

LIBERIA

Civilians face human rights abuses at home and across borders

Introduction

Fighting between the armed opposition Liberians United for Reconciliation and Democracy (LURD) and Liberian security forces over the last four years has led to further mass displacement of civilians. Humanitarian agencies estimate that 450,000 Liberians are currently displaced throughout West Africa. Civilians have fled within the country or across borders in order to escape attacks or being caught in cross-fire. Protection concerns for these refugees and internally displaced people (IDPs) have been aggravated as the situation in Liberia worsens. While fleeing, civilians are particularly vulnerable and have been victims of human rights abuses by both parties to the conflict. These abuses include forced recruitment of boys into fighting forces, summary executions, deliberate and arbitrary killings, torture including rape, abductions and incommunicado detention without charge.

Amnesty International continues to receive reports of serious human rights abuses committed in the context of the armed conflict. This report focuses on the dangers Liberians face when they become displaced either within Liberia or other African countries. It also highlights individual cases of Liberians who are at particular risk.

International humanitarian organizations estimate that some 200,000 Liberians fled their homes in the first seven months of 2002. Close to 130,000 have been newly displaced within Liberia, adding to the tens of thousands who were already displaced. More than 70,000 have fled the country, including 30,000 to Sierra Leone, 25,000 to Guinea, 16,000 to Côte d'Ivoire, and 2,000 to Ghana. This has added to the 83,000 refugees already residing in Guinea, 122,000 in Côte d'Ivoire, and 11,000 in Sierra Leone, and a total of some 15,000 in Ghana, Senegal and Nigeria. This is the highest level of displacement of Liberians since the previous armed conflict ended in 1997.

In early 2002 there were also 54,000 Sierra Leonean refugees in Liberia; 30,000 have fled back to Sierra Leone in the last few months to escape the violence but the remaining 12,000 continue to be at risk as the situation along the border area deteriorates.

From September 2000 to mid-2001, refugees and IDPs in the region experienced a devastating humanitarian and human rights crisis. Tens of thousands of Sierra Leonean refugees in Guinea were forced to return to Sierra Leone when rebel forces from Sierra Leone attacked the bordering areas of Guinea. This resulted in a violent backlash from the Guinean government towards Sierra Leonean refugees. As they fled back to Sierra Leone, many were either caught in cross-fire or targeted for human rights abuses by the various armed political groups operating in the region, Guinean security forces, and/or Guinean local residents. Refugees and IDPs in Guinea were left vulnerable to human rights abuses and in dire need of

protection. Their situation was exacerbated by the international community's slow response to the crisis.¹

Since the beginning of 2002, as the human rights situation in Liberia has continued to deteriorate, some of the same indicators which led to the Guinean crisis in late 2000 are present. Amnesty International fears that history could be repeated: refugees and IDPs are in a vulnerable situation and clearly at risk of serious human rights abuses. In addition, there are fears that the rapidly deteriorating security situation could have serious consequences for the wider West Africa region, and the lives and well-being of tens of thousands of vulnerable civilians could be at risk if measures are not taken to protect them.

The internal security problems and poor relations of other countries in the region with the Liberian government pose increasing threats to stability in the region. Guinea has been accused by the Liberian government of supporting the LURD. This has strained relations between the two countries. Heavy fighting between the LURD and Liberian security forces along the Liberian/Sierra Leonean border has increased tensions between the two countries and is a serious threat to Sierra Leone's recently established and fragile peace.

The recent instability in Côte d'Ivoire is also an increasingly disturbing sign. The attempted coup that took place in Côte d'Ivoire on 19 September 2002 was followed by fighting in Abidjan, the capital of Côte d'Ivoire; by 1 October 2002 at least 270 people were reported to have been killed, some 300 injured and 5,000 displaced. The changing political situation has already had an impact on refugees and other foreigners living there, especially those near Abidjan. Recent fighting in the Adamé area of Abidjan resulted in 200 refugees, from Sierra Leone and Liberia, becoming homeless after their houses were burned down by members of the police force who were attempting to root out potential dissidents. In an interview to the French newspaper *Le Monde*, Alain Toussaint, adviser of the Ivorian President, said that some countries, naming Liberia and Sierra Leone, wanted to destabilize Côte d'Ivoire and that English-speaking Africans were among the mutineers. The general xenophobia associated with foreigners and northern Ivorians of Muslim descent could lead to refugees being indiscriminately associated with mutineers and consequently targeted for human rights abuses.

Causes of displacement within Liberia

The causes of displacement are varied but are primarily due to the insecurity caused by the fighting between Liberian government forces and the LURD. Repeated attacks on towns and villages by both sides has had a devastating effect on the Liberian civilian population. Fighting has intensified since the beginning of 2002 with heavily populated towns and villages

¹ For more information see Amnesty International *Guinea and Sierra Leone: No place of refuge*, October 2001 (AI Index: AFR 05/006/2001)

frequently attacked. These attacks have invariably involved human rights abuses against civilians, civilians caught in the cross-fire and massive looting sprees.

Civilians leave their homes suddenly to escape death or injury, and repeatedly complain of further hardship where they flee. Many leave when they hear heavy gunfire, as a result of a camp or village being attacked, or are told by government forces to flee to escape rebel forces. Often civilians complain that money and personal items are taken from them at government checkpoints, leaving them without the resources to flee to safety. There are large numbers of women and young children in IDP and refugee camps as many boys and young men have been abducted and forcibly conscripted into fighting forces loyal to the government. This has led to separation of families and put women and children at risk of sexual and gender-based violence such as rape and sexual slavery.

Large-scale displacement has also been caused by radio announcements by the Liberian government warning of impending attacks, often apparently without foundation, so that abandoned homes and property can be looted by security forces. On 13 May 2002 the government announced on the radio that rebels were planning an attack on Buchanan in Grand Bassa County, central Liberia. This resulted in a movement of several thousand civilians towards Grand Gedeh County, eastern Liberia, who were reportedly positioning themselves to be ready to cross the border into Côte d'Ivoire, if necessary. Buchanan was not subsequently attacked.

Another cause of flight has been the targeting and hunting down of suspected "dissidents" by Liberian security forces. Since May 2002 men and boys of Mandingo ethnic origin have been the primary targets of arbitrary arrest and detention without charge by Liberian security forces. This has caused large numbers to flee the country, primarily to Guinea and Côte d'Ivoire. Many complained of harassment at border checkpoints. Others perceived to oppose the government have also sought refuge outside the country, including human rights defenders, journalists, political opponents, and in some cases, former members of the government who have become disaffected with the current government.

Human rights abuses carried out in the armed conflict

Amnesty International has received reports of civilians who have been targets of killings, torture, including rape, forced recruitment and arbitrary arrest or who have been caught in cross-fire as they tried to flee fighting between the LURD and the Liberian security forces between April and August 2002.

Summary executions, deliberate and arbitrary killings and threats to life

During the fighting in Sawmill near Tubmanburg, Bomi County, central Liberia, in mid-April 2002, Amnesty International received reports of the arrests and executions of men who refused

to fight with Liberian security forces. On 19 April 2002, **Fofoe Kanneh**, a Mandingo and former member of ULIMO-K, a former faction in the Liberian civil war, was arrested by Liberian security forces and taken to Sawmill, the frontline of the conflict at the time, and forced to fight. While there, he was shot in the back of the neck and the abdomen three times and then dragged off the main road to die. He was reportedly shot for making the following comment: "Even if you force people to fight and they are not willing to do so, you=ll be creating more rebels against yourself, because they may end up joining the rebels. I really do not want to fight again, I am doing my business." In early April in Sawmill it was reported that 11 boys below the age of 18 years were recruited to fight by Liberian security forces. They included: **Othello Kyne**, 15, **Anthony Boima**, 15, **Machael Tarlue**, 17, **Osman Turay**, 16, **Haji Gray**, 16, **Francis Toe**, 16, **Ballah Davis**, 17, and **Christopher Bema**, 14. It was reported that four of the 11 were summarily executed when they refused to fight.

On 15 May, in Gardnersville, Paynesville, and West Point, suburban areas of the capital, Monrovia, 13 men between the ages of 15 and 31 years were arrested and forcibly recruited to fight. On their way to being brought to the front line in the northwest of the country, several escaped. Some of those who escaped reported that Liberian security forces had summarily executed four men who had refused to fight. They were killed in the town of Gbah on the road to Bo-Waterside, near the border with Sierra Leone.

Looting regularly takes place after either the LURD or the Liberian security forces invade a village and all the residents abandon it. Sporadic shooting often follows looting as members of both sides fight over looted goods, further putting civilians at risk of being caught in the cross-fire. Many looted goods find their way to Guinea where Liberian refugees have witnessed Guinean soldiers purchasing them. Reportedly, those in command of the Liberian security forces have summarily executed individuals including some members of the security forces under the guise of punishing them for looting. Amnesty International received reports that at least five people were threatened with summary execution for looting during the fighting in Gbarnga on the orders of a high-level member of President Charles Taylor's presidential guard. **Edward Karju**, **Alvin Zarwolo**, and **David Kpantie**, three members of the presidential guard, and two civilians, including **James Sassie**, were reportedly arrested, tied up, and threatened with summary execution. Local human rights defenders in the area learned of this and pressurized local governmental officials to stop the executions.

Amnesty International has received reports that in May 2002 Liberian security forces killed 11 people of Mandingo origin in the town of Gbaney and another eight in the town of Gbeka, which are both close to Gbarnga, Bong Country.

Sexual and gender-based violence, including rape

During fighting which took place in Gbarnga in mid-May 2002 tens of thousands of civilians fled north to Ganta in Nimba County near the border with Côte d'Ivoire. As civilians fled, up to 20 women reported that they were stopped by Liberian security forces and raped on 9 May

2002. Amnesty International has recent reports on at least three of these cases: **FK**, a 21-year-old, was raped by a member of the Liberian security forces behind the Gbarnga Methodist School; **AG**, aged 19, was gang-raped by four government-allied militia inside the Gboveh High School building; and **HF**, aged 33, was abducted and held for two days while she was repeatedly raped by a member of the Anti-Terrorist Unit (ATU), part of the Liberian security forces, near Cuttington University College.

There are also reports of displaced and fleeing women and girls being captured and forced to render sexual services. There is at least one case of a girl of Mandingo origin who was taken from her father by a high-level government official as they tried to cross into Guinea. The girl is currently still being held in Nimba County.

Abduction of civilians

In mid-May 2002 a group of around 60 blind Liberians and a British Catholic priest caring for them, Father Gerry Jenkins, were reportedly abducted by the LURD in the town of Tubmanburg, the scene of intense fighting. Father Gerry Jenkins was released, unharmed, in Conakry, the capital of Guinea, two weeks later. The group of blind people were found in late July 2002 when government forces took control of Tubmanburg from the LURD. An LURD spokesman claimed that the LURD had not abducted the group but had helped them to move to safety away from the fighting. The precise circumstances of the conditions under which they were held, however, remain unclear.

On 20 June 2002 the LURD attacked Sinje refugee camp, 80km northwest of Monrovia. As a result, the United Nations High Commissioner for Refugees (UNHCR) estimated that around 24,000 Sierra Leonean refugees and displaced Liberians fled the camp, moving either in the direction of Sierra Leone or towards Monrovia. During the attack, the LURD looted and destroyed the camp and abducted five nurses who were working with a Liberian non-governmental organization, Medical Emergency Relief Cooperative International (MERCIC). The nurses were released near the border with Guinea on 2 September 2002 into the care of UNHCR.

In many reported cases of human rights abuses, it is unclear whether government forces or the LURD were responsible, as many combatants do not have uniforms or other means of identification. For example, on 16 July 2002, at least 20 Sierra Leonean civilians were abducted from three villages in Kailahun District, eastern Sierra Leone. Following an investigation, Sierra Leone government officials concluded that the Armed Forces of Liberia (AFL) were responsible. In early September 2002, however, the United Nations (UN) Office for the Coordination of Humanitarian Affairs (OCHA) reported that the LURD had abducted the civilians. There are very few independent sources of information in areas of fighting, where many human rights abuses take place. This means that it is often difficult to obtain verifiable information about abuses or to attribute responsibility.

Harassment

Other human rights abuses carried out by Liberian security forces and the LURD during the fighting in Gbarnga included harassment, destruction of property, burning of houses, detention at checkpoints, and extortion of personal belongings from fleeing civilians. During the attack on 9 May 2002, as civilians fled, Liberian security forces stopped and asked them to produce identification cards which they were forced to hand over together with a fine of 25 Liberian dollars. If civilians did not have any identification they were detained by Liberian security forces for questioning. On 10 May 2002 Liberian security forces erected a barricade at St. John's Bridge, just outside of Gbarnga on the road to Ganta. News of the barricade forced fleeing civilians into the bushes to hide and bypass the road in order to avoid harassment at the barricade.

Role of the international community

Since the armed conflict in Liberia began in 1999, protection of IDPs has been severely neglected as there has not been one agency dedicated to this responsibility. UNHCR takes on the concerns of IDPs when three basic criteria are met: formal authorization from the UN Secretary-General, through OCHA; the consent of the state involved; and the availability of adequate financial resources. In Liberia UNHCR's involvement with IDPs has been limited. There are three protection officers to undertake protection activities for Sierra Leonean refugees and IDPs who are being hosted in refugee camps. In 2002 efforts were made by the UN Development Programme (UNDP) Humanitarian Coordinator to create a protection coalition to work with operational humanitarian organizations and UN agencies to raise concerns about humanitarian access to IDPs. Amnesty International welcomes this initiative and encourages UNDP and the protection coalition to work closely with the newly-appointed Special Representative of the UN Secretary-General for Liberia, Abou Moussa, in the UN Peace-building Support Office in Liberia (UNOL) to monitor and publicly report on human rights abuses and violations and take immediate corrective measures as necessary.²

Human rights abuses faced by refugees

Tens of thousands of Liberians, fearful of remaining in their own country, have fled to Côte d'Ivoire, Ghana, Guinea and Sierra Leone in search of safety. Increasingly, however, Liberians have become reluctant to flee over borders as their compatriots have faced hardship and human rights abuses in countries of asylum. Members of security forces, particularly in Côte d'Ivoire

² Abou Moussa formerly headed UNHCR's regional office based in Abidjan, Côte d'Ivoire.

and Guinea, have reportedly harassed Liberian refugees. There are numerous reports of refugees being turned away at the border of neighbouring countries, a measure which amounts to *refoulement*, a violation of the most fundamental principle of international refugee law. In areas where there are large numbers of Liberian refugees, local residents who fear that their presence will bring war and insecurity to their country, or indiscriminately associate refugees with armed opposition groups, have been hostile and violent towards refugees. Some particular groups of refugees face additional risks, including human rights defenders, members of the political opposition, others deemed critical of the Liberian government, and members of Krahn and Mandingo ethnic groups. In some cases, there have reportedly been tension and violence among Liberians themselves in refugee camps, reflecting existing ethnic tensions.

Guinea

Although difficult to obtain exact figures, as thousands of Liberians are believed to have entered in the last year unofficially and have not been registered, as of August 2002 UNHCR estimates that Guinea is host to approximately 108,000 Liberian refugees. Approximately 25,000 have arrived since the beginning of this year and are hosted in Kuankon, Kola and Nonah transit camps.

The most pressing concern for Liberian refugees in Guinea is tension with the local population. In May 2002 when a large number of Liberian refugees crossed into Guinea to an area just over the border, they were refused entry by Guinean residents who live in the area. The local residents feel hostility towards refugees as they fear that they will bring war to their country. The presence of armed combatants in refugee camps and among the local Guinean civilian population poses a threat to these fragile areas reminiscent of the crisis in late 2000. Members of the LURD and Liberian security forces are reported to have been found among the refugees. There are reports that the LURD is recruiting among the refugee population. In early September 2002, however, the Guinean Foreign Minister publicly denied that that was happening.³ In some cases, Guinean security forces have closed the border to refugees in an act amounting to *refoulement*. In other cases they have fined refugees up to 1,000 LD (US\$20) to allow them to pass.

UNHCR has a contingency plan to receive up to 40,000 Liberian refugees in Guinea this year on the basis of a detailed needs and gaps assessment elaborated in July 2002. OCHA is planning to open a sub-field office in Nzérékoré to monitor the situation, assist in the coordination of humanitarian assistance and work with civil society organizations to mitigate tensions between host communities and refugees.

Sierra Leone

³ UNHCR news report, 2 September 2002

There are approximately 59,000 Liberian refugees in Sierra Leone many of whom are living in poor conditions in camps.⁴ It is estimated that 37,000 are living in camps near Bo, Southern Province, 8,000 are urban refugees and 13,500 are in the border areas of Kailahun and Pujehun Districts in the east of the country. Tension along the Liberia/Sierra Leone border has been caused by the presence of Liberian security forces and the LURD. In late July 2002 armed Liberian men reportedly entered Sierra Leone and abducted up to 28 Sierra Leonean civilians. There have been reports of attacks and looting of villages by armed Liberians just over the border in Sierra Leone. Insecurity has resulted in Sierra Leone closing its border to prevent further infiltration by armed elements; this has made it increasingly difficult for legitimate refugees to flee to safety. (The borders are now open.) Liberians trying to cross have been subjected to forced labour by armed Liberians in these areas. Hostility between local residents and Liberian refugees has also been reported. There are reports of Liberians who are being detained without charge in prisons in Sierra Leone. There are also reports of a disproportionately large number of Liberian women and children crossing into Sierra Leone; this is reportedly due to the fact that young men and boys have been abducted and forcibly recruited into Liberian security forces in the bordering areas between Liberia and Sierra Leone.

The government of Sierra Leone and international organizations have set up a screening procedure close to the border to separate armed elements from legitimate refugees. Amnesty International considers this a positive step and welcomes this initiative. An assessment should take place while the process is actually undertaken in order to determine its effectiveness and the feasibility of applying it to other countries in West Africa. UNHCR estimates that a total of 40,000 Liberian refugees will arrive in Sierra Leone by the end of 2002.⁵

Of the estimated 54,000 Sierra Leonean refugees who have been hosted in Liberia for many years, approximately 30,000 returned to Sierra Leone in 2002. Approximately 19,000 spontaneously returned and the others returned by land or sea with the assistance of UNHCR. Humanitarian agencies are advocating that UNHCR mount a more aggressive campaign to encourage and assist remaining Sierra Leonean refugees to ensure that their return is voluntary and undertaken in safe conditions.

Côte d'Ivoire

There are approximately 91,000 Liberian refugees living in Côte d'Ivoire.⁶ Approximately 75,000 are regarded as the previous case-load and 16,000 have arrived since the beginning of 2002. The majority of them are hosted in the *Zone d'Accueil des Réfugiés (ZAR)* in Danané, Guiglo and Tabou.

⁴ See the Fifteenth report of the Secretary-General on the United Nations Mission in Sierra Leone, 5 September 2002, S/2002/987

⁵ UNHCR Supplementary Appeal for Emergency Assistance to Liberian Refugees, Geneva, 29 June 2002

⁶ Recently, a registration exercise was carried out by UNHCR and accurate figures will be made public soon.

Liberians fleeing into Côte d'Ivoire have reported wide-scale harassment by Ivorian security forces who reportedly extort fees and steal personal property as they cross the border. Many Liberians have reported being reluctant to cross the border, fearing that they would be turned away if they had little to give or otherwise lose everything they had. There are also reports of the presence of President Taylor's security personnel in northern areas such as Danané who are equipped with communications equipment and who transmit information to Monrovia regularly.

The harassment and intimidation of Liberians by Liberian security forces in Côte d'Ivoire has been continuing since 1999. In August 1999 Amnesty International documented harassment and intimidation of men and women of Krahn origin who had been associated with high-ranking officials of ULIMO-K and ULIMO-J, former factions in the Liberian civil war and bitter enemies of President Taylor. More recent cases include threats to those perceived to be opponents of the current Liberian government. Residents from Gbargna who fled the attack on 9 May 2002 were reluctant to settle in Guiglo, an area on the border of Liberia designated for refugees. It is an area dominated by Liberians from the Krahn ethnic group. There are ethnic tensions between these two groups because Gbargna residents are associated with President Taylor. The National Patriotic Front of Liberia (NPFL) and President Taylor as its leader were resident there throughout the armed conflict from 1989 to 1997, and there is an historical antagonism between the Krahn ethnic group and those associated with President Taylor.

Amnesty International has documented cases of arbitrary arrests and unlawful detention of Liberian refugees of Mandingo and Krahn origin by Ivorian security forces. On 5 May 2001 Ivorian security forces arrested 19 Liberians (17 men and two women) of both Krahn and Mandingo origin while they were on their way to Guinea to join a resettlement program. Ivorian police stopped the bus that they were in and all 19 were taken to prison in Danané. They were accused by Ivorian police of intending to cross into Guinea to join LURD forces. They were held for five days in Danané prison and on 10 May 2001 they were taken to Abidjan, the Ivorian capital, for questioning. On their journey to Abidjan, they were beaten by police in a town called Daloa. They were held in Abidjan for two nights and were then taken back to Danané where they remain in detention. The group of 19 have now been arbitrarily detained for 16 months without charge or trial.

Two of the men, **Joseph Dweh** and **Cyfus Myers**, were subsequently released. However, more recently Amnesty International has received reports that there are a total of 32 Liberians in prison in Danané, apparently held on the same accusations. It is unclear when the other 15 were arrested.

Ghana

Although it does not share a border with Liberia, UNHCR estimates that Ghana is host to 13,000 Liberian refugees. Since the beginning of 2002 approximately 2,000 new refugees have

joined the existing case-load. Several thousand refugees are living in Accra, the capital of Ghana, while the majority are in Buduburam camp, 40 miles east of Accra.

Politically-motivated attacks against refugees have been a particular problem in Ghana because of the presence of Liberian security forces in the country. Threats, harassment and killing of a number of Liberian human rights defenders or critics of the Liberian government have taken place. In September 2000 eight staff members of *The New Democrat* newspaper and one from *Star Radio*, and in April 2001 16 student leaders from the University of Liberia sought safety in Ghana. Members of both groups left Liberia after they were targets of harassment, imprisonment, torture and threats by the Liberian security forces because of their outspoken views. Since arriving in Ghana, they have been living in fear because of the presence of Liberian security forces.⁷ Members of staff of *The New Democrat* have received letters warning them of the threat that they are under in Ghana, stating that the Liberian authorities were creating a regional network to maintain surveillance on politicians, journalists and human rights activists who had fled Liberia. The letter advised Liberians who fall into these categories to stay away from public places, particularly the Buduburam refugee camp. It is well known that Buduburam camp is the headquarters of the Liberian government's surveillance network.

The majority of the reported politically-motivated attacks and security incidents have taken place at Buduburam camp. Tensions that had been building since early 2001 between Ghanaian residents, Ghanaian police and Liberian refugees resulted in several incidents. In November 2001 a Liberian refugee in Buduburam camp was killed, and in the same month, but in a different incident **Michael Lahai** from the University of Liberia was attacked and severely injured by an unidentified armed man who visited the camp. Since the attack, Michael Lahai has received death threats from unidentified Liberians.

On 18 December 2001 **Augustine Morlue**, a student leader, was attacked and injured by an unidentified armed man in the camp. Since this time, his condition has worsened as he has not had access to adequate medical care. On 1 January 2002 **Joseph Jugbor**, a journalist of *The New Democrat*, was shot and subsequently admitted to hospital.

On the night of 12 April 2002 **Esther Marconi**, a Liberian national of Krahn descent whose husband served in the Armed Forces of Liberia during the Liberian armed conflict, was attacked by an unidentified Liberian man with a cutlass through the window of her living quarters in the camp. A vein was severed in her hand and two of her fingers were deeply cut. She was bleeding so badly that she fainted. She was finally brought to the local hospital by neighbours early the next morning but despite the severity of wound was not treated until late the following day. Esther Marconi has lost the use of that hand and is still in need of medical care. The mother of six children, she is a trained mason and is now unable to carry out her work. Amnesty International believes that the attack on Esther Marconi was politically-motivated.

⁷ Amnesty International sent a letter to the President of Ghana on 8 February 2002 about these groups and also raised the cases with the UNHCR regional representative.

Her husband was killed in her presence by members of the NPFL in 1996. She also witnessed her brother-in-law being killed that same day by a member of the NPFL after he refused the order by the soldiers to lick the blood of his dead brother in front of them. After these two incidents, Esther Marconi fled with her children to Ghana in search of safety and security. She believes that her attacker was a member of the Liberian security forces, and she still feels that she is at risk.

According to reports, on 21 August 2002 unidentified armed men entered Buduburam camp killing a Ghanaian trader, stabbing a Liberia man, and abducting and raping a 16-year-old girl. She was taken just outside of the camp into the bush and raped.

The lack of security at the Buduburam camp is of grave concern to Amnesty International. The camp covers 145 acres and holds more than 20, 000 refugees. There are a total of 10 Ghanaian security officials and, according to the refugees, they are not well dispersed throughout the camp but concentrated only in some areas. The lack of sufficient numbers of security personnel allows for a free flow of people in and out of the camp; this includes members of President Taylor's security forces who have been responsible for many of the attacks against the refugees.

On 25 April 2002 **Major-General Alfred T. Glay**, a Krahn and a member of former President Samuel Doe's special security unit, died in suspicious circumstances. The men who were arrested by the Ghanaian police in connection with the apparent murder are Liberian nationals and known to have strong connections with President Taylor.

An additional problem concerning the protection of Liberians in Ghana is the reluctance of the Ghanaian government to recognize them as refugees. When the group of journalists and student leaders arrived in Ghana they followed all appropriate procedures for seeking asylum, registering with the Ghana Refugee Board (GRB) and UNHCR.⁸ However, for more than a year, the Ghanaian authorities have not taken action on all cases. Without refugee status, Liberians remain at great risk and are unable to gain access to the humanitarian assistance and protection normally provided by UNHCR. They are at constant risk of *refoulement*, despite the fact that their lives would be in grave danger if they were forced to return to Liberia. It appears that the Ghanaian government has failed to fulfil its responsibilities under international refugee law to protect and assist refugees. Amnesty International fears that the government of Ghana has not been sufficiently supported by UNHCR in the country because of the lack of international assistance for Liberian refugees.

Obligations for the protection of IDPs and refugees

⁸ Under the Ghanaian Refugee Law of 1992, the GRB is composed of 12 members, including with only one representative chosen by UNHCR; this member has no powers and sits purely as an observer. Members of the GRB are almost entirely drawn from national institutions within Ghana.

In this context, three crucial areas of international law are applicable: international human rights law, humanitarian law and refugee law, including the Guiding Principles on Internal Displacement. Basic human rights under international law such as the right to life, to be free from torture, including rape, and not to be subjected to arbitrary detention have clearly not been respected. These rights are enshrined in international instruments, African regional instruments, and the constitutions of the various West African countries. These standards apply equally to IDPs and refugees in the various countries in the region.

Protecting and assisting refugees is the responsibility of states within the West Africa region, including Côte d'Ivoire, Ghana, Guinea, Liberia and Sierra Leone, all of whom have ratified the 1951 UN Convention relating to the Status of Refugees and 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa of the Organization of African Unity (OAU). The fundamental principle that lies at the heart of the international refugee protection system is that of *non-refoulement*. No one should be sent back to a country where they would be at risk of grave human rights abuses. This right is routinely violated by states currently hosting Liberian refugees. Respect for this right is critical and must be addressed as a matter of urgency.

UNHCR must protect refugees. It must take action and be allowed to take action in all circumstances. Sufficient numbers of qualified UNHCR staff should be deployed in areas of mass influx. Its presence would help alleviate tensions between the local population and refugees, ensure that the civilian nature of refugee camps is maintained, identify individuals who are at risk in the country of asylum, be able to refer cases for resettlement in a timely manner, and monitor and report on human rights abuses as a way to prevent them from occurring. Additionally, UNHCR must provide sufficient assistance and protection to refugees and IDPs to prevent vulnerable women and children from turning to prostitution and sexual slavery. The UNHCR/Save the Children-UK report released in February 2002 highlighted many of these concerns.⁹

Over 100,000 Liberians have been displaced in 2002 as a result of worsening violence in the country. Hundreds of thousands are out of reach of humanitarian agencies. The Guiding Principles on Internal Displacement adopted by the UN Commission on Human Rights in 1998 set out a framework of international standards which should be applied to ensure the protection of anyone who is displaced in their own country.¹⁰ The guidelines reaffirm rights which are applicable in a non-discriminatory manner, such as the rights of displaced people to seek safety in another part of the country, leave their country, seek asylum in another country and the right

⁹ Note for Implementing and Operational Partners on Sexual Violence and Exploitation by UNHCR and the Save the Children-UK: The Experience of Refugee Children in Guinea, Liberia and Sierra Leone, February 2002.

¹⁰ *Guiding Principles on Internal Displacement*, E/CN.4/1998/53/Add.2, 11 February 1998.

to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.¹¹

Notably, the Guiding Principles confirm that while primary responsibility for protecting and assisting IDPs rests with national authorities, international humanitarian organizations also “have the right to offer their services in support of the internally displaced”. International organizations are urged to pay particular attention to the protection needs and human rights of IDPs when providing assistance. Organizations such as the International Committee of the Red Cross (ICRC), international humanitarian agencies and the World Food Programme have been providing emergency assistance to displaced Liberians, to the extent that the volatile security situation in the country has allowed over the past several months.

Specific protection concerns

In the High Commissioner’s annual Note on International Protection for 2002, he reports the major protection challenges throughout the year and sets out the goals and objectives which emerged from the Global Consultations held during 2001-02.¹² The Agenda for Protection stresses the security of refugees as a central concern. The relevant specific concerns for West Africa highlighted in the note include: the safety of refugees and separation of armed elements from refugee populations, the prevention of military recruitment of refugees, and the prevention of age-based and sexual and gender-based violence.

Civilian nature of camps

Amnesty International recognizes that the international community, including governments in the region, and international humanitarian agencies have learned from the tragic experience in Guinea in 2000 and 2001 to ensure that camps are located away from borders. In both Guinea and Sierra Leone camps now lie at a safe distance from the border. However, infiltration of militia groups or armed elements into the ranks of refugees as they cross or when they are transferred to safer areas is still a great concern and needs greater attention. The identification and separation of armed elements is vital to ensure the civilian and humanitarian nature of refugee camps. It should be conducted by the local authorities in the relevant host countries in a fair procedure which should be monitored by UNHCR.

Responsibility/burden-sharing

¹¹ *Guiding Principles 15 and 18.*

¹² UN General Assembly, Executive Committee of the High Commissioner’s Programme, Fifty-third session, Note on International Protection A/AC.96/965, 11 September 2002.

Refugee protection and assistance is also a matter of international concern. It should not fall to host states, particularly in cases of mass influx, to shoulder the burden of protection alone. UNHCR must be supported in its mandate to provide international protection to refugees and promote durable solutions to their problems. Major donors must share this responsibility and provide financial and material support to hosting governments and UNHCR to maintain and protect refugees for as long as they require international assistance. The vital importance of international solidarity has been reiterated in the Agenda for Protection.

UNHCR is financed through international contributions. Funding projections for UNHCR's West and Central Africa program for 2002 is \$72.4 million in earmarked funds. So far this year UNHCR have received 38.8 per cent of this figure. Additionally, UNHCR has as a result of the crisis requested \$10.4 million in emergency funding for refugees from Liberia; they have received almost all of this amount. The continued deterioration of the security situations in Liberia and Côte d'Ivoire, however, may be a cause for additional funds to be requested.

Durable solutions

While Amnesty International urges that as a matter of first concern, immediate action should be taken nationally and internationally to restore safety and protection to Liberia, the organization also believes that the international community should increase the capacity for resettlement in a third country to those individuals who remain at risk in the country to which they have fled and where no durable solution is available within the West Africa region. Sufficient funding should be made available to UNHCR to identify and process properly resettlement cases.

Recommendations

The crisis in Liberia clearly has regional implications which require international and regional solutions. Significantly, this crisis has arisen because of the failure to deal effectively with massive human rights abuses in Liberia over the last few years. Amnesty International has made numerous recommendations to governments in the West Africa region, armed political groups and the international community as to steps which must be taken in order to ensure respect for basic human rights. Recommendations made here complement and build on those earlier recommendations and are directed at the specific nature of the current crisis.

Immediate steps must be taken to end human rights abuses against Liberian IDPs and refugees in West Africa and greater sustained protection must be assured for these populations as a way to prevent abuses in the future. The primary responsibility for ending human rights abuses and violations lies with the Liberian government, the LURD and all African countries in the West Africa region hosting Liberian refugees, including Sierra Leone, Guinea, Ghana

and Côte d'Ivoire. Amnesty International considers, however, that UNHCR, its partners and the international community also have a responsibility and an important role to play.

Steps to end human rights abuses against IDPs and refugees

1. West African governments and the leadership of the LURD should give clear instructions to all government forces and LURD combatants that all human rights abuses committed against IDPs and refugees will not be tolerated and that those responsible will be brought to justice, and that international human rights standards and humanitarian and refugee law must be scrupulously observed.
2. All West African government forces must end immediately the deliberate targeting of IDPs refugees on suspicion of backing the parties to the armed conflict.
3. Liberian government forces and LURD combatants must release all abducted civilians, including women and children. All children used as combatants or in any way associated with fighting forces must be released immediately and guarantees should be made that abductions will cease.
4. All West African governments must investigate all reports of human rights abuses promptly in an effective, thorough and impartial manner and those responsible should be brought to justice in trials which comply with international standards of fairness.
5. All West African governments must respect international standards relating to refugees and IDPs, in particular the 1951 UN Convention relating to the Status of Refugees and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, and international legal norms contained in the UN Guiding Principles on Internal Displacement, including ensuring safe access for the delivery of humanitarian assistance.
6. All West African governments and the LURD must work closely with UNHCR and the international community to put an end to human rights abuses, especially with regard to refugee protection principles, including the principle of *non-refoulement*, which should be upheld in all circumstances.
7. The Liberian government and the LURD must work with organizations such as UNDP and OCHA to ensure that IDPs are not induced, coerced or otherwise forced to return to areas where they might be at risk of serious human rights abuses, respecting the Guiding Principles on Internal Displacement.

Every effort should be made to create a protected and safe environment and this must be done in partnership with all relevant parties

1. The international community should make funds available to enable UNHCR to assist governments in the region to provide comprehensive training for all security forces in international human rights and refugee law standards.

2. All West African governments should work in cooperation with UNHCR to: ensure the civilian character and humanitarian nature of all refugee camps; monitor the identification and separation of armed elements from the refugee population; and ensure that new camps are established in suitable and safe sites and in such a manner that all refugees are adequately protected and registered, and that the protection needs of women, children and vulnerable groups are fully met, including by consulting refugees, in particular women, on their protection and assistance.
3. UNHCR and ICRC should undertake a continuous evaluation of procedures for identifying and separating armed elements from the refugee population.
4. There should be sufficient presence of international staff of UN and international agencies engaged in on-site monitoring to ensure that refugees and IDPs are allowed to move to safer areas within the country or to leave the country without harassment or intimidation by the security forces.
5. All West African governments should work with UNHCR to ensure that the protection and humanitarian needs of refugees in the region are fully met and that any spontaneous returns take place in safety and dignity.
6. UNHCR and relevant organizations working in Liberia on IDP issues should document and report on human rights abuses against refugees and IDPs, in particular rape and other forms of sexual violence, in a manner which also facilitates the provision of sustained and adequate assistance, including psycho-social care.

Guarantees of continuous and sustained funding are critical for the protection of IDPs and refugees in West Africa

1. The international community, including donor states, must ensure sustained commitment to maintain durable solutions of local integration and resettlement in countries in the region.
2. Adequate financial and political support for UNHCR and relevant organizations in Liberia working on IDP issues should be made available in order that the protection mandate is implemented effectively throughout the region.
3. The international community should provide adequate and sustained assistance to refugees and IDPs who have been victims of human rights abuses, in particular rape and other forms of sexual violence, including access to psycho-social care, medical treatment and legal advice.
4. The international community should support initiatives, such as the UN West Africa office and the UN Peace-building Support Office in Liberia (UNOL), in order to establish an independent and impartial human rights monitoring presence in Liberia and the region, with clear authority to monitor respect for the human rights of the

civilian population, including refugees, returning refugees and IDPs, and to make reports public on a regular basis.