

LIBERIA

War in Lofa County does not justify killing, torture and abduction

“One of the ATU [Anti-Terrorist Unit] told the others ‘He is going to give us information on the rebel business’. They took me to Gbatata. I saw many holes in which prisoners were held. I could hear them crying, calling for help and lamenting that they were hungry and they were dying.”

Testimony of a young man detained at Gbatata military base in August 2000.

Introduction

The continuation of hostilities in Liberia cannot be used as a justification for killing, torture and abduction. Unarmed civilians are again the main victims of fighting in Liberia – a country still bearing the scars of its seven-year civil war when massive human rights abuses were committed by all sides with impunity.

Since mid-2000, dozens of civilians have allegedly been extrajudicially executed and more than 100 civilians, including women, have been tortured by the Anti-Terrorist Unit (ATU) and other Liberian security forces. People have been tortured while held incommunicado, especially at the military base in Gbatata, central Liberia, and the ATU cells behind the Executive Mansion, the office of the presidency in Monrovia, the capital. Women and young girls have been raped by the security forces.

All these victims were suspected of backing the armed incursions by Liberian armed opposition groups from Guinea into Lofa County, the northern region of Liberia bordering with Guinea and Sierra Leone. The security forces have mostly targeted members of the Mandingo ethnic group whom they associate with ULIMO-K¹, a predominantly Mandingo warring faction in the 1989-1996 Liberian civil war, accused by the Liberian government of being responsible for the armed incursions into Lofa County in 1999, notably in April and August of that year and since July 2000.

Abductions of civilians, especially young men possibly for forced conscription, as well as the burning of villages and the looting of property, have reportedly been rampant, especially since February 2001. A number of civilians, including women, who

¹ The United Liberation Movement for Democracy in Liberia (ULIMO) was created in 1991 and was composed of members of Krahn and Mandingo ethnic groups. In 1994 there was a breakaway faction (referred to as ULIMO-J) which was composed of members of the Krahn ethnic group and led by Roosevelt Johnson. The other ULIMO faction, known since 1994 as ULIMO-K, predominantly Mandingo, was led by Alhaji Kromah.

tried to escape abduction have reportedly been shot and injured or killed. Liberian armed opposition groups coming from Guinea have been accused of being responsible for these abuses.

The escalation of hostilities along the borders of Sierra Leone, Guinea and Liberia, especially since September 2000, and the deterioration of diplomatic relations between Guinea and Sierra Leone on the one hand, and Liberia on the other hand, have been the context in which increasing human rights abuses have been carried out against civilians by government and non-government forces from all three countries. The renewal of incursions by armed groups into Lofa County, from Guinea, in July 2000, prompted accusations by the government of Liberia against Guinea of supporting and assisting Liberian armed factions which had been engaged in internal armed conflict in Liberia until 1996. The ATU, the armed forces and war veterans were deployed by the Liberian government to repel the attacks.

This report details human rights abuses carried out by government forces and armed opposition groups in the context of fighting in Lofa County and makes a series of recommendations, aimed at ending those abuses, to the governments of Liberia and Guinea, the leaders of the armed opposition groups and the international community. Amnesty International urges the Liberian government to immediately end torture and killings of civilians suspected of backing the dissidents and calls on the armed opposition groups based in Guinea to end abductions and other abuses. West African governments, the UN Security Council and other members of the international community must also take immediate steps to ensure respect and protection of human rights in Liberia.

Amnesty International has many other concerns on Liberia which are not detailed in this report. These concerns include: widespread torture, including rape, of criminal suspects by the police and other security forces; conditions of detention amounting to cruel, inhuman and degrading treatment; political prisoners sentenced to prison terms after trials which failed to meet international standards for fair trial. Amnesty International is also concerned that impunity has been the rule under the current government. On a few occasions, and often after protests by the victims' relatives or human rights organizations, steps have been taken by the Liberian authorities to investigate some human rights violations. However, those investigations have not been thorough, independent or truly effective and have not resulted in bringing the perpetrators to justice and providing the victims with compensation.

Amnesty International delegates visited Liberia in February 2001 for three weeks. They carried out investigations in Monrovia and Gbarnga, Bong County. They met victims of human rights violations and their relatives, first-hand witnesses and members of civil society. During the visit, the Amnesty International delegation discussed its numerous serious human rights concerns with the Minister of Foreign Affairs, Monie

Captan. While asserting the commitment of the Liberian authorities to the protection of human rights and prosecution of perpetrators of human rights violations, the Minister urged Amnesty International delegates to consider torture and extrajudicial executions of suspected rebels and other human rights violations in the “context”. He stressed that there was a war going on, that “Liberia could not be treated as a normal case where you have stability” and pointed out that the country had only recently emerged from a protracted civil war, that former fighters had been enrolled without training within the security forces and the country had not yet achieved reconciliation.

Amnesty International acknowledges the difficulties of post-conflict institution-building, reconciliation and restructuring and training of the judiciary and the security forces in a country traumatized and affected by a long and devastating civil war. After the end of the civil war and the holding of elections in 1997 which were won by President Charles G. Taylor, a former war faction leader himself, Amnesty International addressed several recommendations to the newly established Liberian government on protection and promotion of human rights for the post-conflict peace-building agenda.²

Amnesty International is concerned that since 1997 virtually nothing has been done by the government to achieve reconciliation: no steps have been taken to investigate and bring to justice those responsible for widespread human rights abuses during the civil war or to establish institutions for protection and promotion of human rights; no training in international human rights standards has been provided to special security units such as the ATU and the Special Operation Division (SOD), which are the most and regularly implicated in torture and political killings, which act with impunity and appear to be politically backed including at the highest levels; Liberian journalists and human rights defenders who speak out and regularly expose human rights violations have frequently been arrested, threatened, tortured and ill-treated and forced to leave the country.

In March 2001, Amnesty International wrote to the Minister of Foreign Affairs providing further details of the human rights concerns raised during the discussions held the previous month, and asking him to bring those concerns to the attention of other members of the government, including the Minister of Justice, Eddington Varmah, and the Minister of National Defence, Daniel Chea. Amnesty International requested a response from the government with regard to specific human rights concerns, but no response has been received.

² See Amnesty International *Liberia: Time to take human rights seriously - placing human rights on the national agenda*, 1 October 1997 (AI Index: AFR 34/05/97).

Furthermore, no response was made by the authorities to the request by Amnesty International to guarantee the security of those suspected of having approached Amnesty International during its visit to Liberia. On the evening of 1 March 2001, AA³ was assaulted and beaten in his house in Monrovia by at least three men in plain clothes, on suspicion of having approached the Amnesty International delegation in February. While being beaten, AA was reportedly told: “you have spoken too much and you have tarnished the image of the country”. A police vehicle was seen driving from the house of the victim after the attack. Subsequently, he was hospitalized and a complaint was lodged by his relatives at a local police station in Monrovia. Amnesty International called on the Liberian authorities to ensure that a thorough, independent and impartial investigation into the assault of AA takes place promptly and that those responsible are brought to justice. No information has been provided by the Liberian government on steps taken to investigate the attack and bring those responsible to justice.

Torture, including rape, by Liberian government forces of civilians suspected of supporting the armed incursion

Since 2000, arrests and torture of men and women, including farmers, traders and students, suspected of backing the armed opposition in Guinea, have been carried out mainly in Lofa, Bong and Nimba Counties by the ATU and the SOD. Many other civilians, mostly Mandingos, were detained incommunicado and tortured in 1999 in connection with the April and August 1999 armed incursions from Guinea into Lofa County. It is unclear whether they remain in detention. In March 2001, the Liberian authorities declined to provide the organization with information about the identities of suspected insurgents arrested by government forces in upper Lofa County since 1999 or the location of their detention.

In October 1999, **James Torh**, the Executive Director of Forerunners of Universal Rights for Growth and Development (FOCUS), a Liberian non-governmental human rights organization, publicly exposed evidence of torture at Gbatala base and called on the government to put an end to it immediately. The Liberian authorities reportedly responded to those allegations by speaking of “misconduct” and “wrong acts of few soldiers” and acknowledging that there were “some problems” at the base; they promised to “punish” those responsible - although no security officer appears to have been brought to justice - and to ensure that the rights of those detained at Gbatala would be respected.

³ The names of the victims who spoke under condition of anonymity, or whose identity Amnesty International wants to protect for fear of reprisals, have been replaced.

Since that time, not only has the torture and incommunicado detention at Gbatata base continued but, two months afterwards, James Torh was briefly detained and charged with sedition solely for making remarks critical of the government to secondary school students. In March 2000, while free on bail, James Torh fled the country after ATU officers twice came looking for him at his home at night.

Liberia's constitutional guarantees and international obligations

The Liberia 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 competent jurisdiction within forty-eight hours." Liberia is party to the African Charter on Human and Peoples' Rights; 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 and Degrading Treatment or Punishment.

Torture at Gbatata military base

"Arriving at Gbatata, the cloths were loosened from our faces and we were made to see many horrible sights. Some prisoners were placed in water that held them up to their throat... people were made to run on broken bottles with their bare feet. We saw several narrow holes dug within which prisoners were placed."
Testimony of a man, Mandingo, detained at Gbatata base in June 2000 and released after weeks without charge.

According to testimonies and other evidence gathered by Amnesty International, suspected armed opponents detained at the military base in Gbatata are held in holes dug in the ground - some of them filled with dirty water - and are regularly tortured. Detainees are flogged, kicked and beaten including with gun butts; some have had plastic melted on their bodies or cigarettes put out on their skin; others have been forced to roll in the mud, walk on broken glass with their bare feet or eat hot pepper. Suspects are regularly *tabied*, which means that their arms are tied together so tightly behind their backs that their elbows touch. The victims met by the Amnesty International delegates still bore scars and marks of torture and were visibly traumatized. Some of them were taken from Gbatata base to the presidential farm, on the road to Gbarnga, to work in the fields. Most of the victims met by the Amnesty International delegates had been released without charge; others had managed to escape.

BB was arrested by the ATU in Konia town, upper Lofa County, in September 2000: *"The ATU entered Konia and started looking for any Mandingo in town. I was arrested, tabied, first taken to the Voinjama military barracks and later transferred to Gbatata. They stripped me naked and they put me in a hole up to my neck. There were*

ten holes, and in each of them a prisoner was standing up. I was regularly taken out of the hole and whipped.” The victim also told the Amnesty International delegation that on the other side of the footpath leading to his and the other holes, there was a bigger hole full of muddy water: “It was like a swamp. Prisoners were held there during the day and taken to a small jail nearby to spend the night.”

CC was arrested together with four other Mandingos at the end of September 2000 in Kolahun town, upper Lofa County, by the ATU: “Three ATU grabbed me and one of them told me ‘we’ll show you something you have never seen before’. One of them hit me with his bayonet, they put me in their pick-up and they kicked me until I lied down under the seat. I was bleeding a lot. I was taken to the Voinjama military barracks where a commander yelled and shouted at me while asking me why the Mandingos allowed the dissidents to enter Lofa County. Later they took me to Gbatata and put me in a hole, but I could not stand up because of the bleeding. They left me there for one day and one night.”

On 17 June 2000, DD, a Mandingo, was arrested in Ganta, Nimba County, together with six other Mandingos, including a businessman. He was taken to Gbatata base, given 30 lashes and put, together with 17 other prisoners, in a hole two metres deep. He told the Amnesty International delegation: “The hole was not covered, but if there were visitors they would put zinc to cover it. We had to urinate and defecate there. They were taking us out of the hole only to beat us or to drive us to the presidential farm to work in the fields... we were forced into their pick-up and forced to lie down; on the way to the farm, the ATU were putting their feet on us and putting out their cigarettes on our skin.”

Rape of girls and women, including by the ATU at Gbatata base

Many girls and women, some belonging to the Mandingo ethnic group, have been raped by the Liberian security forces. Some of the victims have accused high-ranking officials of ordering and participating in their rape. Unaccompanied girls, as young as 14 years old, fleeing fighting in upper Lofa County, have been separated and taken away by individual Liberian soldiers at checkpoints. They are feared to have been raped.

Between August and September 2000, a 16-year-old Mandingo girl was raped by a Liberian soldier at a checkpoint between Baziwehn and Luyema, upper Lofa County. In September 2000, a Mandingo woman arrested on her way from Kolahun to Voinjama, upper Lofa County, was briefly arrested and was apparently raped. A man who was arrested with her told the Amnesty International delegation: “The soldiers arrested two women and they asked them what tribe they belonged to. One woman was Kpelle and the other one was Mandingo. They freed the Kpelle woman. Two soldiers dragged the

Mandingo woman behind a house. I do not know what they did to her, but she came back crying and her clothes were torn. They kicked her and they told her to go.”

Amnesty International has also received reports that, at the end of February 2001, three women, at least one belonging to the Mandingo ethnic group, and one 17-year-old Mandingo girl were arrested on the outskirts of Kolahun, upper Lofa County, on suspicion of supporting the dissidents. They were held for almost a month and were repeatedly gang-raped by members of the ATU and local vigilantes.

In early March 2001, four other women, two of them Mandingos, and another 17-year-old girl, also suspected of supporting the dissidents, were reportedly arrested at checkpoints in upper Lofa County, held in Vahun for a few weeks and gang-raped by members of the ATU and the SOD. Two of the victims were wounded with a knife when they refused to have sex with the security officers who then raped them.

According to witnesses, two young women arrested in Lofa County in March 2001 on suspicion of supporting the dissidents were detained until early April 2001 at Gbatala base. They were repeatedly gang-raped by several security officers. Both were injured, including their genitals being cut, as a result of repeated rape and other forms of sexual violence.

In early April 2001, a pregnant woman was grabbed near Zorzor by an ATU officer. She was repeatedly raped until being released a few days later. ATU officers beat her, stepped on her stomach and flogged her in custody, as a result of which she lost her baby.

Torture at the Executive Mansion ATU cells

A number of civilians suspected of backing the armed opposition were detained at the Executive Mansion ATU cells and were regularly whipped. Amnesty International has gathered testimonies and accounts of detainees who were forced to carry out hard labour, including breaking rocks. Other detainees were humiliated by being smeared with mud and forced to sit in the sun or being slapped on the face after being ordered to inflate their cheeks.

A suspected dissident, detained for a few days at the Executive Mansion ATU cells in September 2000 and released without charge, told the Amnesty International delegation: *“I was stripped naked and put in a cell. Every day I was given 25 lashes in the morning - the ATU guards used to tell me that it was my ‘breakfast’. In the evening I was given the ‘before going to bed’ lashes.”* He counted 20 other people held incommunicado with him in the same cell.

Another man who was held at the Executive Mansion ATU cells in January 2001 told Amnesty International delegates: *“The cell stunk, it was dark and there were no windows. We had a bucket to urinate and defecate in. The only time we could go out was when the ATU wanted to beat us. I was beaten almost every day.”* Four other young men, all Mandingos, arrested in the second half of 2000 in upper Lofa County, including Kolahun, Foya and Yarwelahun, were held in the same cell with him and were also regularly beaten.

Torture at military checkpoints

Civilians arrested in 2000 were also held and tortured at military checkpoints, including in Lofa County, or were beaten during military raids in towns and villages in upper Lofa County. In June 2000, a 24-year-old man from Kolahun was arrested by the ATU while he was travelling south and was deliberately shot and wounded while in custody to make sure that he would not run away. Two young women and two young men were arrested with him: *“I was the only Mandingo. They freed the two other men as they were Gbandi, they took away the two girls - I don't know where - and they kept me.”*

On 7 March 2000, **EE**, a Mandingo, was arrested at a checkpoint in Garmu, Bong County, by members of the Armed Forces of Liberia (AFL), while travelling to Guinea. The five other people in the car with him, belonging to the Kpelle ethnic group which is not suspected of opposing the government, were allowed to proceed. He was held at the checkpoint cell until he was released the next day. While in custody, under the orders of the local commander, he was stripped naked, *tabied* and beaten with the butt of a gun.

FF, a Mandingo trader who was arrested in September 2000 in Lofa County, on the road from the town of Voinjama to Zorzor, told the Amnesty International delegation: *“Some armed men, some of them wearing military uniforms, grabbed me and asked me my name and my tribe. Given my name, I could not hide that I was a Mandingo. They jumped on me, they beat me, they tied me with ropes and they hit me with a bayonet. They went on looking for other people in the village. Three other men were arrested and beaten. When they found out that one of them was a Lorma, they let him go.”*

Between August and September 2000 around 600 Mandingo civilians, including women, children and elders, were transferred by the AFL from Bakedu, a major Mandingo town, and other surrounding villages of a predominantly Mandingo area in upper Lofa County suspected by the Liberian security forces of having been used by the armed opposition to carry out incursions into Liberia since 1999. They were taken to Luyema, upper Lofa County, and held in “protective custody” in a school. On the way from Bakedu, at least 10 of them were reportedly stopped at checkpoints and beaten by the security forces. Four men were reportedly detained for four days in Luyema and beaten before being released without charge.

Torture at the military Post Stockade, Monrovia

The Amnesty International delegation deeply regretted that, despite several requests addressed to the Minister of National Defence, Daniel Chea, it was not given authorization to visit the Post Stockade, a military detention centre in Monrovia, where suspected armed opponents have also been detained incommunicado without charge. Two males, **GG**, 15 years old, and **HH**, 18 years old, were arrested in April 1999 on suspicion of being dissidents and were detained incommunicado at the Post Stockade before being released without charge in May 2000. After their release, they required medical treatment for the beatings received and the harsh detention conditions in which they were held. The Liberian government did not respond to Amnesty International's request to receive information on the number of detainees held at the Post Stockade and the charges pending against them, including **Aloysius Zayzay**, Chief of the Defence Intelligence at the Ministry of National Defence, who has been detained without charge at the Post Stockade since October 2000.

Deaths in custody

Some prisoners allegedly died in custody as a result of beatings and other injuries inflicted by the security forces. On 14 June 2000, at least seven Liberian refugees, all Mandingos repatriated from Nzérékoré, Guinea, by the United Nations High Commissioner for Refugees (UNHCR), were arrested by the Liberian security forces at the Ganta border post, Nimba County. They were *tabied*, blind-folded and taken to Gbatala base, where they were repeatedly kicked and beaten, including with bayonets, for two weeks. At least one, **Alieu Jabateh**, who was found with a picture of the leader of the former warring faction ULIMO-K, Alhaji Kromah, reportedly died in custody.

At least five were released shortly afterwards after being taken to the Executive Mansion ATU cells. They all had marks of torture on their bodies as well as the marks of the ropes used to *tabie* them. At the time of the arrest, the UNHCR representative in Liberia wrote to the Liberia Refugee Repatriation and Resettlement Commission (LRRRC), UNHCR government counterpart in Liberia, to express concern about the unlawful detention of the refugees and urge its intervention. Amnesty International has no information about any steps taken to follow up that request.

Torture of suspected dissidents and deaths in custody in 1999

Unlawful detentions and torture of suspected dissidents have been carried out since the April and August 1999 armed incursions from Guinea. In April 1999 the town of Voinjama, upper Lofa County, was attacked from Guinea. A number of civilians, mostly Mandingos and including children, were detained without charge or trial by the

security forces in Voinjama for several weeks after the fighting and some of them were beaten. A man from the Mandingo ethnic group was detained at the military barracks of Voinjama in August 1999, together with 14 others. Six of those detained with him, including three women, were allegedly beaten with gun butts, *tabied* and left without water and food for days until they died.

In August 1999, at least 10 Mandingos were arrested in Nikabuzu by government soldiers with the assistance of local vigilantes; those arrested were tied and forced to lie down on the ground, beaten and threatened with death to make them confess that they were hiding arms, while their relatives were begging their release, which took place in the evening in exchange of money.

In October 1999, a Mandingo trader, **II**, was arrested by the ATU, near Gbarnga, Bong County. He was beaten, hit with a bayonet and a gun was put in his mouth to force him to confess that he was a former ULIMO fighter. He was blind-folded and taken to Gbatala base where he was held in a cell for three days before being released.

Extrajudicial executions of suspected dissidents

Amnesty International has obtained accounts and testimonies indicating that among the civilians arrested since 2000 on suspicion of supporting and collaborating with the dissidents, dozens have been extrajudicially executed by the ATU and other government forces, including at Gbatala base and at the Executive Mansion ATU cells. Amnesty International fears that the actual number of extrajudicial executions could be even higher.

Since 2000, high-ranking Liberian security officials have on several occasions stated to journalists working for Liberian newspapers that “they would not keep any prisoners of war.”⁴ As far as Amnesty International is aware, the Liberian authorities have not denied, condemned or made any other reaction to those statements. Detainees’ relatives, journalists and human rights organizations have been denied access to unofficial detention centres, including Gbatala base, where fighters of the Sierra Leonean armed opposition Revolutionary United Front (RUF), alongside the ATU, have received

⁴ Making a declaration that all prisoners will be killed and that no survivors after a battle will be spared, is known in international humanitarian law as “denial of quarter”. The rule forbidding denial of quarter exists in traditional rules and customs of war. It was codified in Article 23(d) of the Hague Convention 1907, and was re-emphasised in Article 40 of Additional Protocol I to the Geneva Conventions. Denial of quarter is recognized in the Rome Statute of the International Criminal Court as a war crime in international armed conflicts (Article 8(2)(b)(xii)) and non-international armed conflicts (Article 8(2)(c)(x)).

regular training. Requests to visit military barracks have been rejected. The Liberian authorities declined in March 2001 to provide Amnesty International with information on the identities of suspected insurgents captured in upper Lofa County since 1999 by the government forces and the location of their detention. The area surrounding Voinjama has been virtually a no-go area, with no civilian communications facilities and no presence of civilian administration. A few Liberian journalists and at least one Liberian relief organization have been allowed to visit the area, when fighting was not taking place, but they were escorted by the military and their movements were restricted.

Extrajudicial executions appear to be so commonplace in Liberia that in early September 2000 a security forces commander boasted to some Liberian journalists that he had just personally executed **Aruna Boakai**, an ATU officer, in the town of Voinjama, upper Lofa County, for killing a soldier in August 2000. The journalists were told of the extrajudicial execution after some of them had seen the dead body of Aruna Boakai lying in a pool of blood in an area of Voinjama they were visiting under military escort.

Information gathered by Amnesty International shows that, under the current government, political killings, including of suspected rebels since 1999, have been carried out with impunity. On a number of occasions they have been perpetrated under the orders of high-ranking Liberian security officials. A former detainee at the Voinjama military barracks, in August 1999, told the Amnesty International delegation that, during his detention, he witnessed the extrajudicial execution of three suspected dissidents by a firing squad under the orders of a high-ranking official of the Special Security Service (SSS).

In August or September 2000, four men travelling by car to Ganta, Nimba County, were arrested by the ATU, taken to Gbatala and allegedly extrajudicially executed on suspicion of travelling to Guinea to fight alongside the rebels. It is reported that seven other men, arrested in Voinjama in August 2000 and taken to Gbatala, were tortured to force them to confess their support to the armed opposition and were subsequently extrajudicially executed.

Former detainees at Gbatala base told the Amnesty International delegation that, in June 2000, while working on the farm owned by President Charles Taylor, three men suspected of being dissidents were brought by the ATU from Lofa County and were apparently extrajudicially executed: *“The three men were tabied. The ATU took them far away behind a tree. We could not see them but we heard three shots. We saw the soldiers coming towards us joyful. One had blood on his gun. Another one said that they had ‘fucked with those people’ which means that they eliminated them. We never saw the bodies.”*

On 1 January 2001, a Mandingo held at the Executive Mansion ATU cells on suspicion of being a dissident was killed by an ATU officer when he was found outside his cell. Eyewitnesses claim that no warning was given to him before the security officer shot him. The prisoner was reportedly shot in the back while standing near the room for storing arms.

Extrajudicial executions of suspected dissidents have been carried out by the Liberian forces since 1999. Following the attack of Voinjama in April 1999, a number of civilians, mostly Mandingos, were allegedly killed in Voinjama during and after the fighting. Some were alleged to have been deliberately killed by the Liberian government forces.⁵

It is also alleged that since 1999 extrajudicial executions of Mandingos have been carried out by civilian militias with the acquiescence or complicity of the local authorities and security forces.

In August 1999, while the Liberian government announced a renewal of armed incursions from Guinea, more than 20 Mandingos were allegedly tortured, killed and dumped in the river near Nikabuzu, upper Lofa County, by local vigilantes belonging to the Lorma ethnic group, armed with cutlasses and sticks. According to an eyewitness, some time before the killing, government soldiers had entered Nikabuzu and had carried out a house to house search for men belonging to the Mandingo ethnic group with the assistance of local vigilantes.

In early September 1999 an unspecified number of people suspected of the killing of the Mandingos were arrested. The Nikabuzu authorities were accused by some of the wives of those who were killed of turning a deaf ear to their appeal to intervene and stop the killing. The same local authorities denied that the killings occurred in their town, when questioned by a joint fact-finding mission dispatched from Monrovia in November 1999 by the Bureau of National Investigation (BNI) and the Criminal Investigation Division (CID). However, the Monrovia investigators concluded that the massacre did take place in Nikabuzu and “was perpetrated by some citizens of said town”. On 2 December 1999, the investigators made several recommendations to the Director of Police, Paul Mulbah, including further investigation of those arrested, face to face confrontation with eyewitnesses, the transfer of complainants and eyewitnesses to Monrovia to assist the investigation, and the provision of further resources, including a vehicle, to “accompany the investigation back to the crime scene...for possible lifting of would-be evidence (human bones) if any.” The Liberian authorities declined in March

⁵ See Amnesty International, *Liberia: Security forces must respect human rights in restoring law and order in Lofa County*, 12 August 1999 (AI Index: AFR 34/001/1999)

2001 to provide Amnesty International with clarifications on this case. It appears that, despite the availability of eyewitnesses and other evidence, those responsible for torture and killings in Nikabuzu in August 1999 have never been brought to justice.

In October 2000, in Sagleipie town, Nimba County, individuals belonging to the Gio and the Mano ethnic groups, armed with cutlasses, knives, sticks and stones and allegedly a local police commander attacked members of the Mandingo community, as a result of which four of them, including **Aminata Kenneh** and **Mabenane Kenneh**, “disappeared”, several others were reportedly wounded, property was destroyed and the local mosque was burnt. An investigation was opened and several people, including a local police commander, were reportedly arrested and taken to Monrovia. A number of them were subsequently charged with “rioting”. No investigation appears to have been carried out into the alleged “disappearances”.

Use of child soldiers by the Liberian security forces

The Liberian security forces have been frequently accused of using child soldiers. Young boys, possibly between 15 and 16 years old and wearing ATU uniforms, were seen in the second half of 2000 by people detained at Gbatala base. Child soldiers have often been seen in the ranks of the Liberian security forces, including at checkpoints in upper Lofa County.

There are concerns that in October 2000, among the 600 Mandingos transferred from Bakedu and surrounding Mandingo villages to Luyema, an unspecified number of children under 18 was recruited by the Liberian government forces. Those children are part of a group of some 200 young Mandingo men, mostly between 14 and 25 years old, who remained unaccounted for in Luyema in October 2000 and are feared to have been taken to Lofa County to fight alongside Liberian government forces. The Liberian authorities have not responded to Amnesty International’s request in March 2001 for clarification on this case.

The recruitment of Sierra Leonean refugees in Liberia, including former child soldiers, by the RUF with the backing of Liberian senior government officials

Information gathered by Amnesty International indicates that RUF fighters have been fighting alongside Liberian government forces in Lofa County.

At least in 2000, Sierra Leonean refugees in Liberia, including former child soldiers, were recruited by the RUF, reportedly with the backing of Liberian senior

government officials. Liberian senior officials were seen accompanying RUF personnel during the recruitment in refugee camps. In October 2000 alone, members of the RUF, including Sam Bockarie, reportedly went at least four times to Sinje Camp, in Grand Cape Mount County, and recruited at least 27 refugees. Refugees who were approached for recruitment included children. Between September and October 2000, at least five former child soldiers were recruited by the RUF in the VOA refugee camp, in Montserrado County. The use by the Liberian government of Sierra Leonean fighters in Lofa County seems to be corroborated by the number of wounded soldiers speaking Krio, a Sierra Leonean language, who have been seen taken to Monrovia for medical treatment since the renewal of fighting in Lofa County in July 2000.

Crackdown on critics, including media and human rights defenders, by the Liberian security forces

As fighting in Lofa County continues and implementation of further UN sanctions on Liberia approach, internal repression and intolerance by the government of any form of scrutiny and opposition have escalated. The ATU, the SOD and other security forces have used a wide range of means including rape and other forms of torture to silence government critics. Journalists, students and members of human rights organizations have been arbitrarily arrested, charged with criminal offenses and verbally and physically attacked. Political opponents have been increasingly labelled as “dissidents” by the authorities and have been accused of being part of an international conspiracy.

Attacks on opposition politicians

Ellen Johnson-Sirleaf, leader in exile of the opposition Unity Party (UP), and several others were wanted for arrest on charges of treason in August 2000 for allegedly supporting the insurgents. Of those charged, only **Raleigh Seekie** was arrested and is currently in detention at Monrovia Central Prison awaiting trial. On 6 April 2001, Liberian opposition politician **Togba-Nah Tipoteh** publicly denounced a letter he received informing him of a plan by the security forces “to attack him and other politicians” for “telling the international community not to give the government of Liberia money”.

On 6 April 2001, **Milton Teahjay**, an executive of the United People’s Party (UPP) and former Deputy Information Minister and Presidential Media Consultant, “disappeared” after he tried to leave the country fearing for his safety. On 6 April he travelled by car to a Nimba County border post where he was denied exit by immigration officers. He drove back to Monrovia and a few hours afterwards he was seen being taken away in a car by men in plain clothes, believed to be members of the security

forces. The Liberian authorities gave contradictory statements on Milton Teahjay's arrest, before categorically denying it. At the end of April 2001, his whereabouts and fate remained unclear.

Milton Teahjay, had been dismissed two weeks earlier as media consultant to President Taylor for what the government reportedly called "acts inimical to the security of the State". He had publicly criticised exploitation of forest resources in Sinoe County, southeastern Liberia, by logging companies without benefits to the locals, as a result of which citizens' peaceful protests spread in the county. Revenues from Liberian timber exports are believed by many, including the UN, to have been used by the Liberian government for the acquisition of weapons. In January 2001, Milton Teahjay had also accused private militias working for one of the logging company of flogging and harassment of civilians. A few days before Milton Teahjay tried to leave Liberia, members of the SOD stormed his house and his vehicle was confiscated.

Attacks on students, media and human rights organizations

On 31 July 2000, the leaders of the University of Liberia Student Union (ULSU), including **J. Alphonso Nimene** and **J. Karku Sampson**, were briefly detained and tortured solely for publicly expressing concern about UN accusations that Liberia was involved in the Sierra Leonean conflict and for speaking of fighting in Lofa County as an "alleged war". In July 2000, when the Liberian government announced renewal of the incursions into Lofa County, a few members of civil society suspected it of exaggerating the scale of fighting in Lofa County in order to hide its alleged involvement in diamonds and arms smuggling with the RUF - Lofa County is believed to be the region through which arms have been transferred by road to the RUF - and to be in the position to call for an end to the UN embargo on arms transfers to Liberia in place since 1992.

In August 2000, four journalists working for *Channel 4*, a UK television station - **Sorious Samura**, **Gugulakhe Radebe**, **David Barrie** and **Timothy John Lambon** - suspected of having investigated politically sensitive issues such as arms transfers to Liberia were detained for several days in Monrovia on charges of espionage. The four were beaten following their arrest and one of them was threatened with death. They were released unconditionally after widespread protests.⁶

In September 2000, seven staff members of the independent newspaper *New Democrat*, including its editor, **Charles Jackson**, fled Liberia following death threats, intimidation and harassment by the security forces.

⁶ See Amnesty International, *Liberia: Attacks on media continue with the arrest of a foreign television crew*, 23 August 2000 (AI Index: AFR 34/02/00)

On 28 November 2000, about 70 men armed with knives, hammers and sticks, believed to be war veterans, who reportedly included a senior armed forces officer, stormed the offices of the non-governmental Center for Democratic Empowerment (CEDE). They stabbed **Conmany Wesseh**, CEDE's Executive Director, and physically assaulted other CEDE staff and **Amos Sawyer**, the CEDE Chairman and former Liberian interim President. The assault followed a meeting of Liberian non-governmental organizations hosted by CEDE, which resulted in a public call on *the Economic Community of West African States* (ECOWAS) to take action to implement the 1998 moratorium on small arms and light weapons in the region. The ECOWAS moratorium, banning the import, export and manufacture of small arms and light weapons in the sub-region, is due to expire in October 2001. During the meeting Conmany Wesseh briefed the participants on his regional and international activities, and talked about his plans for the creation of a West African Action Network to prevent the proliferation of small arms.⁷ The armed forces officer and seven others were subsequently charged with aggravated assault and released on bail to await trial. Others reportedly involved in the attack were not known to have been investigated by police.⁸

On 21 February 2001, four journalists of the independent newspaper *The News*, **Joseph Bartuah**, **Abdullah Dukuly**, **Jerome Dalieh** and **Bobby Tapson**, were arrested on charges of espionage, solely for reporting that the government spent on spare parts for helicopters while delaying months of wages for civil servants.⁹ Following national and international pressure, the government dropped the charges and released the four journalists on 30 March. Liberian sources believe that the government's nervous reaction to the journalists' article is linked to the Liberian authorities' willingness to keep away from public scrutiny of the use of helicopters, which the UN believes have been used on a regular basis, since 1997, to supply weapons to the RUF in Sierra Leone.¹⁰

⁷ *Despite a moratorium imposed in 1998 on the import, export and manufacture of small arms and light weapons within ECOWAS, the region is awash with small arms.*

⁸ See Amnesty International, *Liberia: Fear for safety of Conmany Wesseh and others*, 1 December 2000 (AI Index: AFR 34/04/00)

⁹ See Amnesty International, *Liberia: Journalists under threat again*, 14 March 2001 (AI Index: AFR 34/001/2001)

¹⁰ See S/2000/1195, Report of the Panel of Experts appointed pursuant to Security Council resolution 1306 (2000), paragraph 19, in relation to Sierra Leone, paragraph 22.

On 21 March 2001, dozens of university students and professors were whipped and severely beaten by the SOD and the ATU in Monrovia during a peaceful protest against the continued detention of the four journalists of *The News*. More than 40 students were subsequently arbitrarily arrested by the SOD and the ATU. More than 20 students were taken to the National Police Headquarters of Monrovia and were shortly released without charge. They carried visible marks of beatings. A few days afterwards, ten among those arrested by the ATU, held incommunicado and tortured, were released. One of them, **LL**, had his elbow disjointed as a result of beatings. At least another 17 students held at ATU bases in Monrovia were released in the three following weeks as a result of widespread local and international pressure. They were severely beaten and at least seven girls were repeatedly raped. The ULSU leadership continued to claim that other students were held by the ATU. On 18 April 2001, the university authorities suspended students' leaders for one academic semester and announced a three-month ban on student politics at the campus.¹¹

On 27 March 2001, the Director of the non-governmental Catholic Justice and Peace Commission (JPC), **James Nyepan Verdier Jr.**, wrote to the Police Director, Paul Mulbah, to complain about increasing threats and the existence of a plot to arrest him. JPC has been regularly exposing human rights violations and published, early February 2001, a very critical report on the human rights situation in Liberia.

Abductions and other abuses carried out by armed opposition groups

Since February 2001, civilians fleeing fighting in upper Lofa County have increasingly reported abductions, including of children, by men believed to belong to armed groups coming from Guinea. It is also reported that civilians have been shot while trying to escape abduction. Towns and villages have been set on fire and property looted. Little information is available to Amnesty International about the circumstances of abductions and the whereabouts of civilians who have been abducted. It is alleged that Liberian armed opponents have been forcibly taking civilians to their bases in Guinea including to give them military training and force them to fight in their ranks.

The exact identity of the armed opposition groups which have been attacking Liberia from Guinea since 1999 and their leaders has been difficult to establish. President Charles G. Taylor and his government have accused a number of political opponents in exile, including Alhaji Kromah and Roosevelt Johnson, former leaders of

¹¹See Amnesty International, *Liberia: As UN sanctions approach, repression of critics escalates*, 22 March 2001 (AI Index: AFR 34/002/2001)

two other warring factions, ULIMO-K and ULIMO-J, of attacking Liberian territory from Guinea. Sources in southern Guinea, including refugees, humanitarian non-governmental organizations and journalists, have confirmed the presence in Guinean territory of English-speaking fighters from former warring factions, including ULIMO-K, and of armed opposition bases. Since the beginning of the latest round of incursions, in July 2000, attacks on Liberian territory have been claimed by other armed opposition groups, including the Liberians United for Reconciliation and Democracy (LURD), led by Joe Wylie. The LURD is a new armed group, though it is reportedly composed of former civil war fighters, mainly Krahn and Mandingos, many of whom have become refugees in Guinea and Côte d'Ivoire since the end of the civil war. In March 2001, former Liberian general Charles Julu was also accused by the Minister of National Defence, Daniel Chea, of being among the armed opposition commanders.

In September 2000, six women, previously displaced in lower Lofa County, returned to their farms in Lutizu, north of Baziwehn, upper Lofa County, to carry out harvesting. Dissidents reportedly attacked Lutizu in the night, burned the village and abducted a group of around 50 civilians, including women and children. One of the women who escaped abduction was shot and injured while she tried to escape.

In early February 2001, the towns of Kolahun and Foya and nearby villages were attacked by armed groups believed to come from Guinea. Houses were set on fire including in Kolahun and Foya. Civilians who fled claimed that 86 people were abducted including in Kpademai, Bolahun and Yarwelahun. At least one person was allegedly killed for resisting abduction and a man was reportedly shot in his leg while he was trying to escape abduction in Foya. Two young men from Kamatahun, which came under armed attack on 5 February, were abducted, but managed to escape shortly afterwards. A 14-year-old boy reported that he had fled Bolahun, a town near Kolahun, to escape abduction.

On 17 April 2001, the Liberian government announced that **François Massaquoi**, the Minister of Youth and Sports and former leader of the Lofa Defence forces (LDF), a warring faction during the civil war, had been shot and killed the previous day by members of the armed opposition while travelling on a civilian helicopter near Voinjama, upper Lofa County. The authorities said that François Massaquoi was carrying humanitarian supplies to citizens affected by the war in Lofa County. A ministers' committee was subsequently set up by President Taylor to investigate and report on the death of the Minister.

Amnesty International's recommendations

Recommendations to the Liberian government:

- give public instructions to security forces and other combatants fighting with government forces that torture, including rape, and extrajudicial executions of suspected dissidents will not be tolerated and those responsible will be brought to justice;
- immediately ensure that detainees are held only in officially recognized places of detention with access to medical care and that accurate information about their arrest and whereabouts is made available immediately to relatives, lawyers and the courts;
- take urgent steps to open independent and impartial investigations into all allegations of torture and extrajudicial executions, bring those responsible to justice and promptly provide victims with redress, including financial compensation and appropriate medical care;
- ensure the security of refugees and the civilian and humanitarian nature of refugee camps by taking all necessary measures to prevent infiltration of armed elements in the camps and the recruitment of refugees;
- prevent the recruitment of children under the age of 18 into the armed forces and ensure the immediate demobilization and rehabilitation of child combatants currently serving in all the forces fighting on behalf of the government;
- investigate reports of forcible recruitment by government forces and ensure that civilians who do not want to take part in the conflict are not subjected to human rights violations for refusing to do so;
- ensure that human rights defenders and journalists can carry out their legitimate activities without fear of arrest or physical attack;
- 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.

Recommendations to the Liberian armed opposition groups based in Guinea:

- end immediately the abduction of civilians and release those currently held as captives, including women and children;
- immediately remove any combatant suspected of abuses against civilians from situations where such abuses might recur;
- demobilize any child combatants and make sure that no children are recruited;
- make sure that civilians who do not want to take part in the conflict are not subjected to human rights abuses for refusing to do so;
- condemn publicly breaches of international humanitarian law and instruct publicly all combatants to end abuses against civilians;

- ensure the safe access to all areas for those agencies and organizations who are providing protection and assistance to the displaced population.

Recommendations to the Guinean government:

- use all available channels to intercede with the Liberian armed opposition groups operating from its territory so that they abide by international humanitarian law;
- put an end immediately to arbitrary arrests, torture and killings of refugees and civilians and other violations of international human rights law and international humanitarian law;
- abide by international refugee law standards and ensure the safety of the refugee population in Guinea through establishing refugee camps in safe locations away from the border areas;
- ensure the safe access to all areas for those agencies and organizations who are providing protection and assistance to the displaced population;
- live-up to its obligations under the principle of non-refoulement and not forcibly return in any manner whatsoever refugees to Sierra Leone or Liberia.

Recommendations to the international community:

- use all available channels to intercede with the Liberian government so that torture and extrajudicial executions of suspected dissidents and other human rights violations are immediately ended and those responsible are brought to justice;
- take steps, including by requesting the Guinean government to use its influence, to put pressure on Liberian armed opposition groups so that they stop abductions and other abuses against civilians and abide by international humanitarian law;
- intercede with the Guinean government so that it ends immediately arbitrary arrests, torture and killings of refugees and civilians suspected of supporting the rebels and other violations of international human rights law and international humanitarian law;
- prevent arms transfers to Liberia which could contribute to serious human rights violations;
- ensure that governments establish a strict registration and monitoring system for agents brokering or transporting arms, or supplying military training, backed with criminal sanctions; each transaction involving such agents should require a licence, issued in advance by their national government, even when the arms delivery or training takes place entirely in “third countries”; no licences should be granted for any arms transaction where there is a clear risk that the transfers will contribute to violations of international human rights and humanitarian law;

- ensure that governments take immediate and effective steps to end the trade in diamonds from rebel-held areas of Sierra Leone, in particular those traded through Liberia, and a complete overhaul of the customs classification systems in diamond-importing countries, so that the origin, and not just the provenance, of diamonds is fully transparent; countries trading in rough diamonds should agree an international certification system to strictly monitor imports from countries suspected of being used by illicit diamond traffickers;
- ensure that international agencies and other humanitarian organizations are able to operate without political interference and with secure funding and that UNHCR can implement its protection mandate effectively in the whole region;
- live up to the principle of responsibility-sharing and support countries hosting large numbers of refugees through providing support by, to a larger extent, make resettlement a viable option;
- ensure that the relevant governments, UNHCR and other agencies continue to exercise responsibility through ensuring that the refugees that spontaneously return from Guinea and Liberia to Sierra Leone or from Guinea to Liberia are not put under pressure to do so, and that they have the possibility to make a free and informed choice whether or not to return based on independent information of the human rights conditions in their country of origin. It must be ensured that all returns take place in conditions of safety and dignity.

Background and context of current human rights concerns

Fighting in Lofa County and cross-border attacks in southern Guinea

Since the renewal of incursions of armed opposition groups into Lofa County from Guinea in July 2000, the Liberian government has repeatedly denounced an international conspiracy involving foreign powers, such as the United States and the United Kingdom governments, and Liberian opponents in exile backed by the Guinean government.

The Guinean authorities have accused Liberian forces, the RUF - the Sierra Leonean armed opposition responsible for massive human rights abuses in Sierra Leone - and Guinean dissidents, of killing more than a thousand people in attacks on border towns in the Macenta and Guéckédou region, southern Guinea. On 9 September 2000, Guinean President Lansana Conté accused Alpha Condé, a leading opposition figure convicted of treason and sentenced to five years' imprisonment two days later after an unfair trial, of having instigated fighting on Guinea's borders with Sierra Leone and Liberia.¹² The same month President Conté made inflammatory remarks and declared that refugees should leave Guinea because they were responsible for supporting and harboring rebels. Attacks by civilians and Guinean government forces against Liberian and Sierra Leonean refugees ensued. Guinean security forces arbitrarily detained at least 3,000 Liberian and Sierra Leone refugees, who were subsequently released. Refugees were driven out of their homes, beaten, raped and subjected to other forms of sexual abuse.¹³

Others involved in the hostilities along the border include Guinean civil defence forces and traditional hunters, known as *kamajors*, who form Civil Defence Forces (CDF) in Sierra Leone, both fighting alongside the Guinean government.

¹² See Amnesty International, *Guinea: the Alpha Condé affair - a mockery of a trial*, 12 December 2000 (AI Index: AFR 29/02/00).

¹³ See Amnesty International, *Guinea: Prisoners of conscience must be released and refugees' rights respected*, 13 September 2000 (AI Index: AFR 29/03/00).

Some observers explain that incursions from Liberian armed opposition groups based in Guinea have been aiming at disrupting arms transfer, by land, which go through upper Lofa County - notably Foya-Kama - before reaching RUF-held areas in Sierra Leone. According to the UN Panel of Experts, which, appointed in August 2000 pursuant to Security Council resolution 1306 (2000), investigated the role of illicit trade of diamonds and arms in fuelling the Sierra Leonean conflict, weapons and related *matériel* have been sent from Liberia to the RUF by road or helicopter to Foya-Kama, a few miles from the Sierra Leone border near Kailahun and then they have been trucked across the border into RUF territory. The UN Panel of Experts also pointed out that the bulk of RUF diamonds which leave Sierra Leone through Liberia are carried by RUF commanders and trusted Liberian couriers to Foya-Kama or Voinjama and then Monrovia.¹⁴ Attacks into Guinean territory from Liberia appear to have aimed at destroying armed opposition bases, believed to be around Macenta, and at moving fighting from Liberia to Guinean territory. In January 2001, the Guinean army reportedly shelled Liberian border villages in upper Lofa County, including Fobayma and Mdandalo, injuring at least five men and women, in an attempt to damage one of the routes allegedly used to attack Guinean territory.

Renewal of fighting in Lofa County has resulted in thousands of Liberians, including women and children, fleeing to safer areas of the country and exposing themselves to frequent harassment and looting by Liberian security forces at checkpoints since July 2000. On the Guinean side, from September 2000, hostilities between armed groups along the borders between Liberia, Sierra Leone and Guinea have resulted in massive displacement of Guinean civilians and refugees and a major human rights and humanitarian crisis, which the UNHCR described at the end of 2000 as the greatest disaster it was currently facing. In February 2001, UNHCR estimated that about some 150,000 to 200,000 refugees and displaced people were trapped in the so-called Parrot's Beak region, near the Liberian and Sierra Leonean border, in southern Guinea.

An Amnesty International fact-finding visit to Guinea in March 2001 found overwhelming evidence of countless violations against refugees, including killings and abductions by the RUF and sweeping arrests in the refugee camps by the Guinean army.¹⁵ By the end of March 2001, more than 50,000 Sierra Leonean refugees had fled back to Sierra Leone, including through RUF-held areas, and some of them have been victims of rape, killings and abductions by the RUF.

¹⁴See S/2000/1195, Report of the Panel of Experts appointed pursuant to Security Council resolution 1306 (2000), paragraph 19, in relation to Sierra Leone, paragraph 193.

¹⁵ See Amnesty International *Guinea: Refugees must not be forced to choose between death in Sierra Leone or death in Guinea*, 5 April 2001 (AI Index: AFR 29/003/2001)

While the international community has been failing to provide adequate resources to deal with this major crisis, UNHCR and aid agencies have been working to establish new camps, further inland in Guinea and beyond the reach of the cross-border raids, and to transfer the refugees there. It is necessary to locate the camps away from the border area in order to preserve the civilian and humanitarian nature of the camps in line with international refugee standards.¹⁶ The failure to adequately protect the refugee population in Guinea has been raised by human rights organizations for several years but both the Guinean government, international agencies and the international community as a whole have failed to remedy the many violations of refugee law standards.

In December 2000, ECOWAS decided to deploy around 1,700 troops to monitor the Guinea, Liberia and Sierra Leone borders. Troops, including soldiers from Mali, Niger, Nigeria and Senegal, were due to be deployed at the end of February 2001. However, Guinea has yet to agree to the deployment of such a force. It appears that such deployment is also dependent on financial and logistical support from the international community which has not so far been forthcoming. The potential mandate of the troops remains unclear. The effectiveness of such a force on a 1,200 kilometres border, much of it forest, has also raised many concerns.

Increasing targeting of ethnic groups perceived as opponents by the Liberia government

Growing insecurity, instability and human rights violations in Liberia have been increasing hostility and mistrust between some ethnic groups in Liberia, such as the Mandingos, the Lormas, the Gios, the Manos and the Krahns, all associated with former Liberian civil war factions. Ethnic animosity and revenge were exacerbated during the civil war by the widespread abuses committed by all sides and the failure to bring the perpetrators to justice.

Since 1999, civilian militias, often called “vigilantes”, composed of members of the Gio, Mano and Lorma ethnic groups, have been reported to operate alongside the Liberian security forces and to be responsible for human rights abuses. Together with the Mandingos, members of the Krahn ethnic group, associated by the security forces with ULIMO-J and Roosevelt Johnson, have been increasingly targeted by Liberian government forces since the end of 1998.

¹⁶ See for instance UNHCR’s EXCOM Conclusion No. 77 (q) and No. 84 (b) (i). EXCOM is an intergovernmental body of more than 50 states and its conclusions, adopted by consensus, are regarded as authoritative in the field of refugee rights. Article 2, paragraph 6 of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa stipulates that “[f]or reasons of security, countries of asylum, shall, as far as possible, settle refugees at a reasonable distance from the frontier of their country of asylum.”

In September 1998, in Monrovia, fighting broke out between forces loyal to President Taylor and supporters of Roosevelt Johnson. A 1999 UN fact-finding mission into the fighting obtained accounts of extrajudicial executions and other human rights violations by government forces. The UN team, composed of five people including a human rights officer from the UN Office of the High Commissioner for Human Rights (OHCHR), found that the dead and injured numbered several hundred and that ethnic Krahns had been targeted by government security forces. The government had said that 100 people had been killed or injured and had given assurances that security forces had not targeted any specific ethnic group. Despite the gravity of its preliminary findings, including accounts of mass graves, the UN report confined itself to call on the international donor community not to abandon Liberia, while making no recommendations for further inquiries into allegations of extrajudicial executions and other human rights violations by both sides nor calling for accountability of those responsible.¹⁷

UNHCR reported that more than 4,000 Krahns had fled into Côte d'Ivoire in the weeks following the fighting. Following September 1998 fighting, sedition and treason trials also opened, including of 13 people, all Krahns and most of them former government officials. The 13, including former Presidential Affairs Minister **Charles Breeze** and former political adviser to President Taylor, **Bai Gbala**, were convicted of treason in April 1999 and, in December 2000, had their sentences increased by the Supreme Court from 10 to 20 years' imprisonment. In 1999, Amnesty International sent a delegate to observe their trial and was concerned about the irregularities in the trial proceedings as well as the lack of impartiality of the court. Some of its remarks seemed to suggest that the accused persons were on trial for the abuses previously committed by members of the Krahn ethnic group, during the Samuel Doe government and the Liberian civil war¹⁸, rather than for the crime of treason which they were alleged to have committed.

¹⁷ Report of the UN information-gathering mission in Liberia (7-25 May 1999). The terms of reference of the UN mission were "to establish the facts and circumstances surrounding the shooting incidents of 18 and 19 September 1998 in the Camp Johnson Road and the Mamba Point areas in Monrovia, and, in particular, to determine the circumstances in which scores of people were reportedly killed."

¹⁸ Master Sergeant Samuel Doe staged a coup in 1980 and formed a military government under which torture, extrajudicial executions and "disappearances" became common-place. As the basis of his legitimacy eroded, he began to lean on his ethnic group, the Krahns, and the Mandingos, to entrench himself in power. The politics of divide and rule became the order of the day. Under Doe's government, Mano and Gio ethnic groups in Nimba County, from which in 1989 Charles Taylor entered Liberia to launch its war, became the targets of human rights violations.

Amnesty International's observer concluded that uncorroborated accomplice evidence was accepted as fact by the court, irrespective of the fact that such evidence was highly contradictory. A significant number of the defendants were not linked by any evidence to the treason charge. In fact, their only link with the case appeared to be ethnic, as they belong to the Krahn ethnic group. Both the jury and the judge, in certain instances displayed partiality. In particular, one juror behaved like a prosecution lawyer. The prosecution team had adequate resources while the defence team, appointed after the accused persons claimed their indigence and required government assistance in securing adequate legal counsel of their own choice, was understaffed and had minimal resources. While an effort was made to furnish the accused persons with notice of the charges against them, such charges were constantly changed by the State and were thus to this end, inadequate.

Amnesty International is also concerned that some of the defendants, including Charles Breeze and **Edward Slanger**, had been ill-treated and threatened with death before and during the trial. Some appeared to have been beaten severely and at least two had loss of hearing and broken limbs.

Liberian government's military support to the RUF

Over the past few months, the international community has shown increasing determination to end the illicit trade in arms and diamonds between the Liberian government and the RUF, responsible for fuelling the Sierra Leonean internal conflict and for growing instability in the sub-region. In December 2000, a UN Panel of Experts published a report containing evidence of Liberian military support for the RUF and trafficking of diamonds through Liberia from RUF-held areas.¹⁹ The UN Panel of Experts also exposed the violation by Liberia of a UN Security Council embargo regarding arms imports into its own territory. Arms supply lines to Liberia go through Burkina Faso with the involvement of that government. Arms and diamond dealers, brokers and freighters operate on an international scale, obtaining arms and ammunition mainly from eastern Europe.

The UN Panel of Experts highlighted the failure by governments such as those of Belgium, Switzerland and the United Kingdom (UK) to set up proper regulatory systems to control arms brokers and transporters and traders in rough diamonds.²⁰

¹⁹ S/2000/1195, Report of the Panel of Experts appointed pursuant to Security Council resolution 1306 (2000), paragraph 19, in relation to Sierra Leone. The UN Panel found "unequivocal and overwhelming evidence that Liberia has been actively supporting the RUF at all levels, in providing training, weapons and related *matériel*, logistical support, a staging ground for attacks and a safe haven for retreat and recuperation, and for public relations activities" (paragraph 20).

²⁰ See Amnesty International *Sierra Leone: UN investigation exposes continuing trade in arms*

and diamonds, (AI Index AFR 51/086/2000), December 2000. The main problem in implementing the UN embargo on diamonds from rebel-held areas of Sierra Leone, introduced on 5 July 2000 by the Security Council, is that the regulatory systems of most countries do not identify and declare the actual origin of rough diamonds, that is, where they were mined. For example, 41 per cent of British rough diamond imports in 1999 were said to originate in Switzerland, while Switzerland officially imports almost no rough diamonds at all. This is a consequence of diamonds passing through Swiss free trade areas, until recently without record and without serious government scrutiny.

On 7 March 2001, the UN Security Council reiterated a ban on arms transfers to Liberia, in place since 1992, and introduced a new ban on diamond exports from Liberia and travel for senior officials.²¹ The ban is due to come into effect in May 2001, unless Liberia complies with the UN Security Council's demands. These include ceasing military support to the RUF, expelling RUF members from Liberia and stopping the import of rough diamonds from Sierra Leone. At the end of March 2001, the Liberian government announced that Liberia had expelled all RUF members from its territory and had closed their offices, had closed its border with Sierra Leone, had banned the entry into its territory of uncertified diamonds and had stopped the export of its diamonds for 120 days until a certification system is established. The Liberian authorities also said they had grounded all aircraft registered in their territory.

On 26 March 2001, the UN Secretary-General, Kofi Annan, appointed five experts to a panel due to investigate for six months any violations of the sanctions and possible links between the exploitation of natural resources and the fuelling of the conflict in the region.

The expulsion of RUF fighters, including rebel commander Sam Bockarie, who has been living in Liberia since December 1999, has been difficult to verify. Links between the RUF and the Liberian government have been close at the highest levels. The UN Panel of Experts report pointed out that RUF soldiers had been trained alongside the ATU at Gbatala base, and that RUF combatants had been frequently used by President Charles Taylor for his own personal security. The UN Panel of Experts also mentioned in their report "innumerable accounts" of high-level RUF meetings with President Taylor, RUF strategy meetings at the Executive Mansion, RUF travel on Liberian helicopters and RUF bases at Voinjama and Foya-Kama.

²¹Resolution 1343 (2001) adopted by the Security Council at its 4287th meeting on 7 March 2001.