their influence with the Liberian armed opposition groups based in Guinea to end abuses by their forces.

The UN Security Council's attention was recently drawn to the seriousness of the human rights situation in Liberia. The Inter-Agency Mission to West Africa, in its report transmitted by the UN Secretary-General to the UN Security Council in April 2001, specifically underlined the human rights problems in Liberia and observed that the absence of institutional measures to address the issue of truth and justice in Liberia was considered to be a major handicap in the country's transition to democracy and the rule of law.

In view of the deteriorating human rights situation in Liberia, the United Nations, which already has a Peace-building Support Office on the ground, should now consider employing human rights observers in the country to closely monitor and publicly report on the abuses committed by government and opposition forces.

Human rights violations by government forces

Government forces have extrajudicially executed and tortured civilians -- including by raping women and girls -- whom they have accused of supporting armed opposition groups.

Extrajudicial executions

Extrajudicial executions and other unlawful killings of civilians suspected of backing armed opposition groups have been a feature of the conflict in Lofa County. Unlawful killings of civilians by the security forces appear to have been carried out with the acquiescence of the Liberian authorities. The authorities have systematically denied allegations of unlawful killings; they have not condemned or reacted to public statements by security officials that no prisoners of war would be taken; and they have taken no steps to open independent and impartial investigations to bring those responsible for such killings to justice.³

Between 29 May and 11 June 2001, more than 35 people -- possibly all civilians -- were reportedly arrested in Gilima and Vahun, upper Lofa County, on suspicion of backing the rebels.

²Article 96 of the June 2000 Partnership Agreement between the African, Caribbean and Pacific (ACP) countries and the European Union (EU) details the procedure for consultations in the event that a state Party fails to respect human rights. Consultations with the Liberian government are expected to start in September 2001 and should last no longer than 60 days. They may result in "appropriate measures" being taken by the European Union, suspension of cooperation with the Liberian government being a measure of last resort.

³For more information on the issue of unlawful killings, see *Liberia: War in Lofa County does not justify killing, torture and abduction*, p.10.

They were blindfolded, tied and taken away by ATU and other government forces who told relatives that the detainees would be taken southwards to Gbaama, Gbapolu County. Villagers and relatives who subsequently travelled to Gbaama were denied information by the security forces on the detainees and their place of detention, but heard from unofficial sources that the detainees were being held in a village nearby on the road to Weasua -- possibly Zuah. On 16 June 2001, a Liberian security forces commander reportedly arrived in Gbaama, publicly threatened to kill the detainees, and was later the same day seen taking the road to Weasua with ATU officers. The officers reportedly returned a few hours later singing war slogans, firing in the air and using phrases suggesting they had killed the detainees: "We fucked with them"; "We did it"; "We will be back". There are widespread fears that some or all of the detainees may have been extrajudicially executed.

On 14 June 2001, three men were arrested by ATU officers in Zorzor, Lofa County, on suspicion of backing the LURD. They were blindfolded, their arms were tied so tightly behind their backs that their elbows met (known locally as being *tabied*), and were held in an unofficial detention centre. One of them, a 24-year-old man, was allegedly shot in the back of the head and killed by an ATU officer. The ATU officer who carried out the extrajudicial execution was reportedly neither dismissed nor arrested. The two other detainees were later released still bearing deep rope marks above their elbows as a result of *tabie*.

In late June 2001, ATU officers and members of a vigilante group in plain clothes entered Gilima, a village in upper Lofa County located between the towns of Kolahun and Foya Kamala. They rounded up and screened around 50 villagers. More than 25 villagers were accused of backing the rebels, were blindfolded and taken away by the security forces. Villagers left behind subsequently heard gun shots and, as they fled Gilima, saw the bodies of at least 10 of those previously arrested on the main road to Kolahun. The victims were blindfolded and some had their hands tied behind their back. Several eyewitnesses have provided consistent accounts indicating the responsibility of ATU forces. The fate of the other villagers arrested by the ATU has not been established, but there are fears that they may also have been extrajudicially executed.

Torture and deaths in custody

The ATU and other security forces are reported to have tortured civilians arrested in raids and night searches in camps for internally displaced persons. Since early May 2001, more than 100 people who fled Lofa County, including children, are reported to have been arrested in the camps or at security force checkpoints and arbitrarily detained without charge or trial. According to relatives and other unofficial sources in Liberia, some have been held at ATU bases in Bong County, including at Gbatala, an unofficial detention centre where detainees have been held incommunicado, regularly tortured and in some cases extrajudicially executed. Others are reported to have been held at the central police station in Gbarnga. Families have been prevented from seeing the detainees and eyewitnesses have reported deaths among the detainees there as a result of torture aimed at forcing them to confess to supporting the LURD.

Some displaced people arrested since the end of May 2001-- including a number who were blindfolded, flogged and taken in early June 2001 from a centre for displaced people at the Central Agricultural Research Institute, Bong County -- have been released within days. Several

others are reported to be still in custody. Amnesty International is investigating reports that some of this group have died in custody possibly at Gbatala base as a result of severe beatings. The names of the victims who allegedly died in custody are known to Amnesty International, but they have not been identified here for fear of reprisals against their relatives.

Amnesty International has obtained several testimonies of civilians arrested by the security forces at checkpoints while fleeing upper Lofa County. They all report being tortured to make them confess to links with dissidents. The methods of torture used against them are those commonly reported as used by ATU forces and include:

- being forced to walk on broken glass with bare feet;
- being forced to eat hot pepper;
- being forced to look at the sun for a protracted time; or
- being *tabied* .

The following accounts are by individuals whose identities are known to Amnesty International but who cannot be named for fear of reprisals.

“An ATU soldier arrested me while en route to a nearby safer town, because of the heavy shooting that was advancing to the town in which I lived. They took me to an abandoned area where I was stripped naked and given up to about a hundred lashes with a cartridge belt. I was firmly tied up with my two elbows joined together and placed in one of the rooms of a dilapidated building. I remained tied up and made to sleep on the bare floor that night. The next day, one of the soldiers cleaned my head with a very rough object and told me to sit and look at the sun for some four hours and at the same time he was whipping me severely, which caused wounds all over my body. I tried to resist, but one of the soldiers hit me with the gun butt right in my mouth; by then my entire body was bleeding profusely to the extent that they thought I was about to die and they put me aside and started with some other people. In this process, I managed to escape.” [Testimony of a man arrested in early May 2001 by ATU forces in Salaye, Lofa County]

“It was at midnight when a large number of ATU officers made us to come out of our shelters for proper identification. During this process, I was arrested on suspicion of being a dissident fighter. Some of the women among the villagers protested that I was not, but the unreasonable soldiers undressed me and tied me up like a beast... and took me along while the rest of the villagers were ordered to migrate to some other village. Upon the break of dawn, the soldiers told me to confess that I was a dissident, but I told them no. They filled my mouth with pebbles and slapped it severely three different times. My mouth bled profusely as they gave me red hot pepper to chew. The pepper was later applied to other sensitive parts of my body while I was made to sit by a huge set up fire. Severe lashes had been the kickoff of this punishment. Lastly, I was tied to an ant tree for some thirty minutes; the ants inflicted several bites on me and after this, I was made

helpless, and they decided to leave me alone. After that, I managed to escape and left the entire area.” [Testimony of a man arrested on 8 May 2001 in Zorzor district, Lofa County]

“My wife was pregnant. We had relocated our usual home and we were now living in queer little shelters deep down into the heart of the forest, fleeing the ongoing fighting. My wife and my little daughter had to eat, so I was forced to go into the bushes to look for food. I was in a cassava patch trying to root up some cassava when some soldiers who were using the same road met me. When they started beating me, I show them the half bag of cassava I was digging for my family in order to make them have mercy on me. They refused to accept the fact and while taking me along, we met another person who came to fetch cassava too. They said that we were dissidents and because of this they refused to reason with us and took us to a nearby town where we were placed in two separate toilet houses, after they tabay [tabied] us with a nylon rope which began to enter our skins. After about five hours, they scattered broken glasses and bottles and demanded us to walk on them with our bare feet. When they noticed that our entire feet were now blooded and sore, they locked us up in one room and felt that we could no longer escape, but we decided to bear the pain and escape instead of remaining locked up till we would die. We slid out one rainy night after being in this detention for six days, surviving only on water and some pieces of nuts.” [Testimony of a man arrested by government forces in Kolahun district, upper Lofa County, in mid-May 2001]

“My friend and I were trying to find our way out to another town, escaping the fighting around one town. While using some bypass routes, we accidentally came across some ATU soldiers who violently rushed on us with slaps in our faces from all directions and before we could become conscious of what was really going on, we were separated because they said we were rebels. As for me, I was whipped several lashes while the other used his gun butt all over my body. After that, I was ordered to ascend my two feet at a very high position while resting on my two hands. After sometime, my nose was running water, and my eyes were extremely dark. At length, I was jailed in a derelict structure for up to about six days, and made to sleep on the bare ground, during which time I was not given food for two days and I was later issued a relatively small amount for the remaining four days. On the second day of my detention, my hair was scraped off my head and my head was rubbed with palm oil. I was made to sit in the sun for several hours while they put out their cigarettes on my bare head. I was later released and told to keep around. I consented, but I later managed to escape from them”. [Testimony of a man arrested by government forces in upper Lofa County, in mid-May 2001]

Rape of women and girls

Over the past four months, Amnesty International has received numerous detailed testimonies from women and girls who have been raped and submitted to other sexual violence by members of the ATU and other government forces. Victims of rape include girls as young as 12 years old.

Women and girls have been raped -- often by gangs of soldiers -- after fleeing the fighting and being arrested at checkpoints. Other victims of rape have been arrested in war zones,

including Vahun and Kolahun, on suspicion of backing the dissidents, being related to dissidents or being spies. Victims of rape have often been held in unofficial detention centres, such as abandoned private houses used by government soldiers as their bases. Members of the security forces are reported to have beaten, kicked and stabbed their victims with bayonets when they resisted rape. Victims have often been threatened with reprisals by the perpetrators if they lodge a complaint.

Victims have in some cases identified high-ranking officials in the Liberian security forces as involved in raping them. The scale of rape carried out by the Liberian security forces raises serious concerns that sexual violence against women has been used as a weapon of war to instil terror among the civilian population. There is no doubt that the impunity which the security forces have enjoyed for rape and other human rights violations has been a key factor in allowing rape and other forms of sexual violence to reach the current alarming proportions.

The following testimonies were gathered, on condition of anonymity, from women and girls who reported rape in upper Lofa County in late April 2001:

“As I was escaping from the heat of heavy fighting around the Kolahun district in Lofa County I was put under gun point by some uniformed armed men. After my arrest, they fired several bullets between my legs and inflicted several bruises upon me. I was taken to their base. I was flogged, and at many times I was sexually abused. If I refused to have sex with them, they would become more violent in their action. I was often forced to lay on the ground with my face turned towards the sand. The most disgusting thing about the entire thing is that, whenever they experienced a huge number of deaths in the battle front, they would surely accuse me of being a dissident collaborator and I would be massively raped by nearly all of them.” [Testimony of a woman detained by ATU forces in Kolahun district, upper Lofa County, on 24 April 2001]

“They entered our village at midnight and started arresting people. All the villagers including myself began to run away to find a secure hide out. Plain clothes men were joined by some others wearing ATU uniforms. I was caught by one of them who accused me of collaborating with dissident forces in the area. They took several others and me to their camp where I was stripped naked, issued with some countless lashes and locked up in one of the rooms. Two of the soldiers came in where I was locked up and demanded to have me. They both had me in the most violent manner. Since I managed to escape from those cruel people, my stomach and back have continued to pain me severely even as I am talking now.” [Testimony of a woman arrested by ATU forces in Barkedu chiefdom, upper Lofa County, on 21 April 2001]

“Being about 17 years of age and fearing these soldiers’ habit of raping, I decided to disguise my beauty with the appearance of a mother. But I was immediately picked up while making way to pass through one of the checkpoints. The soldiers who arrested me took me some good yards away into the bush from the checkpoint and took out a pen knife saying that they would stab me and butcher me like an animal if I refused. I obeyed unwillingly as one of them satisfied his demand. In the end, he took a string off his boot and he tied me up to a tree. I remained tied as he returned and raped me again for the

second time before loosening me. He told me: 'If I ever catch you escaping, I will fire at you'. But after two days he wasn't paying much attention to me as I joined another group of refugees heading for a safe area." [Testimony of a woman arrested in late April 2001 by government forces in lower Lofa County]

Cases of rape continued to be reported in June and July 2001. In early June 2001, a woman was seized in Vahun district by the ATU and gang-raped for more than ten days including by the local ATU commander. When she was released, she was threatened with death by the ATU if she lodges a complaint. On 12 June 2001, a woman from the town of Voinjama was arrested by the ATU in lower Lofa County. She was accused of being a spy and collaborating with the dissidents, although she said she had fled south to find members of her family who had previously fled Voinjama. She reported being repeatedly gang-raped before being released a few days later. In late June, she is reported to have said, "I am not safe anymore and I can't go among people". She was traumatized and feared she might have caught sexually transmitted diseases as a result of the rape.

In late June 2001, a 25-year-old woman was seized by the ATU in Vahun district, upper Lofa County, on suspicion of helping the LURD. She said she was gang-raped for four days and that, on the fifth day, while semi-conscious, she felt a long piece of metal or a stick being inserted in her vagina which provoked profuse bleeding and pain. She was subsequently released.

In July 2001, a girl -- possibly as young as 12 years old -- whose parents had earlier been extrajudicially executed by government forces on suspicion of backing the dissidents was reported to have been raped by members of the security forces in upper Lofa County. The name of the town where the girl was raped and other details cannot be published for security reasons.

Harassment of human rights defenders

Since the renewal of armed conflict in Lofa County in July 2000, the Liberian security forces have arrested and tortured outspoken and active members of human rights and other civil society organizations or forced them to flee the country. Over the past three months, these attacks on Liberian journalists and members of human rights organizations have continued in an attempt to prevent sensitive information from getting out of Liberia, including about human rights abuses.

On 27 April 2001, Information Minister Reginald Goodridge announced that reports about fighting in the north of the country and other national security issues should be cleared by the Ministry before publication by the news media. The government has made frequent and arbitrary use of criminal charges such as espionage against journalists. Amnesty International fears that the latest step taken by the Information Minister aims at intimidating the media into self-censorship. This measure violates Article 15 of the Liberian Constitution which circumscribes any such restrictions on freedom of expression except under a state of emergency.

Since mid-May 2001 more than 15 students, including the leaders of the University of Liberia Student Union (ULSU), have fled Liberia. They went into exile after Justice Minister Eddington Varmah publicly said that dissident collaborators were operating from the main campus of the University. Liberian students have often been on the front line in promoting and defending

human rights. In July 2000, ULSU leaders were arbitrarily detained and reportedly tortured by police in Monrovia. In late March 2001 more than 40 Liberian students were reportedly tortured and female students raped after forces of the ATU and the Special Operation Division, a special police unit, raided the university campus to stop a peaceful rally for the release of four detained journalists.

On 22 June 2001, the Monrovia premises of the Catholic Justice and Peace Commission were broken into overnight; valuables such as computers and cameras were not stolen but filing cabinets and records were searched. As the police opened an investigation, the Commission's Director, James Verdier, publicly expressed concern that the burglary might have been politically motivated. The Commission is one of Liberia's most longstanding defenders of human rights and its staff have often been targeted for verbal and physical attack by members of the security forces.

Killings and rape by armed opposition groups

The exact identity of the armed opposition groups -- and their leaders -- which have been attacking Liberia from Guinea since 1999 has been difficult to establish. However, since the beginning of the latest round of incursions in July 2000, attacks on Liberian territory have been claimed by a group called the Liberians United for Reconciliation and Democracy (LURD). The LURD is reportedly composed of former fighters from the civil war of 1989 to 1996, many of whom became refugees in Guinea and Côte d'Ivoire after the end of the war.

There have been several reports that in the past few months LURD combatants have summarily and deliberately killed, tortured and raped unarmed civilians. Detailed information on individual abuses is limited, but it appears that some civilians including women have been targeted on suspicion of collaborating with government forces.

On 15 April 2001 a young woman in Voinjama, aged about 21 years old, was reportedly raped by a LURD fighter. According to eyewitnesses, when the LURD fighter was caught raping her, he was said to have been summarily executed by a local LURD commander. On 16 April 2001 in Voinjama, two men wearing civilian clothes and suspected of being members of the Liberian security forces were reportedly killed by LURD fighters. The two men were in their early 30s.

In late June 2001, a 29-year-old man was captured by LURD fighters while trying to flee renewed fighting in Kolahun. His hands were tied behind his back and he was taken to a house on the outskirts of Kolahun where two other men and a young woman, all civilians, were being held by the LURD fighters. Two days later, before managing to escape, he reportedly witnessed the deliberate killing of the two men detained with him on the orders of a high-ranking officer, apparently for failing to give information about government forces' movements and numbers in

the area. The young woman detained with them, around 23 years old, was reportedly tortured, including by being repeatedly raped and having a piece of wood forced into her vagina. Subsequently, she also managed to escape.

Amnesty International has been unable to collect further information on these particular cases of rape and killings. However, the organization has received other similar reports and is concerned that they may be indicative of a pattern of unlawful killings and rape being carried out by armed opposition forces in Liberia.

Conclusions and recommendations

Over the past few months, tens of thousands of women, children and other civilians have been uprooted from their homes in northern Liberia as a result of fighting or for fear of being caught in it. They have lost everything. Many of them have paid a further price on their way to safer areas in the country -- they were tortured or raped, and in some cases killed, by government security forces or LURD fighters.

The testimonies and cases gathered by Amnesty International show that arrests of suspected dissidents have often been carried out on a purely arbitrary basis. Torture has been systematically used to make people confess their supposed backing for either the LURD or the security forces. Women and children have been the most vulnerable people among those displaced. The scale of sexual violence raises concerns about rape being used as a weapon of terror against the civilian population, and countless victims of rape are currently in urgent need of medical and psycho-social assistance.

The human rights crisis unfolding in Liberia has for too long been ignored by the international community. No steps have been taken by the Liberian authorities to end violations and to bring those responsible to justice, and the leaders of the LURD have continued not to abide by international humanitarian law in their treatment of the civilian population.

Deliberate killings, torture and rape of unarmed civilians are not inevitable. Amnesty International urges the Liberian government, LURD leaders and the international community to implement as a matter of urgency the following recommendations.

Recommendations to the Liberian government:

- the Liberian government should immediately give public instructions to its security forces that extrajudicial executions and other unlawful killings, and torture including rape and other forms of sexual violence, will not be tolerated. It should publicly acknowledge that rape in the conduct of armed conflict constitutes a war crime and may constitute a crime against humanity under defined circumstances;
- a clear, public and unequivocal message should be given to the security forces that those responsible for extrajudicial executions and unlawful killings, torture and arbitrary detentions of civilians will be brought to justice;

- urgent steps should be taken to open independent and impartial investigations into allegations of extrajudicial executions and torture, including rape and sexual violence, in order to bring those responsible to justice. Any member of the security forces suspected of committing rape or other forms of sexual violence should be removed from active service;
- security forces should be instructed that anyone who is arrested must be held in an official detention centre and be given access to his/her family, lawyers and a doctor if necessary;
- a list of detainees in ATU bases, including Gbatala and other unofficial detention centres in Liberia, should be immediately made available to families and lawyers, and detainees held there should be promptly transferred to official detention centres. Any detainees, including women and children, who are not to be charged with a recognizably criminal offence should be released immediately;
- the practice of incommunicado detention should be ended and the authorities should allow independent inspections of all detention centres;
- the Liberian government should ensure that the United Nations (UN) Standard Minimum Rules for Treatment of Prisoners and the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment are observed;
- the Liberian authorities should ensure that human rights defenders and journalists can carry out their legitimate activities without fear of arrest or physical attack and that the security forces are publicly instructed about the legitimacy of human rights defenders' work;
- the Liberian government should ratify the International Covenant on Civil and Political Rights, to which Liberia is a signatory, and sign and ratify (without reservations) the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment with declarations providing for individual and inter-state complaints;
- the Liberian authorities should respect and promote the provisions of international and regional human rights instruments they have already ratified. Such instruments include the African Charter on Human and Peoples' Rights and the Convention on the Elimination of All Forms of Discrimination against Women.

(See the Appendix for details of the Liberian government's international human rights commitments.)

Recommendations to the (LURD) armed opposition group

- LURD leaders should publicly condemn breaches of international humanitarian law by their forces and instruct combatants to end killings and torture, including rape, of civilians;
- measures should be taken to protect girls and women from rape and other forms of sexual violence, including by stating publicly that rape in the conduct of armed conflict constitutes a war crime and may constitute a crime against humanity under defined circumstances;
- any combatant suspected of abuses against civilians should be immediately removed from active service and situations where such abuses might recur.

(See the Appendix for details of the LURD's international humanitarian law obligations.)

Recommendations to the international community:

- members of the international community and influential governments should condemn human rights violations by Liberian security forces. They should engage the Liberian authorities in dialogue on human rights and use their influence to have the most urgent steps taken immediately to end human rights violations. These include allowing all detainees to see their families, lawyers and a doctor if necessary; transferring detainees from unofficial detention centres such as the ATU bases to official detention centres; allowing independent inspections of all detention centres; giving public instructions to security forces that extrajudicial executions and other unlawful killings, and rape and other forms of torture, will not be tolerated and those responsible will be brought to justice; opening independent and impartial investigations into complaints of human rights violations; making sure that human rights defenders and journalists can continue to carry out their work without fear of arrest or intimidation;
- members of the international community should publicly condemn abuses against civilians by the LURD and take steps, including by requesting the Guinean government to use its influence, to put pressure on the LURD to abide by international humanitarian law;
- the United Nations, which already has a Peace-building Support Office on the ground, should now consider employing human rights observers in the country to closely monitor and publicly report on the abuses committed by government and opposition forces;

- the European Union should make sure that, in the context of consultations starting in September 2001 over human rights, the Liberian government is asked to implement the measures listed above. Moreover, the Liberian authorities should be asked to train the Liberian security forces in international human rights and humanitarian law -- and should be provided assistance to do so by the international community; take steps which encourage prosecution of those responsible for human rights violations; ratify the International Covenant on Civil and Political Rights, to which Liberia is a signatory, and sign and ratify (without reservations) the UN Convention against Torture with declarations providing for individual and inter-state complaints;
- the international community should also ensure that resources for medical and psycho-social assistance for victims of sexual violence are adequate and sustained.

APPENDIX

International obligations for both government forces and the Liberians United for Reconciliation and Democracy (LURD) armed opposition group

Common Article 3 of the 1949 Geneva Conventions applies to all parties to armed conflict not of an international nature. It protects all persons taking no active part in hostilities, in particular prohibiting "violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture". It is now generally accepted that, under customary international law, rape committed by government officials or armed opposition groups during armed conflict -- whether international or non-international -- constitutes torture. Rape and other forms of sexual violence by combatants in the conduct of both types of armed conflict are now recognized as war crimes, most recently in the Rome Statute of the International Criminal Court. When rape is committed on a systematic basis or a large scale, or, as confirmed in the Rome Statute, when it is committed as part of a widespread or systematic attack directed

against a civilian population, it is a crime against humanity. As such, it is subject to universal jurisdiction.

Liberia's constitutional guarantees and international obligations

Liberia's 1986 Constitution contains some human rights provisions. In particular, Article 21(e) of the Constitution lays down that "no person charged, arrested, restricted, detained or otherwise held in confinement shall be subject to torture or inhumane treatment; nor shall any person except military personnel, be kept or confined in any military facility..." Article 21(f) specifies that "every person arrested or detained shall be formally charged and presented before a court of competent jurisdiction within forty-eight hours." Liberia is party to the African Charter on Human and Peoples' Rights and the Convention on the Elimination of All Forms of Discrimination against Women; it has signed but not ratified the International Covenant on Civil and Political Rights (ICCPR); it still has to sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.