

					Benjamin Yeaten
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26	October 29, 2002	House raided	Gardnerville Monrovia, Mont	Human Rights Activist/ Journalist	Police raided the home of Human rights Activist Aloysius Toe after Toe announced a week of solidarity for Hassan Bility and other detainees. Government officials said that e-mail documents were found in Toe's home that linked him with LURD rebels.
27	October 28, 2002	Arrested and detained	Monrovia, Liberia	Human Rights Activist/Journ alist	Police arrested Blamoh Sieh, Director, National Human Rights Center and three staff members from the Center for protection of Human Rights
28	March 7, 2002	Arrested and detained	Monrovia, Liberia	Human Rights Activist/ Journalist	Police arrested and detained five Human Rights Activists Tunny Zeogar, Peter Nicholson, JohnOkai, Sam Nimely and Aloysius Toe for protesting the arrest of New Deal Movement Chairman Nigba Wiaplah.
29	1993	Massacre	Greenville, Sinoe County	Mr. David Sewen (Acting Hospital Administrator) & The National Newspaper, December 19, 1996- Vol. 1# 62	More than 100 human skeletons were discovered at the Francis J. Grant Hospital in Greenville, Sinoe County. According to Mr. David Swen, the acting hospital administrator at the time, skeletons of people taken captive By LPC in 1993. They were discovered when the hospital staff went in to access their facilities after ECOMOG was deployed 1996
30	January 15, 1994	Massacre	Neeswen Town, Rivercess County	Returnees from the county/Monro via Daily News Newspaper Vol. 3 # 24	NPFL fighters killed 32 persons after they were accused of been supporters of the LPC. The NPFL fighters were said dto have entered the town about 3:00 a.m. and begtan slaughtering occupants of houses marked by the LPC.
31	June 19, 1994	Massacre	Moulton Corner Browerville, Montserrado County	Charles Bryant, Benjamin Brown, Marilyn Wright/The	Nine persons including an entire family were slaughtered in the area that was cotrolled by Mandingo fighters who captured in from Krahn fighters.

				INQUIRER Newspaper June 23, 1994 Vol. 4#111	
32	August 1996	Massacre	Barley training center {BTC} beach Central Monrovia, Montserrado County	Chief Pathologist Dr. Isaac Moses/The National Chronicle, August 29, 30 1996, Vol. 1#31  Vol. 5#62:& the News, Vol. 7#	A team of medical doctor and health practitioner involved in the exhuming and reburial of the dead bodies revealed that over 500 bodies that were exhumed at the BTC beach and reburied at the center street cemetery. Some of the people died from bullets or blunt objects while some were beheaded civilians were killed and many injured while about 1000 civilians were bloodbath. But other reports put the number at 25 to 48.
33	November 18, 1994	Massacre & Destructions	Dior. Jolorh District. Grand Kru County	Residents of the town	Liberia Peace Council {LPC} massacred 35-person. The 35 persons were massacred by the LPC forces opened. Suppressive firing into the town on the pretend that enemy were advancing on the town. All those got killed were all farmer that were returning from the farmer that evening and they also burned down 14 houses
34	April 14, 1994	Massacre	Sogbeh – Bo. Grand Kru County Picnicess District	Residents of the town	The Liberia Peace Council {LPC} massacred 45 – persons in Sugbeh-Bo., without reason.
35	August 18, 1994	Massacre & Human Rights Violations	Barclayville, Grand Kru County	Residents of the town	The NPFL massacred five persons in Barclayville, because the men were of the Krahn ethnic group other Human violations was carried on by this group, such as sexual slavery, forced labour and looting/extortion properties
36	Nov 18, 1994	Massacre	Saa town beach jeriod District, Grand Kru County	Residents of the town	The Liberia Peace Council {LPC} massacre 25- persons in Sasstown because of the alleged involvement in witchcrafts deeds.
37	Nov. 18, 1994	Massacre & Destructions	Dior, Jolorh District, Grand Kru County	Resident of the town	Liberia Peace Council {LPC} massacred 35-persons. The 35 persons were massacred by the LPC forces opened suppressive

					firing into the town pretended that enemy were advancing on the town. All those got killed where all farmer that were returning from the farm that evening and they also burned down 14 houses
38	November 1996	Murder	Maryland County	Residents of Pleebo and Harper City, Maryland County	The later Samuel Kwah Mensah who once served as Superintendent from 1992-1994 for Maryland County was accused of conniving with LPC and was beating for about four hours and later killed by a group of soldier under the commanded of General Toe who is presently serving as Depudsty Minister of Defense in the NTGL government, Sumo and Compare (Gambian) all of the NPFL
39	2003	Looting & extortion	Maryland County	Residents of Mary County	The Seaport of Maryland county and the four Major Industrials kor companies was finally looted by the MODEL faction.
40	1994-1995	Looting and extortion	Maryland county	Residents Maryland County	The Liberia Peace council also looted the Cavalla Rubber Plantation (CRC) and Décor company equipment and materials.
41	During the period kof, 2001-2002-3	Forced Laboure & other HR-Violations	Fassama and Bopolu Gbarpolu County	Resident of Fassama and Bopolu	During the period from 2001-2003, about 750-1000 civilians, composing of pregnant women, children, of 12-18 years old, elderly people were taken from their hidden places (bushes) villages, Town and forest by LURD soldiers and forced to carry ammunition on their heads from fassama to Mascenta and Bopolu. These civilians were not allowed to go further into Guinea, but some brave ones would escape. While many were killed whenever they complained about hunger or tireless while in enrooted. The content of consignment of goods and ammunition which weight about 50-75kg Another women and girls were used as domestic slaves to pound rice and cooked while other were sexual abused

42	July 28, 1996	Massacre	Gbarma town, Gbarpolu County	Residents of Gbarma	Government forces massacred 24-civilians in the house where they sought refuge/safety from the fighting between LURD and the Government forces (Counter attacked) at Gbarma Town which lasted for about three hours (6:10 am)
43	September 1990-1994	Looting & Extortion	Maryland County	Residents of Maryland County	The four major Industrials Plank or Companies in Maryland County, equipment and other voluble materials were looted by General Moses Z. Blah, former vice President and later served as the President of the Republic of Liberia in the year 2003, Generals Sumo and Toe, all of NPFL
44	1994	Murder	Karblaka, Border with Ivory Coast Maryland County	Residents of Pleebo and Harper City, Maryland County	The late John Hilary Tubman was a top businessman and prominent citizen of Maryland County. All his Money and other properties were taken from him and was later killed by Jack the Rebel of the NPFL would escape. While many were killed wherever they complained about hunger or tireless while in enrooted. The content of consignment of goods and ammunition which weight about 50-75kg Another women and girls were used as domestic slaves to pound rice and cooked while other were sexual abused.
45	Dec. 28. 1996	Massacre	Trumansburg Bomi County	Residents of Trumansburg	After December 28. 1996 after ECOMOG abandoned their Based in Trumansburg, Bomi County ULIMO-J entered the based where about 27000 civilians sought refuge and massacred over 1000 displaced persons in cold blood.
46	May, 2002-3	Massacre	Gbarma Town Gbarpolu County	Residents of Gbarma	Massacre of 110-persons in Gbarma by General Oforie Diah of LURD. Who is presently serving as chief Security as the National Port Authority in the NTGL

### **8.3. Nature, Pattern and Character of Human Rights Violations and War Crimes (Equivalency Definition-Crimes Committed and how) categories**

The catalogue of violations enumerated above evidences the distinct nature of violations of human rights that characterized the conflict in Liberia. Rightly so, the TRC has determined that gross violations of international human rights and humanitarian laws, egregious domestic violations and other forms of violations were very much pervasive in Liberia's several wars and armed conflict during the TRC mandated period of review.

It is trite and banal to assert that war brings with it dastardly, carnage, wanton destruction of lives and properties. It is even common to accept that despite the prohibition of certain practices as war weapons – e.g starvation – it is not implausible for the human psychology to tolerate these occurrences as inevitable consequences of war. However, the species of crimes committed in the Liberian civil war – especially cannibalism (eating of human flesh by humans), disembowelment of pregnant women undoubtedly take the meaning of war crime/crime against humanity to another level and stretches the tolerance of mankind of war atrocities. According to Stephen Ellis, “the Liberian conflict topped and surpassed all other wars in form and character, in intensity, in depravity, in savagery, in barbarism and in horror. Whilst the Liberian experience may find parallels in history, the description above points to barbarity in modern times which by all standards are repugnant to the human conscience.

Considerable evidence available to the TRC given by witnesses, as well as snatches sometimes caught on televisions, reveal that cannibalism and rituals or juju practices were widely practiced by many fighters and their leaders including presidents during the war. These practices, without doubt, influenced their conduct in relationship to captured or surrendered opponents and the civilian population. In addition to cannibalism, there were severe/gross violations of human rights through the commission of such crimes as rape, murder, pillory, extreme torture, to mention but a few.

The object here being to expose the barbarity of the conflict in Liberia and shed light on its uniqueness, cause, patterns and trends to create a clear understanding of their occurrences and impacts. No one armed group is exempt from the wanton abuse suffered by unarmed victims. The TRC adopted mechanisms to capture the full range of violations experienced but may never be fully reported in this report. In one instance, starvation was used as a weapon against two Nigerian journalists held in NPFL prisons. In other cases, castration (extracting the male genitals from the owners' body) was employed against nearly one hundred men in Lofa County by ULIMO forces. In the southeastern region, specifically in Rivercess County, human beings were roasted over meat dryer till death by the LPC. LURD deliberately rained

rockets on the overpopulated center of Monrovia killing scores of innocent citizens seeking shelter and refuge; MODEL massively looted from very poor people to render them depraved as their women and girls were raped. The AFL organized a death squad and killed several innocent civilians perceived as being “against Doe” by beheading. Massacres since April 14, 1979 and burial of victims in mass graves became a commonplace characteristic of the conflict.

The impact of this devastation on women and children in socio-economic and psychological terms is beyond any one’s imagination. Apart from family breakups and separations, deprivation and poverty; death and destruction, the family suffered the most as a consequence of the war and at the hands of its barbaric executioners.

From the inception of the conflict up to its very end in 2003, there was widespread lawlessness, and wanton disregard for the rights of civilians by all armed parties to the conflict who saw no reason not to recruit children into their ranks.. Human Rights Watch Report, 1994 confirms TRC findings that civilians suffered gross human rights violations from “the capricious treatment associated with a military occupation - harassment and detention, torture, arbitrary arrest, physical abuse-forced labor and rape, destruction of property and restriction on freedom of movement”.

Combatants used brutal tactics to terrorize the civilian population. Targeting civilians was deliberate, calculated, and systematic throughout the conflict, throughout the country, with a heavy death toll on the civilian population in by far greater and incomparable proportion than combatants. In an overwhelming number of cases where civilians fled or abandoned their towns or villages before the combatants arrive, there would be no hostilities between the fighting forces; they would leave the town or insistently pursue the villagers to their hideouts to persecute them – killing, looting, raping, forced labor, toting ammunitions, abduction, etc. The lack of respect for or protection for the rights of civilians as deliberate and direct targets during the conflict violated all principles of international law and Protocol I Additional to the Geneva Conventions, 1977, PART IV: CIVILIAN POPULATION, Article 51: Protection of the Civilian Population. It provides that the civilian population and individual civilians shall not be the object of attack.

So callous, deliberate and conscious were the attacks and violations against civilians that the perpetrators in vast majority adopted pseudo-names and adorned women apparels, wigs, religious and traditional costumes, to hide their true identities and names. Examples of names used are “black jacket; one man one; Gbar Red; Peanut Butter; Cobra; Rebel Pa; Jack the Rebel; iron jacket; yellow jacket; Scorpion; Rebel killer; pepper and salt; war bus “ etc. Yet in other cases they adopted or patterned

their aliases after their *modus operandi* or the ferocity of their atrocities. Some examples are “god working, devil working; no joke in snake mouth; next to god” etc.

The countless number of atrocities and the wanton and indiscriminate nature of their execution in an unrestrained climate of impunity by various warring factions earned the Liberian conflict its unique characteristics. In many other instances, though, civilians were also targeted because they were suspected of either being of the Gio or Mano ethnicity on the one hand or of the Krahn and Mandingo ethnic grouping on the other. Yet still, civilians were target either because their physical appearance portrayed affluence or that they were of Americo-Liberian ethnicity, employee of a particular former regime or belonging to a former ruling political party, depending on the combatant group one encounters. In fewer instances, civilians were victimized and targeted because they went out around the combatants fetching for food, water and other needs for survival.

TRC findings from over 20,000 testimonies collected from Liberians point to a wide distribution of violations and victims throughout the country in every county in almost equal proportion of women (47%) to men (53%). The analysis presented here reflects 17,160 out of 17,416 statements entered into the TRC's database. The analysis excludes 256 statements because these statement givers reported no violations within the TRC's mandate period, January 1979 – October 2003, or because the county or country where the statement was taken was not recorded. The 17,160 statements included in this analysis contain information about 86,647 victims and 163,615 total violations. Statements from the Diaspora (1,163) are not included in this analysis. Owing to insufficient time and resources, and administrative errors, these statements, including 729 from Liberia and 14,000 from the UNDP, could not in time be processed before the end of the TRC' lifespan. The characteristics of statement taking in the Diaspora differ slightly from the Liberian character and therefore included in separate Diaspora analysis.

Table 3: Number of Victims and Violations by County. Note that victims may be counted in more than one county if they suffered violations in more than one county.

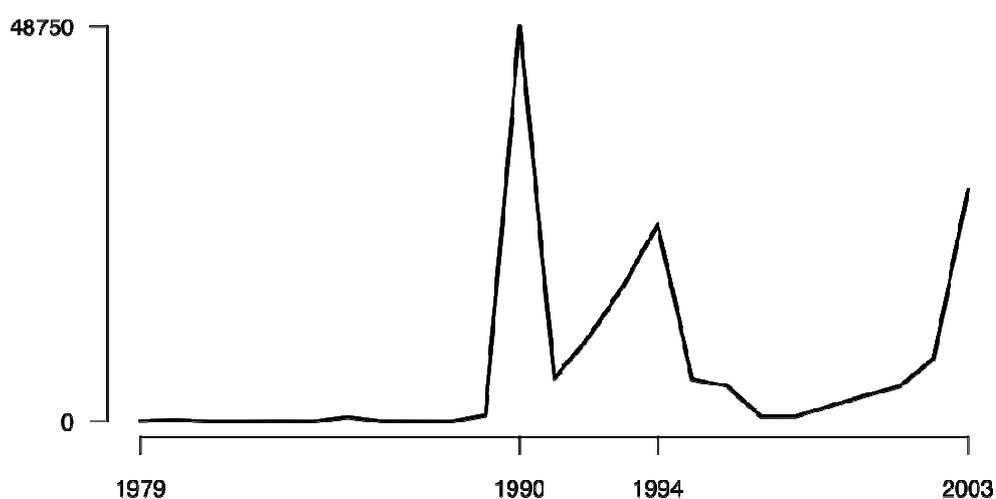
<b>County</b>	<b>Victims</b>	<b>Violations</b>
Montserrado	14980	22094
Bong	12546	22175
Lofa	11296	18863
Nimba	7784	12794
Bomi	5970	9840
Gbarpolu	7285	13574
Grand Bassa	6227	10739

Grand Cape Mount	5768	9354
Margibi	3394	5154
Sinoe	5706	9266
Maryland	3934	6162
Grand Kru	3296	5568
Grand Gedeh	4010	6569
River Gee	4030	6839
Rivercess	2315	3566
Unknown	781	1058
<b>Total</b>	<b>93322</b>	<b>163615</b>

### Incidence of Violations by Year

As shown below in Figure 1, violations across Liberia, reported to the TRC spiked in 1990 with a total of 48,750 violations. The second most violations (28,657 violations) were reported in 2003, slightly higher than violations reported in 1994 (24,299 violations).

**Figure 1: All Reported Violations, by Year**



### Incidence of Violations by County

Every county reported large numbers of violations, from a maximum of 22,175 reported violations in Bong County, the head quarters of The NPFL and the NPRAG to a minimum of 3,566 violations in Rivercess County. However, it is important to note that results by county may not reflect absolute patterns. It could be an artifact of how the TRC deployed statement-takers across counties. TRC statement-takers were deployed relatively evenly across counties, as per the number of districts in each county. Hence, the number of statement-takers varied from one county to another. The number of statement takers in Montserrado County, the capital City, where nearly a quarter of the statement-takers, were assigned disproportionately higher

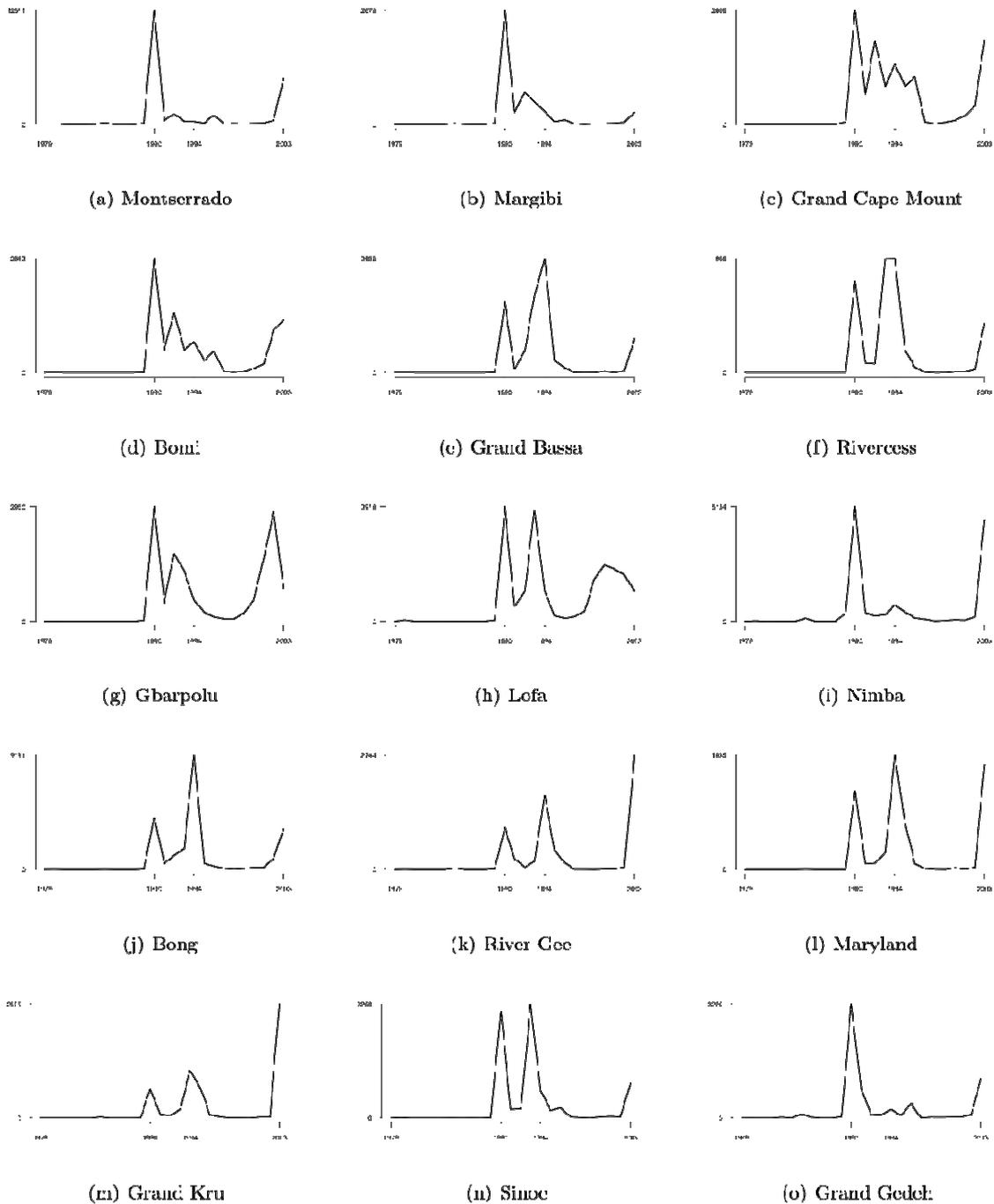
because of the population size and number of districts in Montserrado. But an even deployment or assigning a relatively even number of statement-takers, across counties with differing levels of violence could create “artificial” evenness in the measured data because statement-takers collect statements at approximately the same rate. Statement givers can report varying numbers of violations in their statements but collecting roughly the same number of statements could mask true differences. It is therefore evident that differences among counties may not be absolute in their patterns and analysis.

However, the high levels of violations for Bong and Lofa are interesting to note, given the significantly higher proportion of statements collected in Montserrado County compared to these counties. As indicated in Table 1, the TRC collected over 20% of all statements in Montserrado County, which is over twice the amount collected in the next highest county, Bong at 9% and 6% in Lofa. The high number of statements collected in Montserrado and yet relatively even number of reported violations compared to other counties suggests that statement givers in Montserrado frequently reported violations that took place in other counties such as Bong, Lofa and others. This is not at all surprising given high levels of forced displacement suffered in Liberia during the conflict. Many people were forced to leave their homes, ended up fleeing to or later migrating to the capital.

Additionally, the NPFL was overly concentrated and headquartered in Bong County while ULIMO was stationed in Lofa County where ULIMO’s atrocities were associated with lots of reprisal against the Lormas, Gbandis and other ethnic groups because of their alleged actions during the NPFL occupation against the Mandingoes and their alleged “support” for the NPFL which targeted Mandingoes and Krahn people.

Similar patterns, with noticeable regional variation, were noticed in Liberia's fifteen counties across time. In this analysis, the TRC present these results in regional groupings in order to emphasize similarities between counties in the same regions of the country. In Figure 2, the amount of violence can be traced for the various counties over time. In the subsequent time plots the scales of the y-axes differ across counties. Clearly, 1990 is a noticeable spike in every county. 1994 is less clear, as it shows a spike only in some counties, namely in Grand Bassa, Rivercess, Lofa, Bong, Maryland and Sinoe. During the third period of the conflict, a few counties experience considerable violence in comparison to earlier years, including Gbarpolu in 2002, and Nimba, River Gee, Maryland and Grand Kru in 2003.

**Figure 2: Reported Violations by County, 1979- 2003**



### Nature of Violations

Starting with the government's response to the Rice Riots of 1979 and continuing through the Doe administration (1980-1989); the First Liberian Civil War (1989-1997); and the administration of Charles Taylor and Second Liberian Civil War (1997-2003), severe human rights and humanitarian abuses were pervasive in Liberia.

Liberia is a signatory to key international instruments protecting fundamental human rights, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Geneva Conventions, and numerous other instruments that protect the rights of specific groups, such as women and children. During both the Doe and Taylor regimes, the government refused to take responsibility for the actions of its functionaries or rein them for the atrocities they committed. Because of this, they were perceived generally to be aware or sanctioning these atrocities committed under their watch. Moreover, Doe, Taylor and their close associates were directly implicated by TRC witnesses in personally perpetrating human rights abuses. The fact that human rights abuses could be perpetrated with complete impunity was a defining feature of the TRC mandate period, and numerous statement givers narrated their futile attempts to obtain justice for abuses committed against them.

From the bloody coup that led to his assumption of power, and until his death, Samuel Doe was responsible for disappearances, summary executions, brutal imprisonments without trial and systematic suppression of perceived opposition. Although Charles Taylor was initially welcomed by many Liberians as a liberator who would bring an end to the rule of Samuel Doe, it soon became clear that the Taylor era would be as oppressive, if not worse, than anything experienced under Doe.

During the early nineteen-nineties, as Taylor's NPFL marched through the country and then laid siege to Monrovia, hundreds of thousands of Liberians fled in the face of abuses meted out against the civilian population. Taylor's invasion and the fighting it engendered ultimately led to the creation of additional warring factions, including the Independent National Patriotic Front of Liberia (INPFL), United Liberation Movement for Democracy in Liberia (ULIMO), the Liberia Peace Council (LPC), and Movement for Democracy in Liberia (MODEL), and Liberians United for Reconciliation and Democracy (LURD). All armed factions contributed to the commission of wide-ranging violations of international humanitarian law. Statement givers reported massacres, rape as a weapon of war, torture, summary executions, collective punishments, violence to life, health, and mental well-being, as well as innumerable threats and outrages upon personal dignity. Armed factions were implicated by statement givers in carrying out attacks on civilian populations and other noncombatants, such as medical personnel, humanitarian workers, and peacekeepers. Moreover, statement givers reported that fighting factions targeted refugee populations in cross-border raids. In many instances, statement givers could not identify which faction was perpetrating the abuses owing to the general chaos, and the fact that fighters rarely wore identifiable uniforms.

One of the most harmful aspects of the conflict was the recruitment and use of child soldiers, a tactic favored by Taylor's forces, but also used by other factions. Children,

sometimes as young as six or seven, were taken from their families, given drugs and guns, and forced to kill.

Psychological techniques were used to ensure their loyalty and fanaticism, such as forcing them to rape or kill their own family members, which had the additional effect of preventing their return home. Thousands of these child soldiers now live in Liberia, as well as in neighboring countries and the Diaspora. With little or no education, they have few useful skills and are dealing with the trauma of violence and war. Providing appropriate care and services to former child soldiers remains one of the most difficult challenges for Liberia.

While men, women and children all experienced the violence and trauma of the war, women and girls were also targets of gender-based violence. Already vulnerable due to a patriarchal culture and discrimination that existed before the conflict, women were subjected to widespread sexual abuse during and after the fighting. Many of these acts were public and particularly brutal.

The peacekeepers in ECOMOG were not without their share of violations. Occasional reports of sexual exploitations, looting, torture or degrading treatment were made against ECOMOG. Killings, accidental and sometimes deliberate, were reported as were arms transfer and support to one faction against another. A little more than 800 violations were reported against ECOMOG. Notwithstanding, Liberians were quick to acclaim and gratify ECOMOG by the expression "Thank God for ECOMOG". In 1993 a Liberian medical worker in an interview granted Human Rights Watch spoke for many when he said "ECOMOG was our savior; it was a salvation. ECOMOG saved the population of Monrovia. They avoided fighting, but were pushed into a corner. We feel sorry for them; they have no cause to die here for this stupid, senseless war".

Another characteristic of the violations were their indiscriminate nature. Though the violations were sometimes systematic, there were also many random and fatal acts of violence. No group of persons was spared from the violations; men, women, children and the elderly were deliberately targeted by all of the warring faction. They suffered a multiplicity of violations at the hands of their abusers and experienced the conflict as victims and perpetrators. The perpetrators included members of the Government army (the Armed Forces of Liberia (AFL)), and of armed opposition groups including the National Patriotic Front of Liberia (NPFL), the Independent National Patriotic Front of Liberia (INPFL), the United Liberation Movement for Democracy in Liberia (ULIMO -K), ULIMO -J, Liberian Peace Council (LPC), Militia forces (GOL of Charles Taylor) and the Lofa Defense Force (LDF).

Some findings attest to the fact that some violations were perpetrated by factions to advertise their ferocity; believing that the more the fighters killed civilians, the more

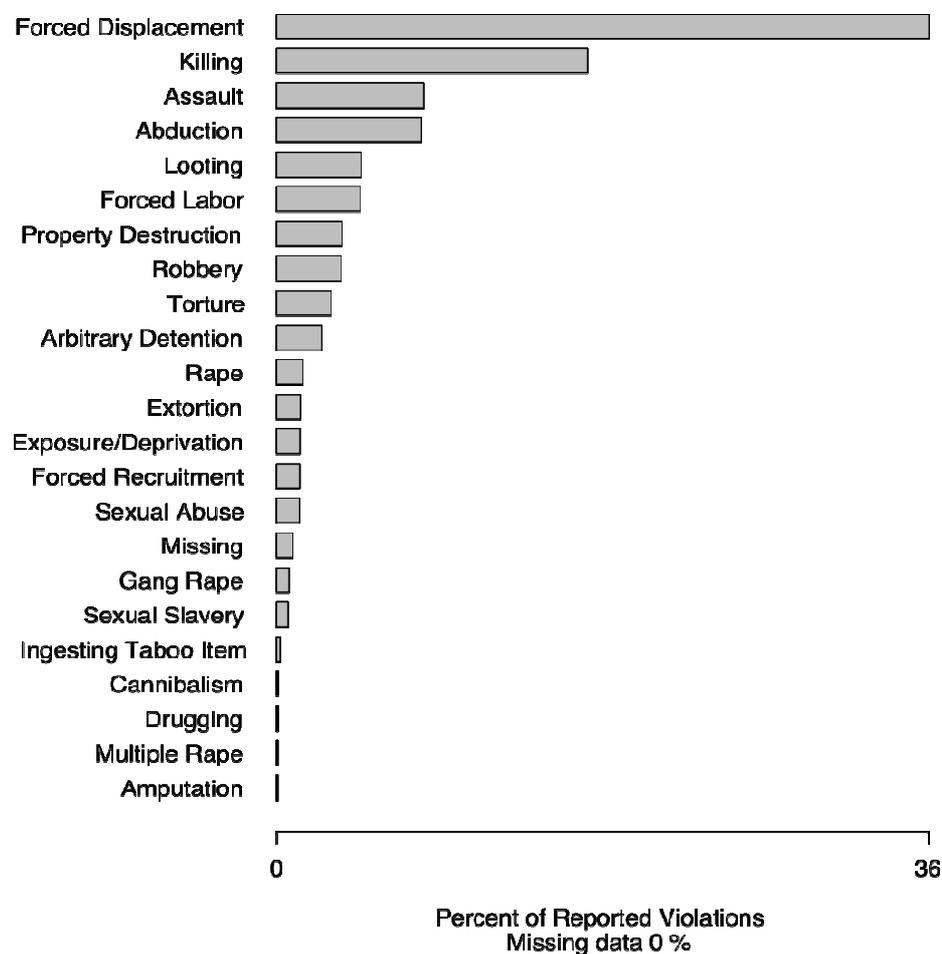
the faction was feared by the civilians. Terror became the main tool of warring factions. Other violations were based on personal vendetta. Fighters used their guns to settle personal feuds with teachers, friends, neighbors and relatives. Ethnic divisions and hatred were amongst contributing factors responsible for committing some violations. Violations recorded range from forced displacement to assault, torture, killing, extortion, looting of goods, rape, etc.

**Table 4: Reported Violations by Violation Type, All Violations**

<b>Violation Type</b>	<b>Violations</b>	<b>Percent of Violations</b>
Forced Displacement	58849	36
Killing	28042	17.1
Assault	13222	8.1
Abduction	13045	8
Looting	7619	4.7
Forced Labor	7560	4.6
Property Destruction	5881	3.6
Robbery	5817	3.6
Torture	4937	3
Arbitrary Detention	4017	2.5
Rape	2308	1.4
Extortion	2095	1.3
Exposure/Deprivation	2048	1.3
Forced Recruitment	2033	1.2
Sexual Abuse	2031	1.2
Missing	1436	0.9
Gang Rape	1107	0.7
Sexual Slavery	1023	0.6
Ingesting Taboo Item	255	0.2
Cannibalism	86	0.1
Drugging	81	0
Multiple Rape	65	0
Amputation	58	0
<b>Total</b>	<b>163615</b>	<b>100.1</b>

The TRC defined twenty-three violation types based on the nature of the violence in Liberia and the TRC's analytical objectives. The TRC developed a “controlled vocabulary,” or set of definitions, based on the types of violations that are relevant to Liberia and the TRC's analytical objectives. The TRC's controlled vocabulary included the twenty-three violation types presented in Table 4. Table 4 provides the total number of reported violations for each type and the percent of all reported violations for each type. Forced displacement stands out, in particular, comprising approximately one-third of all reported violations. The TRC also documented over twenty eight thousand killing violations, the second most commonly reported violation after forced displacement.

Figure 3.



### Violations by Group

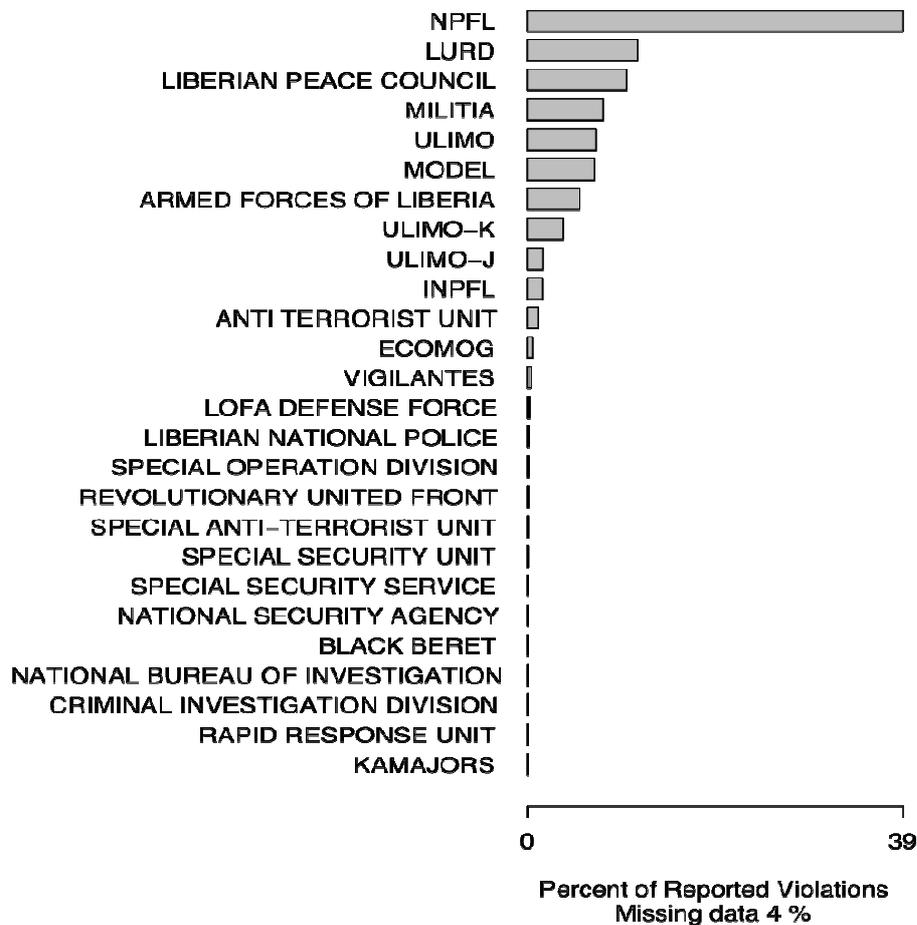
Violations by groups present information about violations attributed to perpetrating group. Table 4 gives the total number of violations attributed to each perpetrating group and the percent of total violations documented by the TRC for each group. Figure 3 - It is interesting to note that NPFL is responsible for more than three times the number of reported violations as the next closest perpetrator group, LURD. Note that many violations have no identified

perpetrator, and other violations may have had several participating perpetrators. By this finding the NPFL was identified as the perpetrator of approximately 40% of the violations reported to the TRC.

**Table 5: Reported Violations by Perpetrator, All Violations**

<b>Perpetrator</b>	<b>Violations</b>	<b>Percent of Violations</b>
NPFL	63843	39
LURD	18797	12
Liberian Peace Council	16708	10
Militia	12762	8
ULIMO	11564	7
MODEL	11349	7
Armed Forces of Liberia	8794	5
Unknown	7263	4
ULIMO-K	6079	4
ULIMO-J	2646	2
INPFL	2588	2
ANTI Terrorist Unit	1661	1
ECOMOG	823	0
Vigilantes	574	0
Lofa Defense Force	271	0
Liberian National Police	106	0
Special Operation Division	100	0
Revolutionary United Front	86	0
Special Anti-Terrorist Unit	53	0
Special Security Unit	36	0
Special Security Service	17	0
Black Beret	12	0
National Security Agency	12	0
National Bureau of Investigation	3	0
Criminal Investigation Division	2	0
Rapid Response Unit	1	0
Kamajors	0	0

**Figure 6: Reported Violations, by Perpetrating Group**



#### 8.4. Profile of Warring Factions – Leaders, Organizers, Financiers

Different armed groups were in existence during the mandated period of the TRC. Some groups had limited objectives and were short lived; others existed in name only while several others were merged into or with other groups. Yet still, several other groups never really operated in Liberia although organized by Liberians with objectives to engage in hostilities in Liberia. Many other armed groups engaged in human rights violations were state institutions, actors, or militias created by state authorities.

The TRC findings and determinations are limited to warring factions as defined by the TRC. The TRC defines warring factions as armed group engaged in military hostilities and insurrection in Liberia between the periods January 1979 to October 2003 whether as a rebel group or resistance force with the following characteristics:

- a. the group was engaged in actual military hostilities within the territory of Liberia;
- b. the group acquired the status and was recognized as an insurrection force under international law;

- c. the group existed for more than six months;
- d. the group occupied, maintained and exercised effective control over territories within Liberia;
- e. the group was involved in ceasefire and peace negotiations and indeed were signatories to peace agreements in Liberia;
- f. the group represented itself as a warring faction representing the cause of an individual, tribe, or other parochial interest other than the state; and
- g. the group participated in government as a warring faction.

The TRC therefore identifies the following armed groups as warring factions within the meaning of its definitions, subject of determination. The Armed Forces of Liberia (AFL), and other armed opposition groups including the National Patriotic Front of Liberia (NPFL), the Independent National Patriotic Front of Liberia (INPFL), the United Liberation Movement for Democracy in Liberia, ULIMO and its splinter groups of ULIMO –K and ULIMO –J; Liberian Peace Council (LPC), GOL Militia Forces (Government of Liberia militias of President Charles Taylor). Others are the Movement for Democracy in Liberia (MODEL) and the Liberia United for Reconstruction and Democracy (LURD).

### **Violations by Factions**

Violations by groups present information about violations attributed to perpetrating groups. In all the TRC documented 27 different perpetuating groups including 10 warring factions identified herein. Table 5 below represents total number of violations attributed to warring factions only. Of all violations reported and documented, the warring factions accounted for 96% of all violations combined including violations by 17 other groups. The NPFL and LURD account for a combined total of 51% of all violations reported, approximately 40% thereof attributed to the NPFL. As between factions alone, the NPFL accounts for 41 % of the total as Table 5 indicates with LURD accounting for 12%. The INPFL though attributed with 11% , its leader, Prince Y. Johnson is recorded as having the highest number of violations ever recorded for individual perpetrators. The number of violations attributed to each perpetrating group and the percent of total violations documented by the TRC for each group. It is interesting to note that NPFL is responsible for more than three times the number of reported violations as the next closest perpetrator group or warring faction. Understandably, the NPFL was not only the largest warring faction, but the biggest, longest lasting and the only warring faction that operated and existed in all 15 counties of Liberia for fourteen years. By contrast, LURD with the second highest violation recorded operated in less than six

counties effectively and was only in existence for not more than three years. This confirms the findings of the TRC that each succeeding or subsequent warring faction appeared to be more vicious than the faction it opposes or seeks to oust.

**Table 5: Reported Violations by Perpetrator, All Factions**

<b>Perpetrator</b>	<b>Violations</b>	<b>Percent of Violations</b>
NPFL	63843	41
LURD	18797	12
Liberian Peace Council	16708	11
GOL Militia	12762	8
ULIMO	11564	7
MODEL	11349	7
Armed Forces of Liberia	8794	6
ULIMO-K	6079	4
ULIMO-J	2646	2
INPFL	2588	2
<b>Total</b>	<b>155130</b>	<b>100</b>

## 8.5 Challenges to the TRC Process

Commissioners of the TRC agreed that it has been a difficult task to implement the mandate within the time given by law. However, at this stage, it is important the various challenges which sometimes presented themselves as obstacles the Commission encountered during this period. Unimaginable to the public these very challenges sharpened our collective wisdom and determination to produce this report as a roadmap for healing and rebuilding our motherland Liberia.

We apologize for whatever that we have done wrong in the process and put forth the following challenges we encountered from June 22<sup>nd</sup>, 2006 to June 30<sup>th</sup>, 2009.

1. Leadership and administrative challenges;
2. Financial and cash flow challenges;
3. Confidentiality and document leakages challenges;
4. Inquiry process challenges;
5. Public challenges to our moral competence as commissioners even after a transparent public vetting process;
6. Misunderstanding between various commissioners or group of commissioners perceived publicly as obstacles to the process;
7. Judicial challenges to our independence which created obstacles to our ability to hand core internal matters linked to self-discipline;

8. Challenges with civil society organizations regarding our comprehensive interaction with them;
9. Challenges with the flow of resources and time line obstacles for speedy implementation of the TRC's mandate;
10. Challenges with obstacles to the effective utilization of various powers and authority granted the TRC by the TRC Act; and
11. Challenges of insecurity linked to direct threats to the lives of various commissioners and their loved ones.

As a consequence of all these challenges and obstacles to the process, we realized that public opinion often wavered as to our ability to complete the given mandate. For this impression, we also deeply apologize.

However, let it known that despite all the above challenges and obstacles the Commission experienced over the years, we remained committed and united to our public pledge. The public can rest assured that the report is objective and comprehensive based on the factual and objective information and evidence made available to the Commission ensuring that truth is balanced with justice for the sake of reconciliation.

## 9.0 IMPACT OF THE CONFLICT AND VIOLATIONS ON THE PEOPLE

The nearly three decades of conflict in Liberia devastated the country and disrupted the lives of almost all Liberians. Forceful displacement accounts for 36% of all violations reported to the TRC. Twenty-three (23) types of violations were recorded and forceful displacement more than doubles the next highest violation type – killings. Killing represents one fifth or 20% of all violations reported to the TRC. See figure 3 and Table 4 above. The civil war disrupted livelihoods, disintegrated state structures, shattered the economy; people fled their homes, families separated as vulnerability to predation, hunger, disease and poverty increased dramatically in Liberia.

Developing a human rights culture in Liberia is important, not as an end in itself, but as an important development and post conflict priority. A UN/OHCHR Assessment Mission to Liberia (2007) reported that addressing human rights priorities are also important as a means to development and preventing recurrence of violent conflict. The central issues that link conflict, poverty and human rights are the two issues of equality and state accountability- the principle that all individuals have equal rights to a life of dignity and freedom and that the state and other duty bearers have the obligation to respect, protect and fulfill those rights.

The report continues that the human rights situation is extremely precarious on several fronts, amid “widespread poverty and lack of food security, employment, access to health care and education, basic services and a collapsed economy and widespread disruption in which some 86% of the population were dislocated at one time or another during the war. The war not only destroyed the economy and physical infrastructure but also institutions”.

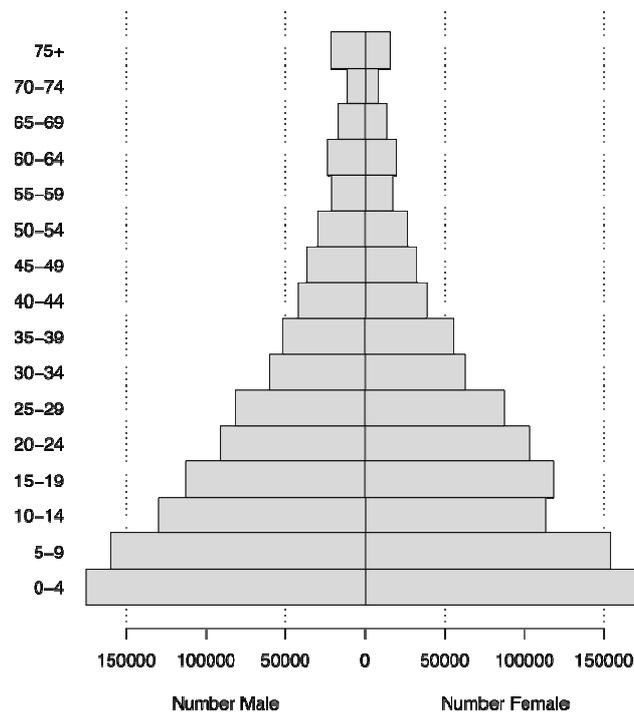
War induced victimization was wide spread throughout the population affecting a host of victims including women, men, children, youth, the elderly, and other vulnerable sections of our populace. Notwithstanding, analysis of testimonies collected from TRC witnesses point to men being targeted in greater proportion than women. When taking all violations together. See Table 5 below:

**Table 5: Reported Violations by Victim Sex, All Violations**

<b>Victim Sex</b>	<b>Violations</b>	<b>Percent of Violations</b>
Female	46188	37.2
Male	76905	61.9
Unknown	1132	0.9
<b>Total</b>	<b>124225</b>	<b>100</b>

Liberia's population is so structured and youthful that more than half of Liberia's population is 19 years old or younger. If victims for each crime were picked at random from the population, the distribution of victims' ages would be approximately the same as the overall population. That is, we should expect that more than half of the victims of each violation are younger than twenty years old; 1 in 6 of all victims would be four years or younger old. It turns out that victims with reported ages are considerably older than the average Liberian. See Figure 4 below.

**Figure 4: Distribution of Liberia's Population, by Age and Sex**



### 9.1. IDPs and Refugees

The first evidence of the social cost of war in Liberia is the mass movement of people from one place to another, fleeing fighting and seeking refuge. While refugees flee across international borders, Internally Displaced People (IDP) remains within their national borders. They are often ignored and receive much less attention than refugees.

Owing to the high level of displacement, displaced persons camps were scattered all around the country in populous areas. Men and women were targeted at approximately the same rate for forced displacement relative to their representation in the population.

The plight of IDPs is just as serious as refugees but yet they are the least considered for humanitarian assistance and rehabilitation needs. Women and children account

for the majority class of IDPS and they bear the brunt of neglect and abuse. According to TRC witnesses, the camps were used as a place for forceful recruitment of children into armed militias or warring factions. Reports of sexual exploitation by aid workers who demand sex for food and other humanitarian assistance were not infrequent.

## **9.2. Women: Survivors and Peacemakers**

Historically, women were generally excluded from participation in political life, as it was only until 1947, a full century after independence that women were accorded the right to vote. There is no mention anywhere in historical accounts of women participation in the political life of the colony, prior to 1947, except for their participation in the making of the Liberian flag at independence.

In gender terms the dichotomy between rural and urban Liberia are even more manifest in present day Liberia. For example, only 31 percent of women in Harper, located in southeastern Liberia and surrounding areas receive birth assistance from trained health professionals; in Monrovia 84 percent of such women received birth assistance from trained health professionals.

During the armed conflict, women and girls were by far more vulnerable to sexual assault and predation than men. Women exposure was due mainly to their daring to move about away from their homes to venture out for food and succor for their families. The further away from their homes they went, the higher the risk of vulnerability. Many parents hid their young girls (and boys from conscriptions) from the fighters when they entered the town or village and forbid them, the children, from moving about without caution.

More than half of victim's testimonies to the TRC alluded to women being vulnerable or victimized during the war in places other than their place of residence, having been displaced internally by the war. Suggesting, therefore that displaced women were more vulnerable to sexual assault than those who did not flee their homes.

The TRC also noticed that women are significantly overrepresented among rape victims and all victims of sexual slavery and sexual violence, as might be expected. In particular, the proportion of rapes with female victims aged 15-19 represents more than five times the proportion of women aged 15-19 in the general population. However, we see relatively more male than female victims for sexual abuse. The definition of sexual abuse included stripping the victim naked and was employed by many perpetrator groups to humiliate the victim.

Unfortunately, the data include very few reports of rapes for which the victim's age is known. Still, it is interesting to note that the majority of reported rapes for which the victim's age is known were committed against adolescent women, rather than against socially taboo categories such as older women or very young children. The distribution of all violations by age is roughly similar for males and females. Similarly, analysis of violations documented with the TRC with complete age and sex information suggests that all ages were equally at risk and that the generality of perpetrators' attack was at random, deliberate and systematic in the instigation of violence against the general armless population.

From the statistical data, women participation in the TRC process was impressive as over fifty percent of statements gathered during the statement-taking exercise are attributed to women. Women account for 28 percent of all violations while on the other hand men account for 47 percent. From these statistics, it is clear that as a class of victims, men comprise the larger proportion, although both men and women appeared to have been targeted in about equal proportions.

Forced displacement which accounts for the largest category of violations took a particularly heavy toll on women, many of whom, faced with the loss of their spouses, assumed leadership roles in their families. Given the difficulties and threats to life (increased mortality) that usually accompany forced migration, it can be assumed, in the absence of reliable statistical information, that elderly women and very young children especially girls, were at great risk and might have suffered disproportionately as compared to males.

Many found themselves in displaced or refugee camps with little or no coping skills to deal with the harsh realities of their new environment. Already victimized by their displacement some, especially young girls, in desperation turned to prostitution including the exchange of relief food for sex. As the statistics show, all factions routinely targeted women simply on account of their gender. This is strongly reflected in the level of sexual violence perpetrated against women. For example, women account for 63 percent of all cases of rape reported to the TRC, as compared to only 6 percent for men. It can be concluded thus that women were singled out for abuse simply on account of their gender. For instance, the proportion of rape with female victims aged 15-19 represents more than five times the proportion of women 15-19 in the general population.

Finally, it is important to note that aside from these reported cases of violence directed against women, the data does not account for the marginalization; exclusion and outright denial of opportunities for self actualization women have, for over a century, endured in Liberia. These age old inequalities find expression in current statistics reflecting the status of women. For example, according to the 2007 Liberia Demographic and Health Survey, HIV prevalence is higher among women than men

in both urban and rural areas. School enrolment and retention rates are also low for girls as compared to boys, as well as illiteracy rates which are higher as compared to men. High teen pregnancy rates, high abortion rates, high infant and maternal mortality rates are all indicators of the long standing prejudice and inequality that have been the lot of Liberian women for well over a century.

Additionally, according to the same survey report, vaccination coverage is much higher in urban than in rural areas (53 versus 33 percent). There is marked variation in vaccination coverage by region, ranging from 13 percent fully vaccinated in the Southeastern Region to 55 percent in Monrovia. Such data is but reflective of long standing elitist rule and the policies of over centralization that has served to marginalize and alienate the vast majority of the country's population.

As noted earlier, the effects of such alienation and marginalization can be clearly seen and felt in areas outside the coastal urban enclaves along the country's littoral, and are particularly acute in the southeast where local resistance to the expansion of the Liberian state was quelled, only as recently as the 1930s. The TRC public hearings held in all fifteen political subdivisions around the country provided not only glimpses into the impact of such marginalization but also perceptions of how government is viewed by rural peoples and how such perceptions are shaped by the conduct of public policy.

The public hearings also provided good insight into the pattern of violations and abuses that occurred during the period of the civil conflict, the perpetrators as well as the victims. More importantly, the public hearings, particularly the thematic hearings served as a sounding board for measuring expectations of not only individual victims of abuse but also of communities that are still struggling to come to terms with the effects of the prolonged civil conflict.

Women became involved in the peace process and therefore constituted a critical voice for peace. Despite afflictions of the war, reduced earning potential, single parenting, etc., women had public marches, petitions, prayer crusade, and attended and participated in peace conferences as part of their agenda for peace.

### **9.3. Children: From Child Soldiers to Youth Perpetrators**

It is commonly acknowledged that children endured a disproportionate amount of sufferings induced by the civil conflict. Of the 23 kinds of violations reported to the TRC, at least 12 were committed against children. They include abduction, assault, forced displacement, killing, looting, torture, forced recruitment, forced labor, sexual violence, rape, sexual slavery and sexual abuse. As the statistics show, children (girls) between the ages of 15-19 were the main targets of sexual violence. Of these violations forced displacement ranks at the top accounting for a total of 6,680 victims

or 36% of the total. But the statistics are skewed showing that such violations were more intense in northwest Liberia. Burnt out and abandoned villagers lying along the Gbarnga - Voinjama highway observed during the TRC's pre-hearings assessment in 2006, told the tale in very stark terms. Makeshift structures of sticks and straw openly exposed to the elements of nature served as shelters to thousands of returning refugees and internally displaced people. In town-hall meetings held with local people, the most commonly expressed concern was that of shelter, particularly for the children. They even suggested that the Government of Liberia (GOL) provides each returning refugee and IDP family with a bundle of zinc (roofing sheets) to facilitate resettlement.

The statistics also show that children, both male and female between the ages of 15-19, suffered such violation in equal proportions. As mentioned earlier, these statistics do not necessarily reflect the sufferings children, especially the younger ages, endured - sickness, fatigue, hunger, mental stress, etc, associated with constant movement in search of safety or food. It must be stressed that these statistics only represent what was reported to the TRC and not necessarily the universe of child victims which would represent much higher figures.

Forced recruitment is another violation that heavily impacted children during the conflict. All of the warring groups without exception recruited children, often by force, into the ranks of their fighting forces. Children, (predominantly males) age 15-19 were the main targets, although children as young as 6 years were recruited into the Small Boys Unit, remain in the fighting forces, became youths and continue well into their adult life. Forced recruitment peaked during 1990, dropped sharply between 1991- 1993 and then rising sharply again in 1994, petering out between 1994 and 2001 and then rising sharply and peaking out in 2003. It has been estimated that 70% of all combatants in the Liberian conflict were children. We see in the statistical analysis of the victims and violations reported to the TRC findings and analyses reveal also in statements that young men are significantly overrepresented among victims of forced recruitment. Also not captured in the data are the feelings of hopelessness, helplessness and abandon parents and families endured when their children and siblings were forcibly taken away.

This was one of the most harmful aspects of the conflict: the recruitment and use of child soldiers, a tactic favored by Taylor's forces, but also used by other factions. Children, sometimes as young as six or seven, were taken from their families, given drugs and guns, and forced to kill. Psychological techniques were used to ensure their loyalty and fanaticism, such as forcing them to rape or kill their own family members, which had the additional effect of preventing their return home. Thousands of these child soldiers now live in Liberia, as well as in neighboring countries and the Diaspora. With little or no education, they have few useful skills and are dealing with the trauma of violence and war. Providing appropriate care

and services to former child soldiers remains one of the most difficult challenges for Liberia.

Sexual slavery, another violation committed against children, was, from the statistics, suffered mainly by young girls, age 15-19 years and girls age 10-14 to a lesser degree.

Violations against young boys in these age categories were virtually nil showing again that women including girls were the main targets of sexual violence. This situation is further amplified by the statistics showing that girls age 15-19 were heavily targeted and girls age 10-14 to a lesser degree. Even girls age 5- 9 were the victims of rape and other forms of sexual violence. But beyond what the statistics reveal, children were subjected to other forms of abuse that were not captured in the data gathering process. For example, children were often forced to watch while atrocities, including rape, were being committed against their siblings, parents and elders. In other cases they were forced to eat human flesh and to take drugs and other hallucinating substances. Under the influence of such mind altering substances they often committed some of the worst atrocities recorded/witnessed during the conflict.

#### **9.4. Men**

As a class of victims, men account for 47 percent of all violations reported to the TRC, notwithstanding the fact that men constituted the preponderant majority of the fighting forces on all sides. As the data shows, men are over represented among victims of killing, assault, torture, forced labor and forced recruitment. Such data explains why women, despite being ready targets of sexual violence found themselves foraging for food for their families while men dared not venture out for fear of being killed. It can be said that all the factions, without exception, treated men with ingrained hostility and suspicion.

The age-targeting suggested by these graphs is that men of an increasingly older age were at greater risk for killing and looting violations than younger men. This is indicated by the relatively larger bars at the top compared to the bars on the bottom of the graphs for killing and looting. In contrast, the larger bars on the bottom of the graph for forced recruitment suggest that young men, between the ages of 15-19 in particular, were at greater risk for this violation. A possible interpretation of the killing and forced recruitment graphs is that perpetrators avoided young people for killing, targeting them instead for forced recruitment. As mentioned above, graphs for rape, sexual slavery and sexual violence suggest that young women were at significantly greater risk of suffering these violations.

Men age 15-19 and age 20-24 constituted a category of victims killed by the fighting groups. Accounts by witnesses and survivors paint a picture of the brutal killing of victims and the trauma inflicted on witnesses to such incidents. As is shown in the Table 5 above and Figure 4, the majority of victims reported to the TRC in statements were male. We see that men in general, and men in a number of age categories, are overrepresented for particular types of violations including killing, assault, torture, forced labor and looting.

### **9.5. People with Disabilities**

People with disabilities; have historically been disenfranchised by reasons of their disabilities, even though they have not been captured in the TRC data base as a class of victims. Thematic hearings were held for this class of the population in order to understand their experiences during the conflict. Employment opportunities for the disabled are very limited. The construction of public buildings does not make any access provisions for people who are physically challenged. For example with the exception of the school for deaf and dumb, there are no specialized learning institutions which could serve to develop their potentials. Owing to their disabilities, they were often targeted by armed groups. The deaf and dumb for example being hard of hearing could not hear the distant sounds of gun or rocket fire and could not, unlike non disabled, flee danger in a timely fashion.

It is important to underscore that people with physical deformities are often generally stigmatized in traditional or rural communities. People affected by polio or other physical deformities are often referred to as witches and are treated with scorn. It is perhaps due to such perceptions that people with disabilities suffered the violations committed against them. Prewar discriminations against people with disabilities were experienced during the conflict. Members of this community told the TRC how it is difficult to access public transportation, and walk the public streets. Often road blocks and hostile objects are placed in their ways to obstruct their free movement.

### **9.6. The Elderly: Entrenched Marginalization**

It is important to observe that unlike other countries, Liberia has no social safety nets to address the concerns of old people, neither are there in place any national policy framework within which the concerns of people with special needs, especially the elderly, can be addressed. Prior to the outbreak of the civil conflict there was an old Folks home, only in Monrovia, supported from the public treasury. From all indications, this was merely an ad hoc initiative driven by the wife of then President Tubman, and not the result of any deliberate public policy targeting the elderly.

TRC documentation from witnesses reveals that the elderly had their fair share of victimization during the conflict. The elderly was abandoned many times by family members when fleeing armed attacks on civilian or in exchange with opposing forces. Many elderly persons have either lost real income or its value have dropped so dramatically that it can not meet their basic needs. Family members or children have been displaced or are in foreign lands as refugees. Elder folks also lost, many of them, their life time investment in housing destroyed or damaged during the war. Aged and incapable of active work or employment, this is often the source of trauma, depression leading to death. At the end of the conflict, the deaths of many elderly persons were reported because of heart failure. Yet in many isolated instances, they were directly targeted and abused sexually, killed under queer circumstances and rendered invalid, penniless and public charge.

Given the relatively youthful composition of the Liberian population and a national Life Expectancy rate of 55, it can be argued that any Liberian, age 55 would be considered an elderly person. In Liberia as in most African societies respect for the elderly is engrained in cultural norms and practices. Until the advent of the civil war these mores and norms governed traditional societies around the country whether amongst Kwa or Mande speaking peoples. During the war, however all of these norms were violated with reckless abandon as traditional authority, relations, and structures fell to the assault of the various fighting groups. In a number of reported cases elderly people, both male and female alike were killed, assaulted, abused, inhumanely degraded on the slightest pretext by perpetrators, on many occasions, old enough to be their children. The age-targeting of increasingly older men is for killing and looting. One possible interpretation of this is that perpetrator groups targeted older men, perhaps chiefs and elders of influence in the community for killing. Wealth and property may also have been concentrated among older men, making them targets for looting whereas, the younger population was targeted for force recruitment into the fighting forces.

Overall, we do not observe high levels of risk for elderly female victims in the violation categories studied by the TRC in statements except for in the age category of 70-74 for killing. We also see a bump in the relative risk for women between the ages of 65-69 for rape violations, though relatively small for the ages 65-69. Even though the actual number of rape violations for female victims between the ages of 65-69 is relatively small, however, when adjusted for the very small proportion this age-sex group makes up the population, we see that women in this age category faced a relatively high risk for suffering rape compared to other age-sex categories with the exception of much younger women.

### **9.7. Cultural, Traditional and Religious Dimensions**

Liberia encompasses multiple religious traditions among its population. Prior to the founding of the Republic of Liberia by settlers very closely identified with the

Christian faith, the land was inhabited by tribes and societies that practiced indigenous traditional religions as well as the faith of Islam. Although it is generally recognized that a majority of Liberians profess to align themselves with Christianity, there is extensive intermingling of traditional and faith-based practices among religious participants such that the faith of many Liberians is blended and integrates elements of both indigenous traditional and religious practices. Nonetheless, the prevailing historical narrative of Liberia is from a distinctively Christian perspective that has failed to recognize and accommodate the full breadth of Liberia's diverse religious and Traditional communities and their significant influences on the distinctive history and formation of a Liberian identity.

The constitution of Liberia was changed in 1986 to reflect that Liberia is a unitary state and that no religion is preferred over the other to address the perception that the historical association of Christianity with the nation's leadership undermined the free exercise of religious and political rights of practitioners of other faiths and religious traditions in Liberia.

Because of the close affiliation between religious practice and tribal identity, tribal or ethnic characteristics were closely identified with a particular faith. Most notably, it was presumed that all Mandingoes practice Islam. While adherence to Islam is strongly prevalent within the Mandingo tribe, this assumption led to the deaths of numerous Muslims who were unaffiliated with the Mandingo tribe, particularly in the early 1990s, because the NPFL presumed all Mandingoes (and thus, Muslims) to be aligned with their adversary, President Samuel K. Doe.

Violence was broadly directed against other ethnic groups or tribes often based upon perceived characteristics of that tribe, including a tribe's perceived support for certain political or military leaders. Because one's ethnicity, tribal identity and religious faith were rarely distinguished, it is difficult to discern whether a particular violent act or atrocity was motivated by ethnic or by religious hatred. However, Military leaders and combatants sought the blessing and support of religious and traditional leaders for protection during battle. Such protection was offered by religious and traditional leaders in the form of prayers, blessings, charms and secret practices that were designed to provide protection from harm, such as "bullet protection". Some religious bodies solicited financial support for various factions. To date, there is no strong evidence to suggest that religious intolerance was or is at the core of Liberia's prolonged conflict.

A not uncommon practice by combatants during the conflict was to kill and dismember enemy combatants as well as civilians. Body parts were sometimes distributed to other communities for consumption by combatants. Certain organs, such as the heart, were often eaten with the belief that the eating of human flesh and organs would embolden the combatant. Another common practice was to create a

concoction comprised of human blood, sugar, gunpowder and gin to serve to combatants with the expectation that it would make them more powerful.

These practices were perverted derivations of Traditional rituals of secretive origin. During the conflict, these Traditional ritualistic practices became openly visible and commonly practiced by military as well as political leaders seeking supernatural powers in the prosecution of armed conflict.

Scholars point to religious and Traditional communities as having a reliance on political leaders of their respective eras. The case of Presidents Tubman and Charles Taylor dominating the affairs their respective Christian denominations and at the same time playing leadership roles in the traditional societies was common. This is an attribute of the conflict with deeper roots in the Liberian political history of patronage. Likewise, these religious and Traditional institutions received patronage and otherwise benefited from their relationship with “the President”.

The civil war and the havoc that accompanied it pressured Liberia’s two main religious faiths to work together for peace. Partly in response to violence in Nimba County in 1990 directed at Muslims (who were identified as Mandingoes) by the NPFL, the Liberian Council of Churches and the National Muslim Council of Liberia collaborated in the formation of the Inter-Faith Mediation Committee (IFMC). The IFMC was later reorganized into the Inter-Faith Council of Liberia, and in 2001 organized into its present entity, the Inter-Religious Council of Liberia (IRC-L).

In addition to assisting with implementing disarmament and repatriation initiatives prior to the 1997 presidential elections, the IRC-L most notably embarked upon mediation efforts between the Government of Liberia and rebel factions beginning in 2002 that paved the way for formal peace talks between the parties in Accra, Ghana.

Among religious and traditional leaders active in peacemaking activities, leaders such as Catholic Archbishop Michael Kpakala Francis were recognized for their personal courage and continuous advocacy of peace. Likewise, it was the commitment of Bishop Arthur Kulah and Sheikh Kafumba Konneh who spearheaded cooperative interfaith efforts that led to the establishment of the IFMC.

There were acts of violence against religious populations and sacred places that were not *motivated* by intolerance of religious or Traditional institutions, but were directed specifically at religious and Traditional populations. In some instances and in some areas of Liberia, conflict and violence was in fact fueled by religious intolerance. The desecration and destruction of sacred places led to a weakening of religious and traditional institutions and threatened the collapse of systems of reliable rules and norms upon which religious and traditional communities depended on a daily basis. Perpetrators intentionally violated the institution of ‘sanctuary’ – a place where the

dispossessed should be able to find safety. The key events addressed below demonstrate a broader loss of respect for and violation of, religious and traditional institutions during the conflict.

For several months in 1990, St. Peter's Lutheran Church became the refuge of women, children and men predominately from the Mano, Gio and Kpelle tribes fleeing violence throughout the country. Of significance here is that the Church was seen as a place of sanctuary – sanctified by God as a place of worship and protection; it became an attractive site for protection from harm *because* it was a sacred place.

On the night of July 29, 1990 combatants from the Armed Forces of Liberia surrounded the church and desecrated its sanctity by committing the murder of approximately six hundred persons taking refuge there. First using cutlasses and bayonets and then gunfire, soldiers moved into the sanctuary and classrooms in the outbuildings to locate and kill persons who had sought the protection of the church. The next day, July 30<sup>th</sup>, the few that survived the attack were being assisted at neighboring facilities, including the nearby United Methodist Compound, where soldiers of the AFL again violated the sanctity of church facilities to kill survivors and those who sought to aid the victims with humanitarian assistance.

The expansion of the territorial scope of this atrocity is significant not only because its impact on the Christian community was therefore larger, but also because it reflects a larger community of religious institutions that were victimized because of their willingness to provide assistance in response to the carnage.

Lofa County is an ethnically and religiously diverse county where 16 tribes can be found living in close proximity to each other. Consequently, communities were gravely impacted as the conflict exploited and perpetuated religious and ethnic distinctions. Thus violence in Lofa County was directed specifically toward religious and Traditional communities and structures. The victimized community was primarily the Muslim community, but traditional sacred sites and communities were also targeted for violence.

It is commonly held that Traditional communities suffered greatly in particular through the desecration of sacred sites; although due to the secretive nature of traditional societies, little or no documentation can be obtained to detail the breadth and scope of this violence. However limited, documentation and dialogue with stakeholder communities provide evidence that acts of violence were directed toward Traditional societies, such as the instance where NPFL combatants rounded up all Zoes in a region, locked them in a house and set fire to the house. By comparison, there is substantial documentation on the plight of the Muslim community in Lofa County. Events in and around Lofa County in the early 1990's exposed religious intolerance as a force fueling violence in those areas, particularly

against Muslims who were generally associated with Mandingoes and who were seen by the forces of Charles Taylor as supporters of the Samuel K. Doe regime.

The killing of five Catholic Nuns in Monrovia by NPFL operatives appears to be intentional and bordering on religious intolerance, pointing also to the type of harm inflicted upon religious institutions during the conflict. Religious and Traditional communities were targeted and violated because of religious intolerance, ethnic associations and the exercising of political influence by religious and Traditional leaders. Religious and Traditional institutions bear some responsibility for prolonging the conflict by failing to intercede in preventing violence and by directly supporting warring factions through prayer, advocacy, ritual protection and financial support.

### **9.8. Liberian Diaspora**

The West African nation of Liberia is recovering from years of conflict characterized by egregious violations of human rights that created the Liberian Diaspora. From 1979 until 2003, the Liberian people survived a bloody coup d'état, years of military rule, and two violent civil wars. The atrocities were the result of complex historical and geopolitical factors. The slave trade, U.S. efforts to return slaves to Africa, the abuse of the indigenous population by a ruling oligarchy, the looting of the country's substantial natural resources by its own corrupt government and by foreign interests, and the political ambitions of other African leaders all contributed to the conflict. The international community, including the United States, failed to take effective action to limit the bloodshed. Out of a pre-war population of three million, an estimated 250,000 people were killed, with as many as 1.5 million displaced. A mass exodus fleeing the fighting created Liberian Diaspora communities in many countries around the world, including the United States. An estimated 30,000 Liberians live in the state of Minnesota alone, but there are also tens of thousands of Liberians living in other U.S. cities, in the United Kingdom, and in refugee settlements in the West African sub-region.

The violence finally ended in 2003, but the peace remains fragile. The conflict's impact is evident in the streets of Monrovia, the homes of villagers in the Liberian countryside, and Liberian gathering places in London, Philadelphia, Minnesota and elsewhere. Liberians were forced from their homes and deprived of their education and livelihood. They are suffering from physical and psychological trauma and are separated from their families by death or distance. Deeply felt conflicts continue to divide the Liberian people at home and abroad. Corruption, both real and perceived, continues to pervade the society. Hence, Liberians in the Diaspora seek food, work, health care, education and a future. Increasingly, Liberians are also calling for justice. These demands are made to a government that struggles with few resources and an unstable security situation.

The Liberian Diaspora prior to 1980 was composed mostly of students and individuals with diplomatic and business connections in the international community. The Liberian conflict fundamentally altered the nature of the Liberian Diaspora, however, both by increasing the Diaspora's size and changing its composition to reflect the political, economic, and social divides in Liberia during the conflict. Liberians who were outside of Liberia when the civil upheaval began with the Doe coup, and particularly when the civil wars began in full intensity in 1990, found themselves trapped with neither support nor the means to return home.

In addition, Liberians describe their desperation in attempting to learn news of family members and events in Liberia. Many Liberians living in the Diaspora lost touch with their parents, children, spouses, and extended families for years, and many are still seeking to learn what happened to loved ones. As waves of refugees began to be resettled from camps in the West African sub-region, the devastating scale of the atrocities became clear to both Liberians and non-Liberians in the U.S., the U.K., and around the world. TRC statements display disturbingly consistent patterns that reflect a well-known concept among refugee service providers – the triple trauma paradigm:

Liberians in the Diaspora told the TRC of being traumatized within Liberia to the extent that they decided to flee; they told the TRC of being traumatized during their flight through Liberia and in their attempts to cross international borders; and finally, they told the TRC of the ongoing trauma of their lives as refugees.

TRC statements reflect the fact that, at the beginning of the war in 1990, many Liberians initially hoped they could hide for a period of time until the conflict died down. Accordingly, many initially fled their homes in Monrovia to seek refuge in the rural areas. Others chose to hide within Monrovia, moving from place to place to avoid being targeted. It soon became clear that virtually no one was safe in Liberia. Statement givers consistently described a triggering event after which they decided they had to get out of the country. This trigger very often was the violent murder, torture or abduction of family members by one of the fighting factions. Others described being consistently threatened or coming home one day to find everyone gone or their homes destroyed. This level of violence and the ensuing fear forced Liberians to flee by any means necessary.

Those Liberians who chose to flee by land describe walking for weeks and sometimes months, often wounded or guiding children and others who were unable to travel alone. Food, water, medical care, and safety were virtually impossible to find. Many died from starvation and common ailments en route. Others were abducted or killed during encounters with fighting factions along the few open

escape routes. Those Liberians who chose to escape by sea described fighting their fellow Liberians, and sometimes international peacekeepers, for hours to enter the Freeport of Monrovia and to board any ship not already overrun with refugees.

The actual crossing of the border was another high-risk endeavor. Liberians tell of loved ones drowning in the Cavalla River between Liberia and Côte d'Ivoire, and of traversing the seas in small fishing boats or dugout canoes to get to Sierra Leone. They described being assaulted, jailed, and fined. They were subject to extortion at border checkpoints set up by Liberian fighters on one side of the border and then again at checkpoints set up by authorities in neighboring countries. Those on large transport vessels coming out of the port often fared no better, as other African nations turned away several ships full of refugees, leaving them to languish at sea for days in difficult conditions.

Once in refugee camps, the trauma for many Liberians did not end. Hundreds of thousands of refugees arrived in Sierra Leone, Guinea and Côte d'Ivoire, with some staying in formal camps and others integrating into the local population as best they could. As the war dragged on, and spread to both Côte d'Ivoire and Sierra Leone, huge intra-regional refugee flows were created. Many Liberians reported having transited through more than one country, and sometimes as many as four or five, as they tried to escape cross-border raids and/or impending civil war in their country of refuge.

Liberians who could do so, fled to Ghana, which offered relative safety because of its stable political situation and the fact that it does not share a border with Liberia. A refugee settlement was established at Buduburam, outside the Ghanaian capital of Accra. The Advocates interviewed Liberians in Buduburam during the spring and fall of 2007, at which point there were more than 35,000 Liberians living in the settlement.

Liberians in Buduburam narrated the same horrific stories of war trauma as their fellow Liberians in the U.S., the U.K., and Liberia. The defining feature was that many of these statement givers had been in Buduburam for up to 18 "wasted years." During this time, Liberians in Buduburam have experienced the effects of "donor fatigue" many times over, as initiatives have shifted, NGOs have come and gone, and UNHCR and Ghanaian policies fluctuated. And while the conditions on the settlement have certainly improved over the years – tents have disappeared and permanent structures have been erected, for example – the settlement still lacks many basic services almost two decades after the first refugees arrived. Running water is not available for any purpose and all water is trucked in for purchase. Access to food remains a problem for thousands in the camp. There are two part-time doctors working in a single clinic that serves the entire population. Sanitation is

a major challenge. Some toilet facilities are available for a fee, and many residents are forced to use the open fields surrounding the camps.

Many children are not attending school because their caregivers cannot afford to pay the fees. Security also remains a concern, and sexual assault is an acute problem. Despite these problems, Liberians in the camp have been ingenious in meeting their own needs by starting businesses, schools, community-based organizations, and faith-based institutions. However, Liberians who are doing well often are those who receive remittance payments from relatives who have managed to get resettled elsewhere. Although remittance support assists many, the population remains very vulnerable. Education beyond the elementary level and employment opportunities are available only to the very few. Liberian professionals find themselves with little to do because they have not been able to find work in Ghana. Those young Liberians, who are able to get vocational training or a Ghanaian degree, find themselves in a similar situation. Many make ends meet by engaging in petty trading, braiding hair, or relying on the generosity of friends. Others, especially young women desperate to feed their families, turn to prostitution.

For Liberians still in Buduburam, life has become a waiting game. They wait to see if Liberia might be safe enough for a return; for UNHCR or their host country to decide they must leave; to be resettled on a family reunification visa or through luck in one of the resettlement/visa lottery programs to an English-speaking country.

Of the more than 1,500 statements collected in the U.S., the U.K., and in Ghana, more than 200 come from Liberians who have settled in the U.S. or the U.K., the majority of whom are in the U.S. Expectations for life in the west are extremely high, and the realities of life do not always meet expectations. TRC statement givers generally express gratitude for the opportunities, safety, and freedoms they find in their countries of resettlement. However, statement givers also discussed the challenges they faced in adapting to new countries. Some challenges are reflective of those found in any immigrant population, but Liberians noted that they faced unique challenges for a variety of reasons, including the legacy of war trauma. Initially, many Liberians described feeling isolated without the strong social support systems of Liberian communities.

Liberians, particularly those in the U.S., described difficulty adapting to different cultural expectations and laws regarding gender roles and raising children. Many Liberians with professional training are not able to work in their chosen profession in the U.S.—credentials from Liberia often are not recognized, and work experience from outside the U.S. is not valued. In addition, Liberians report discrimination because of their accents and describe challenges related to structural inequities as a result of racism.

The legacy of the Liberian conflict also weighs heavily on the resettled Liberian Diaspora. Liberians describe immense pressure and often guilt about providing financial support to family and others back in Liberia or in refugee camps. The pressure to send money impacts all aspects of life, causing many to limit their own opportunities or education so they can provide immediate support to those at home. Many Liberians in the Diaspora still suffer from physical and mental health problems resulting from the conflict. Liberians report a general lack of recognition of these problems in the community—in particular mental health issues—and report that Liberians often do not seek out needed services.

The war has left deep-rooted resentments and divisions along ethnic and political lines in the resettled Diaspora. Meetings of tribal associations are said to be more popular and draw better attendance than meetings of pan-Liberian associations. Conflicts within the community persist, but on a more personal level. Liberians exchange accusations of human rights violations and allow anger over real or perceived wartime abuses to inhibit effective community action. Memories of the war are exacerbated for those individuals who see their perpetrators walking freely in their communities. A fear of retribution, either in the Diaspora or against relatives back home, deters many people from making open accusations.

Twenty years of war have devastated Liberia. Important steps have been taken since 2003 to make improvements in governance, infrastructure, education and health care, but much remains to be done in all those sectors. Many people in Liberia lost everything they had – possessions, homes, families, security and employment. Education was deferred for an entire generation during the war years, with the result that talented and ambitious young Liberians have been left frustrated and lacking opportunity. Despite these challenges, many Liberians repeatedly told the TRC of their desire to ultimately return home and help their country recover.

## **9.9. Economic Crimes**

Using inhuman tactics, key individuals and their supporters seized upon the chaos and strife in Liberia to gain power and to amass wealth and prolonged the conflict. From the initial key backing of French businessman such as Robert Sait-Pai, diplomat Michael Dupuch, and Jean-Christophe Mitterrand through Bourkina Faso to exploit the Mifergui ore deposit in Nimba County, and other deals with Bureau de Recherche Géologique et Minerals (BRGM) Taylor's foundation for illicit exploitation of Liberia's resources began. BRGM was backed by Sumitomo Corporation and African Mining Consortium Ltd.

The Liberian civil wars were complicated by economic actors interested in Liberia's natural resources. In particular, economic factors and policies had a significant impact by providing the funds and resources to fuel the war. The rubber, timber,

gold and shipping industries served as the sources and means for Taylor to obtain resources and weapons. Many countries directly and indirectly funded the Liberian war, but most of such financing went unrecorded.

Exploitation of Liberia's economic landscape began as early as Taylor's control over Greater Liberia. The significance of the NPFL's territorial control and its impact on the war cannot be overstated. During this time, Taylor ran a relatively sophisticated financial apparatus, the revenue of which helped finance the war. Being a rebel group rather than a recognized government provided the NPFL two advantages. First, it was unencumbered by debt. Unlike the Interim Government in Monrovia, which had inherited \$4 billion in debt, the NPFL enjoyed a clean financial slate.

Second, the NPFL's offensive had driven the civil service apparatus from the country, thus allowing the NPFL to start anew, unencumbered by bureaucracy. Importantly, Taylor was also able to assume control over the port of Buchanan, thus ensuring his ability to engage in foreign commerce. Taylor increased exports of natural resources from Liberia through NPFL control of the Bong Mines, the Firestone Plantation at Harbel, and the port of Buchanan and the port of Harper. He also found other ways to garner revenue from Greater Liberia. For example, the NPFL imposed a standing order that all marine commerce, including food, should move through the port of Buchanan, thus ensuring that no NPFL wealth would pass through ECOMOG controlled Monrovia. The NPFL, acting as a government, accepted bids for management of the port, while a private company collected customs and duties on behalf of the NPFL.

Even equipment from the industries in Greater Liberia afforded revenue, as Taylor began his rule of Bong Mines by selling off a good deal of the machinery. Endemic corruption and uncontrolled looting during the civil war and Taylor's administration helped drive this exploitation. Following the launch of the war, Taylor accumulated millions of dollars within months. He was able to exploit existing industries through activities such as levying fees for industry rights and appropriating a portion of the profits, selling off deserted equipment in NPFL territory, and making demands for equipment, foreign currency, electricity, fuel and oil from timber and mining companies. The NPFL took over rubber plantations at various stages of the two civil wars to obtain other commodities, and corporations allegedly collaborated, by paying rebels for protection and providing them with logistical and other assistance. Other rebel groups later emulated this tactic of taking over rubber plantations. When MODEL took over the Liberian Agricultural Company (LAC) plantation, LAC staff offered the rebels money, vehicles and electronics in an effort to deter the rebels from devastating the plantation.

In addition to controlling government coffers and engaging in private procurement activities, Taylor exploited natural resources, including diamonds, rubber, timber,

and iron ore, to fuel the war. This exploitation of natural resources to fund wars is well-documented. Often referred to as “conflict” or “blood” resources, these natural resources provided the revenue, logistical means, or camouflage to obtain weapons and fund wars.

Timber, iron ore and gold are among the natural resources abundantly occurring in Liberia. Importantly, however, the origin of these resources was not confined to Liberia but international in scope. For example, while Liberia has some naturally occurring diamonds, these are few in number, of low quality, and command a price from \$25 to \$50 per carat on the world market. Most diamonds exported from Liberia were mined elsewhere, most prominently in neighboring Sierra Leone, but also in Russia and Angola, or they were smuggled into Liberia to enter the international stream of commerce bearing the Liberian name. It was a complicated network involving multiple actors and countries in addition to Liberia and Sierra Leone.

#### **9.10. Public Institutions**

Liberia’s infrastructure was destroyed and remains badly damaged; security is a very real concern for many especially, those who lack the most basic means of subsistence. With the lack of opportunities for economic advancement, corruption and abuse of power spread to virtually all sectors of Liberian government. Corruption became endemic across ministries, the security forces, civil service, the judiciary, and virtually all public corporations and institutions. So endemic is corruption that a prevalent belief among many Liberians, as one statement giver described, was that “[i]f you don’t steal from the government, you’re seen as stupid.”

Liberians at the lower echelon of the society comprising the fighting forces of the factions, directly targeted public institutions and infrastructure in expression of their life of neglect and abandonment, and dissociation with the Liberian state. Roads they have not seen in their counties before were damaged; the hydro electric plant which provided electricity to Monrovia and its environs but never to their villages were deliberately vandalized; the water treatment plant which before never provided safe drinking water for them was also damaged. Public offices and facilities including ministries, agencies, sport stadiums, radio stations, hospitals, and systems experienced not only physical abuse but considerable declined as render them ineffective.

Of graver concern is the decline in the institutional effectiveness and capacity of public institutions to deliver on their statutory mandates. The security sector including the police and military were bastardized by parochial and other interests that promoted loyalty to all other interest but the state. The judiciary and civil service were corrupted during the conflict period. Nepotism was preferred over

merit and when combined with low incentives and weak accountability infrastructures, the public sector was rendered corrupt, ineffective, with loyalty to special interest only. On account of this alone, employees of government were deliberate targets throughout the conflict.

Liberians have had little faith in judicial institutions to protect their interests or fundamental rights. Inadequate compensation for judicial officers, and the influence of Liberian patrimonial governance structures subjected the judiciary to political, social, familial and financial pressures. The Judiciary yielded to these pressures much as the executive and legislative branches have in time past making reform of public institutions imperative to conform to the norms of human rights, security and development.

## **10.0. FINDINGS**

### **10.1. Root Causes of the Conflict**

#### **10.1.1. Historical Root Causes**

The April 12 military coup (1980 – 1989), Liberian Civil War (1989-1997) and LURD and MODEL Insurrection (1999-2003) are the product of the numerous conflict causes highlighted in this report of the LTRC.

Central to understanding elitism, inequality, underdevelopment and armed conflict in Liberia from 1979 – 2003, is the decision to establish the Liberian state and the psychology of that establishment that maintained a divided nation from independence in 1847 till present. The early founders of the state had a choice to build a united Liberia of all its peoples involved in the building and development of the emergent nation or to form a separate “civilized” state with the mission to civilize and Christianize the “savage and barbaric” indigenous population as a precondition for citizenship and land ownership in the land of their birth and nativity.

The American- borne early leadership chose the latter option of building a separatist state as a political direction and philosophy. This choice of the latter is at the root of Liberia’s as yet unresolved historical problem of political identity and legitimacy. The decision to adopt a Euro-American styled settlement with a civilizing and Christianizing mission in time alienated, marginalized, degraded not only the majority of the inhabitants of the Liberia area, but also the black-settlers, many of whom suffered slavery and harbored American colonialist sentiments. Such sentiments became the philosophical foundation on which white American colonial leaders established and ruled the Liberian entity for the first 25 years of its existence.

The engendered political culture was transferred to the successor leaderships, and became ingrained into the national polity. Although the alternate and more inclusive vision had proponents, it never gained political traction. The civilizing and christianizing ethos has thus dominated political discourse and served as the foundation of the Liberian state. Circumstances encountered seem not to have led to a change of direction, so that after 187 years as a political entity and some 162 years of political independence, Liberia has yet to reconcile the two opposing ideas – the civilizing mission and the building of an African nationality- and peoples – descendents of the Americo-Liberians and descendents of the Indigenous or native people. Conflict in the history of Liberia, including the violent variety, is thus to be understood in terms of the choices once made exclusively by the Liberian leadership, and which is now opened to the people of Liberia as a whole.

The second historical root cause of the Liberian conflict finds basis in the coercive use of force and authority to sustain the settlers' hegemony as it relates to culture, the acquisition of land and the corresponding issues of identity and trade.

The ACS and settlers' mentality perceived the natives and their culture, tradition and customary practice as inferior and uncivilized. As such to be assimilated or accepted into the community of the settlers one has to be firstly Christianized and then civilized. To be employed, to conduct trade, the native had to be civilized meaning a change of name, religion, social orientation and affiliates to adapt the civilize life style. Those natives who opposed this level of acculturation found themselves in constant conflicts, which often was violent.

Increasingly suspicious of the natives, the settlers sought to maintain an independent identity, and nation while at the same time realizing that it had to expand in land and acquire more territories to exert its legitimacy. The natives were also suspicious of the settlers motives and thought they were out on a mission to exterminate them. Pressures from the French and British colonial powers nearby also influenced the decision of the settlers to expand territorially. The natives, of course resisted and for many years there were violent conflicts with deadly consequences until the end of the Kru Confederacy War of 1915 when the economy became to grow under President Arthur Barclay who became more engaging under his appeasement policies.

Prior to what may be termed a "ceasefire" after over half a century of violent conflicts and serious warfare, control of trading routes especially along the coast in goods and slaves was both competitive and contentious. The natives continued in the slave trade which the settlers will accept nowhere near their territories. Wars were fought over trading in slaves and control of the lucrative coastal trading routes which involved trading with the Europeans and opportunity of collecting trade levies on the part of the Settlers' government. These trade routes were high premium to both sides and the cost of maintain constant warfare hurt both parties interest and became unbearably expensive.

### **10.1.2. Antecedent Causes**

Liberia's checkered history is replete with conflicts as we have narrated above. During the pre-colonial period, there were many conflicts and wars between the natives themselves until the colonial period from 1822-1847 when the settlers intervened and a crisis of different dimension surfaced. After independence in 1847 the new state of Liberia had its own set of conflicts bordering on legitimacy, inclusion and identity, land, and struggle for supremacy. For over a century

thereafter, the settlers dominated the politics and the economy of the new state to the exclusion of the native majority.

President Tubman in 1944, building on the gains of his predecessor, President Edwin Barclay, introduced three policies; open door, unification and integration, which helped to reduce tension between the natives and the settlers for a while until it became clear that Tubman had an agenda of his own which fostered a new conflict. In this era, privilege and opportunity was reserved for elite few as economic disparity widened.

Tubman ruled Liberia for 27 years and at the time of his death 3.5% of the population, mostly of the Americo-Liberian stock, accounted for more than 60% of the nation's wealth. His reign was characterized by patronage and privilege; political control of all institutions of government which saw the rise of authoritarianism in Liberia politics. Tubman was brutal in dealing with political opponents and virtually exterminated all political opposition during that period which stifled the growth of democracy in Liberia.

Amid a burgeoning economy, the vast majority of the citizenry was very poor and suppressed into silence through his vast network of informants which pitted friends against friends, wives against husbands, brothers against sisters, etc. For \$33.33 monthly, any number of people could get recruited to spy for President Tubman on his relatives and friends without engaging in any other form of employment. With a blooming economy and a free paycheck, there were no incentives to be industrious. Liberian became virtually lazy during this period. Tubman exploited and benefited from the cold war as an ally of the United States of America. 27 years of Tubman rule coincided with a period of awakening and expanded education opportunity to members of the indigenous class who sought education as an advantage to "change the system", demand equity and overcome years of alienation, suppression and marginalization. Liberia was a police state breeding a conflict of imaginable proportion to what extent no one knew.

### **10.1.3. Direct and Immediate Causes to the Conflict**

By the time of Tubman's death, discontent was high and cold war rivalry intensified with Liberia still a loyal ally of the US. President Tolbert inherited an economy on the verge of decline due to global economic conditions. Tolbert also inherited an inefficient government bureaucracy which, he sought to reform having served as Vice President for 19 years prior to becoming President.

With his liberal socio oriented policies, the President offended both right wing conservatives within the elite establishment and the United States by his leaning towards non-alignment which brought to doubt Liberia's standing with the US as a

loyal cold war ally. Voices for change grew louder as opposition was legalized and the space for free speech and dissent was widened by the President's new policies. A demand for change grew stronger while the response of the establishment was ambiguous and inadequate.

Highlighted among the immediate causes of the conflict are:

- The 1979 rice riots and the government's response to demand for public demonstration of free expression;
- The dominance of one branch, the Executive branch, over the other two branches, the Legislature and Judiciary, thereby leading to the institutionalization of an overly powerful executive presidency with no checks and balances;
- Mass illiteracy and poverty;
- Corruption;
- Economic disparity;
- Violation of human rights without redress;
- Exclusion and marginalization;
- Ethnic rivalry;
- Disunity;
- Land acquisition, tenure, and distribution;
- Over centralization of power and wealth; and
- The introduction of ethnic tensions, superiority and rivalry into the Liberian body polity.

#### **10.1.4. The Role of the United States of America**

In the decades since the United States began intervening in the fate of this small West African territory, it has alternately supported, exploited, welcomed, and abandoned Liberia and Liberians. While the relationship over time has been complex, during several key periods the United States' actions and omissions have led to disastrous results for Liberians.

A social system patterned after life in the United States – specifically after life in the pre-civil war American south – predominated. This system was paternalistic in nature and was highly stratified based on wealth and skin color.

However, in 1847 when the Liberian settlers declared independence, the U.S. government refused to establish diplomatic relations because Southern states objected to the presence of a black ambassador in Washington. Despite the fact that a myriad of other nations including Great Britain and France swiftly recognized the new nation, it took fifteen years for the United States to do so. Ultimately, in the midst of the civil war and given concerns that Liberia would levy duties and taxes on American commercial shipping if diplomatic recognition was not offered, Abraham Lincoln extended formal recognition in 1862.

A significant driver in the relationship between the United States and Liberia has been U.S. commercial interests. In the nineteen-twenties, U.S. demand for rubber was growing in conjunction with the growth of the U.S. auto industry. In order to break British dominance in the global rubber market, the Firestone Tire and Rubber Company (“Firestone”) sought, with assistance from the U.S. State Department, a concession from the Liberian government to tap Liberia’s significant rubber resources. In exchange for a \$5,000,000 loan from Firestone (which Liberia subsequently used to settle its foreign debt), Liberia leased 1,000,000 acres for ninety nine years at a price of six cents per acre. According to some scholars, Firestone never carried out many of its promises to develop Liberia’s infrastructure and the loan was designed to keep Liberia permanently indebted. In addition, the Firestone agreement gave the company ownership of any minerals or oil found in the leased area. In the late nineteen-twenties and early nineteen-thirties, Firestone, along with other international entities, was implicated in a forced labor scandal that led to a League of Nations investigation. The Liberian government was ultimately found to have used slavery-like practices to supply laborers to Spanish controlled plantations as well as to the Firestone rubber plantation. The commission found however, that there was “no evidence that Firestone Plantations Company consciously employs any but voluntary labor on its leased rubber plantations.”

In 1938 the United States and Liberia signed a Friendship, Commerce and Navigation Agreement, leading to the construction of Robertsfield International Airport in 1942. Pan Am Airlines began service to Liberia in 1941. Robertsfield is actually some distance from Monrovia and was designed in part to be a transportation hub for the Firestone Plantation whose operational headquarters are nearby.

Almost a century after the League of Nations inquiry, Firestone is still under scrutiny for unfair labor practices amounting to forced and child labor. Firestone is currently the object of an Alien Tort Claims Act suit in U.S. court. Nevertheless, the U.S. government has continued its support for Firestone. During the conflict period when most industries in Liberia were sanctioned so as to avoid resources fueling the conflict, rubber remained in legal production.

While the UN gave some consideration to imposing sanctions on Liberia's rubber industry in October 2001, U.S. lobbying on behalf of Firestone and the potential economic impact prevented the Security Council from taking further action. In addition to rubber, Liberia's natural resources of iron ore and diamonds were mined and brought a steady influx of U.S. dollars into Liberia until the late nineteen-seventies. A U.S. government memo prepared in the late nineteen-seventies estimated U.S. economic interests in Liberia to be in excess of \$300 million in assets. One of these significant assets included the Liberian Maritime Registry, which was run by a U.S.-based company that remitted profits to the Government of Liberia.

Liberia's mineral wealth and its maritime registry also benefited U.S. corporate interests during the nineteen-nineties. For example, the American televangelist Pat Robertson's Freedom Gold Ltd. signed an agreement with Taylor in 1999 to gain development rights to diamonds and gold in Liberia. Despite the Liberian government's refusal to ratify the agreement, Freedom Gold started a diamond-mining venture in southeastern Liberia in 2000. Subsequently, it became known that Taylor had a 10 percent ownership interest in Freedom Gold. In 1999, the Liberian government signed an agreement to transfer administration of the maritime registry to LISCR, a U.S. company run by Taylor associates.

This change provided Taylor with the opportunity to divert millions of dollars from the shipping industry. In addition to providing funds to Taylor, LISCR directly or indirectly aided Taylor and the civil war by agreeing to send registry revenue to non-governmental bank accounts. A UN Panel of Experts found that this money was used for the delivery of weapons.

In 1910, at the request of the Liberian government, the U.S. Navy sent two war ships to the Liberia coast. Their presence assisted the Liberian Frontier Force in warding off attacks from indigenous armies. Later, from 1912 until 1922 the Frontier Force, which later became the AFL, was led by African-American U.S. Military personnel.

The two nations maintained a bilateral military relationship, with the United States positioning its strategic interests and assets within Liberia, and Liberia posing a number of requests for military assistance to the United States. Such military agreements began early with a 1942 defense pact between Liberia and the United States. In 1959, the United States and Liberia signed a mutual defense pact, which provided Liberians with a sense of security and the belief that the United States would come to its aid in case of attack.<sup>1706</sup> The United States gained significant strategic assets based on its interactions with Liberia. These included use of Roberts International Airport "without restriction to support [U.S.] policy objectives," a communications station that provided communications for thirty-four U.S. Embassies and Consulates in Africa, the [OMEGA] Navigational Station; the Voice of America transmitter and receiver facilities, and the right to establish military installations in the Monrovia port, "should they become necessary for the maintenance of international peace and security.

During the latter part of the nineteen-seventies, however, the close relationship between Liberia and the United States began to deteriorate as President Tolbert adopted a more conciliatory policy towards non-aligned countries. Immediately after the 1980 coup, the U.S. Government's actions were driven by the policies of protecting important U.S. assets in Liberia and preventing the spread of socialism. Accordingly, the United States embraced the Doe administration so as to counteract the influence of the Ethiopians, Libyans, and Russians.

However, after the 1985 fraudulent elections, the United States' failure to withdraw support for

Doe "shocked" many Liberians.<sup>1718</sup> Moreover, the United States provided intelligence to Doe warning him of a coup attempt that was being planned by Doe's PRC co-founder Thomas Quiwonkpa. Quiwonkpa's coup attempt failed, Quiwonkpa was brutally murdered, and Doe unleashed a campaign of revenge attacks across the country. Although the United States dramatically decreased its provision of aid during the second half of the nineteen-eighties, the United States was still providing more aid per capita to Liberia than to any other West African nation. Despite condemnations from Congress regarding the conduct of the 1985 elections, the Reagan administration continued to recognize Doe as the legitimate leader of Liberia and continued to provide him with support. In the latter half of the nineteen-eighties even Congressional interest waned as "Liberia [had] been eclipsed...by the question of sanctions against South Africa."

During the conflict from 1989-1997, however, White House officials dismissed the notion that the United States had a special relationship with Liberia. National Security Advisor Robert Gates described the historical relationship as, "meaningless; it doesn't govern us anymore; we treat Liberia just like any other country, and we have no real interest there." Although some diplomatic officials in the region made efforts to secure an end to the fighting, their efforts were blocked at a high level. Moreover, the American public's attention was focused elsewhere, on a war in the Persian Gulf.

There were some other early attempts by the United States to engage in diplomatic mediation in effort to persuade Doe to hold early elections, as well as an aborted attempt to facilitate President Doe's departure and exile into Togo. National Security Advisor General Brent Scowcroft reportedly explained that the United States' decision not to extract Doe was based on the view that if the United States had facilitated Doe's departure, the United States would be responsible for taking care of Liberia from that point onward.

In 1990, during some of the worst of the NPFL attacks on Monrovia, the White House spokesman made clear that the "United States had no intention of intervening militarily in the conflict," a position that the United States maintained for the duration of the Liberian Civil War.

To many statement givers however, it seemed clear that U.S. intervention could have swiftly brought an end to the carnage. One noted that the civil war could have been

stopped if the United States, so highly regarded by Liberians, had simply demanded that the fighting factions set down their arms. This suggestion may indeed have been correct, given that, when the U.S. Government contacted the AFL, NPFL and INFPFL to request a ceasefire in preparation for an evacuation in 1990, all parties laid down their guns during the Marine helicopter flights. Another statement giver commented how the United States could have stopped the war because Taylor so feared the United States<sup>1746</sup> Indeed, Taylor told a U.S. official that he would surrender if the United States sent just a few Marines. Liberians resorted to desperate measures in order to plead for U.S. Intervention. One statement giver told the TRC that ...Liberians were throwing dead bodies over the embassy wall to appeal to the sympathy of [the] United States government and to make sure that they couldn't ignore the Liberians who were dying on the other side of their wall.

Despite the fact that U.S. personnel provided some assistance, Liberians also describe instances where U.S. actors denied them assistance. At least one statement giver stated he was denied entry into the Greystone Compound.<sup>1765</sup> Another statement giver described the U.S. response to Liberians seeking safe refuge at the embassy: And when Monrovia was under siege, and many Liberians were helpless, they were shot at by U.S. Marines who wanted to prevent crowds from getting near the embassy.

The US policy decision not to intervene in the conflict left many Liberians feeling betrayed. So as a result, many Liberians do have a really distasteful feeling about the United States.

Despite the behind the scenes support, negotiations and humanitarian assistance, the United States never sent a sustained peacekeeping mission to Liberia.

The United States role can be summarized as follows:

- Support for the authoritarian rule of the ACS and the settlers hegemony;
- Support by turning a blind eye to over 27 years of Tubman's rule under a virtual police state pursuant to its cold war objective and intent;
- Pursuant also the its cold was interest, it undermined Tolbert and sought regime change in Liberia because of his ultra liberal non-alignment policy;
- Pursuant also to its economic, commercial and cold war interest the US supported the Doe junta in an unprecedented way that made Doe the highest recipient of US per capita aid ever in sub-Saharan Africa; most aimed at acquiring military hardware and to suppress and violate human rights;
- Even though it was clear that the 1985 elections were rigged, the US supported Doe and declared the elections were free and continued to

support the administration until it no longer served the US long term interest. Then, support was shifted to Charles Taylor;

- Pursuant to a Defense Pact with Liberia, Liberians were disappointed when the US failed to intervene on at least two occasions to stop the war and prevent the carnage;
- The US acted on all occasions and in all instances first and foremost to foster its economic, commercial and political interest in Liberia rather than protecting the rights of the Liberian people and enhancing their development;
- The US role in Liberia's war by its abandonment of the notion of "special and traditional" relationship with Liberia which under current policies has no meaning to the USA;

#### **10.1.5 External Actors**

The Liberian war was complicated by regional politics, personal connections and insecurity. Assistant Secretary for African Affairs Herman Cohen testified, "We knew that these guerilla fighters had been trained in Libya and that their arms had come from Burkina Faso, and they were getting full support from Côte d'Ivoire." For example, in the first civil war, Taylor's forces secured experts from Libya and Burkina Faso to embed land mines in Liberia. Côte d'Ivoire served as a transit way for equipment and personnel sent from Burkina Faso and Libya. Qadhafi loaned Taylor planes for use by the arms dealers with whom Taylor dealt.

#### **Côte d'Ivoire**

The backing of Côte d'Ivoire was politically, personally, geographically, and financially important to Taylor. Côte d'Ivoire's combination of geographical convenience and unstable government provided Taylor the platform he needed to eventually gain power in Liberia. The president of Côte d'Ivoire, Felix Houphouët-Boigny, was one of the principal regional supporters of Taylor.

Côte d'Ivoire was geographically strategic for Taylor to establish his base, given that its "corridor . . . provided convenient, regular passage for truckloads of arms and ammunitions destined for Taylor's rebel forces." Its border with Liberia allowed the NPFL to recruit fighters along the Ivorian frontier in preparation for its attack on Liberia. Côte d'Ivoire's political leverage was also a significant factor in Taylor's war efforts.

At the time of Taylor's campaign, Côte d'Ivoire was France's most prominent ally in West Africa. Arguably, this international recognition, along with Côte d'Ivoire's political connections and diplomatic facilities, was one of the most important benefits to Taylor. One possible factor affecting the onset and duration of Liberia's war was the French influence in the region. France's wariness of Nigeria's rise as a

regional power led to chilly relations between the two states. As a result, France had discouraged its former colonies, such as Burkina Faso and Côte d'Ivoire, from engaging in any peace agreements which would have raised Nigerian influence in the region.

The Ivorian government also provided Taylor and his rebels with other material goods and services, including cantonment, "military intelligence, transportation facilities, safe haven for retreating rebels, and medical assistance for wounded rebels." It also played a role in Liberia's diamond and arms trade. Côte d'Ivoire facilitated the smuggling of diamonds from Liberia, as well as weapons shipments into Liberia. Also, Taylor's financial backers used Abidjan as a venue to convene and cut their deals on arms, communication resources and training. Further, Côte d'Ivoire provided protection to Taylor's relations who resided there.

After Houphouet-Boigny's death in 1993, Taylor maintained close relationships with both his successors, Henri Konan Bedie and Robert Gueï, which enabled him to continue the arms transfers and other activities. When Gueï was ousted from the presidency after the 2000 elections, the alliance shifted toward plotting a coup against Ivorian President Laurent Gbagbo. Taylor opposed Gbagbo who had developed relationships with and recruited combatants from LURD, and sought to destabilize the Côte d'Ivoire. Also, Taylor purportedly wanted to establish a base in Côte d'Ivoire should he need to leave Liberia; gain control over Ivorian seaports that were vital to Liberia's timber exports; and establish an armed line of defense to stop LURD and MODEL incursions into Liberia. Thus, Taylor supported two rebel groups, the Popular Movement of the Ivorian Great West (MPIGO) and the Movement for Justice and Peace (MJP), which launched an offensive on Danané from Liberia on November 28, 2002. While the Liberian government denied any involvement, Danané residents reported that Liberian security, ATU or former NPFL fighters constituted 90 percent of the rebels.

### **Burkina Faso**

Burkina Faso played a supporting role to Taylor and the NPFL, and the president Blaise Compaore, was a significant figure in the events leading up to Taylor's rebellion. It is likely that at least part of the motivation for Burkinabe support for Taylor was personal. Accounts suggest that Compaore ordered former Burkinabe President Thomas Sankara's assassination and that Taylor, who arrived in Burkina Faso at approximately the time of President Sankara's assassination in October 1987, was involved in the murder. Compaore was also married to Ivorian President Houphouet-Boigny's daughter, the widow of Adolphus Tolbert. Given the strong relationship between Compaore and Houphouet-Boigny and their shared hostility toward Doe, there is a perception that Houphouet-Boigny persuaded Compaore to support Taylor's efforts to overthrow Doe as revenge for Tolbert's murder.

Compaore continued his support for Taylor despite international pressure and the humanitarian disaster that ensued in Liberia: "He kept going because he had an

investment in Charles Taylor, and he wanted absolutely for Charles Taylor to win, and he did not trust the West African forces because he opposed the operation.”

Perhaps one of Compaore’s most significant acts was his introduction of Taylor to the Libyan leader Colonel Muammar Qadhafi. It was Compaore who convinced Qadhafi that Taylor possessed the military and diplomatic credentials necessary to overthrow the Doe government. Also, Burkina Faso helped facilitate arms transfers to Taylor by serving as a transfer site for weapons en route to Liberia. Despite assurances he would stop supplying arms to Taylor, Compaore continued his support for Taylor. Burkinabe banks also harbored diverted funds for Taylor, who had at least two Burkinabe bank account under the name of Jean Pierre Somé.

Burkina Faso also served as recruiting grounds for the NPFL’s ranks. A generation of young Burkinabe men was alienated during the country’s economic crisis in the mid-1980s, and it was largely these disaffected youth who traveled to the NPFL training camps in Libya and Burkina Faso. In fact, Taylor’s 1989 invasion involved not only Gio and Mano combatants, but also Burkinabe soldiers. Statement givers confirmed the view that Burkina Faso’s support enabled Taylor to train his soldiers.

## **Libya**

While the full extent of Libya’s involvement in the Liberian conflict may never be known, NGOs and other scholars have documented Libya’s role in facilitating the Liberian civil war - particularly through the actions of Colonel Muammar al Qadhafi. A portion of the resources and training that fueled the war is believed to have been supplied by Libya. When Doe took power in 1980, Libya was the first to recognize the new regime and readily acted to foster diplomacy between the two states. In addition to the diplomatic ties with the Doe regime, Libyans had also established a business presence in Liberia during the 1980s, owning the Pan-African Plaza office block and Union Glass Factory. The relationship cooled as Doe accepted U.S. support - including a purported \$10 million in cash on condition that Doe would cancel his scheduled visit to Libya. Liberia’s diplomatic overtures toward Israel abated relations between Liberia and Libya, which led to the expulsion of Libyan diplomats and Libya’s severance of ties to Liberia. In 1985, however, as his relationship with the U.S soured, Doe re-initiated dialogue with Libya and paid the country a visit in 1988.

Even with reestablished ties and warmer relations with the Doe government in the mid- to late 1980s, Qadhafi pursued other avenues of influence in Liberia, and acted to support Liberian dissidents. Moses Blah, who served as Charles Taylor’s Vice President, testified that Qadhafi’s Libyan government ran training camps, which taught fighters how to use AK-47 assault rifles and surface-to-air-missiles. In response to Doe’s involvement with the United States, Qadhafi directed Libyan agents to begin recruiting, arming and funding Liberian dissidents throughout the region, including Sierra Leone, Burkina Faso, Guinea, and Ghana.

It has been reported that “several hundred Liberians were trained in Libya at least three different terrorist camps.” Those who trained in Libya included, inter alia, former Ministers Dr. H. Boima Fahnbulleh and Samuel Dokie; Prince Johnson, and; Benjamin Yeaten, future head of Taylor’s Special Security Service. Perhaps the most important figure to be trained in Libya was Charles Taylor. Taylor was reportedly trained in one of Libya’s camps at Mathaba in 1985. Following Taylor’s release from a Ghanaian jail, he began traveling between a new home in the capital of Burkina Faso, paid for by Libyan funds, and Tripoli. The al-Mathabh al Thauriya al-Alamiya (“World Revolutionary Headquarters”) was an operation set up by the Libyan secret service to provide training on counterinsurgency warfare. Thus, when the Libyan government chose to support the NPFL, Taylor found himself, suddenly with access to a foreign government with the finances to support a large scale insurgency. Taylor was reportedly personally encouraged by Qadhafi to recruit fighters in preparation for the December 1989 assault against Doe. Libya furnished Taylor with a cache of weaponry and millions of dollars to support his insurgency.

The relationship between Qadhafi and Taylor apparently continued up to and through Taylor’s presidency. After his inauguration, President Taylor made several trips to Libya for talks with Qadhafi. Even in the closing days of his presidency, Taylor received support from Libya, reportedly flying to Libya to obtain weaponry in 2003. Just prior to Taylor’s stepping down in 2003, Nigerian peacekeepers controlling the airport confiscated a shipment of weapons, rumored to be from Libya.

## **10.2 Nature, Pattern and Character of Human Rights Violations**

- Wanton and deliberate human rights abuses
- All factions committed a wide range of rights violations against the civilian population
- Violations by all factions against women
- Violations of the rights of the child by forceful recruitment into arm forces
- Fear by the commission of heinous crimes was an instrument of war used by all factions to subdue the civil population in to submission
- The period of armed conflict in Liberia was from December 1989 to 1997 and 1999 to 2003
- Economic crimes, corruption and the pursuit of wealth and political power was an overriding objective of all the armed factions
- Massacres were also a common feature of the conflict perpetrated by all factions and warring groups

### 10.3 Women, the TRC and the Conflict

This political system of exclusion was extended to women who held a limited and restricted place in Liberian society at all levels. Women were not allowed into political space until the 1940s when they were granted the franchise to vote, but only if one had property. Indigenous women, notwithstanding, were not permitted to participate in elections until the 1950s. This was a contradiction of the constitution which proclaimed the equality of all people, and the inalienable rights of all its citizens to participate in their governance. Thus interpreted, the constitution was fashioned in a way favorable to one segment of the society – the property class. Hence in actuality, there were three categories of women in Liberia: the “settlers” (sometimes referred to as “civilized” – meaning exposed to western education and norms and not wearing indigenous “lappa” dress); women of Americo-Liberian heritage, some of whom owned property and by that standard were qualified to vote; and poor “settler” women who did not have property and were excluded. There was yet another group, the indigenous women who like their male counterparts could not vote until the 1950s. So in spite of the constitution’s stance on the equality of all persons, the political class at the time set aside the real meaning of the equality “doctrine” and therefore ignored the constitution. Certainly this was the beginning of the discrimination of all modern Liberian women which reinforced the already existing cultural bias against women.

It is important to note that Article XXVIII of the Accra CPA called for gender balance in all positions in the National Transitional Government of Liberia. This assertion was a great opportunity for women to participate in the political process. However it was not adhered to and women remained on the fringes.

All of the indigenous groups are patrilineal (family relationships are all traced through the male blood line and only such relationships are recognized) and have ideologies of male dominance. The nineteenth-century domestic ideology brought with the resettled Americo-Liberians also was highly patriarchal, with women assigned to roles as homemakers and nurturers of children. However, the sexual division of labor in indigenous agricultural settings afforded women a measure of power, if not formal authority. Women's labor was extremely valuable, as seen in the institution of bride wealth that accompanied marriage. Among "civilized people" of indigenous or Americo-Liberian background, women's domestic role in caring for clothing, household decoration, and the other symbolic means by which the status of the household is communicated had great importance. While it was acceptable for an educated woman to hold a white-collar job outside the home, she could not participate in the most common activities – farming, marketing, and carrying loads of wood and water – without threatening her status.

Indigenous constructions of gender emphasized the breadwinner or productive role for women and the warrior role for men. Indigenous political structures had a "dual-sex" organization, that is, parallel systems of offices for men and women. Among the northwestern peoples, this took the form of the dual organization of the above mentioned Poro and Sande secret societies. In the south and east, female councils of elders used a series of checks and balances on official male power. On the national level, the last transitional leader before the 1997 election Ruth Sando Perry was also the first female head of state in Africa.

The Hinterland Laws, which were an extension of the Liberian Constitution and presided over by the governments through the chiefs, denied women certain basic rights such as owning property, holding major discussions with men, participating in decision making processes, and doing certain jobs despite being able to do them like working in a mine or driving a vehicle. They did not have the right to go to school; it was always a privilege and girls were most often sent to work on farms while boys went to schools.

Culturally, it is said that these practices were based on fears that women would dominate their partners if allowed the 'space' to do so. Women were expected to be respectful and to speak when spoken to, especially the 'civilized' women. A man interviewed during the study was recorded to have said, "During the days of our forefathers women were respectful. But these days women are not respectful. When you talk one, they [women] will talk ten". The Hinterland law allowed men to overtly oppress women and entrench the tendency to treat women unjustly. Even after a woman had borne her husband's children, he could take her back to her relatives, saying that he did not want her any more, and she would have no recourse. This denial of the basic legal and human rights of women, especially the perception of women as the 'property' of her husband or father, rendered women and girls extremely vulnerable to abuse and exploitation, and without access to recourse. This laid the foundation for the extreme violations perpetrated during wartime because men had already been socialized to violate women with impunity.

The Liberian government's pronouncement of free and compulsory education for all children of school age has been in existence since 1912. Yet there were high disparities between the numbers of girls and boys in schools. With women's labor being highly prized as farmers, it was a given that girls would work with their mothers and boys needed to be sent to school. Some girls who did go to school did not experience any discrimination and competed equally with the boys, but for the majority, the perception was that education for girls was unnecessary. Currently, almost 80% of Liberian women are illiterate.

Through this description of social formation in Liberia before and during any of the numerous conflicts which have checkered its history over one and a half centuries, it is clear that the Liberian society was and still is endocentric and patriarchal. Although women were valued and held specific gender roles within which some power could be located, there was no inherent power that could place a woman into

a decision making or leadership position. In fact, in the cases where this had been known to happen, those women were seen as honorary men. Therefore, in the pre-Americo-Liberian period it would be safe to say that indigenous Liberian women held a clearly defined place in society with limited power and agency. After the settlers arrived, they were further marginalized to the lowest rung on the social ladder below the indigenous men who were below the settler women and with the male Americo-Liberians holding pride of place as the ultimate “king of the castle”.

#### **10.4 Children**

The TRC finds that:

- The internationally guaranteed rights of Liberia’s children under the age of 18 were grossly and systematically violated and their dignity and welfare disregarded during the period of investigation, in particular during the Liberian wars from 1989 to 1996 and from 1999 to 2003.
- Consisting of members from all armed factions that operated during the Liberian wars, perpetrators specifically targeted children in the commission of gross violations of international law, including gross violations of international human rights law and serious violations of international humanitarian law. These violations included targeted killings and extermination, abduction and forced recruitment, forced labour, rape and other forms of sexual violence including sexual slavery and gang rape, forced marriage, and torture.
- Children constituted of approximately 10 to 20 percent of members of armed groups and were considered central to the armed groups’ logistics and combat efforts in that they relied heavily on children to be porters, cleaners, cooks, scouts, domestic and sexual slaves, as well as active combatants.
- Members belonging to each of the armed groups operating during the civil war wilfully exploited children’s vulnerability and impressionability. They deliberately physically and psychologically abused and tortured children and employed harmful practices to render children obedient and easy to manipulate.
- Thus abused, children found themselves both victims and perpetrators during the war. Children were routinely coerced and manipulated by commanders to commit brutal acts in violation of international law against the civilian population, including their family members and other children. These acts included abductions, killings, torture, rape and other forms of sexual violence, pillage and the destruction of property. Children were exploited and manipulated through repeated physical and psychological acts and frequently drugged for them to be able to commit

these crimes. They were socialized into committing abuse, the routine use of violence, and the power of the gun as the central norms that ruled their lives.

- Armed groups systematically committed crimes of sexual violence, including rape, gang rape, and sexual slavery, and forced marriage against girls, some ten years of age or younger. Liberian girls suffered immeasurable physical and psychological pain and trauma from the widespread sexual violence and rape that was widespread and systematically committed during the war. Today, girls remain routinely targeted by sexual predators. Present and past perpetrators of sexual and gender-based violence are rarely brought to justice and many former or recent victims of sexual violence still do not have access to treatment.
- Children were also targeted by members of armed groups for belonging to particular ethnic groups in the commission of violations of international law. The ethnic targeting, in particular in the early 1990s, and to a lesser degree between 1999 and 2003, children from the Gio and Mano groups on the one hand, and the Mandingo and Krahn ethnic groups on the other, were specifically targeted in killings by armed groups representing ethnic interests
- Children were displaced and separated from their families and communities. War robbed them of their livelihoods and educational opportunities. Joining armed groups became a means of survival and a coping strategy in the context of war, lawlessness and the breakdown of social relations.
- Many children found themselves in vulnerable situations due to the extreme socio-economic, urban-rural, and ethnic inequalities in Liberian society. Educational opportunities and opportunities for social mobility have always been limited largely to urban areas and to children from privileged groups. Having been 'disadvantaged' was a common reason children mentioned as a root cause of the conflict, and for some a motivation to join armed groups.
- The disarmament, demobilization, reintegration and rehabilitation (DDRR) program for former combatants demobilized 11,870 children, roughly one tenth of the total number of demobilized fighters. While it is considered largely successful for those children who rightfully went through the process, numerous gaps remain. The TRC found that a significant number of children formerly associated with the armed forces who testified before the TRC never went through the DDRR process. Some former children associated with the armed forces who have never gone through the DDRR process have difficulties reintegrating into civilian life and are particularly vulnerable to exploitation and homelessness today.

- Liberia as a nation has not invested the necessary resources in its children in many decades. Many children feel that they are inferior citizens. They feel abandoned, betrayed, and abused by adults. The TRC found a clear desire among many children who have been victimized by the war to bring those who caused their suffering to justice.
- Children also expressed a desire for some form of local reconciliation and processes of forgiveness for the wrongs they know they committed during the war. Many children expressed regret and remorse and would like to have their feelings acknowledged by families and wider communities. They expect that all children be excluded from any form of criminal prosecution and they do not expect to be amnestied, since amnesty would imply that children were guilty of the commission of crimes.
- Children expect to receive reparations as an acknowledgement of their suffering, a means to make up for lost out opportunities and as concrete assistance for their rebuilding of their shattered lives. Establishing clear criteria to determine eligibility for family or individual reparations in the Liberian context where almost all children were victimized by the war would be extremely difficult. Any form of reparations needs to avoid favoring one group of children over another and to create further divisions or inequalities.
- Reparations should take forms that best remedy all the wrongs that have been inflicted on children during the Liberian wars and as a consequence of the wars. Children have strong expectations that the Government of Liberia step up its effort provide truly equal educational, vocational, and professional opportunities for all children and young people in the country.
- The war left deep scars on Liberian children's psyche and further disadvantaged those who already had little before the conflict. Family and community bonds have broken down for many children. Where informal social institutions break down, the state is expected to step in.
- The Government of Liberia has taken some commendable steps since the end of the war to strengthen child protection and child welfare. Notably, the passage of the Rape Law of 2006, the commitment by the president to provide free primary education across the country, the submission of a new Domestic Relations Law regulating adoptions, the re-invigoration of the Children's Parliament, and the drafting of a comprehensive Children's Law, which is currently awaiting congressional approval, are all welcome measures that contribute to strengthening child protection in Liberia.

- However, many stakeholders, including children themselves, feel that the Liberian Government has not given priority to children’s issues and has shown a lack of leadership on designing and implementing a comprehensive child protection strategy that effectively tackles children’s war-related problems. This is confirmed by the 2008 African Report on Child Wellbeing, which assessed all African countries with respect to the child friendliness of their policies and actions. The report found Liberia to be among the ten “least-child-friendly” countries in the world, ranked 47<sup>th</sup> out of 52 African countries. The report concluded that, “the poor performance or low score of the ‘least child-friendly’ governments is the result of the actions taken by their governments – or lack thereof – and the outcomes in terms of the wellbeing of children in their respective countries.”<sup>10</sup>
- Capacity among Liberian institutions mandated to look after the wellbeing of children is extremely weak. Government institutions in charge of the wellbeing of children, such as the Ministry of Gender and Development and the Social Welfare Division in the Ministry of Health and Social Welfare are poorly resourced and staffed. Despite recent increases in staff numbers, in particular their branch offices in the counties are heavily under resourced. Non-governmental Child Protection Agencies are heavily dependent on external funding and have few resources or longer-term strategic visions of their own. Monitoring of children’s rights violations is weak and few institutions are ready to hold the Government to account.
- The criminal justice and law enforcement systems, while having made some progress in providing child-friendly measures to deal with delinquents under the age of 18, still lacks the capacity to provide child-friendly procedures and facilities. While the establishment of the Women and Children Protection Section within the Liberian National Police and the establishment of one juvenile court in Monrovia have been extremely positive steps, there is still little expertise to properly deal with children in conflict with the law. There is only one juvenile judge in the country and there is little understanding among magistrate courts of child protection issues. There are no separate detention facilities for children in the country.
- Many gaps remain in addressing children’s needs related to war-time violations and experiences:
- The Liberian conflict had serious negative and longer-term consequences for the physical and mental health of Liberian children. Some children

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<sup>10</sup> African Child Policy Forum. 2008. *The African Report on Child Wellbeing: How child-friendly are African governments?* Addis Ababa: The African Child Policy Forum, p. 8.

reported to the TRC that their war injuries have never been properly treated and still cause them pain today. Years of deprivation, poor or insufficient nutrition, and displacement have led to widespread stunting and problems in children's physical and mental development. Vaccination rates among children have also declined and polio has reemerged in Liberia after it was thought to have been eradicated.

- In particular, the health of girls has been severely affected by the high incidence of sexual and gender-based violence. Sexual abuse, rape, multiple rape, and gang rape, and sexual slavery caused serious harm to girls' reproductive systems and have left many of them with chronic problems from obstetric fistula and sexually transmitted diseases or even infected with HIV. It is extremely worrying that the HIV infection rate among adolescent mothers is three times the average infection rate for the country. There is insufficient access to reproductive health care, HIV prevention, testing, and treatment, in particular in rural areas. Special outreach and educational programs on reproductive health and family planning are limited, although approximately half of all Liberian women give birth before they reach the age of 18.
- More than a decade of violent conflict has also severely impacted children's educational opportunities. While progress has been made in rebuilding schools and educational facilities providing access to primary education, the low quality of teaching staff and widespread abuses in the schools ranging from multiple hidden school 'fees' to sexual exploitation of girls pose serious obstacles to achieving free primary education. Secondary education is still only accessible to a small minority of students, mainly in urban areas, due to its high cost. This prevents most Liberian children from reaching their full potential.
- While enrolment rates have improved in recent years, girls are still much less likely to attend school than boys. The difference is particularly among secondary school students. The educational system has not succeeded so far in creating an environment where girls would feel welcome at school and where their needs are met. Instead, their vulnerability is often exploited in a male dominated environment by teachers. Traditional practices such as initiation rites that require taking girls out of school for extended periods of time and early marriage and teenage pregnancy add to the difficulty of creating equal opportunities for girls in Liberia.
- Opportunities for vocational training remain insufficient across the country. Accelerated learning programs and supplementary adult literacy and numeracy classes for children or young adults who missed out on education during the war have had a positive impact and need to be continued and expanded for all children and young adults to be able to catch up on the many years of education they lost.

- Child labor is a serious problem in Liberia. During any time of the day or night, children roam the street peddling all varieties of wares, work in markets, shops or garages. The loss of parents and family members or their injury and disability has made children assume the responsibility of breadwinner or heads of household in many cases. For many poorer families, sending children to make money is a matter of survival. However, it means that children are missing out on educational opportunities, which will make them more vulnerable in the future and will prevent them from advancing in the future. Many jobs children do are also physically arduous and harmful to children's health.
- The increase in the number of children or young adults who live on the streets can be attributed to the longer-term effects of the war and the disruption it brought to family and community ties. Some street children have lost their parents, or have been sent to Monrovia to a negligent or abusive fostering family. Others may be former children associated with the fighting forces who have a hard time readjusting to society or who may have been rejected by their families or communities. Street children are extremely vulnerable to abusive labor practices, criminal activities, becoming dependent on drugs, or prostitution, or falling victims to child traffickers.
- The fostering of children from rural areas and underprivileged families by better off urban relatives or acquaintances has a long tradition in Liberia. However, today, the practice more frequently seems to lead to abuse of the fostered children, which leaves them vulnerable to homelessness and trafficking. A whole small industry of false orphanages and commercial adoptions has developed in Liberia, with hundreds of non-orphaned children being kept in orphanages and being sold against the knowledge of their parents. This practice urgently needs to be curbed.
- There are serious gaps in child welfare services when it comes to care for children with serious trauma and for children who live without family support and are in conflict with the law.

#### **10.5 Socio-Cultural and Economic Dimensions of the Conflict**

- Disruption of social order at community and national levels
- Break down of family life and values
- Acute shortage of social services and infrastructure
- Limited Access to education, health and justice

- Destruction of Institution and infrastructure
- Desecration of cultural institutions, social values and mores
- Corruption and impunity rampant and endemic
- Breakdown in the efficiency of the civil service and the merit system
- Wanton disregard for the values of human rights and the rule of law
- Religion, Ethnicity and intolerance emerges in the political culture

#### **10.6. The Diaspora Experience**

- The war in Liberia one way or another affected all Liberians including Liberians in the Diaspora;
- Liberians in the Diaspora had multiple of experiences from becoming displaced in their own home to being refugees in foreign lands; residents or citizens of other countries;
- Liberians in the Diaspora share the same experiences of horror, death, lost of family members, hunger, disease as did Liberians in the home land;
- Liberians in the Diaspora faced major challenges in foreign land including alienation, cultural shocks, social, language and other cultural barriers;
- Liberians in the Diaspora desire to retain their Liberian citizenship at the same time maintain the newly acquired statuses in the new land of residence;
- Liberians in the Diaspora despite the conflict continue to make financial remittances to the homeland and are prepared to make additional contributions to the economy and development of Liberia;
- Liberians in the Diaspora suffer the same divisions and disunity along ethnic and other spectrums and the challenges of reconciliation remains daunting

#### **10.7. Holders of Public Offices, Public Institutions and the Conflict**

- Holders of public offices and institutions during the conflict period demonstrated very little or no commitment at all to the public interest or the good of the nation.

- Public office holders prioritize their personal interest to acquire wealth and power over performing their public responsibilities.
- The conflict in Liberia was instigated and prolonged not for public interest objectives but to acquire public portfolios and cabinet posts in a weak and unaccountable bureaucracy to amass wealth, acquire status and perpetuate corruption with impunity.
- That warring factions would sacrifice a fragile peace process, prolong negotiations, decline disarmament and continue to fight because of its dissatisfaction with job allocations in a transitional government; peace agreements referred to “lucrative jobs” for faction leaders or nominees.
- Integrity in the public service has eroded over time because of the discredited nature of how office holders have conducted the affairs of the people.
- Most office holders during the period did not merit their public service portfolios; instead they gained prominence and ascendancy by favoritism, nepotism, tribalism or factional alignment.

#### **10.8. Economic Crimes & Corruption – Impact, Plunder and Impunity**

- The commission of and the opportunity for the commission of economic crimes contribute immensely to the exacerbation and prolongation of the Liberian conflict
- All warring factions, participated in, encouraged and benefited with impunity from the commission of economic crimes through the illicit trading in Liberian natural resources, looting and illegal sale of public properties and assets
- Economic crimes and corruption have adversely impacted the Liberian economy and the lives of ordinary Liberians who live in squalor and abject poverty and today many more are victims of the conflicts having been sacrificed on the altar of ego, greed, power and illicit wealth accumulation.
- Over a century of corruption and decades of economic crimes continues today with impunity as our system of governance have no mechanism to hold people accountable for their actions or the consequences thereof, especially holders of the public trust which is the highest call to duty for any citizen;
- The lack of accountability mechanism has led to continuous plunder, spoilage and waste of public and natural resources, again with impunity.

## **10.9. Nature and Status of Ex-combatant Communities – DD & RR Review**

The DDRR programme was incomplete especially the most vital components of rehabilitation and reintegration which are very critical to ensuring not only a safe and peaceful society but that the young people can put to positive use their untapped energy and talents which the nation so desperately needs.

That ex-combatants are often the target of discrimination and stigmatization both of which undermines the nation's quest for an integrated and fully reconciled society.

## **10.10. Looming conflicts as sources of future violent conflicts**

- Understanding the nature, context, dynamics and the existence of looming conflict situations and environment in Liberia will in the long and short term support and contribute Liberia's long term recovery and peace building efforts by conflict analysis, which eventually throw light on opportunities for both intervention and prevention that will situate Liberia away from its violent legacy.
- Conflict analysis will help advance local and national development agenda by informing conflict sensitive development policies. Specifically, it will aid in the application of the country's poverty reduction strategy in local communities, develop a road map leading to the production of constructive responses which will compliment peace building initiatives and transform relationships so that violent conflicts do not occur and build sustainable peace Basic and relevant Assumptions about conflict.
- The foundation and at the same time the consequence of prolonged national conflict could be the emergence or the existence of family, ethnic, religious and community conflicts or struggles which exacerbates and accelerates violent conflicts of national characterizations.
- Conflict mapping is an essential post-conflict peace building mechanisms which attempts to understand social and other conflicts at all levels of the society, particularly focusing on the community level and making recommendations aimed at constructive conflict engagement to transform relationships, and resolution through a new process of conflict prevention.
- Conflict prevention is preferable and by far less expensive than conflict resolution when considering the wide range of processes involved with conflict resolution from painstaking negotiation of peace deals, peace keeping operations, humanitarian and relief assistance, widespread insecurity, reconstruction, etc.
- Conflict prevention can only be attained within a framework of a concise understanding of what the conflict issues and dynamics are.

- Conflict can be cyclical in the countries emerging out of conflict and these countries emerging out of conflict are more likely than not to lapse into conflict imbedding the potential seeds of future violence and destruction.
- Every conflict is different and has its own dynamics which require empirical data collection and mapping to understand the conflict, what caused it and how to prevent it from escalating into full blown violent conflict - actors, resonating issues, etc.
- Every conflict with its own dynamics may require a range of intervention strategies from security to political, legal, economic and social cultural interventions, etc. to prevent escalation of violence;
- A well documented, field-based analysis of conflict situations can positively influence and provide the strongest empirical basis ever for galvanizing the political will needed for intervention and prevention.

## 11.0. DETERMINATIONS

### 11.1 General Determinations

The determinations of the Truth and Reconciliation Commission are based on the following:

- Research and interviews conducted with over 500 primary sources
- Research, interviews, and interrogations of numerous secondary sources
- Over 20,000 TRC statements taken containing testimonies of 17,000 victims, witnesses, and perpetrators.
- TRC county hearings, thematic and institutional hearings and victim hearings conducted throughout the Republic of Liberia and in the Diaspora to include the Republic of Ghana, Sierra Leone, The Federal Republic of Nigeria, The United Kingdom and the United States of America.
- Training programs, workshops, focus group discussions, and civil society engagements.
- Engagement with officials of government international development partners, international NGOs, consultants and experts in specialized disciplines relevant to the work and mandate of the TRC.
- Reports of the TRC conflict mapping project commissioned by the TRC and conducted by the EU.
- Findings and reports of the TRC's county regional consultation.
- Reports, findings and declarations of the National Conference on Reconciliation.
- TRC statistical analysis of over 17000 witnesses' testimonies commissioned by the Commission and undertaken by the Benetech Human Rights Project (a non-Liberian Human rights organization).
- Reports of the TRC women's engagement including hearings and other nationwide activities.

- Report of the TRC Children’s Agenda including hearings and related activities throughout the country
- Reports from international human rights organizations for the period 1979 to 2003 of Amnesty International, Human Rights Watch, Global Witness, etc.
- Newspapers, magazines, periodicals and internet resources on the conflict, the history of Liberia and human rights violations occurring in Liberia during the period 1979 to 2003.

The TRC generally determines that as a Commission and public interest establishment, it is empowered by the statute creating the Truth and Reconciliation Commission, to make determinations and hereby determines that all matters falling within the mandate and scope of authority of the Commission subject to determinations which are herein accordingly made.

#### **11.4. Determination on Individual Perpetrators**

The TRC determines that all individuals affiliated with warring factions or armed groups in positions of command authority and decision making including political leaders, financiers, heads of warring factions, commanders, and foot soldiers are responsible for the commission of those human rights violations including violations of international humanitarian law, international human rights law, war crimes and egregious domestic laws violations of Liberia.

#### **11.5. Determinations on Group Perpetrators**

The TRC determines that all armed groups whether affiliated with warring factions or the Government of Liberia are responsible for the commission of those human rights violations including violations of international humanitarian law, international human rights law, war crimes and egregious domestic laws violations of Liberia. These groups include: NPFL, LURD, Liberia Peace Council, Militia, ULIMO, MODEL, Armed Forces of Liberia, ULIMO-K, ULIMO-J, Anti-terrorist, ECOMOG, Vigilantes, Lofa Defense Force, Liberia National Police, Special Operation Unit, Revolutionary United Front (RUF), Special Anti-Terrorist Unit Special Security Unit, Special Security Service, Black Beret, National Security Agency, National Bureau of Investigation, Criminal Investigation Division, and Kamajors.

#### **11.4. Determinations on Corporate Perpetrators**

The TRC determines that all institutions and corporations including shareholders and corporate officers and their agents affiliated with or aided and abetted warring factions or armed groups are responsible for the commission of those human rights

violations including violations of international humanitarian law, international human rights law, war crimes and egregious domestic laws violations of Liberia.

#### **11.5. Determinations on Government Perpetrators**

The TRC determines that all Governments of the Republic of Liberia from 1847 especially from 1979 to 2003, are responsible for the commission of those human rights violations including violations of international humanitarian law, international human rights law, war crimes and egregious domestic laws violations of Liberia and economic crimes and for the actions of their functionaries acting in the name of the said government and for the sheer neglect of the population and the failure to provide protection for its citizens.

#### **11.6. Determinations on Economic Crimes**

The TRC determines that all individuals, artificial or natural, armed groups or factions, their leaders and members are responsible for the commission of economic crimes against the state and its people which the TRC now determines amounts to gross human rights violations and war crimes.

#### **11.7. Determinations on the Impact of Violations on the Population**

The TRC determines that the conflict in Liberia dating back to the founding of the Liberian state and which was exacerbated by neglect, poverty, exclusion, political repression, ethnicity, and those human rights violations including violations of international humanitarian law, international human rights law, war crimes and egregious domestic laws violations of Liberia and economic crimes which characterized the conflict from 1979 to 2003 gravely impacted all segments of the Liberian society including but not limited to Liberians in the Diaspora and at home Women, Children, Youth, The Elderly, Vulnerable Groups, Cultural, Traditional and Religious Institutions, and Public Institutions.

The TRC determines that children are neither culpable nor responsible for acts of violations of human rights laws, humanitarian rights law violations, war crimes or egregious violation of domestic criminal law.

Therefore, the TRC makes no determination otherwise on children and as such they are exempt and protected from prosecution of any kind or form without limitation.

#### **11.8. Reconciliation**

The TRC determines:

- ✓ That national healing and reconciliation is essential for national unity and rebirth of a new nation founded on the principles of universal human rights, the rule of law and justice for all.

- ✓ That reconciliation is a process that requires the involvement of all Liberians beginning first with individual forgiveness.
- ✓ That reconciliation cannot be fully achieved without justice and justice will bring Liberia's dark past to closure by the full implementation of the recommendations of the Commission.

**12.0 RECOMMENDATIONS ON ACCOUNTABILITY: EXTRAORDINARY CRIMINAL TRIBUNAL**

**12.1. Accountability: "Extraordinary Criminal Tribunal for Liberia"**

The TRC hereby recommends the establishment of an "Extraordinary Criminal Tribunal for Liberia" to try all persons recommended by the TRC for the commission of human rights violations including violations of international humanitarian law, international human rights law, war crimes and economic crimes including but not limited to, killing, gang rape, multiple rape, forced recruitment, sexual slavery, forced labor, exposure to deprivation, missing, etc.

**12.2. Nature, jurisdiction and scope of authority of Criminal Tribunal**

See Article 10 of the Annex 1, draft Statute Establishing The Extraordinary Criminal Court For Liberia which is incorporated by reference.

**12.3. Names of Those Responsible (Perpetrators) Recommended for Prosecution**

The TRC recommends several persons for prosecution for those human rights violations including violations of international humanitarian law, international human rights law, war crimes and egregious domestic laws violations of Liberia and economic crimes. Some perpetrators recommended for prosecution include:

**LEADERS OF WARRING FACTIONS**

NAME	FACTION
Charles G. Taylor	NPFL
Prince Y. Johnson	INPFL
Roosevelt Johnson*	ULIMO & ULIMO-J
Alhaji G.V. Kromah	ULIMO & ULIMO-K
George Boley	LPC
Thomas Yaya Nimely	MODEL
Sekou Damante Konneh	LURD
Francois Massaquoi*	LDF

*See Annex 2 for full listing.*

**12.4. Names of Persons (Perpetrators) Not Recommended for Prosecution**

The TRC recommends that the following persons though found to be responsible not be prosecuted because they cooperated with the TRC process, admitted to the crimes committed and spoke truthfully before the Commission and expressed remorse for their prior actions during the war:

No.	Name	County	No.	Name	County
1.	Eugene Zinnah Gray	Montserrado	20.	Joseph Kpagbor	Grand Bassa
2.	Emmett Sando Gray	"	21.	Mulbah Sheriff	Gbarpolu
3.	Allan M. Nicholas	"	22.	Papa Ballah	"

4.	Joshua Milton Blayir	“	23.	George T. Sengbe	Bomi
5.	Alfred Suah Debleh	“	24.	Anthony Gballey	“
6.	Morris A. Padmore	“	25.	Amos Chea	“
7.	Musa Fofana	“	26.	Oldman Musa Pewee	“
8.	Yar Martor	“	27.	Felix Washington	“
9.	David Kennedy Vanyan	“	28.	Adam Johnson	Margibi
10.	Morris Weah	Marylandd	29.	Vivian Willie	Nimba
11.	Washington Moore	River Gee	30.	Rufus Mahmu Woyee	“
12.	Mohammed Sheriff	“	31.	Gertrude Pajebo	“
13.	Wilson Saweayah	“	32.	Junior Duo (J. Born J)	“
14.	Stephen Jones	Grand Gedeh	33.	Junior Flomo	Cape Mount
15.	Daniel Seth	Sinoe	34.	Sando Kiazolu	“
16.	Barduse Sarkoh	“	35.	Philip Wlue	“
17.	Bob Kofi Zar	Rivercess	36.	Thomas Boye Bloaju Boye	Monterrado
18.	Armah Youlu	Monterrado			
19.	Joe Wylie				

## 12.5. Public Sanctions, Lustrations, Debarment from Holding Public Office

The TRC also recommends that all persons recommended for prosecution be barred from holding public for thirty (30) years as a form of public sanction. All those holding elective offices shall continue to the end of their tenure and not be eligible to contest any public office in future. This recommendation considers that holding by-elections now would be impracticable in light of the current global financial constraints for which Liberia is no exception. However, those holding appointed offices should resign immediately. In the event they fail to resign immediately, all remuneration should be cancelled.

## 12.6. Witness Protection Statute

The TRC recommend the immediate enactment of a comprehensive Witness Protection Statute for the express purpose of securing protection; domestic or external for witnesses of the court.

### **13.0. RECOMMENDATIONS ON ACCOUNTABILITY: DOMESTIC CRIMINAL PROSECUTIONS**

#### **13.1. Names of Those Responsible (Perpetrators) Recommended for Domestic Prosecution**

The TRC recommends that certain individuals who committed egregious violations against the generality of the population but such crimes are lesser than “gross violations” those persons, at the discretion of the prosecutor, the Ministry of Justice shall be prosecutor under jurisdiction of appropriate domestic courts already existing.

#### **13.2. Names of Persons (Perpetrators) Not Recommended for Prosecution**

No one from this category qualified from exemption from prosecution as in the case of section 12.3 above.

#### **13.3. Public Sanctions - Lustrations, Debarment from Holding Public Office, etc.**

The TRC also recommends that all persons recommended for prosecution be barred from holding public for thirty (30) years as a form of public sanction. All those holding elective offices shall continue to the end of their tenure and not be eligible to contest any public office in future. This recommendation considers that holding by-elections now would be impracticable in light of the current global financial constraints for which Liberia is no exception. However, those holding appointed offices should resign immediately or be terminated.

## **14.0. RECOMMENDATIONS ON ACCOUNTABILITY: PUBLIC SANCTIONS GENERALLY**

### **14.1. Nature, Description, Objective and Justification for Public Sanctions**

Public sanctions are a form of justice mechanism punitive in nature but short of prosecution but intended to redress impunity and maintain public integrity in public service.

### **14.2. Lustrations, Debarment from Holding Public Office**

Public sanctions may take the form of lustrations, debarment from holding public offices, restitution, public apologies; written or oral, community service, compensation of victims and other social responsibilities that may be imposed for the purpose above stated.

### **14.3. List of Persons Subject to/Recommended for Public Sanctions**

All those associated with former warring factions, their leaders, political decision makers, financiers, organizers, commanders, foot soldiers shall be subject to public sanctions in one form or another.

The below comprising of political leaders and financiers of different warring factions is by no means exhaustive. All other persons similarly situated shall be subject to public sanctions as herein described above in section 14.2 and specifically barred from holding public offices; elected or appointed for a period of thirty (30) years.

<b>No.</b>	<b>Name</b>
1	Allen Brown, Sr.
2	Randall Cooper
3	Ethelbert Cooper
4	Toga McIntosh Gayewea
5	Jackson E. Doe
6	D. Bob Taylor
7	Dew Mason
5	Nyan Menten
9	Clarence Simpson
10	Byron Tarr
11	Harry Yuan
12	Ellen Johnson-Sirleaf
13	Isaac Nyenabo
14	Kabineh Ja'neh
15	Archie Williams
16	Tonia King
17	J. Appollo Swen

118	Joe Gbala
19	Thomas Ziah
20	Maxwell Karba
21	Ignatius Clay
22	Vamba Kanneh
23	Valee Keita
24	Paul Mulbah
25	El Mohammed Sheriff
26	Kwame Fofana
27	Alieu Kosia
28	Albert S. Toe
29	Weade Kobbah Wureh
30	Octavious Walker
31	Lavala Supuwood
32	Tom Woewiyu
33	Tarnue Marwolo
34	James Chelley
35	Amos Lincoln
36	Noah Bordolo
37	Edward Slangar
38	Tigae Wontee
39	Mohammed Joumande
40	Prince Sio
41	Abbas Kenneh
42	Aisha Konneh
43	Morris Dolley
44	Alhaji Sekou Fofana
45	Charles Bennie
46	Moses Jarbo
47	K.B.K. Sando
48	Kai Farley
49	Joe Tuah
50	Grace Minor

## **15.0. RECOMMENDATIONS ON ACCOUNTABILITY: NATIONAL “PALAVA HUT” COMMISSION**

### **15.1. Nature, Description, Objective, Jurisdiction, Sanction and pardoning Authority of Palava Hut)**

The Palava Hut is another form of justice and accountability mechanism with traditional orientation to foster national healing and reconciliation at the community and grass root levels creating the opportunity for dialogue and peace building. It requires that all perpetrators, their associates, warlords, financiers, organizers, activists; whether named or not in the TRC report but who have committed some wrong including assaults, destruction of property, forced displacement, looting, robbery, extortion, etc.

The purpose of the Palava Hut is to afford anyone who has committed, whether knowing or unknowingly against an individual or the state, to admit the wrongful act and seek pardon from the people of Liberia through the Palava Hut.

The Jurisdiction of the Palava Hut to render pardon shall be limited to lesser crimes only; provided that a recommendation from the Palava Hut in favor of anyone accused of the commission of a high crime or gross human rights violations is made to the Head of State or a court of competent jurisdiction.

The Palava Hut shall be established in all Statutory Districts and may extend to towns or villages as the need may arise.

### **15.2. Names of Those Responsible (Perpetrators) Recommended for Palava Hut**

Anyone who has committed, any wrongful act associated with the Liberian civil war, whether knowing or unknowingly, against anyone may seek pardon from the people of Liberia through the Palava Hut.

### **15.3. Public Sanctions, Lustrations, debarment from holding Public Office, etc**

Anyone who has committed, any wrongful act associated with the Liberian civil war, whether knowing or unknowingly, against another individual or group, and refused to take advantage of the Palava Hut process, will be subject to public sanctions, lustrations, debarment from holding public office for life, criminal and civil prosecution in a court of competent jurisdiction, etc.

### **15.4. Other forms of Accountability - traditional and Informal Mechanisms**

The Palava Hut may adopt other traditional and informal mechanisms for justice and accountability including penalties and sanctions as local culture and traditions and customs may warrant.

## **16.0. RECOMMENDATIONS: ECONOMIC CRIMES INVESTIGATION & PROSECUTION**

The TRC recommends the prosecution for economic crimes, as gross human rights violations, all those persons, natural and artificial it finds responsible for the commission of economic crimes during the period of the Liberian conflict.

### **16.1. Nature, Definition and Description**

An economic crime is any prohibited activity committed for the purpose of generating economic gain or that in fact generates economic gain by persons and actors whose economic activities contributed to gross human rights and / or humanitarian law violations in Liberia or that otherwise perpetuated armed conflict in Liberia, as well as those who benefited economically from armed conflict in Liberia. They include public and private persons, national and private corporations, and other business entities.

### **16.2. Names of Those Responsible (Perpetrators) Recommended for Prosecution**

The following persons, natural and artificial, are hereby recommended for prosecution for the commission of economic crimes:

### **16.3. Nationalization of Corporate Assets Unlawfully Acquired**

Pursuant to prosecution for economic crimes, all corporate assets of a complicit corporate person, acquired unlawfully, shall be subject to seizure by nationalization for use for the public good only.

### **16.4. Seizure or Confiscation of Individual Assets Unlawfully Acquired as Proceeds of Economic Crimes**

Pursuant to prosecution for economic crimes all unlawfully acquired assets and properties of all individuals recommended for prosecution for economic crimes shall be confiscated and nationalized for the benefit of the public good.

Confiscation may be necessary so as to prevent the perpetrators from using unlawfully acquired wealth to frustrate and obstruct justice to their gain and to the disadvantage of the public interest.

### **16.5. Repatriation of Monies Unlawfully Acquired as Proceeds of Economic Crimes**

All assets subject to confiscation and nationalization but which have been fraudulently conveyed or transferred within or without Liberia shall be subject to recovery and repatriation, where necessary, for the purposes already stated herein.

**16.6. Compulsory Disclosure by Banks and Financial Institutions - Public Interest Imperative.**

Anyone, individual or corporation, who conceals information or assists a perpetrator in the fraudulent concealment or conveyance of unlawfully acquired assets shall be liable for the commission of the crime of sabotage and obstruction of justice for their complicity in aiding and abetting a perpetrator in defeating the ends of justice and the public good.

**16.7. Names and Categories of Those Persons and Institutions that Need Further Investigation**

Owing to the fact that had limited time in which to execute its mandate, the Commission further investigation into economic crimes related activities of the following individuals and institution:

## **17.0. RECOMMENDATIONS ON REPARATIONS**

The TRC hereby recommends that the Government of Liberia assumes its full responsibility under international law principles and regimes and pursuant to its moral, legal, social, political, cultural, economic, and security obligations to its citizens to provide reparations for all those individuals and communities victimized by the years of instability and war.

### **Memorials**

The TRC recommends that in order to memorialize the dead and out of respect for the survivors of the Liberian civil conflict, that be established a national holiday for that purpose to be observed once every year; preferably that National Unification Day be renamed National Unification and Memorial Day, and that memorial sites be built in the capital city of each county to include every site of massacres where the remains of our people en masse have been buried.

The TRC recommends that befitting programmes be held on that day and that the Government assist the people to conduct proper cleansing ceremonies according to their customs and traditions to cleanse the land and lay the spirits of the dead ones to rest. That there be assistance to rebuild the shrines and holy places and rehabilitate desecrated traditional, cultural and religious institutions.

### **17.1. Addressing the Needs of Victims**

The TRC recommend reparation in the form of psychosocial, physical, therapeutic, counseling, medical, mental health and other health related services of all physically challenged individuals who were incapacitated as a consequence of the civil war to rehabilitate them in returning to normal live utilizing the full potentials of other human resources

The TRC Recommends that personal cash or material assistance be given thousand other victims who are today asking nothing more than assistance as little as a bundle of zinc or two to put shelter over their heads of their burnt out or badly looted residential structures to protect them from repeated sun beat and rain fall year in and year out

### **17.2. The Reparation Trust Fund**

The recommends the resourcing of the reparation trust fund to ensure that the reparation programme is well managed and timely executed to satisfy the post-war objectives envisioned in the TRC Act and Policy on reparation.

Pursuant to this objective the TRC recommends that the E.J. Roye building which was constructed by tax payers' money for private purposes shall be nationalized and the proceeds therefrom be utilized for reparation trust fund.

The TRC also recommends that considering the history of land disputes and the well established fact that the colonialists of the ACS and pioneers of the Liberian Government acquired by force from the natives, that the JJ Roberts trust fund established by former president JJ Roberts for the education of the “children of Monrovia” be nationalized and the proceeds therefrom be utilized for the education of the Liberian children.

### **17.3. Reparation for Particular Groups, Individuals and Communities**

The TRC recommends that reparation in the form of community development project and programs including school, health facilities, road, be considered for communities most victimized by years of conflict an civil war including for example Lofa County which have acute housing needs because of the massive depletion of its housing stock more than any other county during the war.

The TRC recommends free education to all Liberians from primary to secondary education and for certain disciplines at the college level. Said disciplines are medicine, nursing, education, teachers training, agriculture, science and technology and according to the human development resource needs of the country.

The TRC further recommends that a reparation program for the empowerment of women devastated by the civil war be extended survivors to advance their economic pursuits in the form of soft micro credit economic programs, small enterprise and marketing programs with education on small business management for sustainability.

The TRC recommends that the Central Bank, Ministry of Finance or the Government of Liberia ensures that commercial banks and lending institutions expand existing micro economic programs and government guaranteed lending schemes to women every where, especially in the rural areas, most especially, on very flexible terms and conditions suitable to poor people.

## **18.0. RECOMMENDATIONS TO THE GOVERNMENT OF LIBERIA**

The TRC hereby recommends that the Government of Liberia assumes its responsibilities and be seized of all recommendations of the TRC as both a duty and obligation.

That the Government identifies resources and work with its development partners that the recommendations are timely implemented.

### **18.1. Recommendations Relating to Building a New Liberian Political Culture**

The TRC recommends the building of a new political culture of tolerance and respect for the human rights of all persons including opposition in a pluralistic society that lends itself to freedom and liberty generally with all Liberians including the opposition understanding that the Government represents the people and that the people owe the Government a corresponding duty of loyalty and support.

The TRC also recommends that the partisan use of democratic institutions, political control of the military, the culture of extermination of political opposition be outlawed and discontinued in the new Liberia.

The TRC recommends that party politics in the military, the civil service and paramilitary institutions be outlawed by statute under which it shall be unlawful for this category of citizens to campaign, wear party t-shirts, paraphernalia, participate in parade and rallies of any political party.

The right to vote however remains inviolable.

### **18.2. Recommendations Related to Civil and Political Rights - Political Parties and Civil Society Empowerment**

The TRC recommends that consideration be given to the monitoring and resourcing of civil society as an alternative voice in the partnership of nation building and competition holding the civil society accountable also for social justice and transparency.

The TRC also recommends that budgetary allocations be made for the continued functioning and operations of political parties as necessary partners in development and democracy building under a program accountable to the national Legislature whereby public funding would directly be given to the first three political parties at the end of every national election as a threshold for public support.

### **18.3. Recommendations Related to the Administration of Justice**

The TRC recommends that respect for the rule of law at all levels of our society be encouraged and supported by strengthening the institutions of justice, increasing access to justice, extensive rights education, and the speedy dispensation of justice.

The TRC also recommends that judicial reform in this age of national existence should incorporate the possibility that jurists, lawyers and judges, not of Liberian nationality practice law in Liberia under terms and conditions and amendments to existing laws and statutes will provide; this will hasten judicial reforms, strengthen a weak judiciary, promote transparency and accountability in the judiciary as the custodian of the people's rights.

#### **18.4. Recommendations Related to Economic, Social and Cultural Rights**

The TRC recommends that the Government gives full and equal recognition to the economic, social and culture rights of the Liberian people especially minority groups to the extent that every citizen will have access to economic opportunity for personal and group advance; that the cultural values and social orientation of Liberians generally including minorities will at all times be respected as fundamental equal rights and that the rights of women to self-actualization and equity will be respected and that children will be accorded their full rights as members of the human family.

The TRC further recommends that the Government of Liberia ratify the recent optional protocol to the International Council on Economic, Social and Culture Rights unanimously adopted by the UN General Assembly on December 10, 2008.

The TRC also recommends the development of indigenous culture, institutions and infrastructure that support indigenous capitalism or commercial trading and the creation of productive industry to support the informal economic more directly through entrepreneurship, loans, grants, etc.

#### **18.5. Recommendations related to Women's Rights, Protection and Empowerment**

The TRC recommends the abolition of all forms of discrimination and violence against women and minority groups in our society.

The TRC recommends that the Government of Liberia should, without delay, establish programmes that would victims of the conflict, especially women, with medical, psychological and social services including rehabilitation and assistance with child care and maintenance and other support structures to promote their safety, physical and psychological wellbeing.

The TRC further recommends that the Government attention to the health needs and rights of women in vulnerable and disadvantage groups such as migrant women, refugee and internally displaced women, the girl child and older women, women in prostitution, rural women, women with mental and physical disabilities.

The TRC also recommends that priority consideration be given to victims of sexual violence without delay irrespective of whether or not the reparation trust fund is

fully established or operational. Even when that is done, the rehabilitation of victims of sexual violence should be a priority.

#### **18.6. Recommendations Related to Child Rights Advocacy and Protection**

The TRC recommends that because children are neither culpable nor held responsible for their actions during time of war, all children who participated in the armed conflict be protected without limitation from all forms of sanctions including criminal prosecution, civil liability, or public sanctions.

The TRC recommends the abolition of all forms of discrimination and violence against children and minority groups in our society.

The TRC also recommends that the government develops sound and practicable social welfare programs for children, who if left alone, would be deprived of the opportunities which could make them vulnerable and a liability to society.

The TRC further recommends the establishment of rehabilitation and reintegration programs for child soldiers and children associated with armed groups to the extent that it will benefit from free compulsory education up to the secondary level including the opportunities for vocational education.

The TRC also further recommends that government ratify and domesticate all international conventions relating to the protection and the rights of the child including the CRC Optional Protocols and the ILO Minimum Age Convention and make sure that it fulfills all its reporting obligations under the AU and UN conventions relating to children.

The TRC recommends that the Government of Liberia takes all legislative, administrative, social welfare and educational measures to protect children from all forms of physical or mental violence, injury or abuse, neglect and exploitation or maltreatment including sexual abuse by persons or institutions entrusted with their care.

#### **18.7. Recommendations Related to the Establishment and Resourcing of the Independent National Human Rights Commission (INHRC)**

The TRC recommends that the Independent Human Rights Commission be brought up to international standards in conformity with the Paris principles and to ensure that the INHRC functions effectively including discharging its responsibilities as inheritors of the TRC process.

#### **18.8. Recommendations Related to Combating Corruption and Institutionalizing Good Governance – Whistle blower Statute**

The TRC recommends that the Government of Liberia, without delay, enact a 'Whistle Blower Statute' to protect and reward people who in the interest of

combating corruption expose corrupt practices within society. Such protection should include protection against dismissal, protection guaranteed state witnesses, protection for family members, protection against reprisals, protection to be rewarded as a patriotic citizen.

The TRC recommends the full resourcing of the Anti-Corruption Commission and the Public Procurement Commission to ensure their effective functioning and enact new laws providing harsher punishment including prison term and confiscation of properties of people found guilty of corruption. The Act establishing the Anti-Corruption Commission should be amended to include the office of the Special Prosecutor independent of the Ministry of Justice, to prosecute all cases of corruption in the public and private sector.

The TRC further recommends that the Government of Liberia should without delay enact a code of conduct laws to govern the public sector including requirements for the compulsory declaration of assets. There must be no limitations of the time frame for prosecution for corruption.

#### **18.9. Recommendations Relating to the Decentralization of Political and Economic Power**

The TRC recommends that given the political history of Liberia, economic and political decentralization is both imperative and an urgent matter of national concern that the government should take all measures to ensure that by the time of the 2011 elections, all issues of decentralization are placed within the public domain for implementation.

To this end, the TRC recommends that political authority devolves to political sub-divisions in which the people of every political sub-division would elect their local leaders including the superintendent, city mayors, the superintendent's council, etc. Under this scheme, the Ministry of Internal Affairs shall have no relevance and must be dissolved. A comprehensive national policy on decentralization across Ministries and Agencies of Government should be established with clear guidelines and time frame for implementation.

The TRC further recommends that the Government of Liberia should advance reforms that provide increased opportunities for political participation at the local and county levels which will ensure that community governance structures are established at neighborhood and community levels with residence electing their own leaders to represent them as a catalyst for local development.

The TRC also further recommends that the Government of Liberia reform its tax structure to ensure an efficient tax governance and management structure that will alleviate the burden of high taxes (which encourages corruption) while at the same time ensuring effective of collection of all taxes due government and the strict

enforcement of penalty for the non-payment thereof; understanding that tax payment is a civil and sacred duty and that high taxes leads to tax evasion.

The TRC also recommends that the Government should begin to institute measures that would lead to making the Customs and Revenue services fully autonomous of the Ministry of Finance.

The TRC recommends that for all intents and purposes, decentralization must entail and mean that a sustainable mechanism, law or programme must be in place to guarantee that local constituencies may play a significant role about decision making regarding resource allocation, development prioritization, policy formulation and political decision making.

#### **18.10. Recommendations on Public Integrity and Public Property**

The TRC recommends that the Government of Liberia adopts all measures, policies including the enactment of statutes that would ensure and guarantee integrity in public service. To this end, nepotism, favoritism, marginalization in public service, or economic benefit and the distribution of social gains would be monitored to ensure compliance with national standards of integrity, fairness, and equity.

The TRC also recommends that a statute on public integrity be enacted to require among others, county and regional balance at all levels of employment; in all Government ministries, agencies, public corporations, military and paramilitary institutions, Commissions, etc. to such an extent that it shall be a felony for one to hire his friends, cronies, political affiliates and partisans, kinsmen, ethnic group, tribe, relatives, family members, in the public service without regard to public integrity and honor, merit and national policy of integration enshrined in the Constitution of Liberia (1986).

The TRC further recommends to the National Elections Commission and the Government of Liberia that no person should be allowed to contest for an elected position without first being vetted for their involvement in the Liberian conflict and exonerated for having played no major role in the conflict for which sanctions have been recommended. The vetting institutions shall include the Independent National Human Rights Commission, the Elections Commission itself, social institutions with which the individual is involved (religious organizations for example), the local community from whence the person originated and/or currently resides, the general public.

The TRC also further recommends that under any public integrity mechanism or statute, there must be guarantees of redress for justice for human rights violations, intolerance for impunity and corruption, just compensation for labor, just compensation for land appropriated for public purposes, entrenched political culture of democracy and equity.

The TRC also recommends that public integrity shall mean and apply to anyone who acquired property during and after a tour of duty in government and for a period of ten (10) years after government service to establish the source of funding for the said acquisition and a failure to do so shall forfeiture or confiscation in favor of the public good and interest to the extent that anyone who condones, conceals, or consent to fraudulent conveyance of said property be they relative, friend, spouse, or children shall be first be subject to investigation and be liable for violation of the public integrity and trust equally as the principal.

The TRC recommends that the Government takes urgent measures and adopt sound policies relating to the efficient, transparent and accountable use, management, maintenance and disposal of public property including maintenance of public buildings, shrines, cultural and heritage sites, vehicles, ensuring that luxury vehicles are no longer included in Government fleet for everyday operational use except the office of the President, Vice President, Speaker, President Pro-Tempore, the Chief Justice and Justices of the Supreme Court.

## **19.0. RECOMMENDATIONS RELATED TO THE LIBERIAN DIASPORA**

### **19.1. Immigration Issues**

The TRC recommends that Liberians, their relatives and offspring who migrated to foreign parts on account of the civil crisis or who migrated prior to the civil crisis but remained in foreign parts on account of the crisis and in other instances had to acquire foreign nationality should benefit from dispensation of maintaining their foreign nationality without forfeiting their Liberian citizenship. Where such rights have already been forfeited, they shall be restored.

The TRC also recommends to the Government of Liberia to institute measures without delay that will place Liberians laws in harmony with the principle of Dual Citizenship and that a bureau within the Ministry of Foreign be established to supervise and monitor the affairs of Liberians in the Diaspora.

### **19.2. Vulnerability, Employment, Women and Youth Related Issues**

The TRC recommends to the Government of Liberia that the Government take measures to address the issues of vulnerability, employment, women and youth related issues of Liberians in the Diaspora which would eventually ensure their voluntary return to Liberia as contributing members of our society rather than as convicts or ex-convicts involuntarily repatriated.

### **19.3. Promoting Reconciliation in the Diaspora**

The TRC recommends that the Government of Liberia through the Embassy of Liberia accredited to the United States, Ghana, Sierra Leone, Guinea, Nigeria, and everywhere there is a significant number of Liberians, intervene and work with local communities within the Diaspora to reconcile their differences and alleviate the potential for looming conflicts which threaten the peace, harmony and unity of Liberians in the Diaspora.

### **19.4. Diaspora Contribution to Reparation Trust Fund and Development Programs**

The TRC recommends to the Liberian Diaspora that each resident in the Diaspora contributes at least US\$1.00 a month to the Reparation Trust Fund as the beginning of its contribution as citizens of Liberia to the economic and social development their motherland. In the future, we recommend that the Diaspora adopt creative mechanisms to ensure beyond regular remittances to family members, substantial contributions can be made in other areas of need including education, health, reconciliation, literacy, etc.

### **19.5. Rights of the Diaspora to Vote incident to Dual Citizenship**

The TRC recommends to the Diaspora and the Government of Liberia that the right of members of the Diaspora to vote in national elections in Liberia be guaranteed under laws, terms and conditions to be established. Incident to this right is the obligation and duty of Liberians in the Diaspora to remit taxes to the Government of Liberia.

## **20.0. OTHER RECOMMENDATIONS**

### **20.1. Recommendations to Other Sectors of the Liberian Society**

The TRC recommends that all Liberians, irrespective of social stature, economic standing, political background or affiliation, or county of origin, commit themselves to the principles of national reconciliation and unity, peace and security, transparency and accountability, in all spheres of our lives eschewing corruption and impunity in our homes, communities, churches, mosque, temples, synagogues, schools, etc. in order to build for ourselves and posterity a “wholesome functioning society” in which the rule of law will rule supreme and the rights of the individual will be equally respected with equal opportunity for all.

### **20.2. Recommendations Relating to Changing Minds and Attitudes -a New Social Engineering - National Visioning**

The TRC recommends to the Government and people of Liberia that after twenty-four (24) years of civil conflict the time is now for us to change our minds and attitudes and engender a new social engineering in which corruption and impunity will be condemned by all and we will no longer sing praises and honor to those who dishonor the public trust, violate the rights of others and loot the public treasury.

The TRC further recommends that by appropriate legislation, the Government of Liberia outlaws all symbols and cleavages of disunity and segregation in our midst which often take the form of stereotyping and branding people by their ethnicity or tribal origin.

The TRC recommends that the appropriate reference to the a fellow Liberian will be with respect and dignity as a citizen of Liberia and it shall be illegal to refer to or identify one otherwise as for example ‘a nimba man, or a kpelle man’. It shall also be an offense to request the ethnic identity of any individual in a derisive manner in relation to daily interaction, employment, social standing or otherwise. The nature of one’s ethnicity shall remain the private domain and not a subject of intrusion by anyone, authority or institution. The ethnicity or tribal affiliation of a Liberian citizen shall be protected by law.

The TRC also recommends that such words that connote divisions among our people inherent in our mutual mistrusts and misunderstanding of each other be also outlawed to overcome over a century of history of exclusion, marginalization, inferiority and superiority complexes. Such outlawed cleavages shall include references like ‘country man or congo man, native man or native woman, country chicken, country cloth, country rice, country pepper, bush man or bush woman, lappa woman, heathens, the interior, hinterland, bush meat, bush chicken, country people, country girl, disappointed African, America-Liberians, Ecomog baby, Ecomog baby, Asian bastards, bastards etc. in derision of indigenous contributions

to our culture and heritage; the intention being to strengthen national integration and unity.

The TRC recommends also that in further strengthening of national integration and unity, that every Liberian makes the effort through exposure to all the cultures and traditions of our people in schools, social institutions, etc. to underscore that while certain cultures are predisposed to certain practices and are inclined or disinclined to other practices because of history, experience, etc. we should avoid stereotyping, change our minds and attitudes, and stop asking people what is your tribe, or saying such other nasty things like 'bassa man can steal, kpelle people are stupid, bassa people sold their land for smoke fish, krahn people eat charcoal and human beings, grand gedeh people have no grave, kru people are rude and hostile, peace was in heaven before kru man entered, lorma people are blind followers, vai people like money and court business and are lazy, gio and mano people like security and killing business, they undermine people and are disloyal, Maryland people like ritualistic killing (they are gboyo people), congo people are fetish, incestuous and corrupt, gola people are mean, bassa women are prostitutes, mandingos and fulas are not citizens, all muslims are mandingos, all mandingos are from Guinea, all Ghanaians are Fanti, Freetown is Sierra Leone, etc.

### **20.3. Recommendations Relating to Rebuilding Institutions and Infrastructure**

The TRC recommends civil society organizations and political parties, that rather than maintaining these institutions around the cult of a personality, infrastructures should be built within these institutions to ensure internal democracy and that they function as institutions of public trust rather than the property of an individual. Institutional building is essential to building and maintaining a formidable democracy whether in the public or private sector.

The TRC also recommends that all regulatory agencies or institutions of Government involved with monitoring the effective functioning of the institutions herein mentioned ensure that these institutions continue to operate democratically, transparently with accountability otherwise, they shall lose their corporate status.

### **20.4. Recommendations Relating to Professional Bodies - the Media and the National Bar Association**

The TRC recommends that all professional bodies including but not limited to the Liberian National Bar Association, Medical and Dental Association, the Press Union of Liberia, etc., commit themselves to ensuring that practicing members of their respective bodies demonstrate the highest standards of integrity and professionalism including maintaining confidentiality and respect for rights of their clients, customers, patients, and the general public, guaranteeing sanctions for professional breaches not in a nominal way but in a manner and form that deters repetition of transgressions.

The TRC also recommends that that these professional bodies be vigorously self-regulating to purge its ranks of dishonest, unqualified and corrupt individuals who for many years have violated the rights of their clients and other people with impunity and have consistently undermined our system of justice by their negative influences and lack of sense of social responsibility and professional accountability. These institutions must educate and expose to the public avenues and mechanisms for redress of wrongs in an easy and inexpensive manner and form.

## **20.5. Amnesty**

The TRC believes and consistent with international standards that amnesty for heinous crimes is unacceptable, immoral and promotes impunity. The TRC therefore refrains from granting amnesty to any individual involved in the commission of such crimes in Liberia. In the case of children in armed conflicts, the TRC says is inapplicable since it raises the presumption of liability or responsibility for the crimes committed.

The TRC has therefore recommended that full protection be provided to all child soldiers or children involved with armed forces to the extent that civil and criminal or public sanctions are barred against them.

## **20.6. Recommendations Relating to the Environment, Natural Resources and the Equitable and Sustainable Use and Management of Land and Other natural Resources**

The TRC recommends that in our new Liberia, the utilization and exploitation of our natural resources should be viewed from the perspective of strategic resources which must be sustainably disposed of for the benefit of our current generation and in the interest of generations to come.

The TRC also recommends that the Government of Liberia revisit all policies of past relating to the environment, natural resources and the equitable a sustainable use and management user of these resources including land with the following principles:

- a. Natural resources should be developed and exploited only to the extent that it guarantees the maximum benefit for the citizens of Liberia in the context of our long-term national development goals;
- b. The people are the owners of natural resources and as such natural resources are public assets which must be exploited under transparent conditions in which the people are well informed and consulted during process of policy formulation and decision making;

- c. Terms and conditions relating to the granting of resource rights must be construed under existing circumstances to ensure that Liberia gets the full value from its resources;
- d. That the extraction and exploitation must be directly linked to national development goals, programmes, such that specific development projects like roads, schools, hospitals, etc. would be implemented directly by the exploiting agency in exchange for the rights to exploit under strict government regulation;
- e. Public corporations with oversight for natural resources must have clear and transparent mandates, professionally managed such that benefits accruing from their operations are clearly seen to benefit the people and contributing to the alleviation of poverty. In other words, these institutions must have direct link, budgetary and otherwise, to the poverty alleviation programme of government;
- f. To the extent that the environment is affected by the operations of these institutions involved with the exploitation and extraction of natural resources, the environment and social impact must be accounted for and mitigated to the highest extent possible from contract negotiations to extraction and folding up exercises;
- g. The exploitation of natural resources and revenues generated therefrom must be linked directly to human development and an improvement in the lives of communities and peoples ensuring improvement and efficiency in public expenditures with a view to maximize benefits to the people;

## **20.7. Recommendations Relating to Land, Tenure, Distribution and Reform Specifically**

The TRC recommends just compensation for the owners or title holders of all lands including community lands long held in trust for the people but which were forcefully taken away by the government for concessions be paid or the property returned to them under terms and conditions regulated by government.

That the Land Reform Commission be seized of this and other land related matters with the view to harmonizing and resolving all land disputes based the fundamental principles of fairness and equal rights, equity as well as recognizing communal property rights, tribal property rights, reserves and the interest of maintaining public order and national cohesion.

## **21.0. RECOMMENDATIONS TO THE INTERNATIONAL COMMUNITY**

### **21.1. Recommendations to the United Nations**

The TRC recommends to the United Nations Security Council full support and endorsement of the recommendations of the TRC and request all member states to assist Liberia in prosecuting wars crimes and gross human violations committed in Liberia especially those states having universal jurisdiction for international crimes.

That the United Nations abandons the practice of appeasement in the mediation of peace agreements that shares power with those who commit heinous crimes during times of peace and armed conflict.

The TRC recommends bold and swift actions in the prevention of conflict to the extent that protective and preventive measures will be taken to halt deadly armed conflict and protect human life.

The TRC recommends to the UN that it has a responsibility to prevent conflicts and rebuild nations and communities affected by conflict. In so doing the TRC is recommending a continued presence of the United Nations Mission in Liberia for another five or more years and that the capacity of ECOWAS be strengthened to participate in robust peace keeping and peace enforcement operations.

### **21.2. Recommendations Regional and Sub-regional and Actors**

The TRC recommends that regional and sub-regional organizations continue the process of peace mediation and regional integration to such an extent that there will be mutual respect for the sovereignty and territorial integrity of member states so that their countries will not be safe havens for human rights violators and war criminals.

### **21.3. Recommendations to Foreign States, International Institutions, Donor Agencies, NGO's and Other Partners**

The TRC encourages foreign states, international institutions, donor and NGO partners to continue to assist the Government of Liberia and help to sustain the peace in Liberia and build a strong judiciary would be the custodian of the people's rights.

The TRC recommends that post-conflict development and reconstruction in Liberia should be driven by the needs of the people and demand oriented for effective delivery of assistance to the people of Liberia.

The TRC recommends that the United States reexamines and redefines its historic relationship with Liberia and demonstrate in concrete political and economic ways its appreciation for the support of Liberia as a historic political and economic ally.

America's policies in Liberia present Liberia as a dumping ground for free blacks and slaves from the US and receptive Africans on the high seas. The US and its corporate interests in Liberia have played complex and too contradictory roles as a conflict backer and an ambivalent and benevolent patron state. The TRC, in fact attributes this dichotomous relationship to Liberia's chronic underdevelopment.

Lastly, the TRC strongly says that Liberians unnecessarily suffered because of the failure of the international the USA and the United Nations Security Council to take decisive actions to halt the conflict in Liberia in early 1990 and thereafter.

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#### PRIMARY SOURCES:

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2. Testimonies in the form of Statements from the TRC Diaspora Project
3. Direct and via media interviews and research findings by the Inquiry unit of the TRC. For list see appendix...
4. In camera testimonies by witnesses before the Commission
5. Testimonies of over 800 witnesses appearing before the Commission in the following order:
  - a) survivors' hearings in 15 counties
  - b) survival hearings in the Diaspora
  - c. institutional and thematic hearings in 15 counties
  - d. institutional and thematic hearings in Monrovia.
  - e. Institutional and thematic hearings in the Diaspora

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  - a. US State Department declassified information on Liberia, 1979 - 2003
  - b. Human Rights Watch Annual Human Rights Reports, 1979 - 2003
  - c. Amnesty International Annual Human Rights Reports, 1979 - 2003
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- Ellis, Stephen-The Mask of Anarchy
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- UNDP Conflict mapping Report
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## **Annex 1.**

### **THE VIRGINIA DECLARATION: A Call For a Way Forward to a New Liberia through Reconciliation and Justice resulting from the National Truth and Reconciliation Processes Culminating in the National Conference on Reconciliation Held at the Unity Conference Center in Virginia, Liberia**

**Virginia, Liberia June 19, 2009**

We, the delegates of the National Conference on Reconciliation in Liberia, representing citizens of Liberia from all 15 counties and from all walks of life, background, race, clan and tribe as well as representing perpetrators and victims of crimes of all forms and degrees against our fellow brothers and sisters; having come together to forgive and seek forgiveness through the pursuit of truthful reconciliation among ourselves placing our nation, our dignity and the future of our children and children's children ahead of us all through the Grace and Mercy of Almighty God; and

We recall the spirit of all our Great ancestors, who through love of unity, freedom, justice and liberty founded this great Nation. We honor their vision, their gallant strides and dedication to building a nation great and strong which is also able to stand against its foes. This spirit of gallantry demonstrated through unity of purpose must live on; and

We acknowledge the recent, difficult chapter in our national history. We stand together and share in the pains of victims. We acknowledge that the wounds are deep and the pains are breathless. Yet we stand together, both perpetrators and victims, forgiving and seeking forgiveness of each other, embracing each other in the true spirit of reconciliation and love once more. Recognizing all of this, we remain cognizant of the fact that justice and accountability are necessary for true reconciliation and national healing.

We the delegates at this National Reconciliation Conference, organized by the Liberia Truth and Reconciliation Commission with the theme: "National Reconciliation and the Way Forward", discussed at length issues related to reconciliation for our people, including reparations, prosecutions, amnesty, memorialization, traditional reconciliation and accountability mechanisms, national identity, participation in governance, land tenure and ownership, and a national vision for a new Liberia.

Following the robust and important discussions held on these topics during the National Reconciliation Conference, we the delegates representing the people of Liberia both at home and in the Liberian Diaspora, DO HEREBY DECLARE:

That the recommendations listed below represent the views of the Liberian people represented at this conference; and

That the Recommendations are not offered in order of priority. Rather, the delegates consider all of these issues to be critical and urgent components for true reconciliation and stable peace to be achieved and sustained in Liberia.

WE THEREFORE CALL:

*On the Liberia Truth and Reconciliation Commission to:*

Recommend the following in its final report:

1. That those who died as a result of the conflict be memorialized by monuments and multi-purpose halls erected in the name of victims at all sites of massacres.
2. That there be a specific date declared for proper reburial of all victims of massacres.
3. That individual reparations be granted to victims of Liberia's civil crisis in the form of psychosocial support, educational scholarships, microloans, livestock support, agricultural support, and food aid.
4. That community reparations be granted to affected populations in the form of centers for psychosocial support, support to communal farming, and priority rehabilitation of roads, schools, and health facilities.
5. That perpetrators should provide financial or in-kind contributions for reparations to buttress reparations programs at the community level.
6. That there be prosecutions for all perpetrators in positions of leadership during the conflict—including heads of warring factions, frontlines commanders, and those who committed economic crimes and supported them—who are accused of violating international humanitarian and human rights law or crimes against humanity and have not acknowledged their wrongs or appeared before the TRC.
7. That a court of competent jurisdiction be established in Liberia to deal with these cases immediately upon submission of the TRC's final report.
8. That community leaders should be empowered to use "under the palava hut" management to deal with all those that have acknowledged their wrongs and are seeking forgiveness.
9. That no blanket amnesties be granted, but that upon accounting for their deeds persons can qualify for amnesty if they were 1) below the age of 18 when acting as fighters or 2) did not violate international humanitarian and human rights law or crimes against humanity and cooperated with the TRC and spoke the truth and were remorseful.
10. That perpetrators who committed crimes against humanity should not be elected or appointed for public office.
11. That acts of corruption be defined in clear terms, particularly in relation to embezzlement.
12. That Superintendents be elected, not appointed.

13. That a code of conduct for government officials be produced and that compliance with this code becomes a requisite for any election or appointment to political office.
14. That all assets of an individual be declared and examined before being elected or appointed to a political office.
15. That political appointments be based on merit.
16. That the number of political parties be reduced.
17. That political power be decentralized in such a way to ensure that the seats of all Counties can share responsibility for the administration of Liberia but that Liberia remains a unitary state.
18. That appropriate and transparent mechanisms be put in place so that Liberians in the Diaspora can have the opportunity to vote in the new Liberia.
19. That a land dispute court be established to work closely with the Land Commission, with a representative in every county.
20. That a traditional land council be established to support the efforts of the Land Commission and land dispute court, reflecting ethnic, age, and gender balance.
21. That a historical review commission be established to review Liberia's history and produce a version of it that reflects the lives of the people met here by the settlers in 1822.
22. That a national culture center be established to promote Liberia's diverse culture.
23. That a national consultation process be set-up to determine a single indigenous dialect to be spoken throughout the country and taught in Liberian schools.
24. That the motto in the seal of Liberia be changed from its current form, "The love of liberty brought us here," to instead read: "The love of liberty unites us here".
25. That a palm tree be used as a national symbol for common identity in the new Liberia.
26. That streets, public buildings, and other public spaces be named in honor of traditional leaders and other prominent figures who have made significant contributions to their counties and communities in Liberia.
27. That March 15 of each year be celebrated as "Presidents' Day" in honor of all of Liberia's presidents.
28. That national ID cards be reactivated.

29. That welfare centers be created to provide care to those who can no longer provide it for themselves, including the elderly, mentally disturbed or mentally handicapped.
30. That vocational education be provided to adults in the form of literacy and skills-training programs.
31. That youth receive pre-technical qualification trainings in order to seek employment.
32. That the curriculum for children and youth be updated to include reconciliation, peacebuilding, human rights, and patriotism.
33. That *poro* and *sande* periods be coordinated with the national school calendar.
34. That more recreational opportunities be created for children and youth.
35. That more rehabilitation centers for deviant youth be established.
36. That the Independent National Human Rights Commission be immediately constituted and empowered to undertake its important work, including ensuring implementation of the TRC's recommendations.
37. That a Peace and Reconciliation Commission be established to oversee, support, and encourage reconciliation activities throughout the country.
38. That a National Peace and Reconciliation Conference be held annually, rotating between all 15 counties.

*On the Government of Liberia to:*

Implement these recommendations as a matter of utmost haste, creating new mechanisms or bodies for implementation where they are needed and strengthening existing mechanisms or bodies where they are weak; and

Strengthen and expedite reforms already underway to:

1. Promote a culture of respect for human rights;
2. Eliminate gender-based violence, protect survivors of rape, and prosecute people who commit violence against women;
3. Promote an understanding of child rights issues that is sensitive to African culture and focuses on both rights and responsibilities;
4. Provide security and protection to citizens against criminal activity;
5. Liberianize the economy and protect local businesses;
6. Decentralize and enhance the provision of medical services;

7. Increase and standardize educational facilities of all levels throughout Liberia.
8. Undertake a constitutional review process to address any inadequacies in our current constitution that may pose an obstacle in the implementation of these recommendations; and
9. Establish a special judiciary review committee to monitor the government's progress on implementation of these and other TRC recommendations.

*On all bodies involved in the implementation of these recommendations to:*

Prioritize and promote comprehensive awareness campaigns for all implementation efforts throughout all 15 political subdivisions and in all local dialects; and

Ensure that implementation efforts take into account the need to improve social protection of women, children, the disabled, and other vulnerable groups, focusing on their empowerment and participation in all levels of decision-making; and

Be cognizant and sensitive to local context and practices in all their activities; and

Defer decision-making power for the implementation of these activities to the community level wherever relevant.

*On all Liberians:*

To encourage and take part in reconciliation practices at all levels and to support to their greatest ability the implementation of these recommendations; and

To pressure leaders at the community, county, and national levels to remain seized of the matter of these recommendations; and

To establish civil society monitoring bodies, comprised of members from different pressure groups, community advocacy groups, and traditional leaders, to track and advocate for the implementation of the recommendations.

We, the delegates to this momentous and all-important event, submit this declaration to the Government and People of Liberia in good faith and optimism, recognizing that though the long road towards reconciliation is still ahead of Liberia, we have already come a long way since the turbulent times of our country's civil crisis. In the spirit of fostering true peace and harmony in our beloved Liberia, and in recognition that it is only once all Liberians commit to the principles of reconciliation that it can be achieved and sustained, we ourselves, the delegates of this conference, DO FURTHER DECLARE:

That we will remain seized of these issues and work at all levels of society to promote the adoption and implementation of any and all efforts that will foster true and lasting reconciliation and understanding among our people.

Working together towards peace and reconciliation in all its forms is the only way forward for our country.

**Annex 2. Draft Statute: Extraordinary Criminal Tribunal**

**“STATUTE ESTABLISHING  
THE EXTRAORDINARY CRIMINAL COURT FOR LIBERIA”**

**GENERAL PART**

**Article 1**

**Establishment and Competence**

1. In order to implement the recommendation of the Truth and Reconciliation Commission of the Republic of Liberia (TRC) to establish an “Extraordinary Criminal Court for Liberia”, an internationalized domestic court, to combat a culture of impunity, secure justice for victims and ensure that Liberia adheres too, respects and protects prevailing international human rights and humanitarian law standards, an Extraordinary Criminal Court for Liberia (hereinafter “Court”) is hereby established.
2. The Court shall have all of the necessary power and jurisdiction to prosecute persons referred to it by the TRC for gross violations of human rights (GVHR), serious humanitarian law violations (SHLV) and egregious domestic crimes (EDC) as enumerated by this Statute.
3. The seat of the Court shall be in Monrovia, Liberia.
  - i. The Court may establish alternative sites to conduct hearings as it deems necessary.

**Article 2**

**Organs of the Court**

1. The Court shall be composed of the following organs:
  - i. Appeals Division,
  - ii. Trial Division;
  - iii. The Office of the Prosecutor; and
  - iv. The Registry.

**Article 3**

**Composition**

1. The Court shall be composed of two chambers and twelve (12) independent full-time judges, who will serve accordingly: