REPUBLIC OF LIBERIA
TRUTH AND RECONCILIATION COMMISSION

FINAL REPORT

unedited

VOLUME II: CONSOLIDATED FINAL REPORT

This volume constitutes the final and complete report of the TRC of Liberia containing findings, determinations and recommendations to the government and people of Liberia

Volume II: Consolidated Final Report

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LIST OF ABBREVIATIONS

AFL	Armed Forces of Liberia
ATU	Anti-Terrorist Unit
CID	Criminal Investment Division
CPA	Comprehensive Peace Agreement (2003)
CRC	Convention on the Rights of the Child
ECOWAS	Economic Community of West African States
EDC	"Egregious" Domestic Crimes
GHRV	"Gross Human Rights Violations"
IACHR	Inter-American Commission on Human Rights
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICGL	International Contact Group on Liberia
ICL	International Criminal Law
ICTJ	International Center for Transitional Justice
IHL	International Humanitarian Law
IHRL	International Human Rights Law
INCHR	Independent National Commission on Human Rights
INPFL	Independent National Patriotic Front of Liberia
ITAC	International Technical Advisory Committee
LDF	Lofa Defense Fund
LFF	Liberian Frontier Force
LPC	Liberian Peace Council
LURD	Liberians United for Reconciliation and Democracy
MODEL	Movement for Democracy in Liberia
NBI	National Bureau of Investigation
NGO	non-governmental organization
NPFL	National Patriotic Front of Liberia

NSA	National Security Agency
OSIWA	Open Society Initiative for West Africa
Protocol II	Protocol II Additional to the Geneva Conventions of 1977
RRU	Rapid Response Unit
RUF	Revolutionary United Front
SATU	Special Anti-Terrorist Unit
SHLV	"Serious" Humanitarian Law Violations
SOD	Special Operation Division of the Liberian National Police
SSS	Special Security Service
SSU	Special Security Unit
TRC	Truth and Reconciliation Commission of Liberia
ULIMO	United Liberation Movement
ULIMO J	United Liberation Movement-J
ULIMO K	United Liberation Movement-K
UN	United Nations
UNHCHR	United Nations High Commissioner for Human Rights
UNICEF	United Nations Children's Fund
UNMIL	United Nations Mission in Liberia

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A national enterprise of this nature cannot be anything but a tall order. Having just three years to fulfill this mandate would not have been done by nine commissioners, and staff without the unbridled support of stakeholders, partners, donors, ordinary Liberians including victims and perpetrators.

The commission is thankful to all organizations, institutions and individuals; both in Liberia and abroad who have contributed to this important undertaking to confront Liberia's bitter past and set the stage for peace, reconciliation and the rebuilding of the Liberian state .

We are particularly grateful to the Government of Liberia for funding the TRC throughout its life span and for supporting the process. We are also grateful to the National Legislature for its prompt intervention when required by the Commission. Similarly, several donor institutions are worth mentioning for funding and collaborating with the TRC. We would like to express profound gratitude to the United Nations Development Programme (UNDP) for providing the TRC the initial funding and support. Special thanks go to the Open Society Initiatives for West Africa (OSIWA) who provided initial grant for institutional support and for the development of the TRC data base. Special thanks also go to the United States Agency for International Development (USAID) and the Danish International Development Agency (DANIDA) for supporting statement taking and the TRC International Advisory Committee (ITAC) respectfully. We owe special gratitude to the Swedish International Development Agency (SIDA) and the European Commission for infusing funds into the process immediately after the institutional review process to ensure that the TRC performs the task ahead.

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Several local civil society organizations were also instrumental to the work of the commission. We particularly highlight the support of the Women NGO Secretariat (WONGOSOL), the Crusaders for Peace, Child Protection Agencies and Children Task Force, Transitional Justice Working Group (TJWG), the Catholic Justice and Peace Commission (JPC), Liberia Women Media Action Committee (LIWOMAC),

The Liberia Council of Churches (LCC), the National Muslim Council of Liberia, the Inter-Religious Council of Liberia, the Traditional Council of Liberia and others.

The TRC also expresses profound gratitude to the International Contact Group on Liberia (ICGL) and ECOWAS through the ICGL TRC Working Group for the guidance provided during the process.

To the countless numbers of individuals including the many unsung heroes, heroines and institutions for whom space cannot permit us to mention, we express our heartfelt appreciation for the invaluable contribution to this process.

Finally, we express our profound gratitude to the President, H.E. Madam Ellen Johnson-Sirleaf, and the Government and people of Liberia for their continuous support to the work of the Commission even up to the last moment. We reserve gratitude also for the Legislature and the House Committee on Peace and Reconciliation for standing with the Commission till present.

Final Statement from the Commission

Nearly three and half years ago, we embarked upon a journey on behalf of the people of Liberia with a simple mission to explain how Liberia became what it is today and to advance recommendations to avert a repetition of the past and lay the foundation for sustainable national peace, unity, security and reconciliation. Considering the complexity of the Liberian conflict, the intractable nature of our socio-cultural interactions, the fluid political and fragile security environment, we had no illusion of the task at hand and, embraced the challenge as a national call to duty; a duty we committed ourselves to accomplishing without fear or favor.

Today, we have done just that! With gratitude to the Almighty God, the Merciful Allah and our Lord and Savior Jesus Christ, we are both proud and honored to present our report to the people of Liberia, the Government of Liberia, the President of Liberia and the International Community who are "moral guarantors" of the Liberian peace process.

This report is made against the background of rising expectations, fears and anxiety. The vast majority of us who are victims or survivals of the massive wave of atrocities induced by the conflict, expect that all the recommendations contained in this report will be implemented and reparations in the forms of compensation, policy and institutional reforms, specialized services, restitution or financial relief, will address all our social, economic, cultural, civic and political rights issues, ensure accountability, undermine impunity and foster national healing and reconciliation.

The few of us who commanded the forces of arms, financed, resourced and provided political and ideological guidance to several warring factions, we fear alienation, prosecutions and other forms of public sanctions which may undermine our current socio-economic and political stature acquired during the conflict period.

Though this latter group of us equally desire national healing and reconciliation, it should be accomplished without any cost to our current standing and prestige. Bygones must be bygones. Having no regard for the rule of law, we ignored the TRC Process and when we opted to cooperate and appear before the Commission, we deliberately lied and failed to speak truthfully about the scale of our participation and deeds as a show of remorse and contrition which acknowledges the pains and sufferings of victims and triggers the national healing and reconciliation we profess to desire.

A true transitional justice process, as the TRC of Liberia, is never a perfect human endeavor; and will not satisfy all segments of our society. It is equally true that the TRC may never meet all the expectations or allay all the fears of contending interests it naturally arouses. Expectations, fears and anxieties, justifiably so, are products of the TRC process and not its outcome. The process is what justifies or legitimizes the product or the outcomes.

The outcome in this report is the product of deliberate planning and engagement with all segments of our society centering on all 15 counties of Liberia and the Diaspora. Capturing over 22,000 written statements, several dozens of personal interviews and over 500 hundred live public testimonies of witnesses including actors, perpetrators, and direct victims; a national regional consultation with county stakeholders and a national conference on reconciliation and the way forward provided the Commission a national perspective of the conflict, its causes, trends, impacts and the vision and aspirations of the people of Liberia for a better future. The Commission incorporated desk research, media publications and human rights reports of very prominent international and local human rights institutions into its work. So guided and informed, the Commission is well poised to make this report and draw the conclusions and make the recommendations contained in this report which in four volumes documents the comprehensive work of the Commission.

We extend appreciation to all, locally and internationally, who supported and worked with the Commission to ensure it succeeds at its mandate. We mention the Government of Her Excellency, Ellen Johnson-Sirleaf, the National Legislature including the House Standing committee on Peace and Reconciliation, The International Contact Group on Liberia (ICGL), Minnesota Advocates for Human Rights and the hundreds of volunteers across the USA, the media and dozens of civil society institutions, who were very interested and supportive of the process and lastly but not the least, the people of Liberia everywhere, not only for their support but most importantly for their abiding faith and confidence in the process and our ability to successfully navigate and pilot suavely through the many turbulences we encountered along the way.

We call on all to view this report and use it as a tool, blueprint and foundation for carving a better, brighter and more secured future for posterity. The purpose of our work was not necessarily to please anyone but to objectively and independently execute the mandates of the TRC realistically and objectively in patriotic service to the nation in unraveling the truth of our national nightmare. This report is our roadmap to liberation and lasting peace which means that reconciliation in Liberia is never again an elusive goal. It is both a possibility and a reality we must achieve by opening our hearts and accepting the realities and consequences of our national existence and move forward. This report is a contribution to that process and it is our prayers that all Liberians will see it that way and work for the full implementation of the recommendations without fear or favor or respect for any man. When we do this, the love of liberty "which brought us here" will "bring us together" under God's Command so that this sweet and glorious land of liberty will forever be ours.

Jerome J Verdier, Sr. (Cllr)
Chairman

We, Commissioners of the Truth and Reconciliation Commission of Liberia having taken oath to honestly and conscientiously serve the people of Liberia through the faithfully execution of the mandate of the Liberian people entrusted to us by the TRC Act, do hereby submit our final report to the Government and people of Liberia.

In Testimony of the fulfillment of our duties and responsibilities under the aforesaid Act, we hereby affix our signatures as below on this 29th day of June A.D. 2009.

Jerome J Verdier, Sr., Chairman	**Dede A. Dolopei, Vice Chair**
Massa A. Washington, Member	**Oumu Syllah, Treasurer**
John H.T. Stewart, Member	**Gerald B. Coleman, Member**
Pearl Brown Bull, Member	**Sheikh Kafumba Konneh, Member**

QUOTATIONS

"The nature, scale and impact of the conflict and the crises it engendered, were so deliberate and repugnant to human sensibilities that ignoring them is intolerable as fearing their repetition…"

TRC Chairman, Jerome J Verdier, Sr.

"Whenever we are forced to use violence as a means of vetting our frustrations with social injustice we usually stand on the side of evil or injustice, especially if we are 'the first to strike'! Our only protection if we seek to preserve our humanity in the process is to stand upon "CODE PRINCIPLES OF RIGHTEOUSNESS" even in the state of war. Though this is hard to achieve, if one does not do so history will usually judge you, the liberator as having become the new suppressor"… **Amb. Rev. Gerald B. Coleman.**

"This leaves the excruciating problem of "…human rights violations and other violent crimes which have caused so many victims and so much suffering in the past. They are an open wound in our national soul that cannot be ignored, nor can it heal through mere forgetfulness; to close our eyes and pretend none of this ever happened would be to maintain at the core of our society a source of pain, division, hatred and violence. Only the disclosure of the truth and the search for justice can create the moral climate in which reconciliation and peace will flourish"…

President Patricio Aluryn of the Republic of Chile
when he received the report of the TRC.

1.0. EXECUTIVE SUMMARY

The Truth and Reconciliation Commission of Liberia (TRC) was established at the end of the peace conference in Accra, Ghana when the Comprehensive Peace Agreement (CPA) was signed by all parties to the conflict including the international community as guarantors, in August 2003. This was for Liberia, its first period of calm and relative peace following 14 years of civil war and violent armed conflict.

Under the CPA sitting President Charles Taylor stepped down and departed Liberia into exile paving way for a two year Liberia National Transitional Government (LNTG) headed by Chairman Gyude Bryant. In June 2005, the National Transitional Legislative Assembly enacted the TRC Act into law. National Elections were held in November 2005 and President Ellen Johnson Sirleaf was elected, sealing a long period of conflict and creating the space for national reckoning. The elected President inaugurated the nine-member Commission in February 2006 and the Commission was launched to commence its operations on June 22, 2006.

Since its launching in June 2006, the Commission, for the last three years, worked tirelessly to fulfill its mandate in the face of mounting administrative, operational, financial and human resource challenges. This occasioned a slow start of the Commission's work in the first year till July 2007 when activities of the Commission resumed uninterrupted to present. Pursuant to its mandate, the Commission conducted public awareness campaigns, collected thousands of witness testimonies and held public hearings in all 15 counties of Liberia as well as in the Diaspora.

1.1 Mandate of the TRC

The mandate of the TRC, principally contained in Art IV, Section 4 of the TRC Act, is to foster truth, justice and reconciliation by identifying the root causes of the conflict, and determining those who are responsible for committing domestic and international crimes against the Liberian people as follows:

1. Document and investigate the massive wave of human rights violations that occurred in Liberia during the period January 1979 – October 2003;

2. Establish the root causes of the conflict and create a forum to address issues of impunity;

3. Identify victims and perpetrators of the conflict;

4. Establish a forum to facilitate constructive interchange between victims and perpetrators to recount their experiences in order to foster healing and reconciliation;
5. Investigate economic crimes and other forms of human rights violations and determine whether these violations were part of a systematic and deliberate pattern of violations or isolated events of violations;

6. Conducting a critical review of Liberia's historical past to acknowledge historical antecedents to the conflict and correct historical falsehood;

7. Adopt specific mechanisms to address the experiences of women and children;

8. Make recommendations to the Government of Liberia for prosecution, reparation, amnesty, reconciliation and institutional reforms where appropriate to promote the rule of law and combat impunity; and

9. Compile a report and submit same to the Government and People of Liberia;

1.2 Background to the Founding of Liberia

Liberia is located on the Atlantic coast of West Africa and encompasses a territory of 43,000 square miles. The country shares borders with Sierra Leone to the northwest, Guinea to the northeast, and Côte d'Ivoire to the southeast. Liberia's 15 counties correspond to territories historically claimed by particular Liberian indigenous ethnic groups**.** English is the official language of Liberia, although more than 20 indigenous languages and a form of English known as Liberian English are also in daily use.

The modern nation of Liberia, as it exists today, was partly shaped by the transatlantic slave trade to the United States. In the early 1800s, a group of prominent white Americans developed a plan to return freed blacks to Africa. Beginning in 1822, freeborn black Americans, freed slaves of African descent, and Africans freed from captured slave ships were settled by the American Colonization Society on lands which later became Liberia. This group of a few thousand settlers, never more than 5% of the Liberian population, became known as Americo–Liberians. They dominated the political, economic, social and cultural life of the nation for over a century.

While Liberia has often been hailed as one of the only African nations never to be colonized, the historical facts are more complex. The settlements of repatriated Africans were in fact, governed by white American agents of the American

Colonization Society for the first several years of their existence. Although the U.S. government funded much of the American Colonization Society's efforts, it was clear that the United States never intended to formally establish itself as a colonial power in Liberia. Liberia became a sovereign nation under Americo-Liberian rule in 1847. The indigenous inhabitants of the territory claimed for Liberia were largely antagonistic to the establishment of the Liberian nation. In fact, the American Colonization Society, and later the fledgling Liberian government, was at war with various indigenous tribes over territory and trade routes throughout the 1800s. Liberia's complex history created a "state of contestation" which remains today a major source of conflict and disunity.

1.3 History of the Conflict in Liberia

Liberia developed into a relatively stable oligarchy through the 1800s and early 1900s. By the 1970s, however, tension within Liberia was escalating. Riots broke out in 1979 in the capital city of Monrovia. In 1980, a military coup took place, resulting in the murder of the president, the summary execution of 13 government ministers, and the installation of Samuel Doe, an army master sergeant, as the new national leader. Doe ruled the country for the next decade. In 1985, Thomas Quiwonkpa, a fellow coup maker with Doe in 1980, led a band of armed militias mainly his kinsmen of Nimba County in a failed bid to oust Doe, plunging the country into further turmoil. In 1989, Charles Taylor and his National Patriotic Front of Liberia invaded from Côte d'Ivoire, setting off two civil wars that raged until 2003, involved more than 10 rebel factions, and engulfed the entire West African sub-region.

As Liberia began to establish itself as a new nation, a small number of Americo-Liberian families and their patronage networks dominated all aspects of government, economy, the security sector, commerce, and social advancement. They acquired land and extended their influence and authority deeper into the hinterland from the coast by force and authority of the settlers' Government which grew from colony to commonwealth and then statehood 25 years later in 1847.

The Government in Liberia was the domain of the True Whig Party. Although other political parties existed, opposition to True Whig Party dominance was systematically oppressed. Control of the Liberian territory and the indigenous people who inhibited it was established by the brute force of the Liberian Frontier Force (LFF), later the Armed Forces of Liberia (AFL).

Commerce with the outside world was centrally controlled by the Monrovia-based government, whose oligarchic governance structure led to an excessive concentration of power in the presidency. Lack of education and other opportunities for those of non-Americo-Liberian origin, and impunity for corruption and

systematic human rights abuses were attributes of the Monrovia hegemony of a few families that controlled the wealth of the nation.

The administrations of Presidents William Tubman and William Tolbert sought to reach out to the indigenous peoples and increase their involvement in government and society opening limited access to opportunities. Their efforts, however, were perceived by many to be insufficient and their respective administrations perceived to be corrupt. In 1979, it was widely believed that President Tolbert planned to raise the price of rice so that he or his family could benefit economically. This led to protests and demonstrations, known as the "Rice Riots." The brutality with which the Tolbert administration quashed the Rice Riots with the help of foreign troops from Guinea, further entrenched the socio-economic and ethnic disparity in Liberian society. Many perceived the civil unrest of 1979 as the beginning of the long-running civil crisis that engulfed Liberia.

Liberia is a country with significant natural resources, including timber, gold, diamonds and rubber. Historically, Liberian people have not been the primary beneficiaries of these natural resources. Rather, these resources have served the interests of a very small number of Liberians (relatives or cronies of the elites) and non-Liberians, seeking to reap benefits for themselves. The concentration of state power among a few influential families meant that the business of governance served the interest of businesses controlled by those families and their networks. Special deals were reached with a multitude of foreign business interests, most notably the lease of one million acres of land on highly favorable terms to the Firestone Rubber Company, which led to the creation of the world's largest rubber plantation. In 1920, the True Whig Party forcibly recruited workers for the Firestone plantation and other projects through its Labor Bureau and the Liberian Frontier Force, which would mete out harsh punishment to any indigenous leaders unable or unwilling to supply workers. Such practices led to a League of Nations investigation and the resignation of one Liberian president and his vice President. Labor practices at Firestone remain to this day the subject of discontent and ongoing litigation in the U.S.

With the lack of opportunities for economic advancement, corruption and the abuse of power spread to virtually all sectors of the Liberian government; corruption became endemic across ministries, the security forces, civil service, and judiciary. So endemic and permissive is corruption as a culturally accepted practice in Liberia that if one doesn't steal public resources and monies when in government, he is considered stupid. While corrupt officials who steal and bask in affluence to extend their influence in society are well respected and honored annually by social and religious institutions as "honorable" and "good citizens" and "personalities of the year" because of their "benevolence and valuable contribution to society".

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. In addition, corruption and abuse of power in the security forces went unchecked by the judiciary and the state, leading to further deterioration of the rule of law. The breakdown in the rule of law and a history of pervasive illicit enrichment frustrated those seeking true democratic change in Liberia, and led some to advocate use of force to attain change. These entrenched aspects of life in Liberia exacerbated behavior during the civil conflict. Vigilantism became widespread, as combatants and indigenous victims of the spoilt system used their newfound power to seek revenge for past losses and wanton abuse of power. Looting and theft of property from those perceived as having benefited from the system of illicit enrichment was also commonly reported to the TRC and wide spread during the conflict.

1.4. Findings and Determinations

Findings: Professor Svend E. Holsoe employed the term "Troubled Boundaries" in reference to the root causes of the Liberian conflict; describing them as the basis for the outbreak of violence and social discontent in the Liberian society which, may best be categorized into antecedent, immediate, and remote causes.

Root Causes of the conflict: Liberians identified the following as contributory elements in setting the stage for the conflict in Liberia as well as exacerbating the conflict; leading to loss of life and the destruction of the Liberian nation:

1. Poverty. Governance, it's over centralization and the oppressive dominance of the Americo-Liberian oligarchy over the indigenous peoples of Liberia rights and culture.

2. The lack of any permanent or appropriate mechanism for the settlement of disputes, the judiciary being historically weak and unreliable.

3. Duality of the Liberian political, social and legal systems which polarizes and widens the disparities between the Liberian peoples – a chasm between settler Liberia and indigenous Liberia.

4. Ethnicity and the divisive clustering of the "peoples" of Liberia.

5. Entrenched political and social system founded on privilege, patronage, politicization of the military and endemic corruption which created limited access to education and justice, economic and social opportunities and amenities.

6. Unfair discrimination against women and denial of their rightful place in society as equal partners.

7. Historical disputes over land acquisition, distribution and accessibility.

8. Lack of clarity and understanding of Liberia's history including its history of conflicts.

9. Identity and the crisis of identity engender disunity and undermine Liberian patriotism and sense of nationhood.

10. The gradual breakdown of the family and lost of its traditional value system.

Additional Findings:

1. The conflict in Liberia has its origin in the history and founding of the modern Liberian State.

2. All factions to the Liberian conflict committed, and are responsible for the commission of egregious domestic law violations, and violations of international criminal law, international human rights law and international humanitarian law, including war crimes violations.

3. All factions engaged in the armed conflict, violated, degraded, abused and denigrated, committed sexual and gender based violence against women including rape, sexual slavery, forced marriages, and other dehumanizing forms of violations;

4. Both individual and community reparation is a duty and obligation of the state, to promote justice and genuine reconciliation.

5. Where in the determination of responsibility IHRL, IHL, ICL, do not apply domestic criminal law statutes will apply.

6. No faction in particular instituted – in some cases to a very limited extent- adequate mechanism to avoid or mitigate massive violations of human rights that characterized the conflict.

7. All factions and other armed groups recruited and used children during periods of armed conflicts.

8. None derogation of rights during periods of emergency or armed conflict applies to the Liberian conflict situation and as guaranteed by the Constitution of Liberia and international instruments.

9. Prosecution of certain individuals and other forms of justice, including public sanctions, is *sine qua non* to sustaining the fight against impunity, and the promotion of justice, and genuine reconciliation.

10. Common Article 3 and Protocol II of the Geneva Convention, having being ratified by the Government of Liberia apply to Liberia.

11. Liberian was engulfed in armed conflict from December 1989 to 1996; from 1999 to August 2003;

12. Preponderance of evidence is an appropriate evidentiary standard of proof appropriate to the work of the TRC, considering that it is neither a criminal nor prosecuting institution.

13. Massacres, economic crimes, extra-judicial killings, for example, fall within the ambit of IHRL and IHL.

14. The New Penal Code of Liberia will apply as to mercenarism, official oppression, murder, kidnapping, rape, sexual assault, fraud in the internal revenue of Liberia, theft and/or illegal disbursement and expenditure of public money, counterfeiting, and misuse of public money, property or record.

15. General Human Rights Violations (GHRV) are generally, but not exclusively, committed by state actors, and may take place during times of peace or armed conflict, and can be directed against individuals or a group of individuals.

16. Lack of human rights culture and education, depravation and over a century of state suppression and insensitivity, and wealth acclamation by a privileged few created a debased conscience for massive rights violations during the conflict thus engendering a culture of violence as a means to an end; with an entrenched culture of impunity.

17. External State Actors in Africa, North America and Europe, participated, supported, aided, abetted, conspired and instigated violence, war and regime change against constituted authorities in Liberia and against the people of Liberia for political, economic and foreign policy advantages or gains.

18. Significant more sexual and gender based crimes committed mainly against women were committed than was reported to the TRC through its formal process for reasons of insecurity, stigma, etc

Determinations: Consistent with inquiry findings, the TRC determines that:

1. All warring factions are responsible for the commission of gross human rights violations in Liberia, including war crimes, crimes against humanity, IHRL, IHL, ICL, domestic criminal laws.

2. Prosecution in a court of competent jurisdiction and other forms of public sanctions are desirable and appropriate mechanisms to promote the ends of justice, peace and security, foster genuine national reconciliation and combat impunity.

3. The massive wave of gross violations and atrocities which, characterized the conflict, assumed a systematic pattern of abuse, wanton in their execution, and the product of deliberate planning; organized and orchestrated to achieve a military or political objective; disregarding the rights of noncombatants, children, women, the elderly, disarmed or surrendered enemy combatants, etc.

4. All factions to the conflict systematically targeted women, mainly as a result of their gender, and committed sexual and gender based violations against them, including rape of all forms, sexual slavery, forced marriages, forced recruitment, etc.

5. Reparation is a responsibility of the state and development partners as a long term peace investment to redress the gross violations of human rights committed against victim communities and individuals, especially women and children, to help restore their human dignity, foster healing and closure, as well as justice, and genuine reconciliation.

6. Children are entitled to general amnesty for crimes committed during their minority. General amnesty for crimes lesser than gross violations will also contribute to fostering national healing and reconciliation.

7. IHRL, IHL, ICL, and Liberian domestic criminal statutes are applicable in establishing accountability for crimes committed during the mandatory period of the TRC work.

8. Reform of public institutions and certain policies will promote peace, security, national reconciliation, good governance and human rights; reduce poverty and alleviate illiteracy, create opportunities for all, as well as to guarantee that, the experiences and horror of the conflict will not be repeated.

9. While the TRC will not recommend general amnesty, except as provided in count 6 above, the commission however determines that all individuals who admitted their wrongs and spoke truthfully before or to the TRC as an expression of remorse will not be recommended for prosecution.

10. Recommendations for further investigations into other matters which were subject of the TRC inquiry, but remain incomplete up to the expiration of its tenure in June 2009, will be made.

11. Liberians in the Diaspora are as much Liberians as those at home; they continue to be engaged with developments on the homeland, supported and financed warring factions as an instrument for regime change; having heard their voices, issues and concerns raised by them must be addressed in fostering greater national reconciliation.

The TRC determines that individuals, entities or groups involved in a joint criminal enterprise or conspiracy, which planned, instigated, ordered, commanded, aided or abetted in the planning, preparation or execution of any crime within its mandate, including economic crimes, are liable and responsible for the crimes so committed.

The TRC determines that the following armed groups, rebel groups or warring factions and their financiers, leaders, commanders, combatants and advisors etc. associated with them, are responsible for committing 'egregious' domestic crimes, 'gross' violations of human rights and 'serious' humanitarian law violations including economic crime in Liberia between January 1979 and October 14, 2003.

These groups are categorized into two with equal culpability: (1) Significant Violator Groups; and (2) Less Significant Violator Groups. The distinction between them relates solely to the number of reported violations against them. The specific crimes and total reported violations committed by these armed groups, rebel groups or warring factions and the financiers, leaders, commanders, combatants and advisors etc. associated with them are detailed in other sections of this report.

I. Significant Violator Groups

i. National Patriotic Front of Liberia (NPFL)

ii. Liberians United for Reconciliation and Democracy (LURD)
iii. Liberian Peace Council (LPC)
iv. Militia
v. Movement for Democracy in Liberia (MODEL)
vi. United Liberation Movement (ULIMO)
vii. Armed Forces of Liberia (AFL)
viii. Unknown
ix. United Liberation Movement-K (ULIMO K)
x. Independent National Patriotic Front of Liberia (INPFL)
xi. United Liberation Movement-J (ULIMO J)
xii. Anti-Terrorist Unity (ATU)

II. Less Significant Violator Groups

i. Vigilantes
ii. Lofa Defense Force (LDF)
iii. Liberian National Police
iv. Special Operation Division of the Liberian National Police (SOD)
v. Revolutionary United Front (RUF)
vi. Special Anti-Terrorist Unit (SATU)
vii. Special Security Unit (SSU)
viii. Special Security Service (SSS)
ix. National Security Agency (NSA)
x. National Bureau of Investigation (NBI)
xi. Criminal Investment Division (CID)
xii. Rapid Response Unit (RRU)

Military Institutions Drawn into Conflict by their defensive and offensive postures

i. ECOMOG
ii. Black Beret

1.5. RECOMMENDATIONS

The TRC makes general and specific recommendations consistent with the dictates of its mandate; with the leading objective to promote national peace, unity, security and reconciliation. Recommendations cover such subjects as reparation, amnesty, prosecution in a specialized Liberian criminal tribunal, public sanctions and a palava hut peace building mechanism to foster peace dialogue and rebuild broken relationships in fostering national reconciliation, and healing beginning at the grass roots.

1.5.1 Recommendations to the People of Liberia

TRC recommends to the people of Liberia that they maintain abiding faith in the potential of the Liberian Nation to rise beyond the current dilemma and work assiduously for the implementation of all the recommendations of the TRC.

That the people of Liberia begin to adopt positive attitudes and change the old mind sets in how we view ourselves as an African nation, breakdown the social, economic, and cultural barriers, that keep the nation apart, and envision a new Liberia founded on equal rights and mutual respect for the cultural values of all Liberians, and equal opportunities for all.

1.5.2 Recommendations to the Government of Liberia

The TRC recommends to the Government of Liberia, the full and timely implementation of all the recommendations contained in this report. The full and timely implementation of these recommendations are critical to Liberia's recovery and progress beyond the conflict and will contribute to the building of a more just and equitable society in which everyone is equal before one set of laws which guarantees equal protection and opportunity for all.

The wide range of recommendations directed to the Government of Liberia and more specifically, the President of Liberia, include guaranteeing to women, children and other vulnerable populations, the full enjoyment of their social, economic and cultural rights, in addition to civil and political rights.

Recommendations to the Government also include the full range of mandated recommendations of the TRC Act; to include reparations, justice and reconciliation mechanisms, institutional reforms, governance, issues of the Diaspora, national integrity and corruption, the national human rights commission, etc

1.5.3 Recommendations to the International Community

The TRC is recommending to the International community, continued and considered long term security engagement with Liberia and the sub region until such time that Liberia's security infrastructure is reliable and stable.

The TRC is also recommending to the international community to reconsider peacekeeping objectives and the modus operandi for negotiating peace agreements, which will assign high premium to human rights, public integrity and increased investment in conflict prevention over conflict resolution.

The TRC is recommending also the creation of permanent conflict prevention and early warning mechanisms that will afford aggrieved citizens the opportunity to place their grievances before an international body when certain benchmarks for peace and democracy are not maintained by their governments. This serves as an alternative to violent actions and protest in pursuit of regime change.

2.0. INTRODUCTION

2.1. The Beginning

Confronted with numerous challenges, Liberia had to grapple with the challenges of human rights abuses emerging from its immediate past. The 2003 Comprehensive Peace Agreement mandated the creation of a national Truth and Reconciliation Commission (TRC), which was passed into law by the National Transitional Legislative Assembly in June 2005. President Johnson-Sirleaf inaugurated the nine member Commission in February 2006, and formally launched the active phase of its two-year mandate at a public ceremony in Monrovia at the Centennial Memorial Pavilion on June 22, 2006.

On October 19, 2005, the head of state, Chairman Gyude Brant, announced the names of the nine new Commission members: Sheikh Kafumba Konneh, Rev. Amb. Gerald Coleman, Cllr. Pearl Brown Bull, Retired Bishop Rev. Arthur F. Kulah, Cllr. Jerome J. Verdier, Sr., Mrs. Massa Washington, Mrs. Dede A. Dolopei, Mrs. Oumu K. Sylla, and Mr. John H.T. Stewart.

2.2. Profile of Commissioners of the TRC

In October 2005, the nine Commissioners of the TRC were appointed by Chairman Charles Gyude Bryant, Head of the National Transitional Government of Liberia, pursuant to Article XIII of the CPA. After a comprehensive national vetting process and following an extensive public vetting and recruitment process in late 2005, Commissioners were inducted into office by Her Excellency Ellen Johnson-Sirleaf, President of Liberia, on 20 February 2006. The Commissioners and ITAC members are:

Cllr. Jerome Verdier, Chairman of the TRC, was a leading human rights and civil society activist prior to his selection to serve on the TRC. He holds a Bachelor of Business Administration degree in Accounting and Economics from the University of Liberia (1988) and a Bachelor of Laws degree (LLB) from its Louis Arthur Grimes School of Law (1998). Apart from working both in the private and public sectors as a Senior Accountant, Comptroller and Executive Director, he has been instrumental in strengthening civil society advocacy, while serving in several capacities as Executive Director of Liberia Democracy Watch; Chairman of the Board of Directors of The National Human Rights Center of Liberia; a consortium of nine human rights and pro-democracy organizations; Board Chairperson of the Foundation For International Dignity; Senior Staff Attorney for the Association of Environmental Lawyers (Green Advocates); and the first Research & Program Officer of the Catholic Justice & Peace Commission. Cllr. Verdier is a practicing attorney, credited for rendering pro bono legal services to indigent persons, civil society activists, and

journalists. He also led civil society groups in several successful lawsuits against the Government of Liberia. Cllr Verdier is a member of the Bar of the Honorable Supreme Court of Liberia. He commenced active law practice with the law firm of Stubblefield & Associates, Inc., and later founded the Law Offices of Verdier and Associates, Inc.

Commissioner Dede Dolopei, Vice-chair of the TRC, was a Liberian administrator, manager, social worker and peace activist. She holds a Bachelor of Business Administration degree in accounting with emphasis in management from the University of Liberia, where she is also a Master of Science candidate in regional planning. Commissioner Dolopei served as a member of the board of directors for the National Women's Commission of Liberia and the Christian Foundation for Children and the Aging. She has been instrumental in the promotion and protection of women's rights in Liberia, and is well-known for her efforts and expertise in peace-building, conflict resolution and psycho-social counseling.

Commissioner Oumu K. Syllah is a registered nurse, HIV/AIDS counselor and social worker. She holds a Bachelor of Science degree in Nursing from Cuttington University College, Bong County, Liberia, and a certificate in nursing as a State Registered Nurse from the National School of Nursing in Freetown, Sierra Leone. Commissioner Syllah has worked as a professional nurse and social worker in renowned hospitals, including Connaught Hospital in Freetown and the St. Joseph Catholic Hospital in Monrovia. She has also acted as a trainer/facilitator and participant in numerous workshops in social work.

Commissioner Massa Amelia Washington is a journalist with more than twenty years of experience in journalism. She holds a Bachelor of Arts degree in Mass Communication with an emphasis in print journalism from the University of Liberia and is currently a second-year graduate student with high honors at the Temple University School of Social Administration and Management, Philadelphia, PA, USA. She was trained in broadcast journalism by the Voice of America and the Liberian Broadcasting System. She has served as a Public Relations Officer for the Liberian National Red Cross Society, Senior Reporter for the Ministry of Information's New Liberian newspaper and News Editor for the Inquirer Newspaper, Liberia. Commissioner Washington covered the Liberian Civil War extensively, often reporting in hostile territories, and created a column in the Inquirer dedicated to highlighting the impact of the war on women. She is a Civil Society and women's rights activist and a member of the Liberian Women Initiative (LWI), which has been at the vanguard of peace advocacy in Liberia. She attended and covered early peace conferences including; the Accra Clarification Conference, Akosombo I and Abuja I. Commissioner Washington is the only member of the TRC recruited from outside of Liberia. Prior to joining the Commissioner, she lived in Philadelphia where she worked as Director of Programs for the WES Health Centers Department of WESWorks. The Commissioner has received several honors including; U.S. Embassy in Monrovia 2009 Liberian Woman of Courage Award, in the Category of the State Department's International Woman of Courage Award, Women's Campaign International (WCI) 2009 International Women's Leadership Award, 2004 Liberian Association of Pennsylvania Inc. Certificate of Honor, and Press Union of Liberia Reporter of the Year Award 1994. Ms. Washington is also one of sixteen Liberian peace advocates featured in the

African Women and Peace Support Group's 2004 "Liberian Women Peacemakers, Fighting for the Right to be Seen, Heard and Counted".

Commissioner Cllr. Pearl Brown Bull has been practicing Lawyer with the Bull Law Firm since January 7, 1982. She studied law a the Louis Arthur Grimes School of Law in Liberia and the University of Quinnipiac Law School, Connecticut, U.S.A,

earning a JD degree from Quinnipiac. She holds Bachelor of Arts degree in Political Science from the University of Liberia (1973). She is a legal drafter with more than a quarter century of experience in the peace building, woman and human Rights Advocacy and a renown Liberian Politician. Commissioner Bull has held many elected and presidential appointed positions, serving in the public and private sectors in Liberia including on several Boards; Red Cross, YMCA, Renaissance Corporation Inc. FORUM, Special Assistant to Mrs. Angie Brooks Randolph 1974, Law clerk to Supreme Court of Liberia under Associate Justice, George E. Henries, 1978-1979, Country Vice President, International Federation of Female Lawyers, elected National Chairman, Women Wing, True Whig Party of Liberia, January 1980-April 12 1980, Elected Member from Montserrado County to the Constitutional Advisory Assembly of Liberia (1983) (see 1986 Constitution), Member of the Interim National Assembly of Liberia, representing Montserrado County (1984), Member of the Public Procurement Steering Committee to draft the Act Creating the Public Procurement and Concession Commission of Liberia (2004-2005), elected chairman of the Civil Society committee to lobby the national Transitional Legislature for the enactment of An Act to Repeal the 1979 Act Creating the Liberian Commission of Human Rights and to Create the Independent National Committee on Human Rights of Liberia, to ensure said act was printed into Handbill (2005), Vice Chairman, Independent Committee of Expert for the selection of commissioners for the Independent National Human Rights Commission of Liberia (Dec. 2005), Acting National Chairman Women Wing Unity Party of Liberia, 2005, Coordinator for the Movement for the Promotion of Ellen Johnson-Sirleaf for President of Liberia (MOPED) (2005-2006), Member of the National Bar Association of Liberia for 27 years, and Association of Female Lawyers where she served on several Committees.

Cllr. Bull also served as President of Tropicana Travel Agency in Liberia until 1996 when she had to leave Liberia as a result of the 1996 Civil Crisis. While in the United States she worked as an Immigration Specialist assisting many Liberians to obtain Temporary Protective Status, green card, asylum and regularization of their status Cllr. Bull has traveled worldwide to conferences, seminars and spoken to Universities including Duke University, USA "Humanitarian Challenges at home and aboard focus Program,' At Shaw University, USA , She taught Management and supervision in Law Enforcement Planning and Criminal Evidence.

Commissioner Bull has received several national and International Honors and Recognition including "Who is in the world " 1987 ed. Philip Jessup Moot Court competition Washington D.C., Female lawyer of the year (Liberia) 2007- 2008, Woman of the Year 2008 (Liberia), Liberia Human Rights chapter (1994), TRC Representative on the 2006 Presidential Commission to Investigate the Nimba Land dispute.

In 2007 the Liberian Senate Invited Counselor Bull as a Constitutional Legal Expert to advise that Honorable body, Widow of former Chief Justice of Liberia, Justice James G. Bull, Commissioner Bull has four children and several adopted children under the (ADOPT A STUDENT) Humanitarian Program.

Commissioner Ambassador Rev. Gerald Coleman is an electrical engineer and project manager by training. He holds a Master of Science degree in Electrical Engineering and completed post-graduate studies in Engineering Management at Northeastern University, Boston, MA, USA. Rev. Coleman is the spiritual elder and founding national missionary of the Unification Movement of Liberia, where he has worked for more than twenty-five years. In 1996, he was the Government of Liberia's Commissioned Ambassador and Special Envoy to the Far East. During this period, he worked for the peaceful transition of the Liberian National Transitional Government to civilian government by facilitating several peace building, education and cultural exchange programs for Liberian youths. In 2000, Ambassador Coleman, along with several other prominent Liberians, launched the Inter-Religious & International Federation for World Peace of Liberia as a national branch of an international peace-building non-governmental organization (NGO). Ambassador Coleman also assisted the National Transitional Government of Liberia to establish the Liberian TRC.

Commissioner John H.T. Stewart is a Liberian journalist, human rights advocate and activist. He is well known for his acerbic writing and interviewing style and has served as Associate Editor of the New Democrat Weekly and presenter of the Radio Veritas Topical Issues program. He was educated at the University of Liberia and has held numerous professional positions including local consultant for the Media Foundation for West Africa; reporter for Channel Africa; Regional Coordinator for the Catholic Justice and Peace Commission; Information Assistant for the United Nations Population Fund; and National Assistant Field Security Advisor to the United Nations Development Program. Commissioner Stewart's advocacy efforts have included working with the Citizens of Liberia against Gambling, Citizens of Liberia in Defense of Albert Porte and the Movement for Justice in Africa. An advocate for the past thirty years, he has been imprisoned and tortured for his activism.

Commissioner Sheikh Kafumba Konneh is a Liberian Muslim Authority who has a long record of conflict resolution and peace-building efforts during major civil and military conflicts in Liberia. In addition to his theological (Al-Islamic) achievements, Sheikh Konneh studied secular law through apprenticeship. He held several positions in the civil service, including Justice of the Peace, Associate Stipendiary Magistrate and County Commissioner in Nimba County, his birthplace. He has also served as Secretary-General and Managing Director of the Liberian Muslim Union

and as Secretary-General and National Chairman of the National Muslim Council of Liberia.

Bishop Arthur F. Kulah is a well-known Methodist prelate who traveled throughout Liberia during the civil war, spreading hope to the people. He holds many degrees in theology and other disciplines from Cuttington University College, Bong County, Liberia; St. Paul Theology Seminary, Kansas City, MO, United States of America; and Wesley Theological Seminary, Washington, DC, USA. Commissioner Kulah began serving as pastor of the United Methodist Church in Liberia in 1980, and held numerous prominent positions until his retirement in 2000, including Resident Bishop of the Liberia Annual Conference/United Methodist Church. As an educator, administrator and author, Bishop Kulah has served as Dean of the Gbarnga School of Theology, and Dean and Principal of the Theological College and Church Training Center in Freetown, Sierra Leone. He has written several books and articles including *Liberia will Rise Again* and *Theological Education in Liberia: Problems and Opportunities*. In June 1990, Bishop Kulah and others organized a sixty thousand-person peace march that initiated the creation of an interfaith committee and helped build a foundation for the 2003 peace process in Liberia. *Bishop Kulah resigned his position on the Liberian TRC in March 2008, to become the Interim Bishop of the United Methodist Church of Nigeria.

2.3. Profile of International Technical Advisors

Dr. Jeremy I. Levitt is the sole member of the International Technical Advisory Committee (ITAC) of the TRC. Article V Section 10 of the TRC Act mandates that ITAC advisors are entitled to the same "full rights and privileges as Commissioners, except that advisors shall not vote during meetings." The TRC Act requires ITAC advisors to "work directly with Commissioners in the fulfillment of their mandate." In accordance with Section 10, Professor Levitt was nominated by the United Nations High Commissioner for Human Rights at the beginning of 2008, and appointed by Her Excellency President Johnson-Sirleaf on 31 July 2008.

Professor Levitt is Associate Dean for International Programs and Distinguished Professor of International Law at Florida A&M University College of Law in Orlando, Florida. He is a public international lawyer, political scientist and historian. Prior to joining the legal academy, Dr. Levitt served as Special Assistant to the Managing Director for Global Human and Social Development at The World Bank Group in Washington, D.C., and held a variety of globally oriented positions in the public and private sectors. He served as a Legal Aide to the Constitutional Assembly of the Parliament of the Republic of South Africa during the country's constitution-making process, and assisted in drafting its 2005 Promotion of National Unity and Reconciliation Act. Professor Levitt earned his bachelor of Arts degree at Arizona

State University, his J.D. at the University of Wisconsin-Madison, and his Ph.D. in International Studies at the University of Cambridge, St. John's College.

Dr. Levitt is an internationally recognized scholar and has authored several books and law review articles. He is the author of the widely acclaimed *The Evolution of Deadly Conflict in Liberia: From 'Paternaltarianism' to State Collapse* (Carolina Academic Press, 2005).

Prof. (Mrs.) Henrietta Joy Abena Nyarko Mensa-Bonsu, was a serving member of ITAC. A national and internationally renowned legal academic, Prof. Mensa-Bonsu who was nominated to the International Technical Advisory Committee by Economic Community of West African States (ECOWAS), is a Professor of the Faculty of Law, University of Ghana and once served as Vice-Dean of the Faculty of Law. She holds a LL.B First Class Honors (University of Ghana); LL.M. (Yale University) and was called to the Ghanaian Bar in 1982. She is the recipient of several academic awards and fellowships including a Fulbright Fellowship. She was elected a Fellow of the Ghana Academy of Arts and Sciences in 2003 and currently serves as the Honorary Secretary of the Academy. Prof. Mensa-Bonsu has served her country in several capacities including membership of the Police Council of Ghana, as the President's Nominee. She has previous experience of TRC work as a Commissioner of the National Reconciliation Commission of Ghana. She has also undertaken international assignments as a member of the OAU's Committee of Eminent African Jurists on the Lockerbie Case and the AU's Committee of Eminent African Jurists on the Hussein Habre Case. She was also a member of the Advisory Panel of the International Bar Association for the drafting of a Code of Professional Conduct for Defense Counsel appearing before the International Criminal Court and was Ghana's representative on the Intergovernmental Committee of Experts on the Drafting of the African Charter on the Rights and Welfare of the African Child. Professor Mensa-Bonsu has published widely on Criminal Law, Juvenile Justice, Children's rights, Family Law, and authored some basic texts in Criminal Law, including The Annotated Criminal Code of Ghana; The Annotated Criminal Procedure Code of Ghana; and The General Part of Criminal law, - A Ghanaian Casebook, vol. I and II. She is a member of Accra Ebony Lions Club and has held various positions of responsibility including Zone Chairman of Zone 161 of the International Association of Lions Clubs. She is married with three daughters and is currently the Deputy Special Representative of the Secretary General (DRSG) of the United Nations Mission in Liberia (UNMIL).

Dr. Kenneth Agyemang Attafouah, Phd, ITAC Member (Ghana) was also a member of ITAC. A Criminologist, Sociologist and Barrister-at-Law and Solicitor of the Supreme Court of Ghana, Dr. Attafouah was nominated to the TRC by the United Nation's High Commissioner for Human Rights. He is a former Commissioner of Human Rights in the Province of British Columbia, Canada, where he adjudicated human rights complaints, and a Member of the Canadian

Immigration and Refugee Board, where he adjudicated claims to convention refugee status in Canada. He was the Executive Secretary of Ghana's National Reconciliation Commission. He previously worked as Chief Investigator and Director of Public Education and Anti-Corruption at Ghana's Commission on Human Rights and Administrative Justice. He is a former Adjunct Professor of Criminology at the prestigious School of Criminology at Simon Fraser University (SFU) in Vancouver, B.C., Canada, from where he earned his Ph.D. in 1994. Dr. Attafuah is also a product of the Ghana School of Law (B.L), the University of Manitoba in Winnipeg, Canada, (M.A., Sociology) and the University of Ghana (B.A. (Hons.), Sociology with Political Science.

Prior to his appointment to the TRC of Liberia, Prof. Cllr. Ken Attafuah was an Associate Professor of Governance and Leadership at the Graduate School of Leadership and Public Management at the Ghana Institute of Management and Public Administration (GIMPA). He is the recipient of the *Rev. Dr. Martin Luther King, Jr. Memorial Award* for outstanding contributions to race relations in Canada (February 1992), and of the much-coveted Vancouver Multicultural Society's *Distinguished Public Service Award* for outstanding contributions to, and dedicated service in, the promotion of human rights education and multiculturalism in British Columbia, Canada (November 1995). Dr. Attafuah's extensive publications record includes a number of decisions that set precedents in human rights in Canada. He has trained and consulted widely, both locally and internationally, in the fields of human rights, adjudication, investigations, conflict resolution, crime, policing, crime prevention, criminal law reform, justice and the rule of law, gender mainstreaming, leadership and governance, corruption and conflict of interest, corporate/organizational re-engineering, peace and development, inter-group relations management, and advocacy and lobbying. He resigned his TRC portfolio late 2007.

2.4. Secretariat and Specialized Staff

Members of the Report Writing Committee
Jerome J Verdier, Sr., TRC Chairman/Ex-Officio
John H.T. Stewart, Commissioner/Chairperson
Massa A Washington, Commissioner/Member
Gerald B Coleman, Commissioner/Member
Jeremy Levitt, International Technical Advisor/Member
Prof. Ademola Abbass, Consultant/Member
Nathaniel Kwabo, Executive Secretary/Member
Stephen Manley, Program Director/Member
Patrick T. Dexter Johnson, Database Manger
Stephen Garnawah, Acting Inquiry Director/Member
Dickson T.Fully IT Webmaster

Consultants
Amb. Juli Endee
Ademola Abass
Neil Fishman
Itonde Kakoma
Anu Pillay
John Etherton, Georgia Tech
Standing Committees:
Jerome J Verdier, TRC Chairman, Ex-Officio Member

Gender Committee
Massa A Washington, Commissioner/Chair

Children's Committee
Oumu Syllah, Commissioner/Chair

Media & Outreach
Massa Washington/Chair

Youth Committee
Dede Dolopei

Economic Crimes
Gerald Coleman

Religion, Traditonal & Reconciliation
Gerald Coleman & Sheikh K. Konneh

Civil Society
John Stewart

Historical Review
Pearl Brown Bull

Diaspora
Massa Washington

Program and Planning
Gerald Coleman

Vulnerable Groups
Gerald Coleman

Governance
Oumu Syllah

The Secretariat
Nathaniel Kwabo, Executive Secretary
Database Manager
Patrick T. Dexter Johnson
Dickson Fully (webmaster)

2.5. Commissioners, Specialists, Senior Staff, Structure & Administration

The TRC organizational structure shown below indicates reporting lines that have been adopted in the rules and procedures. The structure provides for nine Commissioners and an ITAC composed of three technical advisors. For operational purposes, there are provisions for a Chairperson, a Vice-Chairperson and a Treasurer. The Executive Secretary heads the Secretariat, which is responsible for the day to day operations of the TRC. The Executive Secretary is assisted by several

directors who report to his/her office. The TRC has offices, which are headed by county coordinators, in all fifteen counties.

2.5.1. Commissioners

All Commissioners have equal powers with the Chairperson exercising his/her powers as a "first among equals." The organic powers of the Commission are contained in the TRC Act. All members of the Commission shall exercise oversight responsibilities for the functioning of the Commission in order to maintain a balanced and comprehensive perspective of TRC operations. Commissioners are not involved in day to day operations of the Commission.

The Chairperson shall be the Chief Representative and official spokesperson for the Commission, or he/she may designate one of the Commissioners to act as a spokesperson on his/her behalf. The Chairperson shall preside over meetings, forums, conferences and hearings. He/she shall undertake all other acts and exercise all authorities in consultation and with the consent of Commissioners. The Chairperson shall be responsible for ensuring that all information pertinent to the affairs of the Commission is properly and timely disseminated to all Commissioners and members of the ITAC. The Commissioners shall meet and elect a Chairperson or Vice-Chairperson to succeed to either office in the event of vacancy by reason of death, incapacitation, resignation, impeachment, and/or removal from his/her position on disciplinary grounds.

The Vice-Chairperson shall assist the Chairperson in the discharge of his/her duties and perform all such functions as the Chairperson may delegate.

The current Vice-Chair is one of four female members of the eight-member Commission. The TRC Act calls for nine Commissioners; however, one resigned and was not replaced.

2.5.2. International Technical Advisory Committee (ITAC)

Article V Section 10 of the TRC Act provides for three ITAC members to be nominated, one by the United Nations High Commissioner for Human Rights (UNHCHR) and two by the Economic Community of West African States (ECOWAS). Due to a number of constraints, three different ITAC advisors were appointed in 2006, but thereafter resigned. In September 2008, one was again nominated by the UNHCHR and appointed by the President of the Republic of Liberia in July 2008. ITAC advisors provide legal and policy oversight and advice to TRC Commissioners and are accorded all rights and privileges as Commissioners, except the right to vote.

2.5.3. Special Magistrate

Article VIII Section 27 (b) provides for a Special Magistrate vested with the authority to, under the direction of the Commission: a) issue out citations, summons, warrants and commitments; b) conduct quasi-judicial inquiries and hold contempt hearings; and (c) perform all other acts as may from time to time be designated by the Commission. The Special Magistrate shall perform his/her duties in consultation with the TRC Legal Counsel and the Executive Secretary, upholding all standards of due process, impartiality, fairness and justice in consonance with the constitution and laws of Liberia. The Special Magistrate was appointed by Her Excellency President Johnson-Sirleaf in December 2008.

2.5.4. Senior Staff and the Secretariat

Under Article IX Section 34, the Executive Secretary manages the day-to-day operations of the TRC Secretariat. The Secretariat is the administrative and operational arm of the TRC, rendering administrative, professional, technical, clerical and general administrative support services to the Commission. It comprises a core of administrative and functional staff that is under the direction, leadership and supervision of the Executive Secretary. No action of the Chairperson, Vice-Chair, Treasurer, Commissioners or Executive Secretary shall be inconsistent with the decision of the Commission or the TRC Act. These functions were assumed by the current incumbent in March 2008, almost one year after the Commission was inaugurated. In the conduct of duties, he is assisted by the below line officers described in this section.

According to the organogram, there are four line directors who form a part of the Secretariat. The four directors are: (1) the Director of Inquiry; (2) the Director for Outreach and Media; (3) the Director of Programs; and (4) the Director of Administration. These middle-level managers report to the Executive Secretary, who in turn reports to the Commissioners and ITAC through the Chairperson. A Director of Administration was never appointed.

The Director of Inquiry directs twenty-two investigators and researchers. As the Commission winds down its data gathering activities in country and in the Diaspora, a reduced number of these staff continue to provide invaluable services by analyzing the vast data collected through the thematic, actor and institutional hearings conducted in all fifteen counties. They continue to corroborate findings from witnesses or additional discoveries of sites and events in order to authenticate such findings.
The Director of Outreach and Media is assisted by two officers. He/she functions as the spokesperson of the Commission and manages outreach and public relations activities.

The Director of Programs and projects is responsible for managing the database and coding unit, the psycho-social unit, statement-taking, hearings in the fifteen counties, and the administration of all county offices. He/she is assisted by one program officer and a program assistant. The database and coding section has two supervisors, fourteen coders and eleven data clerks. The two supervisors report to the Benetech consultant, who in turn reports to the Executive Director through the program director. During the statement-taking process, one hundred twenty-four local contractors were engaged to collect statements in the fifteen counties. Statement-taking was followed by the individual and thematic hearings in the counties. The Psycho-Social Unit is headed by one coordinator who is assisted by two counselors. During the county hearings, the Commission outsourced the counseling component to a local organization; The Liberian Association of Psychosocial Services, which was closely monitored by the Commission's three counselors. The Commission was represented at the county level by two staff members: one county coordinator and one county field officer. These offices were especially useful during the county hearings. In September 2008, the Commission decided to close all county offices, thereby making redundant thirty staff members.

The position of the Director of Administration was not filled. Instead, a finance manager was appointed. The Finance Manager manages the financial accounts and controls the budget of the TRC. Reporting to this manager are an accountant and a bookkeeper. Other staff within the TRC administration includes the logistician, the procurement officer and ten drivers, with one serving as the chief driver. A mechanic was also employed on a retainer basis. In the security section, the Commission has maintained a roster of twelve parameter security, running three shifts and nine VIP securities, each assigned to a Commissioner. When the hearings began in January 2008, the national police also assigned nine additional uniform police to the Commission. That number has since been reduced considerably.

2.5.5. Administration

In March 2007, the Commission, after one year of existence, constituted a Secretariat. Prior to that period, all nine Commissioners played roles in running the day to day activities of the TRC. When the Executive Secretary and the Director of Programs came aboard, the International Contact Group on Liberia (ICGL) intervened and requested that the Commission put on hold its activities and develop an acceptable work plan and corresponding budget as well as adopt a standardized and acceptable set of rules and procedures to govern its day-to-day operations. The Commission was also subject to an external audit. The audit was conducted, and the report circulated to member countries of the ICGL.

On 18 July 2007, after almost five months of meetings with the ICGL/TRC working Group, an acceptable budget of approximately US$7 million was adopted, after one year of existence, for the remaining life of the Commission. The Commission undertook a two-month fast-tracking process of outreach activities into the fifteen counties to reawaken awareness and the spirit of the Commission. In July and August 2007, with funding initially sourced from the United Nations Development Programme (UNDP) and the Open Society Initiative for West Africa (OSIWA), county offices were equipped and outreach activities to disseminate messages in preparation for statement-taking were conducted. Between the months of October and December 2007, statement-taking activities were concluded in all counties and in selected countries in the Diaspora. The Commission announced in December 2007 that individual and thematic hearings in the counties would begin on 8 January 2008 in Montserrado County. Since then, the Commission's work has continued uninterrupted.

2.5.6. Benetech

TRC commissioned The Benetech Human Rights Program for assistance in developing a data collection and analysis process in order to address key questions about human rights violations and the nature of the conflict in Liberia. For over fifteen years, members of the Benetech Human Rights Program have worked with eight other truth commissions to incorporate information technology and scientific methods to support their truth-seeking mandates. Specifically, Benetech work with the Commission has involved establishing analytical objectives, collecting data, designing and implementing an information management system, conducting statistical analysis, integrating quantitative findings and follow-up support. Benetech advised the TRC on methods for large-scale data collection and quantitative analysis of statements and other data about human rights violations. Benetech provided training and support to help the TRC develop the capacity to undertake the necessary steps to accurately and defensibly represent quantify information about human rights violations documented in Liberia. Benetech worked with the TRC to implement a complex human rights information management system consistent with the specific needs of the TRC and its dynamic process.

2.5.7. TRC Logo: Meaning and Unity Depicted

The features of the Logo are interpreted below:

1. **The dove** with **olive branch** signifies **peace.**

2. The **flag** in the background represents the **sovereignty of Liberia** as the source of the **TRC Authority**.

3. The bundle of 15 **sticks** signifies the unity and **strong bond** of the 15 **political sub-divisions** of Liberia, bound by a common tie- the TRC.

4. The **rope** is the TRC unending bond which binds all the 15 political subdivisions of Liberia.

5. The **Gold colored "TRC**" signifies everlasting and unfading luster of the **TRC, its process** and results – just like Gold.

6. The **people holding hands** signify that the TRC is people centered and depends on the support of the people of Liberia to succeed. Also, it signifies unity of all Liberians irrespective of differences in color, tribe, gender, creed, age, economic status or political affiliation - just Liberians…One people, one nation.

The **TRC** Colors are **GREEN** and **GOLD** signifying perpetual peace and prosperity throughout the length and breadth of Liberia.

3.0. MANDATE

3.1. TRC Mandate

This chapter will primarily focus on the conceptual, standards and methodological aspects of the TRC's mandate, while other related components will be addressed in the chapters that follow. It is divided into four major sections including: Mandate, Legal Methodology, Standard of Proof and Legal Architecture, Standards and Crimes.

The mandate of the Truth and Reconciliation Commission of Liberia (TRC) is expansive and complex. It is charged with the onerous task of promoting national peace, security, unity and reconciliation by, among other things, investigating, identifying the antecedents of, and determining responsibility for "egregious" domestic crimes (EDC), "gross" human rights violations (GHRV) and "serious" humanitarian law violations (SHLV). Article IV Section 4 of the Act to Establish the Truth and Reconciliation Commission (TRC Act) of 12 May 2005, states:

Section 4

a. Investigating gross human rights violations and violations of international humanitarian law as well as abuses that occurred, including massacres, sexual violations, murder, extra-judicial killings and economic crimes, such as the exploitation of natural or public resources to perpetuate armed conflicts, during the period January 1979 to 14 October 2003; determining whether these were isolated incidents or part of a systematic pattern; establishing the antecedents, circumstances, factors, and context of such violation and abuses; and determining those responsible for the commission of the violations and abuses and their motives as well as their impact on victims.

   Notwithstanding the period specified herein, the Commission may, on an application by any person or group of persons, pursue the objectives set out in this Article IV (Mandate of the Commission) in respect of any other period preceding 1979.

b. Providing a forum that will address issues of impunity, as well as an opportunity for both victims and perpetrators of human rights violations to share their experiences in order to create a clear picture of the past to facilitate genuine healing and reconciliation;

c. Investigating the antecedent of the crisis which gave rise to and impacted on the violent conflict in Liberia;

d. Conducting a critical review of Liberia's historical past, with the view to establishing and giving recognition to historical truths, in order to address

falsehoods and misconceptions of the past, relating to the nation's socio-economic and political development.

e. Adopting specific mechanisms and procedures to address the experiences of women, children and vulnerable groups, paying particular attention to gender based violations, as well as to the issue of child soldiers, providing opportunities for them to relate their experiences, addressing concerns and recommending measures to be taken for the rehabilitation of victims of human rights violations in the spirit of national reconciliation and healing.

f. Compiling a report that includes a comprehensive account of the activities of the Commission, and its findings.

From this background, the TRC must not only investigate and determine those who are responsible for committing EDC, GHRV and SHLV against Liberians, as well as their motives and impact on victims, but also determine the historical antecedents or causes of violent conflict in the country, conduct an audit of Liberian history to offer historical correctives, develop sustainable mechanisms to address gendered and child-based violence and promote national rehabilitation, reconciliation and healing. The TRC Act has only accorded the TRC two years to effectuate its mandate with the ability to request a one year extension. The Liberian National Legislature granted the TRC a nine month extension in September 2008.

Article VII Section 26 (j) of the TRC Act requires that the Commission make recommendations in four specific areas: Reparations; Legal Institutional and Other Reforms; Continuing Investigations and Inquiries; and Prosecutions. Section 26 (k) also requires the TRC to take any necessary action to gather information and receive evidence to allow it to effectuate its mandate. Further, Article VIII empowers it to "exercise powers generally in any matter, manner and form, and for any purpose to the fulfillment of the objectives expressed in the Act", without limitation.

Due to its broad mandate, the TRC was immediately confronted with the difficult task of assessing which bodies of IHRL and IHL applied to it—a critical question given that the mandate includes making determinations on those responsible for committing EDC, GHRV and SHLV. The TRC Act broadly defines "Human Rights violations" as: "(1) violations of international human rights standards, including, but not limited, to acts of torture, killing, abduction and severe ill-treatment of any person; (2) violations of international humanitarian law, including, but not limited to crimes against humanity and war crimes." It further states that "'violations of international humanitarian law' includes the Geneva Conventions of 12 August 1949 and its Additional Protocols." Based on the legal mandate of the TRC as enumerated in Section 4(a), the TRC adopted a coherent set of categories of crimes, standards and definitions to guide and inform its work. The process involved determining the applicability of IHRL and IHL on Liberia between January 1979 through 14 October

2003, which was a daunting task due to the large body of treaty law, general international law and customary international law applicable to Africa's oldest republic (since 1847), not to mention that IHRL and IHL had significantly evolved during this period. In this sense, what may not have been an IHRL or IHL violation in 1979 may have become one through treaty or customary law development by 1999, particularly with the establishment of the various ad hoc criminal international tribunals since the mid-1990s (Yugoslavia, Rwanda and Sierra Leone), and with the adoption of the 1998 Rome Statute establishing the International Criminal Court.

Consequently, the TRC is confronted with the complicated task of developing a legal architecture and set of standards that comport with Liberia's international commitments and obligations and simultaneously complement its substantive and temporal mandate while providing it with the flexibility to apply law that is digestible to the Liberian pallet and suitable to the Liberian experience.

3.2. Legal Methodology

As an independent body created under and by Liberian law, the TRC must operate in accordance with international law binding on the Republic of Liberia. Despite the fact that the TRC Act provided broad legal guidelines to steer the TRC's legal mandate to investigate and "determine those responsible for the commission of the violations and abuses," it did not offer insight into the multifarious existing rules and standards that bind, regulate and define the scope of the TRC's quasi-adjudicatory function. Consequently, the TRC had to conduct a forensic legal audit of Liberia's obligations under Liberian penal law, African Union law, ECOWAS law; UN law; general international law, and customary international law to fashion its own legal architecture and standards. This process required canvassing over fifty human rights, humanitarian and other-related treaties, ascertaining the precise status of regional and customary international law norms applicable to Liberia, as well as examining the jurisprudence and practice of the various international and ad hoc criminal tribunals, and truth and reconciliation commissions, respectively. This endeavor was further complicated by the unique temporal mandate of the TRC (from January 1979 to October 2003), which, for example, begins during the Cold War era and continues through the immediate post-Cold War period into the twenty-first century. During this twenty-four year period, regional and international law significantly evolved, requiring nuanced analysis and legalistic filtering. For example, prior to the end of the Cold War, there was no comprehensive international protective regime for children; however, since 1990, the African Charter on the Rights and Welfare of the Child (1992), Convention on the Rights of the Child (CRC) (1989), and the Optional Protocol to the CRC on the involvement of children in armed conflict (2004) have been crystallized into hard law; along with complementary customary international law. Consequently, in 1979, despite the contested applicability of IHL to internal armed conflict, governments and non-state

actors were not bound to clear standards on the recruitment or enlistment of children in armed conflict and Liberian children had fewer rights under regional and international law than they did in 1999. Not only did the TRC have to account for the evolution of regional and international law but, also the critical distinction between IHRL and IHL. Consequently, the TRC addressed these temporal and substantive dichotomies by employing a sequential analysis for reviewing allegations, for developing broad standards, by only making determinations of responsibility using legal precepts applicable at the time that the alleged crimes occurred, and by drawing a fine line between IHRL- and IHL-based violations.

3.2.1. Distinguishing IHRL from IHL

Although IHRL and IHL are complementary and strive to protect the lives, health and dignity of people, they are distinct. IHL applies in situations of armed conflict, while IHRL applies at all times, in situations of armed conflict and peace. IHRL is generally limited in application to violations committed by a state or its agents against citizens, whereas IHL is applicable to state actors and non-state actors alike. In the search to criminalize violations of IHRL and IHL, a new branch of international penal law referred to as international criminal law (ICL) has emerged. After a review of relevant and prevailing regional and international law and standards, and in accordance with its mandate, the TRC concluded that while in times of public emergency some human rights treaties permit governments to derogate from certain rights, it is never acceptable to derogate from fundamental human rights (e.g. right to life and personal dignity). It also determined that no derogations are permitted under IHL because it was established to regulate emergency situations, and particularly armed conflict; rules governing the conduct of hostilities and Prisoner of War (POW) status are not applicable in non-international armed conflicts; and there is no derogation from ICL in times of public emergency because it exists to protect the fundamental rights of people through penal sanction.

3.2.2. Distinguishing Armed Violence from Armed Conflict

IHL gives little guidance on how to determine when an armed conflict actually begins and, for this reason, when IHL is applicable to non-international armed conflict. This is a critical issue because, as already noted, situations of internal armed violence short of armed conflict only engender IHRL and ICL; whereas, situations of armed conflict are characterized by IHRL, IHL and ICL. With respect to IHL, the Geneva Conventions of 1948 (I-IV) and Protocol II Additional to the Geneva Conventions of 1977 (Protocol II) provide different standards for determining when armed conflict exists and consequently when the conventions apply. According to the Inter-American Commission on Human Rights (IACHR) in the *Abella case*, which is one of few authoritative interpretations identifying when Common Article 3 is

applicable to armed violence, armed conflict is "low intensity and open armed confrontations between relatively organized armed forces or groups that take place in the territory of a state." For purposes of Common Article 3, armed conflict applies to all parties at conflict and involves "armed civil strife between government armed forces and organized armed insurgents" and "governs situations where two or more armed factions" battle "without the intervention of government forces where, for example, an established government has dissolved or is too weak to intervene." According to the IACHR and the commentary of the International Committee on the Red Cross on the Geneva Convention law and customary international humanitarian law, there need not be large-scale war nor do armed groups need to control segments of national territory for there to be an armed conflict under Common Article 3. The TRC shares this view.

Notwithstanding, Geneva Convention law and customary international humanitarian law do seem to require that, for purposes of application of Common Article 3, armed conflict must: (1) be protracted, not simply sporadic acts of violence (e.g. mass rioting or short-lived rebellion); (2) be conducted by armed organized groups; (3) not be contained to a small part of territory; (4) be violently intense in nature; (5) pose a threat to a government or the civilian population; and (6) not include the armed forces of another state. Therefore, Common Article 3 would apply to, for example, armed conflict between the National Patriotic Front of Liberia (NPFL) and the Government of Liberia as well as conflict between the NPFL and the Independent National Patriotic Front of Liberia (INPFL), among other factions, in the 1990s. The TRC likewise shares this view.

Protocol II was ratified by Liberia in June 1988 and sets out more conservative criteria or a higher threshold that legally controls all internal conflict after this period. For purposes of application of Protocol II, armed conflict must be: (1) violently intense or at a high level; (2) between armed forces of a state and dissident armed forces or other armed groups; (3) conducted under responsible command of armed groups that exercise control over enough territory to carry out sustained and concerted military operations, not excluding hit-and-run type operations. Protocol II does not apply to armed conflict between organized armed groups (e.g. the NPFL and INPFL in the 1990s), but only when one of the warring factions is represented by government forces (e.g. armed violence between the Liberians United for Reconciliation and Democracy (LURD – 1999-2003) and Government of Liberia). If armed violence in a state does not satisfy the high threshold in Protocol II, it cannot be classified as armed conflict under Protocol II. Under this scenario, IHL may still apply if armed violence satisfies the broad threshold for armed conflict under Common Article 3.

While the TRC recognizes the need to differentiate between Common Article 3 and Protocol II types of armed conflict, the complex nature of violent conflict in Liberia

necessitates a flexible juridical approach that simultaneously recognizes the blurred lines between armed conflict between organized armed groups and government, and opposing organized armed groups. This situation has been further complicated by the fact that, between 1979 through 2003, organized armed groups often controlled significantly more territory than contesting governments, some of which had no military capacity except for militia. Consequently, the TRC determined that during Liberia's various episodes of armed conflict (see Annex 1) between organized armed opposition groups and/or between such groups and the Liberian government that both Common Article 3 and Protocol II standards applied to both types of conflict.

3.3. Standard of Proof

Since the TRC Act is silent on the question of which standard of proof to use in investigating and determining those responsible for the commission of EDC, GHRV and SHLV, and after reviewing standards used by other truth and reconciliation commissions, the TRC decided that the corresponding standard of proof would be a **"preponderance of the evidence"** (i.e. in TRC terms a probability test based upon the volume and credibility of evidence gathered by the TRC from various primary sources, especially witnesses testimonies, and other sources that the accused **"more likely than not"** is criminally responsible for committing the violation or crime). Since the TRC is **not** a criminal court or tribunal, no higher standard of proof is necessary. When the recommended prosecution mechanism is established after the TRC process is complete, the statute when legislated, will determine the requisite prosecutorial standard of proof, which, in accordance with current Liberian law, is "beyond a reasonable doubt" for conviction under normal circumstances within the traditional criminal justice system.

3.4. Legal Architecture, Standards and Crimes

As already noted, the TRC adopted three primary classifications of crimes that it is using to investigate and determine responsibility including: (1) "Egregious Domestic Crimes"; (2) Gross Human Rights Violations; and (3) Serious Humanitarian Law Violations. The TRC reserves the right to and will make determinations of criminal responsibility on any persons, groups or entities involved in a joint criminal enterprise or conspiracy, including those who planned, instigated, ordered, committed, aided or abetted in the planning, preparation or execution of any crime within its mandate. The sections that follow will discuss and define these terms in greater detail.

3.4.1. "Egregious" Domestic Crimes (EDC)

While the TRC mandate is preoccupied with IHRL and IHL violations, it also provides the necessary flexibility to consider other "abuses" or crimes that are not of an international character but fall into the realm of domestic criminal law including sexual violations (e.g. rape and molestation) and murder. Clearly, massacres, economic crimes and extra-judicial killings fall within the ambit of IHRL and IHL; however, to the extent that the Liberian penal law addresses these or related egregious crimes (particularly those classified as first degree felonies), TRC Commissioners decided that they would comprise a part of the legal standards used to make determinations on responsibility. This approach provides the TRC with needed flexibility because during times of peace—when only human rights law is applicable—it may investigate and adjudicate responsibility for violations committed by private citizens for private actions under domestic law, not simply crimes committed by the state against private citizens. Hence, to the extent that Liberian law criminalizes sexual crimes, murder and massacres, the TRC will use it to determine those responsible for committing such acts.

The relevant "egregious" domestic crimes include economic crimes under the Act Adopting A New Penal Law and Repealing Sections 31.3 & 32.1 of the Criminal Procedure Law (approved 19 July 1976), which are as follows: (1) Mercenarism; (2) Official Oppression; (3) Murder; (4) Kidnapping; (5) Rape; (6) Sexual Assault; (7) Fraud on the Internal Revenue of Liberia; (8) Theft and/or Illegal Disbursement and Expenditure of Public Money; and (9) Possession, Distribution, Transportation and/or use of Tools and Materials for Counterfeiting Purposes; (10) Misuse of Public Money, Property or Record; and (11) Economic Crime (not a category under the existing penal law, but one established under Article IV Section 4(a) of the TRC Act).

In accordance with the TRC Act, economic crime has been added as a substantive crime. There is no generally agreed upon definition of economic crime, so after conducting a comparative analysis of domestic law in Africa, regional law and international law, the TRC adopted one, which is included in the "egregious" domestic crimes section; fully aware of its transnational characteristics and linkages to IHRL and IHL. For a list of definitions, please see Annex 2.

3.4.2. "Gross" Human Rights Violations (GHRV)

The human rights protective regime is designed to protect individuals and groups of people from abuses of state authority. The TRC Act is almost exclusively concerned with gross violations of civil and political rights as opposed to economic, social and cultural rights, except for its explicit reference to economic crimes. By definition, the Statute also unambiguously distinguishes between GHRV and milder types of violations enumerated in, for example, the International Covenant on Civil and

Political Rights (ICCPR) such as the right to freedom of speech and assembly, liberty of movement, and freedom to choose a residence; as well as rights in the International Covenant on Economic, Social and Cultural Rights (ICESCR) such as the right to education, enjoyment of just and favorable work conditions and vacation pay. The TRC Act is clearly preoccupied with GHRV that bring about death, physical or mental pain and injury or deprivation of freedom and livelihood.

The TRC has determined that GHRV are generally but not exclusively committed by state actors, may take place during times of peace or armed conflict, and can be directed against individuals or groups. GHRV abrogate preemptory norms of international human rights law such as: (1) Murder; (2) Extermination; (3) Enslavement; (4) Torture; (5) Rape; (6) Sexual Slavery; (7) Enforced Prostitution; (8) Enforced Sterilization; (9) Sexual Violence; (10) Enforced Disappearance of Persons; (11) Persecution; (12) Deportation or Forcible Transfer of Population; (13) Imprisonment or other Serious Deprivation of Physical Liberty; (14) Genocide; and (15) Crimes Against Humanity. Articles II and IV of the TRC Act encompass the aforementioned GHRV. For a list of definitions, please see Annex 3.

3.4.3. "Serious" Humanitarian Law Violations (SHLV)

During armed conflict, GHRV are serious violations of humanitarian law that trigger universal jurisdiction to prosecute. Since conflict in Liberia is best characterized as a non-international armed conflict, only two bodies of IHL govern episodes of armed conflict in the country: (1) Common Article 3 of the 1949 Geneva Conventions; and (2) 1977 Additional Protocol II to the Geneva Conventions, not excluding customary international humanitarian law. As previously noted, the TRC has determined that both conventions apply to all of Liberia's episodes of conflict.

Common Article 3 states, "persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criteria." It strictly prohibits the following acts against these classes of persons: (1) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; (2) Taking of hostages; (3) Outrages upon personal dignity, in particular humiliating and degrading treatment; (4) The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples; and (5) Attacking objects or persons using the distinct emblems of the Geneva Conventions.

Protocol II states, "[a]ll persons who do not take a direct part or who have ceased to take part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person, honor and convictions and religious practices." It requires that such persons always be treated humanely, "without any adverse distinction." Protocol II strictly prohibits any order that there "shall be no survivors" as well as the following acts against persons: (1) Violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment; (2) Collective punishment; (3) Taking of hostages; (4) Acts of Terrorism; (5) Outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution, sexual slavery, sexual violence and any form of indecent assault; (6) Slavery and the slave trade in all their forms; (7) Pillage; (8) Sentencing or Execution Without Due Process; (9) Using, Conscripting or Enlisting Children in Armed Conflict; and (10) Threats to commit any of the foregoing acts.

In the final analysis, the TRC sought to ensure that the overall approach to carry out its mandate complemented Liberia's complex history while simultaneously comporting with domestic, regional and international norms.

3.4.4. Policy Guidelines

In order to provide notice to the public of its determinations on critical issues, the TRC issued, published and circulated several public policy bulletins on key policy areas including:

A. N0.01, Public Hearings;
B. N0.02, General Immunity for all TRC witnesses; does not apply to false statements.
C. N0.03, Restatement of policy on the right to counsel during hearings;
D. N0.04, Reparation, Prosecution and Amnesty;
E. N0.05, In-camera or Confidential hearings;
F. N0.06, Application for Amnesty; and
G. N0.07, Warrants, and Compulsory processes.

These policies clearly articulated the TRC's interpretation of key policy issues. Public dissemination of the public bulletins generated public confidence, particularly the TRC's bulletins on granting of general immunity to all witnesses testifying or appearing before it and its decision to mainstream confidentiality throughout its proceedings. These were pivotal in soliciting the cooperation of victims, witnesses and alleged perpetrators to participate in the process.

4.0. METHODOLOGY

4.1. Introduction

There is no single methodological approach that adequately assists the TRC in fulfilling its complex mandate. This is especially true with respect to the interrelationships between the mandate provisions of the TRC Act, for example, in finding out the root causes of the conflict and its historical antecedents, or satisfying the public's perspective on the thorny policy areas of amnesty, prosecution and reparation, and in determining what is practicable and applicable under applicable laws, and country conditions. The 2005 TRC Act is an intricate body of law compounded by high public expectations that the TRC will produce a one-size fits all remedy to decades of injustice and violent armed conflict in a neatly bow-tied end product. Equally so, the TRC is expected to make substantive contributions to the "law and doctrine of truth commissions" that surpasses its predecessors.

Given the unique historical and contemporary dynamics of Liberia the TRC defined the methodology of its work qualitatively and quantitatively under the following considerations: it first established the fundamental purpose of the TRC, then reviewed the mandate thoroughly for understanding and clarity of the functions and powers of the Commission, what was feasible and practicable bearing in mind the two year stipulated timeframe for implementation of its work, the country condition and available resources, and then established short and long term objectives for meeting its goals.

In determining procedures the Commission would employ in performing its functions, Article VII, Section 26 (a) stipulates that the TRC should facilitate and, where necessary, initiate or coordinate enquiries into, and investigate "[g]ross violations and abuses of human rights, privileges, powers and authority in Liberia including violations, which were part of a systematic pattern of abuse" as well as the "nature, causes and extent of gross violations and abuses of human rights, including the root causes, circumstances, factors, context, motives and perspectives which led to such violations."

Select provisions of Section 26 of the TRC Act also require the TRC to achieve multiple ends:

"Section 26

d. Ensuring accountability, political or otherwise, for any such violation.

e. Gathering information and receiving evidence from any person or persons, including persons claiming to be victims of such violations or the

representatives of such victims, individuals, groups of individuals, perpetrators, witnesses and institutions through the taking of statements and through evidence gathered through the conduct of both public and confidential hearings upon request of witnesses, informants, petitioners, either as victims, perpetrators, subject to the exclusive discretion and authority of the TRC.

f. Helping restore the human dignity of victims and promote reconciliation by providing an opportunity for victims, witnesses, and others to give an account of the violations and abuses suffered and for perpetrators to relate their experiences, in an environment conducive to constructive interchange between victims and perpetrators, giving special attention to the issue of sexual and gender based violence and most especially to the experiences of children and women during armed conflicts in Liberia;

g. Recommending amnesty under terms and conditions established by the TRC upon application by individual persons making full disclosures of their doings and thereby expressing remorse for their acts and/or omissions, whether as an accomplice or a perpetrator, provided that amnesty or exoneration shall apply to violations of international humanitarian law and crimes against humanity in conformity with international laws and standards;

h. Preparing a comprehensive report which sets out its activities and findings based on factual and objective information and evidence collected or received by it or placed at its disposal;

i. Creating an independent, accurate and objective record of the past and making recommendations reflective of the truth to re-unify and reconcile contending groups and/ or the peoples of Liberia;

j. Making recommendations to the Head of State with regard to;
   i. Reparations and rehabilitation of victims and perpetrators in need of specialized psycho-social and other rehabilitative services;

   ii. Legal, institutional and other reforms;

   iii. The need for continuing investigations and inquiries into particular matters, at the discretion of the TRC; and

   iv. The need to hold prosecutions in particular cases as the TRC deems appropriate;

k. At the discretion of the TRC, any person, group of persons or organizations or institutions shall be permitted to provide information as informants, witnesses, perpetrators or victims to the TRC on a confidential or non-confidential basis and the TRC shall not be compelled by any authority to disclose any such information given to it in confidence;

l. The TRC shall take into account the security and other interests of the victims and witnesses when appearing for hearings, design witness protection mechanisms on a case by case basis as well as special programs for children and women both as perpetrators and victims under burdens of trauma, stigmatization, neglect, shame, ostracization, threats, etc. and others in difficult circumstances who may wish to recount their stories either in privacy or public, subject to the discretion of the TRC.

Once the TRC agreed on the meaning of its mandate, functions and powers, it moved forward with determining its modus operandi as a quasi-judicial body pursuant to the TRC Act. Consequently, the TRC adopted a set of rules and procedures to guide its work and ensure stability in its operations.

In order to provide notice to the public of its determinations on critical issues the TRC issued, published and circulated several public policy bulletins on key policy areas including: N0.01, Public Hearings; N0.02, General Immunity for all TRC witnesses; N0.03, Restatement of policy on the right to counsel during hearings; N0.04, Reparation, Prosecution and Amnesty; N0.05, In-camera or Confidential hearings; N0.06, Application for Amnesty; and N0.07, Warrants, and Compulsory processes. These policies clearly articulated the TRC's interpretation on key policy issues.

Public dissemination of public bulletins generated public confidence, particularly the TRC's bulletins on granting of general immunity to all witnesses testifying or appearing before it and its decision to mainstream confidentiality throughout its proceedings. These were pivotal in soliciting the cooperation of victims, witnesses and alleged perpetrators to participate in the process.

The protection of victims and witnesses in either giving statements to the TRC or testifying before it was a dominant factor in how the TRC conducted its investigations into IHRL and IHL violations. Witness protection was applied on an individual case by case basis due to inadequate resources and the limited time (two years) that the TRC had to achieve its mandate. Confidentiality of the statement-giver during statement-taking was insisted upon, and anonymous statements allowed. In-camera hearings were confidential and off limits to any member of the public or TRC staff.

Article VII Section 26 (f) requires the TRC to help "restore the human dignity of victims and promote reconciliation by providing an opportunity for victims, witnesses and others to give an account of the violations and abuses suffered and for perpetrators to relate their experiences, in an environment conducive to constructive interchange between victims and perpetrators." It also requires that the TRC give special attention to the issue of sexual and gender based violence, particularly with respect to women and children. Consequently, the TRC decided that in order to protect the physical and psychological welfare of victims and alleged perpetrators,

victims were informed about the appearances of alleged perpetrators and were free to attend public hearings if they desired to without being in conflict with or required to be in close proximity to them. The TRC decided against providing a venue for the accuser, particularly the most violent ones, to confront the accused, for security reasons, among others. While such exchanges took place, they were limited and did not occur frequently.

Data collection of the process was both qualitative and quantitative. For qualitative information, the Commission received information through the following means: statement-taking (the statement-taking forms had sections for both qualitative and quantitative information), Inquiry Unit interviews, public and In-camera hearings and testimonies, documented submissions, UN Country reports and assessments, reports of local and international human rights organizations, reports of Liberian civil society organizations, US State Department human right reports, media reports, publications, books and declassified documents of the US State Department, CIA pursuant to Freedom of Information Act (FOIA) request made for the benefit of the TRC by two American private institutions, National Security Archives and The Kennedy Foundation. Some of these sources were confidential as well as non-confidential. For quantitative information, the TRC relied heavily on data and analysis from Beneficial Technology or Benetech, a U.S. based corporation contracted to manage the TRC database; a critical component of its work.

4.2. Commissioner Training and Preparation

Following a public vetting and recruitment process in late 2005, TRC Commissioners were selected by then transitional Head of State, Gyude Bryant and afterward received their commissions from Her Excellency President Ellen Johnson-Sirleaf on 20 February 2006. Immediately thereafter, Commissioners underwent various types of training and courses in the history and origin of truth commissions as a form of transitional justice mechanisms, including their functions, goals, objectives and importance in post conflict countries; best practices approach and experiences of other truth commissions, and human rights and humanitarian law training. Commissioners also received training in the investigation of human rights violations; technical issues in conducting public and in-camera hearings; psycho-social care and support for victims, and others coming before the TRC; conflict prevention and resolution; reparations; and other specialized topics of interest that enabled Commissioners to function within the accepted operational standards of truth commissions.

The training was facilitated by a combination of local and international experts in the field of international law and transitional justice. An array of institutions including the Economic Community of West African States (ECOWAS), Human Rights Foundation of South Africa (HRCSA), the International Center for Transitional

Justice (ICTJ), the United Nations Mission in Liberia (UNMIL), and the locally based Transitional Justice Working Group (TJWG) assisted the TRC during those formidable stages of its work. Dr. Jeremy Levitt provided training for the Commission on legal standards and application of international law and legal standards to the TRC work.

In June 2006, prior to the launching of the TRC, the nine member Commission visited South Africa under the auspices of the Human Rights Foundation (FHR) to undertake a study tour of South Africa for orientation and to become acquainted with the country's past truth and reconciliation process in order to experience first-hand, how the South African TRC approached and managed its process. The training was well coordinated and intensive, and afforded the Commissioners the rare opportunity to meet and speak one-on-one with former South African Commissioners, staff, human rights advocates, government officials, and renowned South Africans and others on the impact of the TRC in South Africa. The training assisted Commissioners in expanding their knowledge about the practice of truth and reconciliation commissions, and provided them with a clearer understanding of what they would be encountering. Additional training continued on an ongoing basis throughout the process.

4.3. Domestic and International Staff Training

In recognition of the important role staff would play in effectuating the TRC's mandate, the Commission, with the assistance of several partners, conducted research, writing, analysis, investigative techniques and management skills training for domestic TRC staff. Staff often participated in training alongside Commissioners, while at other times they were trained independently. For example, in 2006, over three hundred staff members were trained as statement-takers, investigators, psycho-social support persons and county coordinators in preparation for the statement-taking, inquiry and hearing processes, and the creation of TRC offices in Liberia's fifteen counties. Data entry staff or coders entrusted to input information into the database from the statement-taking were provided specialized training in this area coordinated by Benetech. The data coders were trained in 2007 in the mechanics of data coding, categorizing of human rights violations, geography of victims communities and name codification.

In early May 2006, over one thousand community mobilizers from various civil society organizations resident in the counties were hosted at the Liberian Biomedical Research Center in Margibi County, where they underwent three days of training in communications and social mobilization skills facilitated by Ambassador Julie Endee, a Liberian communication expert and Cultural Ambassador contracted by the TRC to assist in its outreach efforts. This was in preparation for the official launching of the TRC in the 15 counties of Liberia and the sensitization and awareness

campaign associated with it. Staff associated with the Diaspora Project in the United States of America, Ghana and Nigeria, were similarly trained as coders and community mobilizers to ensure that TRC techniques were mainstreamed among all staff. All training programs focused a gender dimension that included emphasis on women and children's issues.

The majority of training was conducted in collaboration with civil society groups and members. Some were carried out for specific members of civil society in partnership with the TRC. For example, the TRC and ICTJ coordinated the International Media Center and the Press Union of Liberia training in early 2007 to conduct extensive training for local journalists on the TRC process. This effort culminated in a joint code of conduct being established to govern the media's coverage of the TRC process, and especially its hearings. Local and field staff also received training of various forms.

In order to maintain a balanced perspective, a uniform training program was designed with slight modification to suit the particular needs of the TRC Diaspora Project. The Diaspora Project was implemented by the TRC Diaspora partners, the Advocates for Human Rights, formerly Minnesota Advocates for Human Rights based in Minnesota, U.S.A, and closely supervised and co-managed by the TRC. Training modules in the Diaspora were jointly designed and coordinated to mirror, as closely as possible, the Liberia program. The TRC created a Diaspora Committee to closely track and monitor the project. Commissioners made periodic visits to the USA and played a leadership role in several training modules on the TRC mandate, transitional justice, the history of Liberia and its various episodes of conflict, the Liberian Constitution, statement-taking and investigation, human rights law and multiculturalism. The Diaspora Project trained over six hundred volunteers to collect statements from Liberians in the USA. This model of training was replicated with competent modifications for the West African Diaspora Project. Ten Liberians residing in the Buduburam Liberian refugee camp in Ghana were trained as statement-takers to assist the TRC to collect statements from Liberians in Ghana. About ten Liberians resident in the Federal Republic of Nigeria were also trained for the TRC project.

4.4. Statement-Taking

Between 2005-2006, approximately two hundred individuals were recruited nationwide from local communities as statement-takers and trained to solicit the voluntary narratives of individuals recounting their personal experiences and accounts of the conflict; either as victims, witnesses, perpetrators, or as family members and loved ones from their communities. The statement forms were specifically designed to be gender sensitive, victim friendly, while special forms were designed for children statement-givers. This method employed a confidential

interview using probing questioning techniques that would assist the statement-giver in recounting traumatic events or experiences and to provide factual accounts or evidence of events that took place. Recommendations for how the TRC should proceed with its work and its final report were also solicited from those persons that participated in the process and the public in general. As a result of its careful statement-taking approach, the TRC generated goodwill with the public and succeeded in obtaining over 20,000 statements from Liberians in Liberia and in the Diaspora including the U.S. and West Africa.

The TRC recruited more women statement takers than male while women participated strongly in the statement-taking process as statement givers, accounting for approximately 47% of all statements given to the TRC.

The statement-taking process was followed by Public and In-Camera Hearings in Liberia's fifteen counties and in the US. Hearings were initially scheduled for West Africa in the Republic of Ghana. Liberian refugees' confrontations with the authorities of Ghana unsettled the planned hearings in the West African sub-region. The hearings included seven months of victims' and witnesses' testimonies and, to date, four months of actors, thematic and institutional hearings, which provided vital accounts and perspectives under the broader "contemporary history of the conflict theme". Special considerations have been made to accommodate women, children, the elderly, handicap and other vulnerable groups.

4.5. Civil Society Participation, Outreach and Hearings

This section discusses the various civil society participation and outreach activities of the TRC inclusive of national and international hearings processes. In this context, it will also highlight the various activities that the TRC designed and implemented for women and children.

Civil society was a major stakeholder in the Liberian peace process and has been in the vanguard of the TRC process for as far back as the 2003 Comprehensive Peace Agreement (Accra). From the conceptualization of the TRC and the drafting and passing of the TRC legislation to the vetting of Commissioners and senior staff, civil society representatives from various organizations, including women's groups, youth groups, the disabled community, political parties, the religious community, traditional organizations and the media, participated in the TRC process and continued to play a lead role in how the TRC implements its mandate. In 2007, the TRC entered into a memorandum of understanding with sixteen civil society organizations, further concretizing this partnership.

As early as May 2006, the TRC, through a public participatory process, launched a massive public outreach, awareness and sensitization campaign in collaboration

with several civil society organizations, aimed at formally introducing the Commission by explaining its mandate, educating the populace about the pivotal role it could play in healing the nation, encouraging them to participate, and garnering the support of the broader Liberian public and partners in the process. This public awareness campaign began in Monrovia and was subsequently expanded throughout Liberia's fifteen counties.

The TRC held special interactive outreach presentations on its programs and activities with the National Legislature and the Cabinet. Civil society groups at different levels were engaged by the Commission to assist in this effort; they include: the Liberian National Girls Guides Association, Boys Scouts of Liberia, Artists Association of Liberia, Liberian Crusaders for Peace, Roller Skaters Association of Liberia, Women on the Move Association, and the Traditional Women Association of Liberia. Local media and the United Nations Mission in Liberia (UNMIL) and other partners have also provided assistance in this area.
Civil Society organizations buttressed the commission's efforts by conducting sensitization and awareness in all fifteen counties, distributing 15,000 copies of the TRC's informational questions and answers (Q&A) brochure, replicating and distributing 10,000 copies of the 1986 Constitution of Liberia to schools and communities for civic education and by conducting sensitization and awareness workshops about the TRC process. The involvement of civil society in the TRC process enormously enhanced the Commission's work in accomplishing its mandate.

4.6. National and International Outreach and Hearings

With the launch of the Diaspora Project on 22 June 2006, concomitantly with the national launching of the TRC, rigorous outreach efforts were exerted to market and localize the TRC to Liberians residing outside of the country; beginning in the USA and then West Africa. Numerous outreach, education and sensitization events were held in several U.S. cities where large populations of Liberians reside. Like national TRC activities, these activities included town hall meetings, formal presentations, speaking engagements in churches and mosques, and special events. The media at home and abroad was also equally involved in spreading the TRC's message across to Liberians and the general public. Several newspapers, radios and television interviewed project staff and Commissioners in Liberia and abroad.

The TRC's Diaspora Project was innovative because it redefined the way in which truth and reconciliation commissions should operate—from local or nationally-centered bodies to global truth seeking institutions—by conducting international hearings that included testimony and perspectives from its citizens abroad; thereby, raising the bar of ingenuity in transitional justice approaches. The Diaspora Project began in Minneapolis, Minnesota (USA), which is home to approximately 5,000 of the 40,000 Liberians living in the U.S., with the assistance of one of the TRC's key

partners, the Advocates for Human Rights, which served as a primary implementer of the Project. The Diaspora project resulted in the collection of approximately 1,500 statements from alleged perpetrators and victims of Liberia's various episodes of state chaos and conflict. The project eventually conducted activities in eleven U.S. cities, Europe and to Ghana, Nigeria, and Sierra Leone where a significant number of Liberian refugees in West Africa reside. Community Advisory Committees comprising credible Liberians were established in each city hosting a project. Numerous outreach events were organized in collaboration with the Advisory committees and often hosted by the various Liberian communities. This approach ensured Diaspora community involvement and support for the Project. Approximately 1000 statements were collected from Liberians in West Africa.

Public sensitization and awareness were a constant feature of the TRC process, initiated during each phase of the TRC's work. The communication, sensitization and mobilization aspect of the TRC's program was designed to coincide with every stage of activities. Sensitization and public outreach was a permanent feature of all TRC programs in the fifteen counties, and were carried out through music, drama, town hall meetings, workshops, visitations of churches and mosques, presentations and media reports. Other specialized modes of communication, including the non-traditional and conventional, were explored to maximize the outreach capacity and objectives of the TRC. Notwithstanding these efforts and extensive strategic planning, the necessary financial support from the donor community was not forthcoming, and consequently, the TRC's outreach programs were adversely affected.

After receiving initial feedback about conditions in the counties during the outreach process, the TRC embarked upon a nationwide assessment of each county; with the goal and objective of ascertaining first-hand the plight of civil war rural victims and living conditions of inhabitants in rural Liberia, generally. The TRC immediately established county offices in order to decentralize its operation and provide local residents with the opportunity to establish ownership of the TRC process.

4.7. Women

Historically, women have been the most marginalized; economically, socially and politically. In Liberia, it was only in 1947, for example, 100 years after the declaration of independence, that Liberian women were granted rights of suffrage.

Liberia is attempting to emerge from the throes of more than two decades of state breakdown and protracted civil conflict resulting in deaths and massive displacement of persons internally not excluding the destruction of the country's infrastructure. Unfortunately, women bore a disproportionate amount of suffering during the war. Women were often brutally raped and kidnapped, forced to watch

their husbands and children tortured and killed or forcibly conscripted into various warring factions. Thousands of children and youth were forced to take drugs as a means to control and teach them to kill, maim and rape without conscious; making them virtual killing machines. It is estimated that the conflict in Liberia produced the highest number of female perpetrators in comparison to civil conflicts in other parts of the world.

According to TRC findings, various episodes of the armed conflict affected men and women differently. While men account for nearly 50% or half of all reported violations compared to one third or 33% from women, women were uniquely targeted because of their gender throughout the conflict and its different phases. Moreover, above 70% of all sexual based violations reported were against women.
For historical, cultural, social, political, economic and other reasons, women's experiences are often not reported and hence under-represented in reported violations. Recognizing this reality, the TRC Act provides guidelines for the treatment of women in the TRC process. In addition to the Preamble, nine sections of the Act speak to women's realities and how they should be incorporated in the TRC process. These provisions and references demand the effective participation of women at all levels and in all aspects of the TRC process, including as Commissioners, managers and staff of the TRC, petitioners, victims, perpetrators, victim-perpetrators, and witnesses. Article IV and VI of TRC Act specifically requires the TRC to adopt mechanisms and procedures to address the experience of women, children and vulnerable groups; pay particular attention to gender-based violations; employ specialists in women's rights; protect women's safety; and not endanger women's social reintegration or psychological recovery.

In adhering to these requirements, the TRC has engaged in numerous activities with women in Liberia and in the Diaspora. Several formal and informal meetings have been held with individuals as well as women's groups. In 2006, to ensure proper coordination and broad-based participation by women in the TRC process, and to guarantee that woman's concerns are adequately expressed and addressed, the TRC established a gender committee comprising a wide spectrum of civil society and international partners. Members of this committee included the Women NGO Secretariat of Liberia; the Ministry of Gender; the Open Society Initiative for West Africa (OSIWA); ICTJ; the United Nations Development Fund for Women (UNIFEM); UNMIL Gender Section; Rule of Law Section and Human Rights and Protection Section; Liberia Crusaders for Peace Women's Wing; Traditional Women Association of Liberia; Women on the Move; and the Liberian Media Women Association.

From December 2006 to February 2007, the TRC implemented extensive outreach programs with women throughout Liberia's fifteen counties by holding four zonal workshops targeting women's organizations in the counties, and town hall meetings

in all counties. Against this backdrop, there are concerns that, after more than a century of gross neglect, marginalization, and dehumanization, especially during Liberia's most recent episodes of conflict, women harbor deep seeded disdain towards those persons who are directly linked to their suppression and are fearful of reprisal if they cooperate with the TRC.

4.8. Children

The TRC Statute requires the TRC to specifically focus on child participation and protection because they were targeted and victimized in Liberia's successive wars. They were illegally recruited to take part in hostilities-became victims-perpetrators and witnesses, of conflict in Liberia. Child friendly procedures have been used and legal safeguards established to protect the rights of children to participate in the TRC process. In addition, protective measures were taken to conceal the identity of children, no video coverage was permitted, media was not allowed to interview or cover child-related sessions and special social workers were trained and available to assist in providing counseling to the children prior to, during, and after the hearings.

From the onset, the TRC sought to ensure that children played a significant role it its activities. Consequently, the TRC invited the United Nation Children's Fund (UNICEF) to be one of its key partners. It negotiated an MOU with UNICEF and the National Child Protection Network creating the TRC Task Force comprising 80 child protection agencies. Following the children's protection orientation training for TRC Commissioners and four sets of training for TRC statement takers and investigators on child-friendly procedures and policies, the TRC and its partners established various programs for children to participate in its processes. Such activities included: forty-five awareness workshops tailored especially for children held in each of the country's fifteen counties (one at each county seat and two in selected districts of each county) to over 5000 children. Nearly 1000 confidential statements were collected from children in the counties with the support and supervision of local child protection agencies.

In May through September 2008, the TRC held several regional hearings for children and held various panel discussions with them in Bong, Grand Gedeh, Grand Kru, Nimba, Rivercess, Grand Bassa, Margibi, Maryland, Montserrado, and Sinoe, Counties. Over 120 children testified before the Commission and hundreds of children witnessed their testimonies. TRC Commissioners also held interactive sessions with children every evening.

In late September 2008, Thematic Hearings titled, *Children and the Liberian Conflict: What Does the Future Hold?*, for children were convened at the Centennial Pavilion in Monrovia, Montserrado County. Presentations were made by a convergence of professionals in the field of child advocacy including: Government's Line Ministries

for Children, Child Protection Agencies, and the Liberian Children's Parliament. Confidential testimonies by three child witnesses were also taken. The hearings revealed a clear picture about the indiscriminate suffering and targeting of children illegally recruited during the Liberian Civil War, up to the LURD and MODEL insurrections. The hearings also emphasized the courage of children that reunited with their families and communities, returned to school and are rebuilding their lives.

On September 27, 2008, The TRC Children's Art Gallery was officially opened by the Vice President of Liberia, H.E. Joseph N. Boakai. It featured poems, stories, and drawings by children about their experiences during the Liberian Civil War and how they envision the future of Liberia. The art was obtained from all across Liberia. Approximately 350 children attended the program.

4.9. Inquiry, Investigation and Witness Protection

In 2007, the TRC established an Inquiry Unit, inclusive of a Director and ten inquiry officers, to investigate and corroborate allegations for egregious domestic crimes, gross violations of human rights and serious humanitarian law violations emanating from statement-taking and other sources. The scope of its work included, for example, an inquiry into window cases such as the Lutheran Church, Carter Camp, Sinji, and Bakadu massacres, among others. The Inquiry Unit was also tasked with investigating what role, if any, non-state, state and international actors had in the commission of domestic and international crimes including economic crimes.

The names and other identifying information of victims were and are kept in strict confidence, and the TRC has instituted measures to protect the identity and physical person of those victims whose testimony puts them at grave risk of injury or peril to life.

4.10. Thematic and Institutional hearings

The statement taking process was followed by Public and In-Camera Hearings in the fifteen sub-divisions of the country and in the United States of America representing the Diaspora. The hearings including seven months of victims and witnesses testimonies and to date, three months of perpetrators, thematic and institutional accounts and perspectives under the broader contemporary history of the conflict theme. Unique categories such as women and children were accommodated under this section. Special considerations were made to accommodate individuals testifying under unique circumstances or categories like women, children, the elderly, youth and the handicap. Two victims who fled the country and lived on the Bududuram Liberian Refugee Camp in Bududuram, Ghana, testified in Liberia symbolically representing the sub-regional Diaspora community. The Thematic and

Institutional hearings featured specific categories such as; women, children, religious, historical review, media, education, youth, religion, culture and tradition, law enforcement, and security**.** To date, the TRC has heard more than 800 testimonies from witnesses testifying before it.

4.11. The Mass Media

As part of its mandate, the Truth and Reconciliation Commission ("TRC") held a three-day thematic hearing on October 27-30, 2008, focusing on the experiences of the domestic and international news media and the role they played in the Liberian civil conflict. The TRC's media hearings were especially significant assessing its standing during and after the conflict because strengthening democracy in Liberia and ensuring that all citizens have access to basic human freedoms, including freedom of expression, largely depends on the news media's capacity to provide reliable information through professional and unbiased journalism. Numerous prominent local and international journalists and media experts testified at the hearings held in Monrovia. The thematic hearings on the media sought to examine the overall role of the media spanning the timeframe of the TRC mandate. It focused on how the media reported on the conflict regarding content, level of coverage, ethical issues underpinning media coverage of the conflict, challenges confronting the media during the period under review, how these impacted the conflict generally, and lessons learnt. It also solicited individual and institutional perspectives on the TRC mandate provisions regarding reparation, amnesty and prosecution.

The hearings were structured to reflect the various Eras, highlighting window cases in tune with the TRC's timeframe and investigative periods as follows; under the first era 1979 to 1984, attention was paid to the rice riot, of 1979, the military coup of 1980 and subsequent execution of 13 government officials, the 1984 raid on the campus of the University of Liberia campus etc., Second era, from 1984 to 1989, focused on the Thomas Quiwonkpa invasion, the Nimba raid, the murder of TV Anchor, Charles Gbeyon, the arrest and detention of several journalists and the opposition including politicians, students activists; the third era from 1989 to 1997, the rebellion launched by the NPFL of former President Charles Taylor, the intervention of the West African-Sub-region through ECOMOG, the role of the Armed Forces of Liberia as a combatant group, the emergence of numerous warring factions, the origin of peace conferences, the link to the war in Sierra Leone and the elections of Charles Taylor as President of Liberia, the Fourth era from 1997 to 2003; human rights and international humanitarian laws violations by the Taylor government and the international community's response to these violations by imposing sanctions, the emergence of two new warring factions (LURD and MODEL), the exile of Taylor to Nigeria, the Accra Comprehensive Peace Accord which subsequently saw the creation of the TRC, etc.

International and local journalists, who worked or were closely involved with the media during these times, were invited to provide testimonies. The hearing was followed by a three-day capacity building workshop held in collaboration with the Press Union of Liberia (PUL), and sponsored by UNESCO, the Carter Center, Emory University and the Sutherland Law Firm of Atlanta, Georgia, U.S.A. The workshop critically appraised the performance of the Liberian media in its coverage of the civil war, while taking stock of the role journalists play in today's society and how best they could contribute to the national reconstruction process. It was equally intended to focus the important role of the media in the implementation of all the TRC recommendations. As disseminators of information, the media will be responsible for passing the TRC final report onto the public and initiating a critical discussion that should help the people understand the findings and recommendations of the TRC.

The hearings were precipitated by series of efforts aimed at involving the media in the process of the TRC and galvanizing support from the mass media for the commission's work. As early as May 2006, prior to the official launching of the TRC, a broad base approach for working with the media was initiated through the holding of initial meetings with editors, reporters and other media practitioners on how the TRC could collaborate with the media in facilitating the necessary and appropriate coverage of the commission. The TRC resolved to work with all media outlets across the board, but would select from amongst the media, a core group with wider coverage or broader interest in TRC issues.

To make certain that the media was empowered and knowledgeable about the mandate of the TRC and its activities, the commission, with the help of partners, held several trainings and workshops with the Press Union of Liberia (PUL), media institutions and individual journalists. As a result of these combined efforts, the TRC, along with the PUL and representatives of media institutions, developed and adopted a code of conduct to govern the media's coverage of the TRC particularly the public hearings. The TRC also developed a media friendly approach whereas members of the fourth estate had access to the commission. The TRC created the department of media and outreach which coordinated the public affairs of the TRC and liaised directly with the media in ensuring proper management of information dissemination of the commission to the general public.

Owing to the mutual respect, professional and cordial relationship between the media and the TRC, it is factual to state that the Commission enjoys maximum support and cooperation from the media in the promotion of its mandate. With the exception of isolated negative incidences reported by some news outlet, the TRC received maximum objective coverage and the full attention of the Liberian media. The media was also in the vanguard of galvanizing and encouraging support of the

government, the international community and the general citizenry for the TRC process. Many media outfits, especially newspapers ran editorials and commentaries in support of the Commission throughout its life span.

The media closely tracked the TRC hearings with media institutions assigning their reporters to travel with the commission as it conducted victims and thematic hearings throughout the country. The Diaspora project and hearings were also closely monitored and reported by the local media. The international media also reported comprehensively on the Liberian TRC including the Diaspora project.

4.12. Religion, Culture and Tradition

The TRC determined that religion and traditional culture, principles and values weigh heavily on the conscience of the Liberian people. As such a truly integrated reconciliation process must engage these institutions for sustainable and genuine results. The commission is graced with reputable religious leaders who provide oversight leadership in ensuring that the Commission doesn't lose sight of this reality.

Culture and tradition is an integral and essential part of the Liberian society. The fabric of the nation and its people is deeply carved along cultural and traditional values, systems, and practices. The recognition thereof and premium placed on tradition in Liberia is reflected broadly. For example, in recognition of the cultural systems and practices of the country, the Liberian penal code has allowed for dual legal system; statutory and customary, the latter, in reverence of the cultural customs of the land. National government also accepts the cultural norms and way of life of indigenous Liberians as enshrined within the structures of local government. Under this arrangement, traditional practices of governance through the chieftaincy system are observed and preserved. Being cognizant of this fact and in an effort to involve the traditional population in the TRC process, the Commission in early 2007 established a TRC-Traditional Advisory Council of 36 chiefs and elders from the 15 counties of Liberia. The organizing of the Traditional Council was facilitated by Liberia's Cultural Ambassador and Traditional Queen, Amb. Juli Endee.

The TRC-Traditional Advisory Council membership was drawn from the leadership of the National Traditional Council of Liberia, which is the umbrella association of all traditional and tribal associations in the country. The National Traditional Council is representative of Chiefs and elders from the 78 political districts and 64 electoral districts of Liberia. Each of the 15 counties of Liberia has a County Council whose representative reports to the National Council. The National Traditional Council of Liberia has several sub-committees including Women Affair's and the National Coordinating Committee, responsible for settling all disputes affecting the organization and country at large.

It was this structure that the TRC established relationship with in order to assist the Commission in its work in rural Liberia and advise the commission on appropriate approaches needed to involve local inhabitants in the TRC process. Upon the establishment of the TRC-Traditional Advisory Council, council members received training through workshops on the TRC, its mandate, and processes. Substantial outreach was done with the traditional elders and people. The gender program of the TRC specifically designed and targeted outreach and sensitization about the TRC to female traditional leaders (Zoes) of the Sande Society who in turn educated their communities about the importance of participating in the TRC process. The Commission also considered traditional methods of conflict resolution, peace building and justice in preparedness for addressing reports of human rights violations emanating from its investigations in the traditional context and violations affecting local communities. During thematic hearings in the counties, in addition to giving personal accounts of their experiences during the conflict, traditional elders lead their communities in making group presentations on how the war affected their people and advanced recommendations to the TRC for appropriate redress. On the overall, traditional stakeholders involvement in the TRC was greatly encouraged and yielded much benefit for the work of the Commission.

4.13. Youth

One of the focal areas for concentration of the TRC has been youth and the need to incorporate this population in the work of the TRC. Being cognizant of the tremendous impact of the conflict on the youth of the nation, their role as conspicuous combatants then victims, it was imperative to establish a Committee on Youth to engage the future of Liberia. The TRC took statements from the youth and engaged them in the TRC process; which engagements are still ongoing. In so doing, the Commission forged relationship with the Federation of Liberian Youth (FLY), the umbrella organization of youth organizations in the country. Through the collaboration with FLY, the TRC held several town hall meetings with students of various junior and senior high schools on the TRC mandate and other areas of transitional justice. The TRC also established the TRC/University of Liberia Club with membership of 200 students who assisted the TRC outreach efforts in other universities and the communities. The Commission also held a special workshop with youths in Buchanan, Grand Bassa County, in 2007. Thematic and Institutional Hearings of the Commission around the country included special presentations by youth groups on the effect of the conflict on youth and their aspirations for the future. The TRC Coordinators in the counties also held special events such as: football tournaments, talent show to enhance awareness of the TRC in rural communities.

4.14. County Consultations and National Conference on Reconciliation

Owing to resource limitations, the county consultations had to be consolidated into regional consultations which were held in the latter part of May 2009. These consultations were part of the TRC overall strategy to amplify the voices of the people from all levels of society in the TRC process. As a forerunner to the TRC National Conference on Reconciliation, the Regional consultations brought together participants from three regions convened at the capital of one of the counties in the region.

Region I - comprising the counties of Maryland, Grand Kru, Grand Gedeh, River Gee and Sinoe, convened in Zwedru, Grand Gedeh County.
Region II comprising Bong, Lofa, Grand Bassa, River Cess, and Nimba counties and was seated at Gbarnga, Bong County.

Region III constituted Grand Cape mount, Bomi, Gbarpolu, Margibi and Montserrado counties and was seated at Tubmanburg, Bomi County.

Delegates or representatives were drawn from a cross section of stakeholders from each county, representing each district, cutting across the social, economic and political make up of the counties. From the office of the county superintendent to civil, traditional, religious and other societies, women, children, youth, community leaders, ex-combatant communities, etc. were considered as constituencies for representation at the consultations. In all, not less than 13 representatives from each county in the region attended and participated in these consultations. The TRC did not do the selection but rather encouraged local people and the Superintendent's offices to do the selection in a transparent, representative and fair manner to ensure the broadest representation possible. TRC former county coordinators were rehired to serve as mobilizers in each county of their previous assignment.

Since the establishment of the TRC almost three years ago, the Commission adopted a policy to take the TRC to the people, believing that "Monrovia is not Liberia". This policy guaranteed that the people from all levels in society are involved, not only in the TRC process, but also in all governance issues and the making of decisions that affect them. Against this backdrop, the TRC involved civil society, all the 15 counties and stakeholders in all works of the Commission; from public awareness to statement taking, hearings and other programs like research, town hall meetings, workshops, group discussions, etc.

With the participation of all Liberians, the TRC was able to produce three major documents which gave the TRC a clear understanding of the past experiences of the Liberian people during the war, and the overwhelming aspirations of the Liberian people to ensure that war will be no more, and that in unity, the current peace will

be sustained. The National conference had as its basis or program framework the findings of three major TRC instruments: 1) TRC Preliminary Report; 2) TRC Conflict Mapping Project Report; and 3) Reports of the TRC Regional County Consultations. Based on the findings, determinations and recommendations contained in these reports, the National Conference on Reconciliation, with the theme: "National Reconciliation and the Way Forward" convened from June 15 – 19, 2009 around the following sub-themes:

1. Reparation for victims, survivors
2. National Reconciliation
3. Accountability for crimes including Prosecution
4. Traditional Mechanism For Reconciliation
5. Amnesty and Forgiveness for perpetrators
6. Memorialization in traditional forms and other manifestations
7. Identity crisis in Liberia body polity
8. Land and the conflict over tenure, ownership, distribution and reparation
9. Participation in government and political, economic decentralization
10. Envisioning a New Post – Conflict Liberia
11. Strategies for the support and full implementation of the TRC Recommendations

Representation at the national conference followed the same pattern with additional seven representatives added to the initial 13 delegates from each county, to further broaden participation. In all, each county potentially fielded twenty representatives at the national conference; bringing county representation to 300 in total, constituting the single largest block representation at the conference. Apart from county delegates, other stakeholders from political parties, the government, partners and the international community, and the Diaspora were represented.

4.15. The Diaspora

The TRC determined early that it wished to engage Liberians living outside of Liberia, the "Diaspora," in the national truth-seeking process. While more than thirty countries have implemented some form of national truth seeking body, no similar body has systematically engaged a Diaspora population in all aspects of its work. The TRC approached The Advocates for Human Rights (known at the time as Minnesota Advocates for Human Rights) and proposed a partnership to achieve its goal of engaging the Liberian Diaspora, particularly the U.S.-based Diaspora, in its

work. The TRC and The Advocates ultimately signed a memorandum of understanding authorizing The Advocates to act as the TRC's implementing partner in the Diaspora.

After a preparatory period, the TRC officially launched its work on June 22, 2006. The Advocates held a simultaneous launch in Minnesota for the U.S.-based TRC Diaspora Project. The Advocates initially volunteered to develop a pilot project and recruit and train volunteers for the Diaspora statement-taking process in Minnesota. It quickly became apparent, however, that information from the Diaspora would need to be gathered in a consistent and coordinated manner for it to be of use to the TRC. The Advocates subsequently agreed to coordinate the work of the TRC with the Diaspora community throughout the United States as resources became available.

The TRC approached The Advocates because it sought an organization that would be perceived as trusted, transparent, and neutral within the Liberian Diaspora community. Moreover, the TRC was seeking an organization with established connections to the Liberian Diaspora. The Advocates was ideally situated to partner with the Liberian TRC to undertake the Diaspora Project for a number of reasons. The mission of The Advocates for Human Rights is to implement international human rights standards to promote civil society and reinforce the rule of law. The Advocates for Human Rights was founded in 1983 by a group of Minnesota lawyers who recognized the community's unique spirit of social justice as an opportunity to promote and protect human rights in the United States and around the world. The Advocates is a non-profit, volunteer-based organization that investigates and exposes human rights violations; represents immigrants and refugees in the community who are victims of human rights abuses; trains and assists groups that protect human rights; and works through education and advocacy locally, nationally, and internationally to engage the public, policy-makers and children about human rights and cultural understanding.

The Advocates, which is headquartered in Minneapolis, Minnesota, has a long history of working with the Liberian Diaspora. Minnesota is home to what may be the largest population of Liberians living outside of West Africa. Liberians fleeing the conflict in the nineteen-nineties made up the largest single client group seeking assistance for The Advocates' free asylum services. In addition to providing legal representation to hundreds of Liberians, The Advocates trained dozens of volunteer attorneys to handle Liberian asylum cases. For years, The Advocates also worked through the Building Immigrant Awareness and Support (BIAS) Project to provide training and resource materials to both the Liberian community and to educators in schools with substantial Liberian refugee student populations.

As an organization, The Advocates has a longstanding commitment to the human rights of Liberians. Moreover, The Advocates began using human rights monitoring methods in 2002 to contribute to the success of transitional justice in post-conflict societies. This expansion of the organization's human rights work was premised on the belief that human rights monitors' investigations and published observations would help to uphold the integrity of the transitional justice process and the belief that monitoring further supports the transitional justice process by bringing it to the attention of the international community.

Management & Operation of the TRC Diaspora Project

Relationship to the TRC in Liberia: The Diaspora Project was an integrated part of the TRC's overall work. The Advocates acted as an implementing partner for the TRC in the Diaspora. As such, The Advocates consulted as extensively as possible with Commissioners and staff of the TRC, regarding the broad operation and structure of the Diaspora Project. Day-to-day decision making and implementation were undertaken by The Advocates.

Commissioner Massa Washington, who was charged with overseeing the Diaspora component of the TRC's work, and Chairman Jerome Verdier traveled to the United States several times to assist with training volunteers in Minnesota and New York, and to plan for future Diaspora Project activities. Commissioners Oumu Syllah, Gerald Coleman, and Arthur Kulah also participated in community outreach and volunteer training events in Atlanta, Chicago, North Carolina, Philadelphia, and Washington, DC. In addition, The Advocates' staff and volunteers traveled to Liberia four times in 2007 and 2008 to continue the coordination of activities and to observe TRC statement taking and public hearings activities in Liberia.

Funding: The Advocates did not receive funding for any part of its work from the TRC of Liberia. As with all of its projects, The Advocates raised a small cash budget from U.S.-based foundations and individual donors and then leveraged that budget through donations of volunteer time and in kind support. *Pro bono* and in kind contributions in fiscal year 2007 totaled nearly $4 million. The total contribution for fiscal year 2008 was more than $6 million.

Project Structure: Upon accepting the responsibility for implementing TRC activities in the Diaspora, The Advocates created a project structure that would ensure accountability to key stakeholders, including the TRC of Liberia, statement givers, the Liberian Diaspora community generally, and to other project participants such as volunteers. The TRC Diaspora Project was co-directed by The Advocates' Executive Director and Deputy Director. Two staff in The Advocates' Special Projects Program worked full-time on the project, and three other staff members dedicated significant portions of their time to the project depending on need. The Advocates created a *pro*

bono management team and a national advisory committee of Liberian community leaders to provide input and strategic advice throughout the project. It was envisioned from the beginning that volunteers would undertake a substantial proportion of the work of the project, specifically statement taking. The *pro bono* management team was composed of representatives from law firms who had committed from the outset to provide volunteer and in-kind support in order to ensure the project's successful completion. The national advisory committee was composed of members of the Liberian community in the United States who represented the geographic and ethnic diversity of the Liberian people, and who were recognized as leaders in their respective communities. The members of the national advisory committee were approved by the TRC. Both entities, the TRC and the Advocates, met regularly and were consulted on key aspects of project management and direction.

Apart from regularly seeking the input of the management team and national advisory committee, The Advocates specifically sought the input of recognized experts in critical areas. For example, The Advocates invited the International Centre for Transitional Justice to advise and train staff and volunteers on implementation of public hearings and on current issues in transitional justice. Relative to the psychosocial needs of statement givers, The Advocates sought expert input from the Center for Victims of Torture, an internationally recognized torture treatment center that has extensive experience working with Liberians both in Liberia and in the Diaspora.

***Pro bono* affiliates:** The TRC Diaspora Project piloted its model of community outreach and statement taking in Minnesota, then expanded to other locations where there were significant Liberian populations and where *pro bono* support was available. Priority locations were selected in consultation with the TRC, the national advisory committee and the *pro bono* management team. Before expanding statement taking to a new location, The Advocates identified *pro bono* coordinating partners in the area and worked with them to ensure that there would be sufficient administrative and volunteer support to complete the project goals in that location. *Pro bono* partners included law firms, law school clinics, and other community organizations and Non-Governmental Organizations (NGO) that were willing to work on an entirely voluntary basis, receiving no funding from either the TRC or The Advocates. Ultimately, the project included statement-taking sites in Minneapolis/St. Paul, Atlanta/South Eastern United States, Chicago, Philadelphia, Washington, DC, New York, Newark, Providence/Boston, and the UK.

The TRC also asked The Advocates to assist with statement-taking in the West African sub-region, specifically the Buduburam refugee settlement near Accra, Ghana. Drawing on volunteers from all of its *pro bono* affiliates, The Advocates took more than twenty volunteers on three trips to document the statements of refugees

in Ghana. TRC Diaspora Project volunteers worked alongside TRC staff and Liberian refugees who had been trained as statement-takers.

Operational Considerations - A Non-Liberian Organization in a Liberian Process: Many national truth commissions grapple with whether, and to what extent, to include non nationals in the process, either as commissioners or staff members. In Liberia, the decision was made to keep the process as Liberian as possible. For example, there are no non-Liberian commissioner members. In evaluating who could assist the TRC in implementing its Diaspora process, The Advocates and the TRC engaged in preliminary discussions about the feasibility of a non-Liberian organization taking a lead role in the implementation of the project. From the outset, the TRC was clear that it was important that a non-Liberian group take the lead because no Liberian entity would be seen as sufficiently neutral to be trusted by all segments of the community. Indeed, given the trust building issues that The Advocates encountered, even after decades of working closely with the community, it is difficult to imagine how any Liberian organization would have managed to reach out to the broad spectrum of the community. During public hearings in Minnesota, one community member clearly expressed this sentiment in a question and answer session with the Commissioners. He asked rhetorically, whether anyone could imagine any organization other than The Advocates that no one in the Liberian community would complain about, and the full audience concurred.

Nevertheless, questions consistently arose throughout the process as to why a non-Liberian organization had been chosen and what benefits The Advocates would accrue that would not accrue to a Liberian organization. Despite attempts to ensure Liberian involvement in the process through the creation of a community advisory committee, it was clear that many advisory committee members were reluctant to put their reputation on the line in support of the TRC before it had been proven a success. This hampered efforts to build community momentum. Some opinion leaders went beyond reluctance to overt obstructionism.

Navigating these community politics consumed valuable staff time and ultimately produced little movement on the part of community leaders. It proved more useful to simply navigate around established community leadership structures, than to attempt to engage them. It is important to note however, that the political climate was highly variable by region in the United States and in some communities; established community leadership was highly effective in partnering and pushing forward the TRC effort.

Another key issue was that while many in the international community and sometimes the TRC itself saw the Diaspora work as very separate from TRC efforts in Liberia, individuals in the Diaspora and Commissioners regarded the work of The Advocates as intimately connected with the TRC itself. It raises the issue of how and

when the Diaspora leads or follows national processes, and also highlights the complexity and importance of coordination between national and Diaspora processes. Because of the instantaneous nature of the international news cycle, news about the TRC in Liberia immediately had a ripple effect on work in the Diaspora.

Although The Advocates had no control over TRC policies, scope of work, or timeline of activities, the organization was viewed by many in the Diaspora as having influence over processes in Liberia. For example, the TRC's decision not to call major perpetrators to public hearings until late in the process, the refusal by key actors including the president not to appear before the TRC, and coverage of internal conflicts at the TRC all had dampening effects on participation in the Diaspora. It is important to note that this relationship can be reciprocal as well.

Legal issues: The legislation creating the TRC in Liberia has no applicability outside of the territorial jurisdiction of Liberia. Accordingly, the powers conferred on the TRC did not transfer to the Advocates in the United States, the UK, or Ghana. Moreover, protections for statement givers and other participants in Liberia did not apply in those contexts.

Given this reality, The Advocates consulted with legal experts in the areas of immigration, criminal law, and ethics regarding the statement taking protocol. A primary consideration in the development of the TRC Diaspora Project was protection for statement givers in the form of fully informed consent. Specifically, it was critical that prior to the disclosure of any information, all potential statement givers be informed that The Advocates could not protect them from prosecution or other legal consequences in any jurisdiction, that the information they provided would eventually be sent back to entities in Liberia, and that they could choose to provide an anonymous statement if they had concerns about any legal or safety ramifications of their statement. The Advocates, in consultation with the *pro bono* management team, developed a disclosure statement that was read, signed by, and given to, every statement giver with whom volunteers interacted in the United States, the UK, and in Ghana. In conjunction with that disclosure, each statement giver in the United States and the UK was offered the opportunity to speak with an attorney prior to deciding whether to provide information to the TRC. In addition, local law in the United States and the UK was examined to assess any risks and or requirements related to parental consent for minors providing statements to the TRC Diaspora Project. Moreover, the possibility that anyone associated with the project might be sued for defamation based on any statements made during public events, such as radio interviews or public hearings, was closely examined and discussed with the TRC Commissioners.

Treatment and ownership of documents and information gathered by the TRC Diaspora project was also a consideration. All information gathered for the purposes

of the TRC Diaspora Project was treated as property of the TRC of Liberia. Accordingly, information provided to the Diaspora Project was subject to the same policy proscriptions as information gathered in Liberia. For example, it could not be used for academic research purposes without express permission of the TRC Commissioners.

Support for Statement Givers: Apart from ensuring that statement givers had relevant information about the legal status of the TRC Diaspora Project, of paramount importance was ensuring adequate psychosocial support for statement givers who might experience re-traumatization during the statement-taking process. The TRC Diaspora Project sought out *pro bono* services from mental health professionals who had experience working with survivors of trauma. These professionals were available on-site during some statement-taking sessions in the United States and the UK, during U.S. public hearings, and were also available, on call, for pre- or post- statement-taking counseling. In Ghana, where lack of mental health and counseling services was a major concern, statement-takers were given additional training on how to support statement givers through the process and on how to access resources available in the settlement, including Ghanaian NGOs, the health clinic, and faith and traditional leaders. Moreover, the TRC Diaspora Project saw this process as an opportunity to connect Liberians who might be in need of services with appropriate information about available resources in their community.

Each *pro bono* affiliate developed a referral sheet for the local area to provide statement givers with information about legal service providers, housing, health, and other resources. This information was provided to all statement givers in the United States and the UK.

Process & Methods: The TRC Diaspora Project was responsible for carrying out the same core activities as the TRC in Liberia – outreach & sensitization, statement-taking, public hearings, research, and report writing.

Community Outreach & Sensitization: The TRC Diaspora Project outreach strategy was based on practices and materials developed by the TRC but adapted for the circumstances of the Liberian Diaspora in the United States and the UK. Outreach materials were approved by the TRC prior to use. Outreach materials included brochures, a video about the statement taking process, online messaging, power point presentations, etc. Materials developed for use in the Diaspora included the TRC logo, other TRC graphics, and video of Commissioners, the TRC Peace Song, and other images from Liberia to ensure that the TRC Diaspora Project was viewed as a fully integrated component of the TRC's work.

The Liberian Diaspora in the United States and the UK is organized into myriad political, ethnic, faith, and geographic-based organizations. Moreover, a large

segment of the community in the Diaspora uses internet-based communication (listservers, blogs, news media) to exchange information. The TRC Diaspora Project sought to use these avenues to spread information about the opportunity to participate in the TRC process. As in Liberia, much of the community outreach was conducted through face-to-face communications at events in the Diaspora community. For example, The Advocates and its *pro bono* affiliates organized community meetings in Minneapolis, Atlanta, Chicago, Newark, NewYork, Philadelphia, and Washington, DC. The meetings provided an opportunity for several hundred Liberians in the United States to hear from TRC Chair Jerome J. Verdier, Sr. and other Commissioners and to ask questions about the TRC's operation and goals. In several cities, a festive kick-off event with food and cultural performances was held to launch statement-taking. Some of the most effective outreach efforts centered on apartment buildings or neighborhoods populated by Liberians or at Liberian food shops, restaurants, beauty salons and barber shops. On several occasions, The Advocates staff and volunteers conducted outreach at national conventions of Diaspora community organizations. The Advocates also conducted a special "Healing through Faith" conference for Liberian Diaspora religious leaders. The Advocates staff, volunteers and national advisory committee members conducted outreach at numerous churches and mosques, soccer matches, county association meetings, and other local events.

Data Management: Information from statement-taking interviews was entered by statement takers from around the United States and the UK into a web-based data management system designed to store confidential client communications and other legal information. Volunteers were given passwords and the database was filtered so that they could view only the statements that they themselves entered. Statements gathered in the Diaspora were also provided to the TRC coding unit in Liberia so as to be included in the statistical analysis undertaken by the TRC's data management partner.

Research: The TRC of Liberia requested that The Advocates provide Research and Inquiry Unit with support via The Advocates' network of volunteers in the United States. To that end, several U.S. law firms completed background memoranda on topics ranging from the U.S. role in the Liberian conflict to a comparison of reparations programs that were provided to the TRC for its use.

4.16. Benetech (Data Base)

Benetech work with the Commission involved establishing analytical objectives, collecting data, designing and implementing an information management system for the benefit of the TRC. Benetech also conducted statistical analysis, integrated quantitative findings and follow-up support to the TRC in the implementation of its human rights mandate. Benetech advised the TRC on methods for large-scale data

collection and quantitative analysis of statements and other data about human rights violations. Benetech provided training and support to help the TRC develop the capacity to undertake the necessary steps in order to accurately and defensibly quantify information about human rights violations. The task of Benetech was to work with the TRC to implement a complex human rights information management system comprising the following steps:

Step 1: Collection of Statements. TRC statement-takers collect statements from each of the fifteen counties of Liberia.

Step 2: Statement Classification and Coding. The statements are analyzed by TRC Data Coders to identify the victims, perpetrators and violations within each. This information is transcribed onto paper coding forms for each statement.

Step 3: Database Representations. TRC Data Entry Clerks enter the set of coding forms for each statement into the database. The quality of data entry is checked for typographical and transcribing errors.

Step 4: Generating Analysis. The information is extracted from the database in a form that can be used by a statistician. Graphs and statistics are used to answer research questions.

Collection of Statements: The TRC collected statements in several waves, based on the availability of funding. TRC statement-takers were carefully selected and trained on how to take down a narrative statement using the TRC's open-ended statement form. Each of the fifteen counties in Liberia received a team of statement-takers - slightly larger teams were assigned to more populated counties such as, Nimba, Bong, and Lofa, with the largest number of statement-takers assigned to Liberia's densely populated capital county, Montserrado.

Coding: Consistency in Meaning and Counting: As mentioned above, coding is the process by which the “countable units" violations, victims and perpetrators are identified in statements and transcribed onto coding forms. This process enables the TRC to count violations by county, by year, etc., in order to analyze the nature and patterns of human rights violations reported to the TRC. For example, what distinguishes "rape" from "sexual abuse"? The two categories must be defined so clearly that the people doing the coding apply the definitions in a standard way. That is, the definition must be so clear that if the same narrative statement is assigned to all of the coding staff, they would classify it in precisely the same way. We refer to these definitions as the controlled vocabulary.

The TRC developed a controlled vocabulary based on the types of abuses specific to the Liberian conflict and the TRC's analytical objectives. Benetech and other advisors to the TRC provided input and feedback on working drafts. The TRC's controlled vocabulary includes the following twenty-three violation types: forced displacement, killing, assault, abduction, looting, forced labor, property destruction, robbery, torture, arbitrary detention, rape, exposure/deprivation, sexual abuse, extortion, forced recruitment, missing, gang rape, sexual slavery, ingesting taboo item, cannibalism, drugging, multiple rape, and amputation. The TRC hired a Coding Supervisor and three Data Coders in January 2007, an additional eight in October 2007, and twelve more in March 2008. At its peak, the Coding team consisted of three staff Data Coders, a Coding Supervisor and thirteen contractors.

It was also necessary to develop classification lists for other types of information about the locations, individuals, and groups given in statements. For example, the TRC adapted a list of counties, districts, towns and villages in Liberia; patterned after the National Election Commission. Three letter codes were then assigned to each county and district for ease and speed of data entry. The coding team also developed a list of the warring factions that operated during the TRC's mandate period to which violations could be attributed by statement-givers.

When more than one person is working on coding, it is important to monitor inter-rater reliability (IRR). IRR measures whether different coders, given the same source material, produce the same quantitative output (e.g. the same number of victims and the same number and type of violations). High levels of IRR, or agreement between the coders, ensure that the information entered into the database is more than the individual interpretations of each of the coders and is crucial to the quality of any future analysis of the data. In September 2007, the coding teams expanded from three coders to eleven, and then in May 2008 to sixteen to hasten the work, and as resources were available to the TRC. The coding team has achieved an overall average of 89% agreement on coding exercises throughout their work on TRC statements.

Database: Representing the Complexity of Human Rights Violations: There is a considerable amount of complexity that must be managed when counting human rights victims and violations:

- Victims can suffer many violations;
- The violations can happen at many different times and places;
- Each violation may be committed by one or many perpetrators;
- Each perpetrator may commit one or many violations.

Benetech developed, and the TRC approved the 'Who Did What to Whom?' Data model to capture and maintain the complex relationships between the different elements and roles, and events (a person can be a witness, victim and/or perpetrator within a sequence of events) to be able to accurately reconstruct which victims suffered which violations committed by which perpetrators; simplifying these points leads to distorted statistical results.

The most effective way of managing the relationships between different interdependent pieces of information is with a relational database. Benetech developed Analyzer, a database tool based on the 'Who Did What to Whom?'; a model specifically designed to organize human rights data for statistical purposes. Analyzer facilitates managing the challenges involved in structuring and quantifying human rights data. Different projects need to analyze different variables according to the specific human rights context in which they work. Benetech worked closely with the TRC to identify and add custom data fields needed for the TRC's work. The TRC hired a Database Manager and an initial team of three Data Entry Clerks when the customized Analyzer database was installed in October 2007. Two additional Data Entry Clerks were hired in December 2007 and six in March 2008 in order to increase the speed of data entry as funding became available.

The database server and computers were set up on a network separate from that connecting other workstations at the TRC; and were not connected to the Internet. Maintaining the database network independently of the rest of the TRC's network and off the Internet increased its security as demanded by the TRC and prevented infection from viruses. TRC Database Manager conducted backups of the database to ensure that the database could be recovered in case of theft or failure of the TRC's database server. Copies of the database backups were stored on-site as well as encrypted and sent securely via the Internet for remote storage.

Benetech helped the TRC Database Manager monitor the progress and quality of the data entry clerks by providing data validation scripts or set up of check-runs on the database. The checks are used to systematically spot errors and inconsistencies across all of the statements. Errors identified include typos in the folder reference ID, statement-givers who suffered a fatal violation (impossible since they were alive to give the statement), victims who died more than once and statement-givers with unfeasible dates of birth (making them babies at the time the statements were given) and others. The scripts produced reports that reference the potentially problematic statements so that they can be investigated and corrected if necessary.

Analysis: Patterns of Reported Victims and Violations: The data from coded statements captured in Analyzer was securely backed up and transmitted to Benetech for final processing and analysis. Final processing included corrections that could be automated and systematically fixed such as typos in which the number "0"

was entered in place of the letter "O" or obvious errors in dates that could be corrected without referring back to the original statement.

It is important to note that the analysis presented here reflects the information as presented by statement givers. When documenting human rights situations, different statements may describe the same event. That is, the same killing may have been reported by multiple statement-givers. A review of violations reported to the TRC found that with the notable exceptions of a few widely known individuals such as Samuel K. Doe, there was no significant number of duplicated violations. Duplicates were not identified or systematically removed from the TRC's data.
The data extracted from the database is reformatted to be read into R, a statistical tool used to generate the analysis, graphs and tables presented in the Benetech report. Benetech uses R in conjunction with LATEX, SWeave (LATEX plus R), make, and Subversion (version control software) in an infrastructure developed based on the Benetech Human Right Project (HRP) data processing principles of transparency, auditability, replicability and scalability.

Transparency means that other HRP team members or reviewers from outside of Benetech could follow each step of the TRC work. Auditability means that it is possible to track each step of the analytic process and its subsequent output, facilitating testing. Replicability means that the analysis can be re-run by another HRP-team member, reviewer or independent third-party, at any time. Scalability means that, because of the transparency of the project structure and analytic process, the HRP can bring other team members into the project with minimum overhead and maximum efficiency at any time, as well as accommodate growing amounts of data. The principles that underlie the analytic process enabled Benetech to rapidly reproduce its analysis in response to feedback and requests from the TRC and the addition of more statements to the database. They also ensure that results are transparent for review by TRC colleagues and peer reviewers and can withstand close scrutiny by commentators once the final report has been released.

4.17. Conflict Mapping Project

The TRC commissioned a conflict mapping project and requested the EU to facilitate and support its implementation by the provision of technical and financial assistance, to conduct the research throughout Liberia in support of the goals of national peace, security, unity and reconciliation, and the peace building aspirations of the Government and people of Liberia by “mapping current and looming conflicts in order to ameliorate the potential for future violent conflicts and civil unrest”.

The project was completed and recommended measures to improve the effectiveness of policy and programme initiatives in contributing to conflict prevention and reduction in Liberia. The project deployed research teams concurrently, in each of

Liberia's 15 Counties, and conducted research in 46 of the 64 districts during the period March – July 2008. Approximately 6,000 respondents participated in focus group and key informant discussions.

With the exception of the Team Leader, the process was entirely implemented by Liberian staff, including a Project Manager, five Research Supervisors and forty Researchers; equipped with nothing more than rain boots and notebooks. Project staff developed the research framework and guidelines during a 3-day training and design workshop in Monrovia. An overarching research framework was provided, and then transformed in to a 'user-friendly' format that focused on:

1. Predominant local conflicts
2. Conflict histories and contending groups / individuals
3. Categorizations (including land / politics / social relations / natural resources etc.)
4. Previous resolution strategies (success of / otherwise)
5. Suggested resolution strategies
6. External factors
7. Strategies to promote 'national unity

THE HISTORY OF LIBERIA

"…Perhaps in the future there will be some African history to teach. But at the present there is none; there is only the history of Europeans in Africa. The rest is darkness, and darkness is not the subject of history."

- Professor Hugh Trevor-Roper of Oxford University wrote in 1964 the following about African history

5.0 BACKGROUND TO THE CONFLICT

5.1. The Early History of Pre-Liberia (1700 – 1847)

The territorial extent of what is today's Liberia was a land mass sparsely populated and isolated from the rest of the outside world prior to the emergence of states in the Sudanic belt. Part of the Upper Guinea Coast and the tropical rain forest of West Africa, its natural habitat, high tropical forest, mountain ranges, infectious insects and mosquitoes, vast swamps and mangrove made living conditions hasher and penetration from the Savannah region of the north (Guinea) difficult. These natural barriers were initially overcome by migration from the north to south of the Sahara resulting from the disintegration of the Sudanic Empires and the subsequent European exploration of the West Coast of African in the 15th century.

The fall of the Sudanic Empires of Ghana, Mali and Songhey disrupted social organizations in these empires and set in motion a great exodus in different directions in Africa. Over a period spanning several centuries many peoples of the Kwa (Dei, Belle, Bassa, Krahn, Kru, Grebo), Mande (Mano, Dahn, Gio, Kpelle, Lorma, Gbandi, Mende) and Mel (Kissi, Gola) cultural groupings in Liberia entered pre-independent Liberia in successive waves in response to the socio-political and trade disturbances in the Sudanic empires. The Mel speaking group migrated to these shores much earlier.

The first inhabitants of the region may have been Pygmies, or people of small size, referred to in Liberia as 'Jinna'. There is no recorded history to prove their existence, but they still play an important role in the oral history and the religious life of some of Liberia's ethnic groups. When the Golas, who are said to be the oldest of the Liberian tribes, travelled from the interior of Central Africa to this West African region they reportedly met these small-sized peoples,who were bushmen and who dwelt in caves and the hollows of large trees, and lived on fruits and roots of wild trees.

A second group of people is reported to have arrived around 600 B.C. Though their origin is not very clear; they most likely came from the Western Sudan. These newly

arrived people defeated the Golas and other tribes such as the Kissi, and established an empire under the leadership of King Kumba, after whom they were called. The Kumbas comprised distinct groups which developed into different tribes after the death of their leader: the Kpelle, the Loma, the Gbande, the Mende, and the Mano, all belonging to the same linguistic group. They were chiefly agriculturists but also developed arts such as pottery, weaving, and basket making. Their blacksmiths were able to make spears, arrow-heads, hoes, knives, rings and iron rods. These iron rods were used as a medium of exchange.

The third group of people who arrived and settled in Liberia migrated quite recently. They were the krus, Bassa, Dei, Mamba and the Grebo tribes. They came from the east where the Republic of Ivory Coast is situated. Population pressure, due to the mass emigration of tribes from the western Sudan where the medieval empires had declined after their conquest by the Moroccan Army, led to tribal wars. The Krus arrived in the early 16th Century by sea as the Grebos later did. The Krus traded with Europeans along the coast and later became slave traders. The Krus worked as laborous on plantations and overseas.

These Grebo who took the sea-route were later called 'seaside Greboes' in order to distinguish them from their kinsmen who decided to travel by land, the safer way. Those who braved the dangerous waves still feel superior to these so-called 'bush'-Greboes becaues of earlier exposure to western civiization and education. All the peoples of this group belong to the same linguistic group. The last group of tribes to arrive from 'over land' was the Mandingo-group, comprising the Vai and the Mandingo tribes. The Vai also migrated to the West African central region in the sixteenth century and had probably the same motivation as the tribes of the third group. They crossed the western part of the actual republic of Liberia, clashed with the Gola whom they subsequently defeated, and – later – moved to the coast where they settled. The Kru opposed the migration of the Vai into their region. An alliance of the Manes and Kru were able to stop the further migration of the Vai who remained in today's Grand Cape Mount County.

The Vai is the first tribe of embrace islam unlike other tribes which were animist. It was one of the few tribes of Black Africa who invented their own script in the 1830s with the inspiration of Dwalu Bukele. The Bassa, Kpelle and Lormas also invented their own scripts. About the seventeenth century the Mandingos began to arrive in Liberia. They were moslems who also migrated from the western sudan after disintegration of the the Mali Empire.

By the 1460s, trade in pre-Liberia had attracted sufficient attention that the Portuguese named the area the Grain Coast. As the 16th century approached, the area had become widely known to European traders as an important center of international trade. European traded with shifting indigenous confederacies having

outlets to the coast such as the Grebo Reunited Kingdom, the Kru Confederacy, and the Kondo Confederacy were all well established.

Prior to the interactions of Europeans with the indigenous people of pre Liberia and the arrival of the settlers, there existed an organized political system with functional socio-economic institutions. Each ethnic group was constituted into a separate clan-state with variations in size and population. The inhabitants of a state had a common lineage and the head was either a king or a chief, an elder or a zoe. The king was the final arbiter assisted by councils of elders and wise men.

Different forms of government or governing authorities existed from practical democracy to monarchy and classic dictatorship. Leadership was influenced by a host of criteria which varied from one cultural group to another-wealth, men under your control (might), generosity, heredity, selflessness, prosperity and in other instances seniority by age.

Prior to the arrival of the settlers who sought to impose a central government over all of Liberia, there existed at least two major broadly differing political systems in pre Liberia. Peoples of the southern and southeastern regions of Liberia comprising mainly the Kwa speaking cultural group had one system. The other system is that relating to people of the central, northern and northwestern regions belonging to the Mande and Mel cultural groupings.

The people of the southern and southeastern regions operated a political system which was lineage based, less complex and less hierarchal. The heads of all sub-clans or states operated as equals and the system was highly individualistic. The peoples of the central, northern and northwestern regions maintained a strong hierarchical structure, cooperated by confederations with different languages and were community based.

Women had a minimum or no public role to play at all in the governance of these states. They were powerful behind-the-scene leaders who advised the kings and chiefs, and were chiefs themselves in other instances. In matters of family, culture, education and spirituality, women were a driving force in determining how the system functions or operates. On the chief or kings' council a woman representative was almost always present. With the extended family system prevalent in pre Liberia, women's role in domestic, familial affairs was huge. She catered to children, relatives and in-laws, made the farms to sustain the wealth and prestige of the family and her husband. Women were important to every leader, chief or king also because of their spiritual leadership and powers to foretell the future and gifts of discernment.

Domestic slavery was a part of the system of governance and practiced widely throughout pre Liberia. A slave was obtained by capture in war and was a part of the leader's wealth because they were used to work the land and till the soil. They supplied valuable labor at a time when competition and wars over land, its acquisition, distribution, access, control and conquest were major sources of intra-tribal, ethnic and multi-cultural conflicts, which were often deadly.

Another feature of pre-Liberia governance structure and culture was the "bush schools"; a tradition still in practice today. The Poro society is the school for men and the Sande for women. They were prominent compulsory institutions which traditionally served to initiate young people into the society. The children are taken away for between one to four years to be educated into the laws, customs, traditions and ways of their people; loyalty, respect and care for the elderly, the extended family system, and other values and skills were taught to prepare them for their role and place in society as responsible adults.

More specifically, the women in the Sande were trained for initiation into adulthood, morality and proper sexual comportment; marriage and domestic chores were also subjects. Education about farming, medicine, dancing, child rearing and domestic as well as specialized skills like dying, making cloth, preserving food, etc. were part of the training program.

Before the arrival of the settlers in 1822, extensive contacts and interactions existed between the indigenes at the coast and the interior. Economics, trade and social interests including intermarriages dominated their dealings and creating a big family of in-laws. For defense purposes, they formed alliances and common defense pacts which were enhanced by membership to the Poro or Sande societies as institutions of socialization, acculturation, stature, honesty, trust, common ancestry and brotherhood. These separate nations were not always at peace. They fought wars among themselves. If one group felt stronger, they invaded the weaker one, captured their women and young men. Those who resisted were either killed or made prisoners. The conquered territories were annexed and the prisoners of war were used on the farms or sold into slavery.

Contacts with the outside world increased as more and more explorers came to the Liberian shores. Europeans from Normandy, France are said to be one of the earliest who came to the west coast of Africa between 1365 and 1367. In 1461 Pedro de Cintra touched down at Cape Montserrado and as per his mandate he kidnapped a man from greater Monrovia and returned after a year with his captive as evidence of his find. He named Liberia the Grain Coast because of the abundance of melegueta pepper. During his second voyage, he named Liberia's coastal waters and rivers: St. John River, St. Paul River, Cape Mount, Rivercess, Cape Palmas and Cavalla Rivers.

The Portuguese were followed by the English in the 15th Century. The English were interested in rice, gold and slaves. The Dutch followed in the late 16th Century. Dutch accounts speak of the Kingdom of Quoja, located between Dukor and the region around the Mano River. The French came in 1725, the Swedes 1776. These visits laid the foundation for more exploration in the interior of West Africa. Soon a new trade, the Transatlantic Slave Trade, would eclipse the trade in tropical goods.

5.1.1. The Transatlantic and Trans Saharan Slave Trade

The modern Liberian state was an offshoot of slavery and the anti-slavery movement of the 19th century. A combination of fortuitous circumstances in the United States will lead to the emergence of pro American colonial interests in exploring back-to-Africa schemes.

Slavery was once a universal behavior that existed even in biblical times. It was practiced by Greeks, Romans and black Africans. It was the most vicious of all forms of servitude. It reduced a human person to nothing but a thing or property in servitude for life with little hope of freedom. Before the transatlantic slave trade, what existed in Africa was domestic slavery in which freedom was won when one married a free person or was a worrier or artisan. One notable example of slaves rising to leadership was Kakura of the Songhey Empire who became emperor.

The Atlantic Slave trade originated in 1492 when Christopher Columbus discovered the Americas. In this age industrialization was expanding and the demand for raw materials and labor was high. The raw materials for food, liquor, clothes grew abundantly in the "new world"- America- which was sparsely populated and the native Indian population was both too small and too weak to toil in the heat for long periods of time. The Europeans turned to Africa for labor.

In the early days of the trade, prisoners of war were the main subject of slave trading in Africa. When the leaders could no longer meet the growing demand of the slavers or slave buyers, they were substituted for the prisoners of war. Towns and villages were pillaged by either their own neighbors or chiefs as agents for the Europeans slavers. The main actors now became Europeans who came with ships to buy slaves and the African chiefs who sold their kinsmen. Middle men often mulattos and resident Europeans, bought and sold slaves at very high prices. One of such middlemen, John S. Mills was an interpreter whose mother was a local African woman and English father. His slave factory was in Gomez Island, opposite Providence or Dozoa Island in Monrovia. Arab involvement in West Africa is not well documented. The area lying between Togo and Nigeria was referred to as the Slave Coast, given the intensity of the trade in the area. Elmina in Ghana was another major slave post as was Senegal and its immediate environs and the Gore

Island. Liberia's main route extended from the savanna through the vai country to the Atlantic Coast.

The Grain Coast was not as involved in the Slave Trade as other areas in the sub region due to its rough and rocky coast; most inhospitable to slave vessels and traders. The major slave trading countries were Portugal, England and Holland. The Portuguese captured three Africans near Cape Verde in the 1400s and many Africans regard this as the beginning of the great trade. In 1551 the English slaver, John Hawkins arrived to the pre Liberian coast for slaves. He paid his second and last visit in 1552. Two resident European slave traders on the Liberian coast were Don Pedro Blanco and Theodore Canot. They were Italians operating on and off in Bassa and Cape Mount. On the plantations, life for the slave was lonely and horrible. While most of the slave women served as domestic servants they were also used unwillingly as concubines to their slave masters and had children (mulattos) many of whom migrated to Africa to form the new states. It is speculated that many of the first presidents of Liberia, including Roberts, originated from this stock.

Children were recruited and sold into slavery as early as between 10 -14 years of age and with the family scattered and disparaged by this trade, they were never to see their parents again. Africans in slavery turned to Christianity in their period of sustained grief and despair. Africans turned to God for deliverance from their bondage and many pastors were masterminds of slave rebellions and insurrections in slave America. No wonder "Christianization" and "civilization" of the African homeland became a core part of what was later to be the American Colonization Society's (ACS) mission to Liberia.

5.1.2. The ACS in Pre-Liberia

The establishment of the ACS eventually led to the establishment of the Republican State of Liberia that engendered a conflicted relationship between the settlers and indigenous peoples of Liberia. With unsettled motives and objectives, sometimes conflicting, the ACS mission sought to impose culture, religion, economic, social and political standards on a nation of people of diverse identities. Central to understanding the socio-political conflict and its degeneration into armed conflict in the evolving history of Liberia is the choice made by the early leadership of Liberia from colony, to commonwealth and statehood. It was a choice of purpose or political direction for the new enterprise.

One option was a Euro-American orientation with the idea of a civilizing and christianizing mission at its core. The other option was to attempt to build an African nationality that blended Western and African values, as Edward Wilmot Blyden and others have advocated. The choice of the former is at the root of Liberia's yet unresolved historical problem of political identity and legitimacy. The choice, in

time, alienated, marginalized, degraded not only the majority of the inhabitants of the Liberia area, but implicitly the very westernized black leaders who bought into and adopted the views derived from 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 ACS was a voluntary private organization (NGO) of colonists founded in Washington D.C., USA on December 16, 1816; both as an alternative and a consequence of the abolition of slavery in America. Founded under the principles of colonization, Liberia was never an American colony. The US Government provided US$100,000 to the ACS without saying it was repatriation of freed slaves to Africa. As the name implies, the initial objective was to establish "…a colony in Africa to take free people of color…residing in our country away from the United States...to Africa or such other places as congress may deem expedient"-(Rev Robert Findley, delegate to the ACS conference). Paul Cuffy ceded his back to Africa movement for the repatriation of freed black slaves to Africa to the ACS in 1816 before his death in 1817.

The ACS was formed by prominent men in the American society including politicians, former presidents of the USA, lawyers, church men, slave masters, humanitarian, etc. As they were of different backgrounds, so too were their motivations for relocating freed slaves. The slave rebellion which declared the independent Republic of Haiti as the first all black nation of former slaves was a wakeup call for abolitionist and colonists alike. The frequent and costly uprising by freed slaves in Charleston, South Carolina in 1770, the Gabriel Prosser and Denmark Vesey Rebellions sent signals throughout slave America to do something about the question of freed slaves that were roaming about and causing chaos which led colonization advocates to speed up their repatriation to Africa plans.

The Legislature of Virginia enacted a law empowering Governor James Monroe (who later became president of America, after and after who Liberia's capital Monrovia was named) to correspond with the President of the United States on the subject of purchasing lands without the limits of Virginia for the relocation of persons considered "dangerous to the peace of society may be removed". Other prominent southerners were Speaker of the House, Henry Clay (Clay Street), General Andrew Jackson, Senator, Daniel Webster, Statesman and Supreme Court Justice Bushrod Washington (Bushrod Island), nephew of George Washington.

There were those opposed to black and white mixing or integration, including Thomas Jefferson- author of the American Declaration of Independence who later became president of America and is widely believed to have fathered several children by Sally Hemings, herself a slave, holding the view that mixing will create a new breed of people as inferior as blacks. Hence, "The American society for

colonizing the free people of color of the United States" was inaugurated December 28, 1816 to establish a colony (Liberia) for freed slaves in Africa. Many of them, especially Southerners supported emigration to Africa in order to get rid of the freed black population whom they perceived as a major threat to slavery in America. By eliminating free blacks, they thought they could guarantee indefinitely the perpetual system of slavery that essentially under girded their entire economic system.

While industrialization may have reduced the overwhelming demand for slave labor, there were those who held the belief that Africa was in need of religion and civilization since freed slaves have become Christians and adopted a measure of western civilization. Congregationists wanted freed slaves to come to Africa and preach the gospel. Samuel J Mills a leading member of the ACS said "…we go to lay the foundation of a free and independent empire on the coast of poor degraded Africa…it will eventually redeem and emancipate a million and half of wretched men. It will transfer to Africa the blessings of religion and civilization…". Many blacks were opposed to the back to Africa plan; others saw life in America as "disagreeable and disadvantageous" and favored repatriation to Africa to obtain full, and not partial, freedom.

The basic objective of early Liberia was to establish an exclusive settlers' state in coastal enclaves and maintain control over trade and other developments in a wider surrounding area that consisted of several indigenous communities. Six internal deadly conflicts during this period shed light on two crucial developments – the impact and influence of autocratic and ethnocentric white leaders on incipient settler leadership, and the important bi-product of these developing norms for the political culture of the repatriate leadership to follow, perhaps beginning with Joseph Jenkins Roberts in 1841 as last governor of the Commonwealth, and subsequently as first president of Liberia. Also, as a settler society began to take shape on the littoral settlement at most 40 miles into the interior, a distinct pattern of settlers "sphere of influence" began to emerge. Larger spheres followed in furtherance of commodity trade; terminating the Atlantic slave trade, and engaging in selective social contacts consistent with the civilizing and Christianizing mission.

Two global views were in evidence in early Liberia. One was to build a small America in West Africa (advocates included John Brown Russwurn, 1799-1851); the other was to build an African nation modified by Western thought (advocates included Edward Wilmot Blyden, 1832-1912). One was to forge a nation by attempting to subordinate all indigenous competitors and the other was to build an integrated African nation with values incorporated from without. This perspective advocated the development of indigenous human resources, the furtherance and protection of indigenous trade (as distinct from the perversions of European slavers), and the subordination of considerations of the civilizing/Christianizing perspective to elements of cultural and African nationalism. As late as the 1960s the centrality of

the civilizing ethos to the Liberian polity was being echoed. Former Vice President C.L. Simpson, Sr. (himself, a Liberian of mixed repatriate and Vai ancestry, though then a thorough assimilee) wrote in his memoir:

> Two courses were open to us: One was to merge at the outset the comparatively small advanced elements of the population into the mass of those who, for various reasons, were at a more primitive stage of development and to hope that in due course all would progress homogeneously and simultaneously. The other was to preserve the ideal of western democracy on however small and imperfect a scale and to direct our efforts at gradually improving the system and extending it to broader section of the population. We adopted the latter course.

The implications of the choice made were far-reaching, not only in the structuring of repatriate/repatriate relations, but particularly those of repatriate/indigene relations. Such relations, singly or in combinations, were to manifest themselves in political conflict, some of them deadly. As regards repatriate/repatriate relations, the choice meant competition between the two ideas of Liberia for ascendancy. In the 19th, century it took the form of racial cleavages (mulatto versus black) that issued into the Roberts and Benson conflict of 1864 (former President Roberts leading charge for misappropriation of public funds by incumbent President Stephen Allen Benson), and the Roye affair of 1871 (mulatto overthrow in a coup d'etat of the first wholly black President E.J. Roye who attempted to shift from the 'civilizing" orientations of the past).

A striking comparison between Presidents E.J. Roye and William R. Tolbert should be of historical interest in this context. Roye was the First standard bearer of the TWP and Tolbert the last. Roye ascended to TWP leadership in 1871 advocating progressive change in relationship with the indigenous population whereas Tolbert ascended to TWP leadership 100 years later in 1971 advocating a progressive change that engaged the opposition. Both presidents were killed by coups d'état. Implicit in these episodes is the overriding theme of alienation and national identity.

5.2. Evolution of a Settlers' Hegemony (1822 – 1847)

The first group of settlers that arrived in Africa under aegis of the ACS, sailed on the Elizabeth in 1817. On board were eighty-six men, women and children from New York, Pennsylvania, Virginia, Maryland and the District of Columbia. These were seen as pioneers who would help build the colony. After a few weeks stay in Freetown, they moved on to Sherbo Island where all the agents namely Samuel A. Crozier, Samuel Bacon and John P Blankson, and about half the population of the colonists were wiped out by malaria. Amidst initial constraints, they were able to resettle some 13,000 African Americans and several thousand recaptured African slaves known as Congos from 1821-1867.

5.2.1. Settler's Colonies and Conflicts Over Land

Relief was sent by the society in 1821 to the settlers. Another agent named Joseph Andrus was sent by the society with thirty three settlers. The settlers moved from Sherbo Island and arrived in Bassa to negotiate for the purchase of land from the king, Jack Ben. The king and his people finally consented to sell their land to the settlers and they came to an agreement that was rejected by the Society. The reasons for the rejection was that the land was too expensive and the natives insisted that the settlement should in no way interfere with the slave trade in their country. This development significantly impacted the settlers' relationship with the natives and laid the foundation for historical deadly conflicts, mainly over land.

The ACS changed its agents and the next effort was to transport another 33 freed slaves to Cape Mesurado or Ducor on the "Nautilus" in 1821. The new agent, Dr Eli Ayers, a surgeon in the US Navy, began negotiations with King Peters and the Bassa and Dei Chiefs for the sale of their land to the colonists. Given the ancestral attachments of the people to the land, they would not sell and suggested that since the land was intended for the settlement of Africans who had returned, the settlers could have as much land as they desired once they accepted to live under the authority of the Kings and chiefs instead of being subjects of the colonist ACS, and therefore refused to sell land to the ACS.

After a long and protracted period of negotiations, which was eventually concluded under gunpoint with the Military assistance of Captain Robert F. Stockton (Stockton Creek and Stockton Bridge), Commander of the USS Alligator, Cape Mesurado was handed over to the settlers with 40 mile radius inland from the shores of the Atlantic Ocean. According to the deed, the land was bartered for:

> "Six muskets, one box Beads, two hogsheads Tobacco, one cask gunpowder, six bars Iron, ten Iron Pots, one dozen Knives and forks, one dozen Spoons, six pieces blue Baft, four Hats, three Coats, three pair Shoes, one box Pipes, one keg Nails, twenty Looking glasses, three pieces Handkerchief, three pieces Calico, three Canes, four Umbrellas, one box Soap, one barrel Rum; and later was to be paid the following: three casks tobacco, one box Pipes, three barrels Rum, twelve pieces Cloth, six bars Iron, one box Beads, fifty Knives, twenty Looking glasses, ten Iron Pots different sizes, twelve guns, three barrels gunpowder, one dozen Plates, one dozen Knives and forks, twenty Hats, five casks Beef, five barrels pork, ten barrels Biscuit, twelve Decanters, twelve glass Tumblers, and fifty Shoes".

What has come to be known as the Ducor Agreement or Contract was signed on December 15, 1821 by the following Kings: T King Kaanda Njola, the Gola king

known in Liberian history as Zoda, King Long Peter, a Gola, and King Jimmy, probably a Dein and the Dei King Bah Gwogro known in Liberian history as George. The deed was issued in the name of the ACS and Ayres and Stockton signed for the ACS; John S. Mills, a mulatto, (Millsburg) and John Craig witness the agreement. The promises made for additional payment was never made and part of what was paid was later taken back.

On December 16, 1821 Dr. Ayres in a report to the ACS wrote enthusiastically that " We have purchased a tract, of country containing one million dollars' worth of land with the best harbor between Gibraltar and the Cape of Good Hope, an island containing nine houses and six others to be built...; All this we have purchased in fee simple for little more than was stipulated to be given for the annual rent of Bassa, and not amounting to more than three hundred dollars". This set the pace for the forceful acquisition of territories by the colonists of the ACS.

On August 18, 1822 a brig called "the Strong" arrived at Cape Mesurado with 35 settlers including Jehudi Ashmun (Ashmun Street, Clay-Ash Land) and his wife. Ten of the Settlers were recaptured Africans (Congo people) under the custody of the ACS by the US Federal Government. The American Navy captured approximately 10,000 of these recaptured Africans of which 6,000 reached Cape Mesurado alive.

Jehudi Ashmun became agent and took steps to lease, annex or buy tribal lands along the coast and the inland through aggressive means. Soon the Mesurado Colony was consolidated and expanded to what later became the colony of Liberia. Commenting on these events, Richard West, author of "Back to Africa: A History of Sierra Leone and Liberia"(1970) asserts that:

> *"[t]he deal had been made quite literally at pistol point. It is odd that these pious Christians of the ACS, so ready to mouth their concern for the plight of the Negro race, should have behaved toward this African king with such brutal and ignorant arrogance"*

While the natives were prepared to accept gifts from their new guests, they were nonetheless unwilling to sell the land at any price. The land is attached to their being or existence as symbols or evidence of identity or social status. The settlers continue their expansion by the formation of other colonization societies under aegis of the ACS.

The New York City Colonization society and the Pennsylvania Colonization Societies formed the Edina and Port Cresson colonies in 1832; the Maryland Colonization society set up the Maryland colony in 1834; the Mississippi in Africa colony was founded by the Mississippi Colonization society in 1834. The Bassa Cove Colony was built on the ruins of Port Cresson after it was destroyed by the natives of

the area in an attack to register their protest for the encroachment of their land by the settlers. In 1836, Edina and Bassa Cove were united into one colony called Grand Bassa Cove Colony. Bassa Cove was in turn incorporated into Liberia in 1839 as was New Georgia. Maryland in Africa became the state of Maryland in Liberia in 1841 until 1859 when it became part of Liberia. Mississippi in Africa was incorporated into Liberia as Sinoe County in 1842.

5.2.2. From Colony to Commonwealth

The expansion of the colony did not occur without opposition from the indigenous people. There were several deadly conflicts that occurred between the two communities over land during this period. Before the arrival of the settlers, land was owned in common among tribal Liberians. Each town or village owned the immediate land surrounding it. The land was subdivided into smaller units among families (extended families). Land boundaries consisted of well known land marks that were known to all- hills, rivers, valleys and so on. Thus, from time immemorial each village or family unit knew the extension of its land. No monetary fee was paid for land among the aboriginal Liberians and land ownership was collective, not private. Therefore, to the natives, no single individual or even king could sell the people's land because it was non-transferable and sacred. It was owned by the living and the unborn. They were not ready to let go the land and the settlers did not recognize this significant factor.

The ACS was powerful and became successful in its expansion and acquisition, wining one battle after another with the aid of some local chiefs. One notable case is the threat of King Soa Boso who was asked to intervene by the settlers. He was a powerful Madingo King of the Condo Confederate of the Islamic faith. He pledged to cut off the head of any native who opposed the settlement having sold their land and received benefits for it. He emphasized the tradition of not selling lands but recognized the need of returned Africans to settle on the land of their ancestry. His intervention settled the conflict over Ducor and the settlers maintained it thereafter. Expansion continued by outright purchase, annexation and treaties of protection or friendship to title or deeds of ownership. On his death bed in 1829, King Peter of Bushrod Island placed his people under the protection of the Colony.

The authoritarian and dominant role of the ACS and the imposition of settler's rule have been at the core of contention and conflict between the two peoples of Liberia, which to date remains unresolved for centuries; germinating into even greater conflicts from land to skin color, to cultural differences and social, political and economic inequities.

Relationship with the natives was conflicted right from the start upon the arrival of the first group of settlers and the acquisition of their first land with the aid of a gun.

The colonies expanded into a Commonwealth with raging conflicts from 1821 to 1839.

Wars	Years
Dei-British/Settler "Water Battle"	**1822**
Dei-Settler War	**1822-23**
Dei-Gola- Settler War	**1832**
Bassa- Settler War	**1835**
Kru- Settler "Fishermen" Conflict	**1838**
Vai- Settler Battles	**1839-1840**

The Commonwealth adopted the governing structure and social, political policies of the colonies and resisted slave trade just the same. The agents of the ACS were heads of the colony; powerful and authoritarian, embodying all the powers of executive, legislative and judicial functions. Ali Ayers was replaced by Elijah Johnson (Johnson Street) who held on for Jehudi Ashmun. Lott Carey (Cary Street) acted up to the arrival of Ashmun's successor, Richard Randall (Randall Street). Randall died prematurely and was replaced by Joseph Mechlin (Mechlin Street). Mechlin and his successor John B. Piney (a Presbyterian Minister) agencies were brief because the settlers were disgruntled with their authoritarian rule and rioted for greater voice in the affairs of the colony. Ezekiel Skinner succeeded Pinney who was accused of dictatorship and widespread opposition and illness forced him to resign. He was replaced by Antony B Williams, the last colonial agent who ruled until the colony became a Commonwealth in 1939.

During the colonial period (1821 – 1839) a close relationship existed between the church and the colonial administration and state. Most early schools were operated by Christian missions and most of the early leaders of the ACS and the colony were Christian leaders, justifying why it has been said that Liberia was founded on Christian principles. The first Christian denominations were the Baptists, Methodist and Presbyterian; the Baptist as early as 1826. The settlers out rightly rejected the traditional religions and Islamic practices of the natives and made it their mission to, in the words of Elliot Cresson, a founder of the Bassa Cove, "Christianize" and impose "Christian influence and operation upon the surrounding heathens".

Conflicts could have been avoided if the settlers had recognized the authority of the natives instead of the ACS which repatriated them to Africa. Similarly, had the colonists abandoned their colonial ambitions, relationship between the two people might have been more cordial. The laws of the colony set the settlers apart from the

natives. A case in point, Article 23, of the Colony's Digest of Laws in 1824 provided; *"no colonist shall deal with the natives for land".* This provision continued in the Commonwealth and Republican Constitutions until the republic became history in 1980 (also Article V, Section 14, constitution of Liberia). Thanksgiving Day was celebrated by the settlers to thank God for their "victories" over the natives in 1822.

In 1839 several colonies realized it was in their common interest (finance, security, scanty population, etc) to amalgamate as one unit. The Colonies of Bassa Cove and Cape Mesurado (Montserrado) were united into a Commonwealth. Three years later, in 1842, the colony of Mississippi in Africa joined the commonwealth as Sinoe County. The Commonwealth continued in the same way as a colony rather than change the policies of the Colony even as greater expansion by annexation would have required. One of such exclusionary laws of marginalization provided that "…no native African or Africans, excepting such as may be brought here under the character of recaptured Africans…shall be entitled to elective franchise, at least three years immediately preceding the election at which the privilege is claimed and shall have during continuous period exhibited a uniformed civilized life".

The head of the Commonwealth was a Governor appointed by the ACS. Its first governor was Thomas Buchanan, (Buchanan City), former agent of Bassa Cove. He consolidated the Commonwealth, extended his influence and mediated the Dey-Gola war of 1838. He ruled until 1841 when he was succeeded by Joseph Jenkins Roberts. The commonwealth had a separate executive, judiciary and legislative bodies but denied natives of any rights of participation and sought to keep the two communities apart. The Commonwealth needed a controlled territory, and authority over its territory. This exercise of authority was questioned and challenged by foreign powers operating in the area who had become accustomed to unfettered trade and movement in the West African region. Moreover, these British and French colonialists had territorial ambitions to annex additional Liberian territories. This threat encouraged many kings to join the commonwealth in support against foreign colonial aggression on their territories. The clamor for independence was echoed by the settlers who also became increasingly resentful to the autocratic and direct rule of the ACS, which denied them basic rights and freedoms in deciding matters that affected them and the Commonwealth.

5.3 State Making and Conflicts in the First Republic (1847 – 1944)

The impulses that led to the creation of the state were both internal and external. The internal relates to the difficult encounter of cultures and peoples. The early settlers and their settlements represented a grand experiment, driven by colonial sentiments of "civilizing and christianizing" indigenous peoples. The very messy process of forging a nation that ensued subsequently was punctuated by many violent encounters (over 90 deadly conflicts in all from 1821 to 1944- as documented in

Levitt's "The Evolution of Deadly Conflicts in Liberia") between the new comers and the indigenous populations. Nation making for the settlers was imbued with little humanitarian concern. The forming and re-forming of alliances involving all players was a distinguishing feature of the process (See Warren d'Azevedo's four-part article on "Tribal Reaction to Nationalism" in the *Liberian Studies Journal).*

The external impulse relates to circumstances in the United States, as earlier noted, that led to the formation of colonization societies and energized a debate between the colonists who were strong advocates of the back-to-Africa idea. In opposition were the abolitionists who were addressing a scourge in American society, slavery, and felt that the distraction of the colonists was unwarranted. Powerful forces in American society enabled the colonists to proceed with their project as we have come to know.

In the unfolding process of colonization and settlement in Pre-Liberia, two world views had to be confronted. One was to forge a nation by attempting to subdue all resistance and Americanize the Grain Coast. The other perspective held that the repatriate Africans should live alongside the natives, each mutually influencing and learning from the other and together building a common patrimony. There have been advocates for this perspective throughout the history of Liberia. Liberia has yet to accomplish the objective of the Africanization of the Republic of Liberia. Thus we labor, even today, amid dualisms – statutory and customary law; Poro/Sande and modern education; outward looking security norms ignoring regional and continental realities; land as communal property versus land in fee simple, etc.

Pursuant to momentous outcry for independence, the ACS concluded that the only way to forestall future territorial aggressions from European powers operating in the area was for Liberia to declare its independence. The society communicated its opinion to the Liberian people on January 18th, 1846, "**that the time has come when it is expedient for the people of the Commonwealth of Liberia to take into their hands the whole work of self government, including the management of all their foreign relations**".

In the following year a constitutional convention was held without the participation or representation of any natives, allies or antagonists. The constitution, written by a Havard Law Professor, was adopted by the convention along with the "Declaration of Independence", written by Hilary Teage on July 26, 1847.There was no woman represented at the convention, but eleven women were later designated to sew the Liberian flag. Delegates to the convention were drawn from the three counties that were members of the commonwealth:

Montserrado County
Samuel Benedict, (President of the convention)

Elijah Johnson
John N Lewis
Hilary Teage
Beverly R. Wilson
J P Gripon

Grand Bassa
Anthony Gardiner
John Day
Ephraim Titler
Amos Herring

Sinoe
Richard E Murray
John Prout (secretary, did not sign the document)

The Declaration of Independence read:
"A Declaration of Independence by the Representatives of the People of the Commonwealth of Liberia in Convention Assembled July 16, 1847. We, the representatives of the people of the commonwealth of Liberia, in convention assembled, invested with the authority of forming a new government, relying upon the aid and protection of the Great Arbiter of human events, do hereby in the name and on behalf of the people of this commonwealth, publish and declare the said commonwealth a free, sovereign, and independent state, by the name and title of the Republic of Liberia….

We recognize in all men certain inalienable rights; among these are life, liberty, and the rights to acquire, possess, enjoy, and defend property. By the practice and consent of men in all ages, some system or form of government is proved to be necessary to exercise, enjoy, and secure their rights, and every people have a right to institute a government, and to choose and adopt that system, or form of it, which in their opinion will most effectively accomplish these objects, and secure their happiness, which does not interfere with the just rights of others. The right, therefore, to institute government and powers necessary to conduct it is an inalienable right and cannot be resisted without the grossest injustice.

We, the people of the Republic of Liberia, were originally inhabitants of the United States of North America.
In some parts of that country we were debarred by law from all rights and privileges of man - in other parts, public sentiment, more powerful than law, frown us down.

We were excluded from all participation in the government.

We were taxed without our consent.

We were compelled to contribute to the resources of a country which gave us no protection.

We were made a separate and distinct class, and against us every avenue of improvement was effectively closed. Strangers from other lands, of a color different from ours, were preferred before us.

We uttered our complaints, but they were unattended to, or only met by alleging the peculiar institutions of the country…

The people of the Republic of Liberia, they, are of right, and in fact, a free, sovereign, and independent state, possessed of all the rights, powers, and functions of government…

Our courts of justices are open equally to the stranger and the citizen for the redress of grievances, for the remedy of injuries, and for the punishment of crime…

The native African bowing down with us before the altar of the living God, declares that from us, feeble as we are, the light of Christianity has gone forth, while upon that curse of curses, the slave trade, a deadly blight has fallen, as far as our influence extends.

Therefore, in the name of humanity, virtue, and religion, in the name of the great God, our common Creator, we appeal to the nations of Christendom, and earnestly and respectfully ask of them that they will regard us with the sympathy and friendly considerations to which the peculiarities of our condition entitles us, and to that comity which marks the friendly intercourse of civilized and independent communities".

The constitution of the first Liberian Republic was adopted and the Declaration of Independence was signed in the Providence Baptist Church at Monrovia on **July 26th, 1847. The 1847 constitution** was based on the ideals of democratic government as reflected in the original American Constitution, and embodying such fundamental principles as centralism (all authority inherent in centralized national governments); popular sovereignty (government by the will and consent of the governed); limited government (powers of government specified in the Constitution); government of general powers (acts unspecified in the Constitution but necessary for good government); separation of powers (legislative/executive/judiciary); and the supremacy of the judiciary (inherent power of judicial review).

The Constitution specifically contains a preamble and five articles including the bill of rights (Article I), legislative powers (Article II), executive powers (Article III), judicial powers (Article IV), and miscellaneous provisions (Article V). Among the miscellany are clauses prohibiting slavery, *protecting the property rights of women and decreeing that only "persons of color" may be admitted to citizenship and granted the right to hold real property in the republic*. Meaning, therefore that the natives were not considered part of Liberia or citizens of the Republic of Liberia.

There were fundamental contradictions inherent in the establishment of the new republic. While copying its national features and democratic values from the United States of America, the new republic maintained the vestiges of slavery and segregation in Liberia. The Liberian flag bears close resemblance to the flag of the United States, it has similar red and white stripes, as well as a blue square with a white star in the corner. The eleven stripes symbolize the eleven signatories of the Liberian Declaration of Independence. While the white star represents the freedom of the ex-slaves there are no symbolic representation of the natives. The dark blue background represents the dark continent of Africa generally.

The Liberian seal is similarly divisive. It portrays a ship indicating the means of arrival of the settlers and contains the motto: "**The Love of Liberty Brought Us Here**"; again without reference or representation of the natives who shared the new land with them. By this construction, it was clear that the settlers intended to establish a separate country of their own in territories now know as Liberia. On September 27, 1847 the Constitution was adopted at a special referendum reserving citizenship only to Africans and their descendents and limiting voting rights to land owners only. Thus, personal ownership of land in fee simple became an issue opposed to the communal ownership of land customarily and traditionally upheld.

Unfortunately, the Constitution, written by an American Harvard University Professor, Simon Greenleaf, generated disunity, selfishness and a major controversy over land that engulfed the state of Liberia. From the proclamation of independence it will appear that a duality - two Liberia - had been created within one geographic location: one Liberia belonging to the natives (referred to as barbarians) and the other to the settlers from the United States of America.

Owing to the nature and character of the new republic, and the realization of the settlers that they had to coexist with the natives, a policy of assimilation was adopted by the settler state in the following and other forms that characterized their interaction or relations with the natives:

a. **Apprenticeship system**: method of socializing re-captives (intercepted Africans en route to slavery) and indigenes into settler culture by bringing

them under guardianship of settler families. There were both abusive and salutary experiences as some contemporary Liberians can attest; yet it was premised on a superior/inferior culture.

b. **Education through the civilizing-Christianizing ethos:** produced a corps of indigenous intelligentsia; some of whom were highly critical of the experience. A major element of this practice was a change in name or identity in exchange for education and "civilization and Christianization".

c. **Settlement policy**: the creation of repatriate communities within "native jurisdiction" as a "civilizing" influence. One important consequence of this policy was that repatriates came to admire the Mende hierarchical forms of organization which they would later employ in their attempts to administer the "Hinterland"; meaning all areas outside the coastal territories of the settler state.

d. **Interior administration and "indirect rule:"** imposition of a hierarchical institutional form on all indigenes inhabiting the hinterland, whether or not such forms were compatible with their traditional institutional structure. Mende forms of governance were being forced upon Mel and Kwa societies. Under this policy, the President is assigned executive and judicial powers over all the interior through the Minister of Internal Affairs.

e. **Contract Labor System appropriated by Government:** Contract labor system in West Africa drew upon traditional indenture or pawning systems and led to organized shipment abroad of indigenous Liberian labor. One source cites 2,500 contract workers from Cape Coast and Cape Palmas recruited in 1875 and 1876. The Liberian government intervened in the process involving indigenous community leaders and European contract labor entities. In this way there was a government endorsement of the shipment of labor to work the Panama Canal. But the arrangement became a major source of conflict as, for example, the Kru resisted government-attempted control of ports on the Kru coast and of control of labor abroad. Legendary exploitation was associated with government involvement in the single best known case, that of the labor contract of 1928, the government itself had decided, because of exploitation and abuse, to suspend contract labor specifically to Fernando Po. Private Liberians, notably including high government officials and a brother of President King, entered in an agreement with the Spanish "Sindicato Agricola de Guinea." The activities associated with this arrangement led to Liberia being censured by the League of Nations for engaging in activities akin to slave raiding and slave trading.

The repatriate sphere of influence initiated at Cape Mesurado seemed destined to expand – into the hinterland beyond the earlier 40 mile limit from the Coast, and thus to the borders with European imperial powers. The European scramble for African territory impacted adversely on Britain-Liberian relations, hitherto friendly (Britain was the first to recognize Liberia's independence, and provided material support in the fight against the lingering Atlantic slave trade). It soured further Franco-Liberian relations. While an uneven 1885 Anglo-Liberian Treaty "settled" one boundary, the other, still not settled as post-World War II decolonization gained momentum, was simply abandoned by the Liberian government because, as it reasoned, its dispute was with France, not its new African neighbors. Border settlement issues had pitted Liberia against powerful imperial forces. Though even the partial but significant resolutions signaled an end to imperial encroachment, it did not resolve the ongoing challenges of nation-making. How now would the governance of the indigenous majority be sustainably assured within the wider Liberian sphere of influence?

The process was slow. The Liberia of President Joseph J Roberts and his successors demonstrated political competition within a circumscribed elite core with a majority of the population either as "subjects" or decidedly on the socio-political periphery. Liberia's civilized core contrasted to its indigenous periphery. Consistent with inherited autocracy from the colonial era, and in harmony with the founding myth, the periphery would enter the core in keeping with assimilation strategies or when fully socialized into the culture of the core. The implications were at once political and social. The political arrangement was thus characterized by presidential ascendancy in a tripartite system that included a legislature and a system of courts. Though there was occasional openness to allow limited entry from the periphery, this consideration was not applicable to the presidency. Vice President Henry Too Wesley, a Grebo-Liberian and the first indigenous vice president in the country's history was unceremoniously dropped from the ticket at the end of President C.D.B. King's second term in 1928 in favor of the notorious Allen Yancy who was the lead culprit in the contract labor scandal that brought down the King administration in 1930. Presidents King and Edwin Barclay effectively frustrated Consul General Albert Momolu Massaquoi, a Vai-Liberian, in his own presidential quests. And the Kru-Liberian politician Didhwo Twe had to flee the country twice (1930s and 1950s) to escape the wrath of Presidents Barclay and Tubman. Jackson F Doe who stood in line to become vice standard bearer and vice president of Liberia was passed over by President Tolbert twice at the TWP convention in favor of VP Greene and VP Warner after Greene's death.

The immediate successors of President J. J. Roberts were all of the ruling Republican Party, a party committed to the civilizing ethos. It was only in 1869 that the Republicans were defeated by the newly formed True Whig Party, a party in which

Edward Wilmot Blyden collaborated in hopes of shifting Liberia away from the founding paradigm and toward the equal incorporation of indigenous Liberians into the body politic. The advocacy was nothing short of inclusive governance. President Edwin J Roye, reflecting Blyden, underscored these sentiments in his sole inaugural address of January 3, 1870: ***"The aborigines are our brethren, and should be entwined with our affections, and form as soon as possible an active part of our nationality. In fact, we cannot have a permanent and efficient nationality without them."*** But all of that quickly came to grief with the overthrow of President Roye and the return to power of the Republicans. (the Roye story briefly)

The Republicans would remain in power until the election of 1883 when both the Republican Party and the True Whig Party nominated (or endorsed) Hilary R.W. Johnson to the presidency. Though, when elected he declared himself a member of the TWP, there is little in his presidency that suggests a deviation from the pattern and ethos of Republican rule. The TWP, in time, became a hegemonic political party and was able to maintain itself in power from 1884 until the 1980 military coup d'etat that ended the regime of the First Republic. The TWP motto of "deeds not words" would ring hallow as they were appropriated by a Republican ethos.

For most of the 19th century, the authority of the Liberian government was confined to a few scattered coastal towns that were inhabited mainly by the settlers and their descendants, with the rest of what is now Liberian territory under the jurisdiction of separate polities inhabited by indigenes and governed by traditional rulers. Commercial, political and military circumstances prompted expansion, which proceeded along the coast until 1857 when the formation of coastal Liberia was virtually complete with four of the five coastal counties; namely, Montserrado, Grand Bassa, Sinoe, and Maryland. Though the Liberian government claimed the Cape Mount area as far back as 1849, it was not before 1924 that Grand Cape Mount County became the Republic's Fifth County.

The 1884-85 Berlin African Congress, provided the impetus for significant expansion into the hinterland when European imperialists mandated countries at the conference to demonstrate effective territorial occupation of African lands claimed. Trade imperatives also spurred movement into the interior. Inland expansion helped to erase an earlier distinction between the first counties, which had a width not exceeding 40 miles from the coast, and the adjoining territories, which in 1869 became known as the hinterland.

5.3.1. Hinterland Policies, the State and Conflicts

It was not until the 20th century that the state solidified into its current form, encompassing an area of about 37,743 square miles. This geographic expansion of the polity produced a population increase, from 45,000 to 190,000 and then to one

million by 1930. It also engendered conflicts and resistance to expansion, such as the Grebo resistance (1857, 1875, 1910), the Kru resistance (1915-16 and 1930s) and the Gola resistance of 1917, to name a few. This pattern of settlers nationalist expansion and indigenous resistance might have been different in nature if somehow the nationalism proffered had been inclusive as Blyden and others had earlier suggested.

5.3.2. State Instruments of Coercion and Slavery

To enforce the *de jure* limits of the state, Liberia in 1908 for the first time, created a national army, the Liberian Frontier Force (LFF). This development, even though consistent with state-making, engendered tremendous political conflicts of its own. The LFF became a tool for the enforcement of the writ of the Liberian government in the hinterland. An elaborate government "native policy" was instituted with at least two problematic features (or outcomes): One was subversion of the Constitution by endowing the Executive Branch with legislative and judicial powers within the hinterland, a practice reminiscent of the 1822-1847 colonial periods. The other problematic feature of the native policy was the license it gave to some unscrupulous interior officials and their traditional cronies which led to unspeakable atrocities across Liberia's interior region. Talking about "roots of conflict," the memory of these atrocities survives in documents, and there are Liberians who continue to hand down to a younger generation the facts of this ugly past in which respectable chiefs and fatherly heads were publicly humiliated, children and women often abused, forced labor and cruelty in collecting the "hut tax" impositions were common.

By the first quarter of the 20th century the hinterland was administratively divided into Western, Central, and Eastern provinces. Liberia thus consisted of five coastal counties, four territories – Marshall, Rivercess, Sasstown and Kru Coast – incorporated within four counties, and three provinces. The "county jurisdiction," inhabited by a smaller percentage of the population (largely of settlers descent), came under the authority of the statute law system based on the 1847 constitution, but the "hinterland [later provincial] jurisdiction," where the vast majority of the population lived, did not. Not only did this allow for the establishment by the government of informal control over these provinces, but the character of that arrangement was such as to leave interior Liberia and its inhabitants, in a politically subordinate relationship to the coastal areas until the mid 1960s when the four interior counties were established – Grand Gedeh, Lofa, Nimba, and Bong.

The national life of early Liberia was complicated by chronic financial problems. In response to the "industrial capitalism" that began to replace the plantation system worldwide, enterprising Liberians resorted to commercial trading. When international competitors overtook a Liberian international shipping fleet at the end of the 1960s, government employment quickly became the main economic

enterprise. And in the absence of productive industry to generate funds for sustenance of the bureaucracy, an era of foreign loans was initiated. The first loan of 1871 led to others in 1906, 1912 and 1926. As collateral for these loans, many at high interest rates, state revenues (largely from customs tariffs) were conceded and indigenous lands and produce rights were granted. It was this outward-looking economic policy that led to the era of concession agreements; the most notable being with Firestone in 1926.

But Liberia had hardly overcome international intrigue, including American high-handedness during the negotiations for the Firestone agreement when, in 1929, allegations of government complicity in a "forced labor" scheme were made. While the external component of the allegations related to Liberia's competition for an African contract labor market in which European colonialists held a commanding role, the internal components reflected yet another consequence of policy choice by the Liberian leadership. Public officials and their associates reaping financial rewards from a system akin to slavery and forced labor involving indigenous Liberians was not a pretty sight. The Liberian state was censured internationally for complicity in a system that the League of Nations alleged was "hardly distinguishable from slave-raiding and slave trading." The political fallout from that crisis, as we have seen, led to the downfall of the administration of President Charles D.B. King (1920-1930). To Edwin Barclay (1930-1944), his successor, fell the task of unraveling the internal and external complications of that sordid episode. Those European powers in the League that sought to abrogate Liberia's independence by advocating mandate status were thwarted both, because of the contradictions in international relations as well as the determination of the Barclay administration to forestall that possibility.

The forced labor crisis deeply affected Liberia's governance of segments of its indigenous population. Aggrieved indigenous leaders resisted government authority, even at times attempting to make common cause with external foes of the state. The Barclay administration adopted very repressive policies, which in time came to be intolerant of all political dissent. The Liberian state may have consolidated, but at a price that carried implications for national unity.

6.0. POST WORLD WAR II LIBERIA (1944 – 1979)

6.1. Tubman: A Legacy of Controversy

Tubman built upon what he inherited from Arthur Barclay and others in respect of traditional authoritative structures. Once he acquired full control of the TWP political machine after 1955, he proceeded to manipulate interethnic political cleavages, by eventually establishing himself as the supreme "paramount chief." Tubman was perhaps the last of the repatriate hegemonic leaders, coming to power when a post-war international order would force Liberia out of its isolation into a deeper relationship with its neighbors, with all of the implications that carried for a settler-dominated government's relationship to the country's indigenous majority. African decolonization and the Cold War, would in their combined impact, shine light on human rights issues in Liberia in ways that forced the Liberian people to confront their founding paradigm, the building of a "little America" in Africa, and the corresponding marginalization of the indigenous majority. The trickle of Liberians going abroad largely for education, and the corresponding small numbers of foreigners that came into Liberia soon became a flood of sorts. Liberians educated abroad or coming under the influence of a flood of foreigners, particularly American Peace Corps volunteers and progressive missionaries opened the doors to the contestations for civil and political rights in a way that has yet to be fully documented. *A History of the Episcopal Church in Liberia* (1992) sheds some light on the missionary factor.

President Tubman took on his predecessor's, Edwin Barclay, skills in native appeasement. Tubman's reign in power, which lasted from 1944 to 1971, also introduced some pivotal policies that obviated constant confrontation between native and settler Liberians. Tubman's three-legged policies of "unification", "open-door" and "integration" were meant to redress historical inequalities or disenfranchisement of indigenous Liberians from the political and economic sectors; an issue which Tubman's government officially recognized. Native representation in the legislature was increased, universal adult suffrage replaced a system where only kings voted on behalf of entire communities, and new counties replaced the erstwhile provincial systems. Ironically, however, while Tubman introduced some groundbreaking measures to ensure unification of all Liberians, the severe constitutional constraints in place ensured that these measures had little import. For instance, while universal adult suffrage was declared in 1946 in favor of the natives, the fact that only natives who paid hut taxes could vote effectively neutered that measure.

President Tubman's authoritarian reign, though progressive in some instances, laid the structural foundation for the continuation of Americo-Liberian hegemony through oligarchy, and unfortunately, leading to national chaos, state break down

and deadly conflict between 1979 and 2003. In 1951, with the aid of the True Whig Party-controlled Legislature, President Tubman unilaterally sponsored a constitutional amendment that removed the 1935 provision on presidential term limits, which had previously limited presidents to one eight year term in office. The new clause permitted one eight-year term, followed by successive four year terms. This incongruous act of constitutional manipulation created precedent that haunted Liberia throughout the twentieth century. Furthermore, Tubman's subsequent responses to the amendment can be regarded as the modern genesis of a culture of political intolerance and witch-hunting in Liberia. For example, the challenger and Reformation Party leaders, David Coleman and Didho Twe were Tubman's "political foes". While Coleman was killed in the process, Didho Twe, an indigenous Liberian, was slurred by Tubman and forced into exile. The political contest between Tubman and Twe symbolized the continuation of the age-old divide between settlers and natives to future generations of Liberians and was, in a sense, a defining moment for the country. The consequences of this vendetta became one of the hallmark ways in which future politicians treated political opponents and their families in Liberian politics.

Also, it was Tubman who introduced into Liberian politics the partisan use of democratic institutions, the political control of the military, the culture of extermination of political opposition, invidious destruction of lives and property, and more importantly, the rise of authoritarianism and political brutality. All of these vices festooned during this period and birthed a political culture that would nurture future wars.

6.1.1. Tubman's Vendetta: D Tweh, Coleman and Fahnbulleh

Impact on the Liberian economy and society

Prior to 1940, most parts of the Liberian hinterland were completely lacking in infrastructure. There was virtually no public education, piped water, road system or electrification.

The American military presence in Liberia gave the Liberian economy a huge boost. From 1939 to 1945, Liberia registered a favorable balance of trade, which amounted to $25.9 million during the six-year period; that equates to $754 million in current dollars. Liberian Government revenue rose from $827,000 in 1939 to $1.9 million in 1945, an increase of 133.9 percent.

Liberia began this special relationship with the United States by converting its national currency from the British pound sterling to the United States dollar; United States Lend Lease funds were made available to the Liberian Government, to subsidize the construction of Liberia's first port, the Freeport of Monrovia; the first

major airport, Roberts Field, was constructed by Pan Am and the U. S. Government; American military engineers began the construction of major roads from Monrovia to the interior of Liberia.

The American military presence also had a stabilizing effect on the social and political relationship between the Liberian state and indigenous Liberians. The artificial boundary drawn between Liberia and its provinces was broken. Thousands of laborers from the interior of Liberia descended on the coastal region, especially to Roberts Field and the Firestone Rubber Plantations, in search of jobs. This massive migration of indigenous Liberians, which the Liberian Government had previously attempted to restrain by legislation (Liberian territory extended for 40 miles in the interior), and through an agreement with Firestone Plantations Company in the 1920s, was subsequently erased.

Indigenous Liberians and their families began to get some of the social and economic benefits that they paid for through the **hut tax.** Their children attended Liberian public schools; they received health care and other services that were not present on the same scale, or not present at all in the interior. On September 14, 1943, Secretary of State, Cordell Hull, wrote President Roosevelt the following in a letter about United states relations with Liberia: "Our relations with Liberia from a strategic point of view have never been of more importance ... as a result of the war, the Liberian economy has been oriented almost entirely to the United States".

The downside to this American military presence were charges that African-American troops murdered, physically abused, and denigrated indigenous people who lived adjacent to the base. Civilians venturing around the military facilities were reportedly shot at and sometimes killed with impunity. The town adjacent to Roberts Field was even named "Smell-no-Taste" by the local people, because they complained that they smelled the American food, and either never tasted it or never had enough of it. It must be pointed out that these are charges that have been made by eyewitnesses over the years, but have never been investigated and substantiated. It is possible that the firing were warning shots, intended to keep out people from sensitive military equipments and supplies.

President William V.S. Tubman

Before Tubman, Liberia was a nation that was not socially united. Its people were divided into two classes: the Americo- Liberians and the natives. When Tubman became president in 1944, indirect rule that could be traced to President Coleman had taken a firm hold in the hinterland. In his first inaugural address of January 3, 1944, President Tubman declared that the

> "**Spirit of this Administration shall be: No Reprisals; No Paybacks; No get-Even; but let the dead past bury the dead."**

He further declared that

> "**We shall engage in and strive at the assimilation and unification of our various populations composing the body politic. Liberia must be a place for all Liberians to live alike – all to stand equally privileged, responsible and protected by like administration of the law"**

He spent the first period of his rule consolidating his power base through the creation of new and lucrative jobs for his loyalists and the extension of voting rights to women and tribal people, and extended a county system of representation and governance to all political subdivisions in the tribal hinterland. Despite Tubman's efforts to bring the indigenous populations into the social and economic mainstream, the gap between them and the ruling elite during this period of rapid economic development remained. The huge influx of foreign money caused the economy to become distorted and increased social inequalities a consequence of which was increasing hostility between the descendants of the settlers and the original inhabitants. This alarmed Tubman and he was forced to concede that the original inhabitants would have to be granted an amount of political and economic involvement in the country. The rural inhabitants were happy to live with this system for decades because it gave them greater political freedom and the right to vote for the first time.

Although local officials were elected by rural inhabitants, they had to get the acceptance and approval of the president. Tubman successfully used the local officials to control government and strengthen his authority throughout the country. The extension of voting rights to the natives was a case of tying a man's hand behind him and then instructing him to use these hands. The natives could not vote for the people they wanted to be in power. Tubman effectively controlled their decisions by imposing his will on them. The president ruled for 27 unbroken years through a systematic manipulation of the tribal people, chiefs, county superintendents and municipal officials to vote a certain way -- usually for the incumbent president, members of the ruling party and class. The people experienced the swift and harsh reprisals that awaited them if they acted contrary to the wishes of their local officials and the president. Consequently, a deep-seated culture of fear and legitimate expectation for reprisals developed and still exists within the Liberian society. He also maintained a friendly relationship with the underprivileged in society. He retained influence by upholding certain basic belief and practices of the Americo-Liberian class. Like other presidents before him, he believed that it was the God given duty of the Americo-Liberian community to civilize the native Liberians whom they believed were not civilized. He also held the view that sensitive political

positions should not be given to aboriginal Liberians. Thus under his regime, native Liberians never occupied key positions in his government for long. In a major political speech delivered in May 1951 and of course directed at candidate Twe, he stated

> **"Let it be remembered that when those great men and women first landed here from the United States to found this nation, they met not a single, solitary one of their brothers who were civilized or educated, nor were the traces of Christian religion anywhere seen or known"**

He also consolidated his position by joining fraternities and powerful tribal societies like the Poro and became its grand master. He identified with the tribal masses by wearing traditional attire on special occasions and held executive councils at which disputes were settled between the Americo-Liberian administrators and tribal chiefs, among others. In one of his addresses, President Tubman discussed the human rights abuses that had been inflicted on the indigenous people by some leaders of the Liberian Government. He said:

> "**As I reflect upon the conditions under which you were living in 1944 when we took office, I can recall how at my first interior Council, you complained of, and I discovered that, District Commissioners were unrestrained in their imposition of fines upon you and your people; that for the most insignificant act your chiefs, wives, and children were humiliated and imprisoned; that you were compelled to bury your manhood and bow down to them as though they were your masters and lords instead of your public servant...I further recall that you could not exercise or enjoy one of your basic rights as citizens to vote for those whom you wanted to represent you; that you were not even represented in the National Legislature; yet, you were compelled to pay taxes like every citizen. I still further recall that there were few roads, if any, running to or through your respective provinces, districts, towns, and villages; that you, your sons, and even your wives, sisters and daughters were compelled to carry hammocks and loads on their heads and backs; that there were no schools; no hospitals; no medical clinics...**"

At the same time, the new president consolidated his hold on power with what Sawyer calls "an enormous patronage network and an elaborate security network." Tubman also ruthlessly suppressed efforts to organize opposition parties, both by the growing indigenous intelligentsia and by dissident members of the Americo-Liberian elite. Loyalty to the president was the order of the day. Any opposition, real or imagined was mercilessly crushed in a manner characteristic of Tubmanism.

To maintain his power, Tubman created the office of the Public Relations Officer (PRO). This was the private ear and eye of the president and was paid to report directly to the president, anyone found to be unduly critical of him or his policies. This created an atmosphere of fear and repression as people juggled to be in the good books of the president. Family connections were a powerful determining factor in political upward mobility and consolidation of a force loyal to the president. Families or individuals whose loyalty to the President was questionable were often callously displaced.

These repressive measures began to take hold, when President Tubman's first term of office was about to expire. For the third time in Liberian history, the presidential term of office was amended in the Liberian constitution. In 1951, President Tubman rammed through the True Whig Party-controlled Legislature, **an amendment which removed the 1935 clause that limited the presidential term office to one eight-year term**. The new constitutional clause called for eight years for the first term, and four years for succeeding terms of office. The political party that challenged this constitutional amendment was the Reformation Party, which was headed by Didho Twe, an indigenous Liberian from the Kru nation, whom President Tubman called, a "man with premedieval mind.", and the Independent True Whig Party, which was led by former President Edwin Barclay. Tubman had this to say about Twe:

> **"Does Mr. Twe not further realize that as true as night follows day the tribes of Liberia will produce a president who will be elected by the people of Liberia not only by a single tribe or number of tribes, but that person can never be D. Twe"**

This constitutional amendment was not the only political issue that the opposition Reformation Party challenged. A few years earlier, the Tubman Administration declared Old Kru Town, a public domain, in order to make the area available for the construction of the Free Port of Monrovia. When the Reformation Party and the Kru people protested, President Tubman arrogantly said,

> "**For having razed Kru Town, I have no apologies, explanation or excuse to make.**"

This was a blatant violation of the constitution which stated that:

> **"Private property shall not be taken for public use without just compensation". (Art 1 Section 13)**

He also wrote a very threatening letter dated April 18, 1951 in response to what he thought was a clearly "threatening" note from his challengers

The Executive Mansion
18th April 1951

Mr. Twe:

Receipt of your threatening note of April 16, 1951, in the interest of a letter written to me by Thorgus Sie, et al, as representatives of a non-existing political party (UPP), to which I had applied before receiving yours now under reply, is hereby acknowledged. For the present time, my reply to your note is that you are inherently a traitor to your country, a consummate liar, a senile visionary, a sophisticated bigot and an uncompromising egotist, the truth of which you will be made to realize.

Faithfully yours
Wm. V.S Tubman

In 1955, the Independent True Whig Party took on President Tubman at the polls. The standard bearer of the ITWP was a political heavyweight--former President Edwin Barclay. President Barclay also received the nomination of the Reformation Party.

The Independent True Whig Party was formed in 1905, to oppose the English Loan of 1906. During this period, the ITWP called itself the "party for the protection of Liberia." Now it was taking on President Tubman. “as election time approached, the political wrangling that developed ended in an assassination attempt on Tubman’s life and the ruthless crushing of the opposition” and “signified the introduction of violence as an instrument of political competition in modern Liberia.”

But, history was not on the side of the opposition. When the ballots for the 1955 election were counted, President Tubman scored a lopsided victory. The final results were: President Tubman, **244,873 votes**; former President Barclay, **1,182 votes.** This means that President Tubman received 99.5 percent of the vote. The ITWP responded to the outcome by charging the True Whig Party with vote rigging, and lodged complaints with the True Whig party controlled Legislature. The charges were rejected.

On June 22, 1955, both houses of the Legislature met at the Executive Pavilion, to officially inform President Tubman of his reelection. At eight o'clock that night, several shots were allegedly fired at President Tubman. Hon. Daniel Derrick, a member of the Legislature, and William Hutchins, a presidential guard, were wounded. James Bestman, a man who would later play a prominent role in the implementation of the massive security network in Liberia, arrested one Paul Dunbar. Dunbar was indicted for the shooting. The next day, on June 23, 1955, warrants were issued for the arrest of the following people: Nete Sie Brownell, former Attorney General of Liberia and Vice Presidential candidate to former President Barclay; S. David Coleman, former Secretary of the Interior; and Raymond

Horace, legal advisor to the opposition parties. The result of the Liberian Government investigation revealed that a "Smith and Wesson" .38 caliber, six shooter was used in the assassination attempt; and that one V.S. Onemega, a Nigerian national, was paid by the opposition parties, to kill President Tubman with witchcraft. The attempt to arrest David Coleman ended in death and injury. In a shoot-out with David Coleman and his son John Coleman, five security officers were reportedly wounded in Clay Ashland. The Colemans escaped, and went to Klay, where they were encountered. On June 27, 1955, Coleman and his son John were killed by security forces and their bodies were put on display at the Barclay Training Center in Monrovia. They were shot near the town of Klay by Captain Saydee Totaye of the Liberian Frontier Force. Their right to due process of law was violated. The law of the land states that:

> **"No person shall be deprived of life, liberty, property or privilege, but by judgment of his peers, or the law of the land"**

It is worthy to note that Captain Saydee Totaye of the Liberian Frontier Force who was responsible for their untimely demise was never prosecuted for his excessive use of use. This gave credence to the fact that the government of the day had no respect for human rights especially, if the person or persons concerned is a perceived enemy.

In 1968, Henry G. Fahnbulleh, Sr, a Vai was accused of plotting to overthrow the government of Tubman. At the time of his conviction, he was serving as ambassador to East Africa. He was found guilty of treason and sentenced to twenty years in prison. In presenting the state's case against Ambassador Fahnbulleh, the attorney general of Liberia argued that:

> "**There are eighteen senators, nine are from the tribes and nine are from the descendants of the pioneers; there are fifty one members of the House of Representatives, thirty are from the tribes and twenty one are the descendants of the pioneers; there are fourteen cabinet ministers, five have tribal backgrounds… in some countries in the word today, the original inhabitants have been almost totally exterminated; and you Fahnbulleh, have been an ambassador… have you ever stopped to think why?...But you haven't had the decency or gratitude to thank your benefactors…"**

All the top Americo- Liberian lawyers in the country refused to defend Fahnbulleh. This was a violation of his rights as the constitution stated that:

It became clear that Tubman's progressive policies had no intention to bridge the gap or alter the traditional relationship between the settlers and natives but to

appease indigenous nationalism and turn back the "wind of change" blowing across Africa with rising tides of nationalism especially in Nigeria and Ghana still under colonial rule. With these policies and political stability, the Liberian economy under Tubman grew very sharply over time but without a corresponding national development and improvements in the living standards of the people.

Three periods marked the 27-year rule of Tubman. The first period was 1944 to 1955, during which he initiated his Unification/Integration and Open Door policies. The first was designed to assimilate indigenous Liberians into a socio-political system that denied their identities. The second policy was to accelerate unfettered foreign investment in the purported cause of modernization. As 1955 ended, Unification was being undermined with the political persecution of at least two prominent indigenous Liberians, Didhwe Twe and Nete Sie Brownell who dared to dabble in presidential politics. A very autocratic Tubman was thwarting the public quest to debate terms of concession agreements such as the 1946 Liberia Mining Company agreement. Albert Porte, the notable pamphleteer and Circuit Judge Gyblee Collins, a Grebo-Liberian led the charge. Porte was censured by the Legislature, while Collins was removed from the Bench by a Legislative joint resolution.

The second period, 1955-1968, was marked by the following developments: Tubman sought to translate his Unification Policy into action by the process of creating four interior counties out of the former provincial jurisdiction, but two unsettling events ensued. One was that Liberians indigenous to the areas of the new counties found themselves in competition for Legislative seats from absentee farmers and other residents who were of settler's heritage. One of the players of this era has confided that this was the reason why of the two senators from some new interior counties, one was of settlers' and the other of indigenous background. Yet another reason for this arrangement was to ensure that there was s repatriate presence to report to Tubman any incipient subversive activities. The second event was the accusations and jailing on sedition charges of the first Superintendents of Lofa, Nimba, and Bong Counties. A third event was Tubman's orchestration of a Legislative Act which removed the constitutional limits on presidential term, and enabled him to run for the duration of his natural life, something he in fact accomplished.

The third period, 1968 to his death in 1971 began with a political crisis, the trial (and eventual conviction on treason charges) of the Vai-Liberian diplomat Henry Boima Fahnbulleh, Sr. The Francophone African magazine Jeune Afrique captured the full import of the trial as it headlined "Liberia On Trial" (Le Liberia fait son process"). Some have characterized this period as one of "retrenchment" with diminishing returns in many domains. This was the period when the notable Northwestern University Press publication on the Liberian economy, *Growth Without Development: An Economic Survey of Liberia* was published against the wishes of President Tubman.

Though Liberia registered impressive economic growth in the late 1950s and early 1960s, the fruits of the growth were not equitably distributed. A patrimonial political system was perfected under Tubman as he acted to ensure that there would be no effective challenge to his rule. Liberia became an effective police state under Tubman. Anyone who differed with Tubman or the policies of his government was suspected of harboring ill will and risked being placed under surveillance. The United States played along in furtherance of its Cold War objectives on the African continent. Under the circumstances, the Tubman legacy might be summarized as follows: economic growth without development, an autocratic state structure, and the regime's unabashed advocacy of the civilizing mission, and its deftly pursuit in policy.

The Code of Laws promulgated in 1956, Chapter 11, Sections 60-61, divested indigenous people or groups of title or rights to lands they and their ancestors inherited from time immemorial. Rather, the law under Tubman provided that indigenous communities were granted the *use* of *public land*. When "a tribe shall become sufficiently advanced in civilization," it could "petition the government for a division of tribal land into family holdings." The law gave no criteria for determining when a group had achieved the state of being "sufficiently advanced in civilization." Tubman, by his policies, helped fuel tribal sentiments and created competition for individual lands rather than maintaining the traditional communal ownership of land. Although he ended provincial demarcation in favor of counties pursuant to his unification policy, the country was highly divided on tribal lines. A controversial figure, he was admired and hated by others; sincere and very oppressive; a patriot but yet accused of selling out to foreigners, chauvinistic promoter of Americo-Liberian interest but yet an advocate of national unification. Tubman was the law and his personality became a cult in Liberia for which he is still revered even 38 years after his demise in 1971.

6.2. William R. Tolbert, Jr.: The Extraordinary Decade of the Seventies

Upon his accession to the Presidency in July 1971, Tolbert engaged in the politics of symbolism as he released the jailed former diplomat, Henry Boima Fahnbullah, Sr. and named him an assistant minister for presidential affairs (subsequently as Superintendent of Grand Cape Mount County). There were from Tolbert other powerful hints about the need to redress the historical divide between Liberia's two communities and built an integrated Republic of Liberia involving all its peoples much more in ways Blyden and Roye advocated more than a hundred years earlier.

Tolbert advanced reform measure of "policy government" as distinguished from the pattern of patronage government he had inherited. The economic component of the measure seemed inspired by worldwide trends in development thought and strategy

that sought to balance economic growth with social equity. The president appeared as though he was signaling his readiness to break with the past and reverse "growth without development" and the patrimonial mode of governance in Liberia.

Tolbert's leadership style produced conflicting signals so that, all elements vying for power counted on him for maximum support. The old guard politicians had hoped that his progressive pronouncements were largely confined to the rhetorical, and the "imperatives" of political stability (i.e., the status quo) would supersede all else. But the new politicians seemed to have accepted his populist rhetoric either as sincere declarations of intent or as opportunity to test the system to the limits. They seized their rights with what one observer has called "all three of their hands." Prominent among the opposition groups led by the new politicians or "the progressives" as they came to be known, were the Progressive Alliance of Liberia (PAL), the Movement for Justice in Africa (MOJA) and the Liberian National Student Union (LINSU). In this atmosphere of political tension, Tolbert displayed remarkable indecision while making common cause with "African progressives" and thus possibly alienating the United States without assurance of a compensatory international partner. Caught between two competing and powerful forces, his indecisiveness rendered him a virtual political recluse at the center of a raging political storm as the old Liberia confronted a new Liberia struggling to be born.

The defining moment for Tolbert and for Liberia came on April 14, 1979, "the day Monrovia stood still." A political history in excess of 130 years was brought to a head. Deeply felt alienation and a strong sense of gross social injustice were on public display. Tolbert understood the depths of feelings but was timid in handling the situation, thinking perhaps that the politics of splitting the difference (mass grievance versus the "sacred heritage") would suffice. Perhaps the full import of what was happening did not hit him until he literally heard the coup in progress, spoke to a few people by telephone, and awaited his fate.

6.2.1. "To Be or Not to Be": Challenges to the Old Order

A simple contest of will between the government and an opposition movement was quickly transformed into a significant challenge to a regime that had ruled Liberia in excess of a century. Few in the government then seemed appreciative of what was in fact unfolding. The defiant march occurred, the government overreacted and security forces fired upon the crowd killing and wounding a significant number. Fewer still understood that Liberia would never be the same again.

By 1972, many Liberians held the firm belief that the time for change had come with the end of 27 years of dictatorial rule. The benefits derived from the limited social policies and educational programs of the TWP were visible as more and more native Liberians became educated and elevated to a social status of their own. Challenges to

the status quo became more pronounced with heightened expectations, occasioned by the death of Tubman, that there would be greater democracy and participation in government and respect for the rule of law and greater individual freedom.

Tolbert moved very fast on reforms and earned the name "speedy" from those who advocated and demanded reforms and greater participation in the political and development processes of Liberia. President Tolbert encouraged the high expectations by the remarkable progress he made on his development agenda. He loosened up the society, replaced the environment of terror with one of free speech; expanded the physical infrastructure of the country; built low cost housing estates, highways and farm to market roads; encouraged agriculture and increased access to safe pipe-borne water. He encouraged and enlisted the services of young Liberian professionals; especially of indigenous backgrounds and pursued a policy of decentralization that will see a system of administrative de-concentration in Monrovia to extend the benefits of top-down government to smaller political units. He changed the presidential dress code from a typical business suit to the safari suit he popularized to the status of a national dress. He promoted such development slogans as "from mat to mattress", "total involvement for higher heights", etc.

While these actions favored the masses, they demanded more and felt it was too little too late. On the other hand, the old guards scolded and opposed the President's initiatives and accused him of being too lenient and soft in dealing with opposition demands for even more and greater changes. They branded him "softie" and contemplated his ouster by impeachment. Indeed, the President had on hands a dilemma of proportions he underestimated.

Against the background of economic decline, the President pursued a progressive regional and international foreign policy at the same time confronted with a dilemma at two levels, personal and ideological. Economic growth rates which were high in the 60s began to show signs of decline in the early 70s. By 1979 unemployment took a steep rise to a staggering 23% nationwide and 39% in Monrovia. Cost of living became an all time high with inflation standing at 6% in 1977, 7% in 1978 and 14% in 1979. Food prices in particular rose by 15% between 1976 and 1978 and by 1974 it was estimated that more than three-quarters of household in Liberia earned less than $50.00 a month, with 50% of the total household income taken by 5 percent of the families.

Notwithstanding Tolbert pursued and succeeded at establishing closer relationships with Liberia's neighbors. His African and sub-regional integration programs led to the establishment of the Mano River Union and ECOWAS in 1973 and 1975 respectively. At the same time, he sought to diversify Liberia's international relations, breaking the child-like relationship with the United States of the Tubman era and strengthening Liberia's relations with the Non-Alignment Movement, China

and other nations of the erstwhile communist eastern bloc. Under Tubman, Liberia's foreign policy was controlled and surrendered to the US and the US turned a blind eye to the excesses of Tubman who enjoyed a carte blanche to do whatever he wanted without second thought or question.

A vigorous national debate ensued on the state of affairs in Liberia. And the Government's response to rising demands for greater democracy and a participatory system of government was inadequate. Pressures for democratic change were met either by the offer of patronage or the threat of punishment. Both were resisted. President Tolbert struggled to mediate the demands for change by the new generation and the demands of the old guard; members of the TWP old order, to maintain the status quo founded on their fears and insecurities associated with losing their privileged status. Agitation abounded by a full range of national actors- "progressives"- which included the emerging leadership of the TWP, MOJA, PAL, Student leaders, labor leaders, young Liberian entrepreneurs and grass root organizations and professional associations like the marketing associations, teachers unions, etc. The time to shift from an oligarchy form of government to a more inclusive and democratic form of government was now.

Tolbert's ideological sense of change, reform and progressiveness conflicted not only with the unchanging position of the old guards but also on a personal level with the standing, ties and holdings of his family in business, government and national affairs which beclouded, at the time, his expressed commitment to change, reform or transparency. By 1975 the business holdings of the President and his family were enormous, visible and an issue of national debate. The President was Vice President for 19 years and long before his ascendency to the Presidency one of his brothers was a successful entrepreneur. The Tolbert's business interest extended and was by no means limited to fisheries, poultry, heavy equipment, textiles, manufacturing, rubber plantation, rice and oil palm industries.

Beyond business, the Tolbert family had strategic holdings in government as well. Frank Tolbert, brother of the President, was President Pro Tempore of the Liberian Senate; another brother, Steve Tolbert was Minister of Finance and an astute businessman; A.B Tolbert, member of the House of Representative, son of the president; Burleigh Holder, Minister of Defense, Son-in-law of the president; Christine Norman, daughter of the president, Tonia King, deputy Immigration chief, Son-in-law to the president, etc.

By 1974, the pressure for change intensified and the government will not yield because it was against the norm for government to yield to pressure. The President had to be "strong" and not be seen as "weak". In May of 1974, the government sought to legalize gambling and a citizens' group was organized (Citizens of Liberia against Gambling – COLAG) to oppose the bill. The President and the TWP

leadership pressured the Legislature into passing the bill and it was passed into law despite stiff resistance from the people. Tolbert later vetoed the Act and members of the legislature felt betrayed by the President and publicly ridiculed by him.

In September of the same of the same year Albert Porte was sued by the President's brother, Stephen Tolbert, for daring to criticize his business practice in acquiring the Sinoe Rubber Corporation from a German investor who was close to concluding a deal with a group of Liberian entrepreneurs as unfair. In a pamphlet entitled "Gobbling business" Porte accused the president's brother of being greedy and using his family ties with the president to out stage less influential Liberians and gobble up businesses. Tolbert sued Porte for libel and a political firestorm was ignited as public opinion and support were solidly behind Albert Porte. Another citizens' group – Citizens of Liberia in Defense of Albert Porte (COLIDAP) – was formed to mobilize resources for Porte's defense. Porte lost the case, was heavily fined (US$250,000) or be imprisoned. He announced an appeal to the Honorable Supreme Court of Liberia presided over by the father-in-law of Stephen Tolbert. The lower court's decision was very unpopular and criticized by the "REVELATION", an opposition news outlet.

In the same 1974, The National Legislature granted the President emergency powers which action was widely criticized by religious and civil societies. By January 1975, the REVELATION, by then a very popular paper, was banned by the Supreme Court for commenting on a matter pending before it, and fined US$17,000; yet another action by the establishment which proved unpopular and seen as an attempt to shield Tolbert from public criticisms. Failing to pay the fines, the editors were detained at the Monrovia Central Prison. The legitimacy of the justice system in the eyes of the public was eroded.

On February 10, 1975 another citizens' action group was formed. The "Mothers of Monrovia" organized a rally and demonstration, which by now was becoming common place, to protest the ruling banning the news magazine and imprisoning its editors. Innocent passersby like Kona Khasu were picked up and detained; in the case of Khasu he was sent to Belle Yalla without charge or explanation. Steven Tolbert died that same year in a plane crash and the Albert Porte libel case was ended.

While the justice system under Tolbert was, at this time, questioned, two cases, when juxtaposed, bring to bear the enormity of Tolbert's challenges, contradictions inherent in his policies, and the resentment he received from the two worlds subsisting in Liberia. In 1978 Tolbert was requested, beckoned and petitioned by the establishment to grant clemency to the son of Hon. Allen Yancy (Superintendent of Maryland County and Party vice chairman of the TWP) who was found guilty of ritualistic killings along with several other citizens of Mary Land County and were

hanged at dawn till death in execution of their sentence by a court. The establishment was infuriated by Tolbert's refusal to grant clemency or pardon. In the same year, Edward Gberrie, a laborer or store boy working in the supermarket of a Lebanese businessman was choked by a Lebanese for stealing a candy he apparently saw the boy taking. To destroy evidence the boy seemingly, attempted to swallow the candy and was choked till death by his Lebanese employer. For lack of evidence, the Lebanese businessman was acquitted. One of his lawyers Cllr. James E. Pierre, was the son of the then Chief Justice, James A.A. Pierre. Again, the people were infuriated with the justice system delivery and questioned the President's avowed policies of change and equality. Public confidence in the judiciary, as guardians of rights and justice, was further eroded.

In 1977 the question of increasing the price of rice was first introduced and the Government ruled against the idea. By 1978 when average urban real income had drop to $80.00 per month and the urban worker was spending 95% of his income on rice, a non-substitutable staple in the Liberian diet, and rent, which was also exorbitant, the Minister of Agriculture, Florence Chenoweath[1], in her annual report re-introduced the subject and recommended increment in the price of rice which stood at $22.00. This time it was considered a viable option of government and public reaction was swift, strong and negative.

Liberia's own Ministry of Planning and Economic Affairs at the time documented that less than 4% of the population own more than 60% of the wealth of the nation. A parallel of two worlds then existed in Liberia with a huge disparity which Dr Amos Sawyer at the time aptly described:

> "Socially, Liberia constitutes two worlds: the one of the haves is characterized by affluence and an ostentatious life style. The symbols and trappings of wealth and the good life are brazenly flaunted. This is the world of Cadillac, jaquars, and Mercedes benzes; a world of stripped three piece suits, sprawling mansions and video recording sets. Liberians of this world are amongst the most suave, cosmopolitan and jet-setting types of Africa-more in tune with the fashions of New York, Paris, London and more comfortable with the trappings of western luxury living than any other group of socialites in Africa.
>
> Existing side by side with this luxury group, and being shamelessly exploited by it, are the poor people of Liberia parched by the wretchedness of poverty, dazzled by the endless possibilities available to the affluent, languishing in the squalors of the city and the harshness and austerity of the rural village".

By early February 1979, the mass media was awash with the issue as if preparing the public for an eventual increment in the price of rice. Public perception that any

[1] The former Minister of Agriculture was recently appointed by President Johnson-Sirleaf as the new Minister of Agriculture recently appointed by president Sirleaf and refused to cooperate with the TRC

increment would benefit only the Tolberts and their associates fueled massive public discontent. Local farmers, especially the President, would benefit unfairly from a shift in consumption of the more expensive imported rice to increase consumption of cheaper locally produced rice. On the other hand, higher priced imported rice would only benefit the Tolberts since Daniel Tolbert, the President's cousin, was the major importer of rice.

The government sensing massive public discontent did very little to appease the situation by abandoning, suspending the proposed increment or in the least educating the populace on merits or demerits of its policy shifts, thereby appreciating public debate on the issue. The opposition led by the Progressive Alliance of Liberia (PAL) of G. Bacchus Mathews seized on the moment, declared the proposed increment unjustified and announced it could import the same 100lb American parboiled rice for $9.00 when granted the permission to do so. While many felt that the position of the opposition was dishonest and impossible, the opposition movement took advantage of a volatile and explosive situation and led the government and the people on the issue rather than it being the other way round.

PAL announced at a public rally of the MOJA in March 1979 that it will stage a public demonstration to protest the impending increment in the price of rice on April 14, 1979. Government was swift to announce on public radio the banning of the demonstration and that anyone found on the streets will be shot on sight. A stalemate continued despite behind the scenes efforts at negotiations by church leaders and opinion leaders like Albert Porte who obtained guarantees from the PAL leadership that the demonstration will be called off if the government guarantees their peaceful assembly early April 14 to inform their people of the suspension of the demonstration which was planned for 3:00p.m. that day. The PAL leadership explained that word of the demonstration was widely circulated by government's public threats on public radio banning the demonstration and since they had no such access to public media to inform the people in advance, the assembly was the only forum to do so. The President, under pressure from his cabinet, not wanting to appear weak or a "softie" stiffened his stance that there will be no assembly of sort, that governments do not make compromises. Albert Porte's overtures were thwarted and on Good Friday, April 13, 1979, uncertainty loomed throughout the land; what was to come the next day was anybody's guess.

6.2.2. Rocking the Boat: April 14 Civil Unrest

On the fateful morning of April 14, 1979, government security forces, including the military, were deployed on the major streets of the city. As thousands converge on the city center from Bushrod Island, and surrounding urban slum districts, PAL Offices on Gurley Street was besieged by security forces at dawn. They broke into

the offices and ordered the crowd to disburse. As more and more people thronged the office, the security forces including police and military reinforcement, were overwhelmed and the police resulted to tear gas. Frenzy broke out with angry crowds moving in all directions. Shots were heard from the Gurley Street location, Broad Street, the vicinity of the Ministry of Information near the Executive Mansion and elsewhere sporadically. A planned peaceful demonstration had gone amok even before it began at 3:00p.m. Word of the shooting and killing spread like bushfire as more and more people joined in the fray. Massive looting and vandalism was the reaction from an armless, frantic but relentless mob. It was rumored that the mob was armed but no report of death amongst the security forces was reported; compared to several hundreds of civilian fatalities including deaths.

The police under "shoot-to-kill" orders of the Minister of Justice, Oliver Bright, and the Director of Police, Varney Dempster, were vicious in dealing with armless citizens and undoubtedly responsible for the fatalities. The military, which was more sympathetic to the causes of PAL and seemingly opposed to the increase in the price of rice, stood idly bye as the mob ravaged the city, and in many instances, protected the mob and themselves participating in the looting. Monrovia "stood still"! The Government lost control of the situation; no one seemed to be in charge. The Government invoked its peace pact with the Republic of Guinea and called in Guinean troops, who came in, violently put things under control, ended the disturbance and restored order. Under the pact countries could assist the other in cases of foreign aggression - this was an internal civil disorder - and the military was incensed at government's actions.

The action of the military, comprising mainly poor, wretched and down trodden members of the Liberian society, should not surprise anyone. The military in Liberia was much neglected. Before 1980, the military profession appealed to Liberians for different reasons. Some joined to avoid paying the frequent dues that government officials imposed but performed free labor for government officials. Others joined to acquire some wealth through the exploitation of the interior peoples; taking their cattle, rice, chicken, etc. Recruits of the Frontier Force were for the most part illiterate tribesmen. Their commanding officers were themselves high school graduates or dropouts. In the early days, they were trained to suppress native Liberian insurrections and expand the boundaries of the new state. They were also used to enforce law in indigenous communities; collect government taxes and government rice, chickens, and cattle. Soldiers were used to recruit labor for the construction of public roads and buildings, and laborers on plantations and the farms of government officials. The indigenous peoples endured the longest suffering and greatest humiliation at the hands of the soldiers. It was common in those days for a soldier to publicly flog a chief who could not come up with enough laborers to work freely on the farm of a government official. The Liberian frontier force later became the Armed Forces of Liberia. The situation was no different from that of the force.

Recruits were indigenous males who were illiterate or semi-literate. The army received sub-standard military and academic training. Army personnel were trained to be brutal and many of the soldiers were used as watchmen or private bodyguards of government officials. On the whole, the army was neglected, overlooked, underpaid and underestimated. The discontent and contempt of the military for the government was exasperated by the incident of April 14, 1979. Tension in the air was very high. Several opposition PAL members were arrested. Government, in a public announcement, acknowledged the deaths and declared that the corpses had buried them in a mass grave on Gurley Street where PAL had its meetings. As a consequence, the government's credibility and stability was considerably diminished.

A Presidential Commission on National Reconstruction was established to look into root causes of the civil disturbance. It was headed by Nete Sie Brownell (1894-1979) whose daughter, Mary Brownell, is the mother of Henry Boima Fahnbulleh, Jr., son of the jailed diplomat of the Tubman era. The Commission identified socio-economic disparities as the cause of the crisis and said:

> "They are in real sense a culmination of more than one hundred years of a national leadership that appears to have eroded its constituents' participation in a meaningful way. The surfacing of these problems which the events of April 14 occasioned could nevertheless be viewed as a consequence of continuing decline of the quality of the social mores and principles provided for in our constitution".

Among the Brownell Commission's recommendations were the following:

a. That because the Liberian people were expressing concern not only for those imprisoned in connection with the April 14 incident but also about those directly responsible for the death by shooting of unarmed citizens, the Commission "recommend that general amnesty be granted those arrested. Such a step would help tremendously to bind the nation's wounds, promote the national image, diffuse tension, and render more conducive the atmosphere for national reconstruction."

b. "The people have suggested that the members of the Cabinet and other officials who, through their official conduct, directly or indirectly contributed to the events of April 14, especially the Director of Police and the Ministers of Justice (Oliver Bright), Agriculture (Florence Chenoweth), Defense (Burleigh Holder, son-in-law of the President) and Finance (James T. Phillips) stand indicted in the public eye. To restore full credibility to the Executive Government, the Commission recommends that their

official conduct in relation to the causes leading to April 14 be investigated."

c. "With reference to serious conflict of interest involving public officials to the detriment of the struggling masses, the Commission recommends that the President appoint a committee of well-considered persons to prepare a Code of Conduct. Elements to be included in such a Code should be: That all principal government officials shall be required to declare their total property and cash assets before taking office and shall be fully audited before they are removed from office…"

Before the President's public reaction to the Brownell Commission Report, he consulted, in a joint meeting, with his Cabinet and the Committees on Executive of the Senate and the House of Representatives. Tolbert's substantive reaction to what he had heard was that, contrary to what some of the officials suggested, he never intended not to take appropriate action on the Report. He added: "If you have acted in service to the country, I thank you. I will react in service to the country." He dismissed the idea of submitting the Report to another committee for study, pointing out that a draft of his own statement to the nation was in the works. He announced that he would address the nation on the Report.

True to his word, President Tolbert addressed the nation on June 22, 1979. The dramatic announcement he made was to accept the recommendation on amnesty to those in prison and held responsible for leading the planned demonstration. Accordingly, he ordered their immediate release. The palpable tension in society was considerably eased by this action. Other measures subsequently taken by the President included establishing a Code of Conduct Committee, which was headed by former Secretary of State J. Rudolph Grimes. There was a cabinet reshuffle, and an attempt to revitalize the ruling True Whig Party. Unfortunately, none of these latter moves had the impact of the amnesty and release of his youthful opponents. The amnesty made possible the holding in Monrovia in July of the 16th Summit of the Organization of African Unity.

Following the African conference, conflict in society quickly resurfaced. The Mayor of Monrovia elections were scheduled for November 1979 but had to be postponed indefinitely. Dr Amos Sawyer announced his bid for the office of Mayor of Monrovia City as an independent candidate to challenge the establishment's candidate, Chu Chu Horton of TWP. Controversy soon brewed when the government attempted to enforce a long-standing "property clause" provision of the election laws requiring all voters to own real property to vote in any general and special elections. Two previous elections – Tolbert's Election in 1975 and Bennie Warner's Elections as vice president in 1977- were held without the enforcement of the property clause. Doing so after Sawyer's candidacy announcement was popularly received, was seen as a

clear design by the Government to stifle independent candidacy and disenfranchise the majority and tightened the hegemony's hold on power. Amidst the controversy, the President on October 29, 1979 held meeting with MOJA, PAL, TWP leaders, and leaders of the religious community; announcing the postponement of mayoral elections until the property clause requirement was repealed. To date, the Mayor of Monrovia position has never been opened for elections.[2]

In rapid succession the following events occurred – January 8, 1980, the People's Progressive Party (PPP) was legally registered – the first political party to do so since 1955 when the Reformation and Independent True Whig Parties were banned; even after that, the Government allowed rumors to go amok that it was planning to ban the party and arrest its leaders. On March 3, 1980 the PPP staged a "mid night march" on the Executive Mansion to prevent what many termed "a right wing coup". On March 7, 1980, the PPP issued a provocative "Declaration of Intent" statement calling on both the President and Vice President to resign. March 10 Tolbert addressed a joint session of the Legislature, hewing to a hard line against his opponents; March 28, an Act of the Legislature banned the PPP and a government dragnet was set, and a large number of officials and sympathizers of the PPP were arrested, from around the country, detained and tortured throughout March and early April.

As the first anniversary of the April 14, 1979 civil unrest drew nearer, rumors flourished that the Government intended to hold sham trials and execute 13 members of the PPP on the day of the anniversary. Against the backdrop of recent trials- Albert Porte, Edward Gberie cases, etc – the public standing of the Judiciary was very low and many did not find the rumor far-fetched. Besides, Government allowed the rumors to fester and did nothing to dispel or counter them. On April 12, 1980, two days before the anniversary of the April 14, 1979 crisis, the President was assassinated and the government overthrown in a military coup d'etat that saw in its wake the subsequent execution of 13 ranking members of the oligarchy from all three branches of the TWP government; the killing and detention of several others before and during the coup ensued.

6.2.3. Background to a Major Political Feat

Tolbert's political legacy of transitioning from autocracy to democracy was fraught with challenges as the case has always been in other situations. Significant political skills and good luck are essentials. These seem to have been in short supply for Tolbert. His political tolerance marked by significant dialogue with his opposition

[2] Recent Supreme Court decision interpreting the Constitution to mean that mayors can be appointed by the President.

before and following the April 14th event appears to have been judged as weakness by a political culture that had come to expect decisiveness, in the form of autocratic rule, from the presidency. Nonetheless, political tolerance must count as a legacy even if its contours remain to be determined or questionable. Tolbert had exhaustive conferences, with Albert Porte, and groups that include Episcopal Bishop George Browne, Baptist Pastor E. Tormu Reeves, Amos Sawyer, Togba Nah Tipoteh, Gabriel Baccus Matthews, student leaders at the University of Liberia, etc. One captures a leader almost craving for collaboration with his interlocutors. Some were reluctant to respond because of the president's seemingly unflinching ties to the old guard politicians, though weakened, but yet not severed. Politically and otherwise vulnerable, he was brought down in the coup d'etat of April 12, 1980 with far reaching implications for the future peace and stability of the nation drawing into serious question the role of Liberia's traditional partner, the United States.

Tolbert's youthful military executioners and successors accomplished a major political feat no one believed they could have done on their own. They brought down an aged autocracy with supposed close ties to the United States, and in the midst of the cold war. The nature and dynamics of the cold war environment and the centralist posture of the Liberian Government further raised additional questions about external collaborators with the Liberian soldiers. At any rate, implications and expectations were high that the coup will redress or resolve the issues that have kept Liberians at loggerheads since the founding of the state. And in this regard, the symbolism of indigenous underdogs toppling an entrenched repatriate elite establishment was overpowering.

The early 70s saw a continuation of strong US-Liberia economic and strategic relationship under Tolbert. The Firestone Tire and Rubber Company, (Firestone) 1926 agreement was procured with the support of the US Government to tap Liberia's significant rubber resources at terms very favorable to Firestone in exchange for a US$5m loan to settle Liberia's overdue foreign debt. Liberia, under the agreement, leased a contested 1,000,000 acres of fertile, arable land for 99 years at a price of 6 cents per acre. Firestone, as a US interest, became a significant economic presence and employer in Liberia.

Besides, Liberia's other natural resources, diamonds, iron ore and timber, ensured a steady stream of US currency into Liberia until the late 70s. Major American Banks, Chase and Citi Banks, each had operations in Liberia at the time. President Jimmy Carter visited Liberia in 1978. The Liberian Government prepared a memo, *"Carter Memo"*, analyzing US-Liberia relations and including proposals for US economic assistance in areas such as health and agriculture. The US subsequently estimated its economic interests in Liberia to be in excess of US$300m in assets.

Liberia sided with the US in both world wars I and II and in 1942 signed a defense pact with the US which characterized a period of strategic developments including construction of roads, the Roberts International Airport (RIA), and the Freeport of Monrovia. Also in 1959, the US and Liberia signed a mutual defense pact, which gave Liberians the widely held belief and sense of security that the US would come to their aid in case of attack. This strategic relationship was nurtured by President Tubman till his death in 1971.

From a US perspective in the 1970s, Liberia was viewed as a longstanding politically aligned ally in West Africa as an important counterweight to the Cold War influence of the Soviet Union in Africa. In 1979 the US identified its strategic interests or assets in Liberia to include:

i. unrestricted access to Roberts International airport;

ii. the right to establish military installations in the Free Port of Monrovia "should they become necessary for the maintenance of international peace and security";

iii. Operation of a Voice of America relay station;

iv. Operation of an area telecommunications office, providing communications for 34 US Embassies and Consulates in Africa; and

v. Operation of an Omega navigational system (a nautical and aeronautical navigational beacon)

Notwithstanding the US "strategic interest", Tolbert adopted a more conciliatory policy towards non-aligned countries to indicate that Liberia was also non-aligned. Soviet, Chinese, North Korean and Cuban diplomats became stationed in Monrovia. This departure from the longstanding US-Liberia traditional relationship and political alignment was illustrated most clearly during the 1973 Yom Kippur war between Egypt, Syria and Israel when Liberia severed ties with Israel and supported the Arab side in stark contrast to the US policy and decisions. Additionally, the *Carter Memo* in 1978 indicates that *President Tolbert regarded the benefits of the US relationship with Liberia as less than adequate, stating: "one would think that a country 130 years old with a friend having means such as the United States should be far more advanced than she is today."*

By the mid 70s, the close relationship between Liberia and the US had begun to deteriorate as social and economic conditions in the country worsened. Following the establishment of ECOWAS in 1975, Tolbert sought to renegotiate Liberia's contract with Firestone, obviously not favorable to the US, and requested credit from

several American banks. In 1979 Tolbert refused to allow the bunkering of the US Rapid Deployment Force at Roberts International Airport. This refusal embarrassed both the CIA and the Pentagon who were now prospecting for leadership change in Liberia, lending support to Major William Jarbo, a US trained Ranger.

Tolbert, in discussions with US Officials, blamed the Soviet Union for the riots but the US was skeptical and disagreed with President Tolbert. In May 1979, the US analysis of the incident and events of April 14, 1979, concluded that the proximate cause of the riots was "the exploitation of an emotional issue, the price of rice, by an opposing group which had nothing to lose by holding an unauthorized demonstration. The inept handling of the demonstration by the security forces … provoked the mob and led quickly to an anarchic situation with no one in control". The US skepticism about Russia's involvement was accompanied by its position that it was President Tolbert who steered Liberia toward the non-aligned countries, and that the US could take advantage of the current social unrest to steer Liberia back to the US sphere of influence.

One other significant development during this period was the emergence of strong and credible opposition to the government of President Tolbert. In the early 1970s, two pivotal groups emerged in Liberia. The Movement for Justice in Africa (MOJA), a radical movement composed of members of the Liberian intellectual community, was founded in Liberia in 1973. Americo-Liberians and indigenous Liberians founded the Progressive Alliance of Liberia (PAL), in the United States in 1975. MOJA and PAL embraced militant African nationalism and Marxism respectively. Both movements became the first formidable opposition to the True Whig Party and its policies. MOJA became particularly vociferous against Tolbert's regime. The movement had a Pan-African agenda and was seriously opposed to Apartheid and neo-colonialism, and eventually oligarchy in Liberia. Two prominent leaders of MOJA and PAL were Dr Amos Sawyer and Bacchus Matthews, respectively.

The leadership of the True Whig Party, especially President Tolbert, did not initially take MOJA and PAL seriously. In fact, in most government circles, the movements were regarded as nothing more than irritating enclaves of starry-eyed youth, scholars and demagogues. Ironically, it was this initial governmental nonchalance that provided MOJA and PAL with the much needed space, not only to ventilate their militant message across the young and restless populations of Liberia, especially the swelling ranks of the poor, illiterate and disenfranchised, but also to cultivate the support of the disgruntled and disenchanted members of the AFL. The Marcus Garvey School in Monrovia, which was eventually shut down by the Government for "teaching socialist materials" was a place of academic training and consciousness for members of the AFL at night by volunteer teachers - members of MOJA. Coupled with this were the appalling state of infrastructure and the gruesome lack of it, in most parts of the country. Schools, electricity, safe drinking

water, healthcare and other basic amenities were simply either nonexistent or in extremely poor state in the greater part of Liberia.

6.3. The Military Interregnum: Highlights of the Second Republic (1980 – 1990)

On the morning **April 12, 1980** seventeen enlisted men and non commissioned officers of the Armed Forces of Liberia[3] marched on the Official residence of the President, the Executive Mansion, where President Tolbert was sleeping and shot him in the head; killing several others on their forward march to the President's bedroom. The soldiers, most of who were involved with the illicit diamond trade to supplement their meager incomes, were kinsmen, friends, and students of Marcus Garvey and/or relatives of the detained politicians. They had earlier participated in the April 14 riots and charged the Tolbert government with rampant corruption, and violation of human rights, nepotism and misuse of public offices. The Constitution was suspended, about 80 prisoners were mistreated, and a backlash against Americo-Liberians led to confiscation of their properties. Under the True Whig Party more than a century rule, personal wealth became the byproduct of involvement in politics and government rather than entrepreneurship. Those outside the True Whig oligarchy or not beholden to it were prevented from acquiring an independent source of economic influence. Large business firms were almost all foreign owned and therefore, depoliticized but expected and made contributions to the party and provided jobs for politically well connected Liberians. Liberian owned businesses were either small businesses run by those without political stature or larger enterprises owned but not operated by government or party officials that profited from government preferment. By the time of Tolbert's death and the overthrow of the TWP Oligarchy 60% of the GDP was controlled by 7% of the population; all of whom were Americo-Liberian families who had ruled Liberia for over a century.

Prior to the event of April 12, 1980 President Tolbert had had the unnerving experiences of security lapses that threatened his personal security. While attending a program at the E.J. Roye Building in Monrovia, the President was stuck in the elevators for a considerable while without explanation. At his home in Bentol, there was power outage for over thirty minutes without any presence or alarm from his security details and again without explanation. Whilst the Executive Mansion was being attacked by the band of young soldiers, the President's Director of Police, Wilfred Clark was on the grounds of the Executive Mansion, monitoring the situation and reporting to his superior, Christopher Minikon, by radio and did nothing else. On the very early morning of the coup, at least one eye witness' or would-be benefactor of the new establishment, account reveals that a Caucasian – "white man"- was seen "*with my own eyes, wounded and struggling coming from the*

[3] The Liberia Frontier Force was transformed into the Armed Forces of Liberia (AFL) and February 11 each year is celebrated as Armed Forces Day.

public procurement office crossing the flower garden before the mansion where traffic lanes interchange, and I quickly drove home." Another strong indication of foreign involvement in the 1980 coup came from the Honourable H. Boimah Fahnbulleh, Jr. the day following the coup: "*I saw the American political officer standing in the mansion yard near his car and whilst taking a look on the other end, I saw the American military attaché in his gray (sic) jump suit sitting with Doe and few other guys under the hut. Thereafter, I ask Dr. Tipoteh, do you see what I am seeing, than he said yes. Nevertheless, within a moment, Dr. Tipoteh, asked the American political officer, what are you doing here? In response, he said, I am the liaison to the new government.*

The new military government of the People's Redemption Council (PRC) was established with Master Sgt Samuel K Doe as Head of State. Libya's Muammar Kaddafi was the first to recognize the new military government. All political prisoners released. Many, if not all, of the detainees were given government posts in the new government. Other members of PAL and MOJA not in prison were also given senior cabinet posts. The Junta's first official speech was written on the campus of the University of Liberia by Dr Amos Sawyer, Head of MOJA, and others on request of Dr George Bolay,a member of PAL and the new Minister of State for Presidential Affairs.

As the first non Americo-Liberian Head of State, Samuel Doe initially enjoyed great popular support. The summary public execution of 13 former members of the Tolbert administration on April 22, 1980, including Tolbert's Foreign Minister C Cecil Dennis who was denied asylum by the US, soon made it apparent, however, that the Doe regime could pose a great threat to human rights in Liberia. The new PRC Justice Minister Chea Cheapoo justified the executions saying "we had to act as the people wanted it". Yet early years of the Doe administration represents the height of US involvement in Liberia amounting to over US$500 million. This raised speculation further that the US had backed Doe's coup because of Tolbert's non-aligned policies. The US position is that it was necessary to protect their assets and counter the spread of socialism. Liberia became the highest per capita aid recipient in sub-Saharan Africa and Doe the highest recipient ever, much more than that received by all previous Liberian government administrations combined.

Initial decisions of ECOWAS to ostracize Doe and his administration over the coup and assassinations, was overcome by US diplomatic efforts and overtures to West African leaders on Doe's behalf. New Foreign Minister Gabriel Baccus Matthews announced Liberia would suspend obligations to ECOWAS in retaliation. In August 1980 US direct assistance to Liberia was increased with the signing of two agreements committing a total of US$17 million in that year alone. By 1985 aid to Liberia was at an all time record high which American sources attributed to the solidification of Doe's pro-Western stance. Doe closed down the Libyan Embassy in Monrovia and reduced the staff of the Soviet Embassy by May 1981. General Thomas

Weh-Sen, Doe's Deputy and three other members of the ruling PRC were executed that same year in prison without a trial for "plotting a socialist coup to unseat Doe".

In 1982 President Doe visited President Ronald Reagan in Washington which led to continued and additional US support for the Doe Administration. The mutual defense pact between the US and Liberia was modified, reversing Tolbert and granting staging rights to the US on 24 hour notice at Liberia's sea and airports for the US Rapid Deployment Force. US military assistance also increased with training, arms supplies and reconstruction of the deplorable and shameful BTC Barracks.

The refrain heard widely that those who had perpetuated the unjust socio-political system were out of the way and Liberia now had a fighting chance to set things right, at least in the interest of the "masses", was fading with growing disgruntlement. But in political terms the coup had been executed on behalf of the political agitators that constituted a part of the opposition on the left. For this reason they felt an obligation to participate and lend leadership to a junta of inexperienced and half literate military leaders. Not approaching the military government with a common political, military, social and economic agenda, they entered the government on individual or personal considerations thus leaving their fate and that of their organizations and the nation's to chance. They clamor, and rightfully so, for change; but when change was eventually surrendered, they were unprepared. The PAL leader Gabriel Baccus Matthews was reportedly offered leadership of a new government, something he perhaps wisely declined in preference to the Minister of Foreign Affairs position. All overtures to Dr Amos Sawyer from the junta was declined, except Chairman of the Constitution Drafting Commission, which he accepted.

Issues of the politics of personalities (within MOJA and PAL) and of groups (clamoring ethnicities) soon became apparent with manifestations of cracks in the unity of the PRC itself. Elements of the political left were branded "socialist" and purged off the government just as was some members of the PRC. The military began to articulate or live a revolution of entitlement. A new political elite emerged. Its culture of politics was hardly different from the regime it had brought down. Corruption, political intolerance and human rights violations marred the public image and standing of the regime. This situation induced a realignment of the Liberian political map as the jockeying for power ensued within and outside the military. Rumors of coups and counter coups abound. Doe's much feared and respected Defense Minister and close ally, Gray D Allison, threatened Doe's power base by his sheer popularity with the military. He was framed for plotting a coup against Doe and a police officer, Joe Lesolee, was coerced to provide false testimonies against Allison which would put him away forever at the notorious Belle Yallah maximum prison where he met his fate during the Taylor's uprising.

By 1985 Doe had eliminated more than half of the 17 men who along with him upstaged the TWP Government and attempted to institutionalize an ethnic-based hegemony of his own ethnicity; crack down on his political opponents including the violent invasion of the University Campus in 1984 by the military under his infamous "move or be removed" orders to the military. With the momentary exercise of "force majeure," military leader Samuel K. Doe hijacked the elections of 1985 and declared himself winner after handpicking a 25-man committee to recount the ballots when it became clear he was losing. The US Reagan Administration supported the outcome and validated the results as a "movement toward democracy". Doe has won the first round. The political contest spilled into the streets on November 12, 1985 when General Thomas Quiwonkpa mounted his second bid to unseat Doe. Even though it appeared that the entire security network caved in on hearing the General's announcement on radio, Doe had prior knowledge of the General's adventures, commanded his loyal forces to play low why they lay in wait for the General to strike and exhaust himself. The insurgent General announced that the government had been overthrown, by the National Patriotic Forces (NPF), Doe was in hiding and surrounded without any chance of escape.

Meanwhile, the entire top brass of the Police with the knowledge of its Director, Wilfred Clarke, decided to surrender itself at the BTC to the insurgents without any evidence that the Commander-In-Chief, Samuel K Doe was captured, has surrendered or dead. Lt Col Jimmy Smith was instructed to take the officers to the BTC and proceed to the Director's residence to pick him up. Officer Smith arrived at the Director's and was instructed to take him, Police Director Wilfred Clarke to the Executive Mansion to meet General Quiwonkpa and "everything will be alright". Enroute, the Minister of National Security, Christopher Minikon was picked up. To their shock and bewilderment General Smith greeted them at the entrance of the Executive Mansion and told them President Doe was on the ground floor and will receive them. Officer Smith dropped off the Director and went away only to hear on police radio that we was a traitor and was wanted for arresting the Director of Police, Wilfred Clarke. Arrested, he was taken to Director Clarke who sent him away to the Executive Mansion where he was listed for execution as part of a fourth batch of "traitors" being executed by Col Harrison Pennue and Youbo Tailey. The first three batches were executed in their presence on the grounds of the executive mansion and taken away for burial. Included in the batch of four was General Zayzay in whose interest a rescue mission by General Roudolph Kolako appeared and threatened both Tailay and Pennoh that they themselves will be executed on the spot if they shot anyone. Officer Smith was saved but remanded in prison for over nine months at the same time as Madam Ellen Johnson Sirleaf and subsequently released but dishonorably discharged from the service of the National Police.

6.3.1. A failed Coup and an Ethnic Feud

The General Thomas Quiwonkpa coup had failed even before it began. The General entered Liberia through the Sierra Leonean border without his logistics officer, General Weah who was killed in cross fire at the border with Liberia leaving the General without the map of the operations and a logistics coordinator. The episode resulted in a bloody battle involving Doe loyalists and his nemesis, Quiwonkpa, during which the General was killed and his body mutilated and cannibalized. It was payback time. Ethnic Gios and Manos were direct victims of reprisals in Monrovia, Nimba and Grand Gedeh Counties. Doe was inaugurated first President of the Second Republic of Liberia in January 1986. A purge against the Nimba people in the military, security forces and especially in Nimba County was led by General Charles Julu, head of Doe's Executive Mansion guard.

This reprisal against the Nimba people made Doe increasingly unpopular and isolated. His coup and ascendancy to power which was widely welcomed, not only by the indigenous people of Liberia who had languished for over a century under humiliating and excruciating social, political, cultural subjugation, but also across Africa where many saw the development as bolstering the continent's quest to rid Africa of all forms of colonial domination, became regrettable and denounced. The Americo-Liberian government, although was mainly composed by nominally Africans, it was widely regarded as somewhat colonial in nature, given its pedigree in the supremacist legacies of the American Colonial Society (ACS).

The cacophonous encomiums that heralded Samuel Doe into the Executive Mansion in 1980 soon transformed into penchant discordant tunes. Opposition to the Doe-led "democratically elected government" rapidly swelled as Doe became not only inclined towards pocketing State resources, but also literally went out on a rampage against perceived and real political opponents with vengeance. By 1988 the US was embarrassingly disenchanted with Doe's human rights records and corruption in his government. Evidence mounted that aid money was lost perpetually to corrupt officials in the Liberian government, so that aid was not getting to citizens for whom it was intended. Doe's Government did not cooperate with US accounting experts sent to assist and under the Brook's Amendment, aid to Liberia was suspended and resumed later but never up to pre-1985 levels.

Gross violations of human rights became the order of the day. Assassination of opponents became a choice tactic, while witch-hunting became a preferred method of engagement with those who did not, or were not thought to share Samuel Doe's rather abnegating vision of leadership. Samuel Doe chose to visit the inequities of Liberia's undeniably un-egalitarian past on all and sundry. Doe decided to remedy decades of neglect and exclusion by meting out dire reprisals to those who dared voice opposition to his government. He vengefully pursued the tribes of those who

were immediately connected to the government he disposed of, just as he pursued those with whom he had personal political scores to settle. In Samuel Doe's Liberia, the national treasury was transformed into a personal vault to be plundered by Doe and his accolades. In Doe's Liberia, there were no Americo-Liberians or indigenous Liberians as such; you were either for (or seen as) pro or anti Doe. There would be nothing in-between this invidious divide; only deaths, violence and psychopathic leadership.

A new conflict was joined. At its core were Doe and his largely Krahn and Mandingo allies, on one side, and on the other side were Mano and Gio (Dahn) sympathizers of the slain Quiwonkpa. Perhaps another characterization is that the majority of indigenous Liberians were incensed that a minority among them had appropriated power supposedly in the name of all of them; misusing or abusing it. Repatriate survivors of the bloody fight now stood on the political margins for opportunistic (or patriotic) engagement as the situation evolved. Opposition abroad, mainly in the US and the West African Sub region, intensified as almost all opposition politicians had fled the country. Amongst Doe's staunchest and most active political opponents in the Diaspora were Dr. Amos Sawyer and Ellen Johnson Sirleaf, both victims of Doe's brutality, who, along with other exiles organized the Association For Constitutional Democracy in Liberia (ACDL) as a pressure group advocating in the corridors of Washington for a return to constitutional rule in Liberia without Doe.

A few critical pieces were soon brought together and resulted in an existential challenge to the Doe regime. The soldier-president had successfully liquidated almost the entirety of the 17-man group that staged the coup of April 12, 1980. The armed forces of Liberia had been purged of citizens from Nimba County amid a pogrom against Liberians of Mano and Dahn (Gio) ethnicities. Remnants of Liberians of Nimba provenance that fled the fight of 1985 into neighboring Cote d'Ivoire and elsewhere awaited an opportunity to consolidate in order to avenge what had befallen them. The enigmatic Charles Taylor showed up and worked his way into the leadership, combining the resentment of the dethroned TWP with the lethal fury of a vengeful Nimba people into a ferocious enemy soon to be unleashed. Tonia King, son–in-law of former President Tolbert, who played a lead role in the planning and execution of the aborted November 1985 coup, provided sanctuary in Ivory Coast for all dissidents following Doe's clamp down and Quiwonkpa's death. Archie Williams was the go-between who bankrolled Quiwonkpa's enterprise and guaranteed secured cash flow. Ivorian President Felix Houphouet-Boigny, still smarting from the brutal murder of his friend and colleague, President Tolbert, greatly facilitated the planning of the insurgency, as did the President of Burkina Faso who introduced Taylor to the Libyan leader. The latter two African Leaders participated for their own reasons. Tolbert's slayed son, Adolphus Benedict Tolbert and the Bourkinabe President, Blaise Compaore, were married to two daughters of Ivorian President Houphet-Boigny.

A pernicious insurgency had come to modern West Africa. The insurgency struck first on Christmas Eve, 1989. Before the end of 1990, Doe had been captured and tortured to death by a rebel leader from Nimba County and consequently his almost ten-year rule had ended. The ACDL which was the leading political opposition in the Diaspora was short-lived and split into two opposing views over support for Taylor's misadventure. Ellen Johnson Sirleaf led the pro Taylor elements while Dr Amos Sawyer led the opposition to any form of engagement or support to Charles Taylor. This, and all other forms of support to Taylor, would prove critical to Liberia's peace and stability as the nation remained mired in a complex civil war that lasted another 13 years. It must be pointed out, though that by the end of the first year of his rebellion, Taylor had lost popular support.

By the end of the Doe decade, rampant corruption and misuse of public office for personal gains became wanton and indistinguishable from that of the erstwhile TWP government he overthrew. Wealth was acquired not by any successful ingenuous enterprise but by outright corruption and patronage. The following persons acquired wealth under suspicious circumstances. When public officials, their cronies and close relations' source of wealth become questionable and traceable to the public trust, the need for accountability arises to restore confidence, trust and integrity in public service. Samuel K Doe, Edward Slanger, William Glay, Edwin Taye, Ignatius Clay, Raleigh Seekie, Alvin Jones, Yudu Gray, Shad Kaydea, etc. became wealthy at the expense of the public treasury …Complicity of Lebanese family business

7.0. THE LIBERIAN CIVIL WAR – 1990 – 2003

7.1. Taylor's Uprising, Human Rights violations & War Crimes (1990-1997)

Because the military regime ignored the developments of the 1970s, it erred in assuming that by the application of brute force, it would impose a new dichotomy, a Krahn hegemony (with a few politically marginal allies) against the wishes of a preponderant majority of Liberians. The brutal crushing of the Quiwonkpa coup attempt in 1985 was the ultimate in an apparent desire to ensure a Krahn hegemony. The insurgency, which came to be led by Charles Taylor, was the ultimate response, not just by Liberians of Nimba origins, but also by a population energized to resist political tyranny that sought to impose itself after supposedly liberating the country from 133 years of a perceived oligarchy drawn from descendants of repatriated Liberians. The insurgency, unfortunately, soon established an identity of its own as Liberia degenerated into a "rebellion without a cause." At one point, a seven-cornered fight as represented by seven distinct warring factions, engaged in a full-blown fratricidal civil war had gripped Liberia. When its bloody end came 14 years later, it left Liberia in ruins confronted by a dilemma – how to reconcile PEACE with JUSTICE.

On 24 December 1989, some one hundred "special forces" of the National Patriotic Front of Liberia (NPFL) crossed several Liberian government targets in the town of Butuo, in the Nimba County. Mostly drawn from the Gio and Mano ethnic groups of Nimba County that were persecuted under Doe's regime, they made rapid progress, overcoming initial setbacks at the hands of Doe's AFL. Responsibility for these set backs created tensions in the movement and eventually saw the rise of a splinter INPFL.

The choice of Nimba County as a launch pad was deliberate and strategic as the NPFL ranks swelled overnight with willing and adventurous recruits seeking revenge. Charles Taylor convinced the people of Nimba that this rebellion was partly in response to their yearning. Scores of dissidents who festooned and congregated outside Liberia believed Taylor and hearkened to his call. Despite their differences, which became evident much later, they were united in one cause: eliminate Doe and his ethnic Krahn and Mandingo supporters and seize power, at any cost, which was denied them when Doe hijacked the presidential election victory of Jackson F. Doe in 1985. While pandering to this populist objective, Taylor also appealed to the deposed Americo-Liberian stock by pronouncing that his was to avenge the executions of 1980.

Early 1990, the AFL counter insurgency operation directly targeted Manos and Gios in Nimba County killing citizens en masse, burning villages and looting. Over 160,000 civilians fled to Guinea and Ivory Coast between January and May 1990.

Capt. James Chelly and Edwin Voker commanded the onslaught. At this time the United States military advisors in Monrovia were maintained and two of them were involved in the counterinsurgency but later withdrawn when protest against their presence mounted by anti-Doe Liberian elements in the US.

The deadly counterinsurgency mounted by the AFL, indiscriminately targeting mainly civilians, endeared the local population to the NPFL. A meteoric rise in the NPFL and Taylor's popularity guaranteed rapid gains as civilians not only shielded NPFL rag tag fighters posing as civilians, but also exposed the AFL strategic positions and assisted the NPFL maneuvers though strategic forest terrains and bush roads. This vital role of civilians made them palpable targets in previous wars by other factions and the NPFL itself when confronted by other factions or resistant forces.

From an initial few hundred, the NPFL rapidly grew into a vast irregular army occupying and controlling around 90 percent of the country by April 1990 (five months after the rebellion began), thereby forcing the US - backed Doe regime to collapse. A beleaguered Samuel Doe remained holed up in the Executive Mansion; the Independent National Patriotic Front of Liberia (INPFL) of Prince Johnson emerged as a splinter group of the NPFL opposed to Charles Taylor. The NPFL advanced within less than a mile from the stronghold of Doe at the Executive Mansion but the coup de grace was never to come.

At the same time, Doe's request and those of others interested in Liberia (like the Friends of Liberia –"FOL") for the US to directly intervene was denied by the Bush Administration. A proposal which the US thought was the best for Liberia, for Doe to resign and go into exile in Togo and allow Charles Taylor to take power, was rejected by Doe. The White house did not endorse the plan. An earlier request from Doe to the US through emissaries including Winston Tubman, Emmanuel Bowier, etc to stop the war was rejected. The US no longer trusted Doe and would do nothing to stop the war. Its initial attempt at "proximity talks" failed as both parties (Doe and Taylor's representatives) insisted on direct talks. The US later conditioned its involvement on four principles which Doe must comply with in 30 days to guarantee US actions to halt Taylor: a) that Doe calls early elections in which he will not be a candidate; b) Doe establish an independent human rights commission not amendable to Doe; c) Doe lift the ban on media and newspaper entities; and d) release all political prisoners. As a show of good faith the US will organize a peace meeting in Sierra Leone at the US Embassy- a "neutral ground". The delegation was advised that Doe was the most disliked leader in the world and at 40 years of age, he should take his money and leave Liberia otherwise "in October 1990 you will look around and you will not find him". Doe rejected the conditions on counsel of his krahn kinsmen.

By now Taylor's three month ultimatum to Doe to quit office or his forces would over run Monrovia ended March 24, 1990 with Doe ducked in the security of the Executive Mansion. The NPFL proved incapable of dislodging Doe from his fortress. Initial expectations growing out of the NPFL rapid advances that the insurgency would end sooner rather later had dissipated; the war was stalemated as many more Liberians and supporters of the insurgency became frustrated; leading Madam Ellen Johnson Sirleaf to publicly admonish the NPFL to end the war and sufferings, raise the mansion down and it will proverbially be rebuilt in three days.

The stalemate deepened to the disadvantage of the civilian population which lived constantly under fear, threatened, brutalized and killed. The fighting forces clearly frustrated exacted their energies on the civil and armless population trapped in their controlled territories. A humanitarian and human rights disaster was in the making. The NPFL militias, mostly ill-trained and trigger happy, were part of a band of a force less inclined to respecting the values of human rights but more inclined to blaming every individual not a member of their fighting forces for their malady. The NPFL deployed not less than 180 "special forces" into its mission and each special forces deployed, had under his command a personal army of not less than 200 men who were unleashed on the civilian population. With limited supplies, they lived off the labor and sweat of civilians in an unequal relationship that saw the population massively victimized, killed and properties looted; entire villages and towns were burnt and other times abduction, and many times forcefully displaced. Massacres, rape, torture, children recruitment into their ranks were pervasive as ethnic cleansing and ethnic profiling was standardized at every one of the hundreds of check points the NPFL operated throughout its vast controlled territories. The NPFL, clearly was operating a massive force of hoodlum, vengeful Nimba citizens, victims who joined out of fear, insecurity and protection of family members; yet, there were those who took arms to "settle old scores", loot and take advantage of a lawless institution to wield power, authority and acquire wealth. Anachronism of what became the NPFL was a cacophony in vain pursuit of power, with a single hierarchy in Charles G. Taylor who commanded his men to "pay themselves".

7.1.1 First Peace conference amidst worsening Human Rights & Humanitarian Crisis

Food stock depleted as medical supplies were running out. Hunger, diseases and malnutrition combined efforts with stray bullets from skirmishes of a brutal rag tagged militia to incessantly inflict pains, sufferings, death and the most gruesome forms of abuses on a less than suspecting but, mundane population. The emergence of the INPFL very early in July 1990 did not help, but rather hurt the cause of the NPFL. The standing of the NPFL as the sole contender for power was undermined and its progress on the war front stalled since Prince Y. Johnson was much feared by the NPFL because of his exploit on the war front. INPFL forces proved much more

disciplined under the vicious leadership of Prince Y Johnson. A disciplinarian, he was intolerant of the excesses of his men. Death seemed to be the only penalty for any transgression. An entire community was victimized for the slightest suspicion of an individual and his execution style punishment with a silver pistol, (he describe it during testimonies) many times in the full glare of the public, was infamously common.

The AFL, having to contend with two opposing factions, was demoralized, frantic and paranoia, but defiant. Held up in the Barclay Training Center (BTC) and the surrounding areas of the Executive Mansion on Capitol Hill, Monrovia, The AFL took reprisals on the local population in an ethnic vendetta especially; against the Gios and Manos of Nimba County. Food and military supplies were running out as the AFL seemed resigned to its fate. Referred to as "Doe's army", a purged AFL had its ranks and files comprising meanly Krahn soldiers who bore the sophisticated automatic rifles and issued radio command and military instructions in the Krahn language. Secret killings and abduction by a death squad comprising George Dweh, Youboy Tailay, Jackson E. Doe and others operated without restraint of conscience, discipline or authority. The headless corpseS of unknow persons were seen in the streets as student leaders –Wuo Garbie Tappia, D. Momulu Lavela, Garlawo et al – were executed; Vanjah Richards, a sculptor, was mistaken for his brother the Rev. Walter D. Richards; Robert Phillips, once linked with the 1985 failed coup, charged with treason and released, was brutally murdered in his home at the airfield community at the end of the air strip which became a theatre of macabre killings. One of the assassins when asked by a mutual friend why they had to kill Phillips he said "you think we don't know who we want; we could have killed you too but we know you are a native man; it's the Congo people we want".

Between June and August 1990, Liberia became a "butcher house" in the words of former Gambian President, Sir Dauda Jawara. Socio-economic conditions had deteriorated considerably. The trapped population was desolate; physically waned, hungry and ill. The parallel market flourished with looted goods from homes and the free port of Monrovia, all facilitated and instigated by the armed men and their bands of followers. The popular tones which heralded Taylor's rebellion – "monkey come down" and "chucky must come"- were no longer heard, better, regretted. Family income depleted along with food stock. As more and more families were separated, ties were broken and young girls became the target of armed fighters. Women were targeted and raped, abducted as bush wives as they ventured out of their hiding places to fetch food. The younger girls with no clear sources of survival got "involved" with the fighters and prostitution became a way of life till the end of the conflict and even now in present day Liberia.

By this time Taylor was setting up deals for the exploitation of Liberia's natural resources having being introduced to French and European interests. Dealings, illicit

in nature and character, in timber, rubber, gold and diamonds, including diamonds from neighboring Sierra Leone, would prove crucial to sustaining Taylor's war efforts and prolonging the conflict. The Secretary General of Quiwonkpa's NPF, Moses Duopu, was killed on his return from Nigeria to Taylor's territories for claiming the Secretary General title of the new NPFL and disputing or seemingly eying the leadership of the NPFL; the AFL massacre 27 Gios and Manos families of the AFL in Monrovia, as 25 AFL soldiers escaped to seek refuge at the Methodist Church in Sinkor which was subsequently attacked. Also, Jackson F. Doe, David Dwayen, Justice Patrick Biddle, Cooper Teah, Gabriel Kpolleh, Photographer B.W. King, along with 80 other very prominent personalities associated with and living in NPFL- held territories were killed at the hands of NPFL "generals"; 500 ethnic Mandingoes, including an Imam, killed in Bakedu, Lofa County by the NPFL; a retaliatory killing of over 500 supposedly men, women and children from Nimba County were massacred at the St. Peters Lutheran Church by the AFL led by Youbo Tailay then under the command of Jackson E. Doe[4] was followed by the killing of another 250 ethnic Gios and Manos seeking refuge at the J F K Hospital killed by a group of AFL soldiers; In Buchanan and Monrovia, dogs were eating the dead bodies of human beings in the streets as men and women on the UL Fendell Campus unashamedly bathed together naked in a dirty little stale water better known as "Adam and Eve" creek.

Many, many more crossing through check points were killed at Spriggs Payne Airfield, Duport Road, Bushrod Island, Soul Clinic Mission, Old Road, Cotton Tree, Kakata, Iron Gate or God Bless You Gate, University of Liberia Fendell campus, Hende, Bong Mines, Barnesville, etc. They were killed on suspicion of belonging to one ethnic group or another; for being "an enemy", for looting; for their personal belongings including rice, cassava, snickers, cash, etc. ; membership with the NDPL, working for government of Liberia; having a pot belly, smelling or looking like a Krahn, Gio, Mano or Mandingo enemy; unable to speak any indigenous Liberian language and a host of other causes which justified Liberia being labeled a "butcher house".

By the time of the first peace meeting in Free Town, Sierra Leone, under the auspices of the ECOWAS Peace Plan, an extraction of the Inter-Faith Mediation Committee of Liberia, it became clear to ECOWAS that no one faction could boast of military advantage or victory and unless there was intervention to halt the carnage, Liberia will self-destruct as more and more innocent women and children would continue to suffer and die. Especially so, the OAU, UN and most notably the US, would have no direct involvement with Liberia, ECOWAS decided to intervene.

[4] He is a serving Minister in the Johnson-Sirleaf government and a close relative to former President Samuel Doe.

The June 1990 Freetown peace meeting at the US Embassy failed because the NPFL refused to sign the ceasefire agreement which also called for the establishment of an Interim Government of National Unity (IGNU). The NPFL did not sign the agreement on advice of the US Political Officer in Monrovia who followed them to Freetown for what was dubbed "Operation Coca Cola". He told Thomas Woeweiyu, NPFL Defense spokesperson, that the NPFL had the military advantage and did not have to negotiate with the Doe people. The meeting failed and the foundation was laid for a subsequent meeting in Banjul, the Gambia. Most of those attending the Free Town meeting, also later attended the Banjul Meeting, wrote Taylor a letter recognizing his military advantage and entitlement to lead the country once President Doe was out of the way.

7.1.2. ECOMOG Arrives under NPFL gunfire

Emboldened by this level of support Taylor announced the formation of the National Patriotic Reconstruction Assembly government (NPRAG) in July and became angry that the Banjul Meeting established the IGNU in August without the NPFL notwithstanding that the NPFL was invited to attend. The NPFL claimed its delegation was held up at the airport in Banjul till the meeting was over. Gbarnga, Bong County became the seat of Taylor's *defacto* NPRAG government. Taylor avowed not to cooperate with the IGNU and resist ECOMOG's presence as an "occupation force". ECOMOG was formed as a peace keeping force of the ECOWAS.

Prince Y. Johnson who had complete control of the Bushrod Island area welcomed the arrival of ECOMOG on Liberia's Flag Day, August 24, 1990, under a barrage of missile attacks from the NPFL. It became necessary and ECOMOG assumed the posture and mandate of peace enforcement to separate the fighting forces and create a buffer between them and, a haven for the civilian population entrapped between ever changing frontlines and factional territories. ECOMOG's mandate also included enforcing a ceasefire and supporting the IGNU. Doe joined the INPFL in welcoming the ECOMOG. Both forces fast running out of supplies (Prince Johnson needed arms and Doe badly needed food) were anxious for a ceasefire and ill equipped to withstand any full scale NPFL onslaught which the NPFL had threatened and was planning.

The IGNU was formed in Banjul, Gambia, on August 30, 1990. Both Taylor and Doe rejected, but Johnson accepted it. Doe was captured at the temporary headquarters of the ECOMOG at the Free Port of Monrovia and killed along with some 70 members of his guard battalion on September 9, 1990 by Prince Johnson. A gun battle lasted for 90 minutes and Doe was seen tortured-to death- in a video documentary recorded by his assailant, Prince Y Johnson. At his death, violence spread throughout the country especially in Monrovia where his supporters went on the rampage and set fire to many buildings chanting "No Doe, No Monrovia". The

NPFL breached the holding ceasefire and attacked all AFL positions around the Executive Mansion in a bid to seize power. Over the next four days, the NPFL, INPFL, AFL and ECOMOG were involved in combat. Taylor accused the American Embassy and ECOMOG of orchestrating Doe's death. On November 21, 1990 IGNU was installed in Monrovia. A new ECOMOG Commander, Joshua Dogonyaro[5], repelled the NPFL from within striking range of Monrovia, confined the AFL to the BTC Barracks and the INPFL to the remotest Caldwell Base on its Bushrod Island territory. By the time of the next peace conference in Lome, Togo in 1991, two *defacto* regimes were recognized in Liberia- IGNU of Dr Amos Sawyer and NPRAG of Mr. Charles Taylor. The US recognized none even though IGNU of Dr Amos Sawyer bore the standards of the Presidency and the Government of Liberia and represented the Republic of Liberia to the rest of the world.

7.1.3. Securing Peace with Additional Warring Factions

Taylor was relentless and resistant; and unpopular. His personal agenda to become President of Liberia became very clear as was his disregards for the heavy toll on human life and suffering his ambition had on the people of Liberia. Increasingly unpopular, he lost the popular support of the Liberian people and his traditional political allies and financiers in Liberia, including Ellen Johnson Sirleaf, as the entire nation was held at ransom by Taylor and company. A marathon process of peace conferences and brokered peace agreements ensued as new warring factions emerged and became entangled in hostilities in desperate pursuit of power and wealth – hitherto monopolized by Taylor - in the name of peace and democracy for Liberia. The capture and brutal killing of Doe sent his Krahn and Mandingo followers in disarray. ECOMOG assisted hundreds of the remnants of Doe's loyalists to leave the country. Two trucks filled of native Krahn and Mandingoes convoy were captured from ECOMOG by the INPFL and apparently killed since they were never accounted for. Prominent Krahn intellectuals like Sam Todee were amongst those captured, detained in a container and killed. Languishing in Sierra Leone and Guinea, these vanquished supporters of Doe wanted revenge. A Mandingo faction, Movement For the Redemption of Muslims (MRM) founded by Alhaji Kromah and a Krahn faction, Liberia United Defense Force (LUDF) organized by a US trained Special forces officer who was also once Doe's Minister of Defense and Ambassador to Sierra Leone, Albert Karpeh, together, merged into the United Liberation Movement for Democracy (ULIMO) on May 29, 1991 in the Republic of Guinea. Karpeh was murdered by Kromah's supporters for questioning and disputing Kromah's leadership of ULIMO.

[5] A Nigerian who replaced the first ECOMOG force commander from Ghana Albert Quinoo. All subsequent force commanders were Nigerians. Nigeria provided the largest contingent of ECOMOG.

7.1.4. Securing Peace: 16 Agreements Brokered and Broken

From Banjul to Bamako to Switzerland and Cotonou to Abuja, etc. peace agreements were brokered, and no sooner broken on political disagreements, as more and more factions emerged to "get a piece of the pie" which, was the political authority to access illicit wealth by corrupt means and the authority to exploit natural resources exclusively for the benefit of faction leaders. In these marathon peace negotiations, the military and ceasefire issues were normally resolved on the first day but the issues of who gets what "lucrative jobs" became intractable and the source of great conflict which prolonged peace conferences for weeks and sometimes months. A comprehensive listing of peace agreements follows:

1. Banjul Communique, ECOWAS plan, August 7, 1990
2. Bamako Ceasefire, November 28, 1990
3. Banjul Joint Statement, December 21, 1990
4. Lomé Agreement, February 13, 1991
5. Yamoussoukro I Accord, June 30, 1991
6. Yamoussoukro II Accord, July 29, 1991
7. Yamoussoukro III Accord, September 17, 1991
8. Yamoussoukro IV Accord, October 30, 1991
9. Geneva Ceasefire, July 17, 1993
10. Cotonou Agreement, July 25, 1993
11. Akosombo Agreement, September 12, 1994,
12. Acceptance and Accession to Akosombo Agreement, December 21, 1994
13. Accra Clarification of Akosombo Agreement, December 21, 1994
14. Abuja Agreement (I), August 19, 1995
15. Supplement to Abuja Agreement (II), August 17, 1996.
16. Ceasefire Agreement, June 17, 2003
17. Accra Comprehensive Peace Agreement, August 18, 2003

All these agreements, except the Accra CPA (2003), were lacking in accountability mechanisms which left one warring faction after another to continue committing mass murders and gross violations of human rights including violations of humanitarian and international human rights laws and war crimes, with impunity. In fact, the Cotonou Accord sought to grant general amnesty to all combatants. The CPA was the seventeenth peace agreement since the outbreak of war in 1989. Indeed, it was comprehensive, covering a broad ranch of issues, and perhaps even more detailed and lengthy than previous agreements. Each new faction tended to be more vicious and callous than the one before it or the one it was established to resist. Fear,

dehumanization, rape, looting and employing children into factional ranks became acceptable norms of the war from one faction to another. Apart from the INPFL and MODEL no other faction adopted minimum standards or learned lessons from the deprecating and widely condemned actions of previous factions to militate with and mitigate the widespread and wanton abuses meted against the civilian population. Ethnic cleansing and profiling continued throughout the civil war with very brutal consequences. The Liberia Peace Council (LPC) of George Bolay in the South East, ULIMO in the Western and Southern belts and with Taylor in Central and Northern regions of Liberia, there was no escape or safety for civilians other than havens provided by ECOMOG in territories occupied by it. Overstretched, the NPFL established vigilant militias in its occupied territories to "watch its backs" and undermined community unity by pitting one community group against another. Some examples like the Lofa (the Mandingoes called it Lorma Defense Force) Defense Force (LDF), Royceville (others called it Congo Defense Force) Defense Force (RDF), Tasso Defense Force, etc.

ECOMOG became ostensibly embroiled in an intractable conflict which overstretched the resources and endurance of the regional force. Alliances and military support to smaller factions opposed to the NPFL became a strategy to undermine the capacity of the NPFL to wage war thereby compelling the NPFL to sit down and negotiate a peace with its opponents. More than a dozen peace agreements were brokered and broken when the parties returned to Liberia. All factions negotiated their interest at peace conferences/in peace agreements based on four principles: a) territorial occupation; b) lucrative positions in government; c) access to state resources and coffers; and d) unhindered access to natural resources. Whenever an occupied territory or factional position in government was threatened or altered the peace process would be threatened and derailed, and a new round of peace conference would be convened. Similarly, whenever accountability measures were adopted to limit access to natural resources, state coffers or the power, wealth and authority that comes with being in government, a new process of negotiation or renegotiation will be held only to strengthen the grip of the factions in no less measure. Against this background, the CPA granted the great majority of ministries in a transitional government to the warring factions that were just putting down their guns. All warring factions had their fair share in the spoils of government, having previously benefited from the spoils of war.

A strong desire to end the conflict and secure the peace, led the international community to consider arms embargo on Liberia and further sanctions on the export of raw materials; timber and diamond exports from Liberia. Rubber exports, especially by Firestone, continued throughout the conflict period without sanctions. The US Government made representations for the continuation of this trade during the conflict on behalf of Firestone. Firestone resumed full scale operations on January 22, 1992 pursuant to a memorandum of understanding signed January 17, 1992, with

Charles Taylor's NPFL awarding the NPFL US$2 million annually in exchange for NPFL's protection. Firestone plantation was the launch pad for NPFL's infamous "Operation Octopus" attack on Monrovia and ECOMOG to unseat IGNU.

7.1.5. Taylor's Deadly Surge for Power: Operation Octopus

In 1992 Taylor, launched his infamous "Operation Octopus" on October 15; attacking ECOMOG positions and the suburbs of Monrovia, including the Caldwell Base of Prince Johnson who had earlier planned the operation with Taylor but later declined and called for ECOMOG's assistance when it was clear the NPFL had overwhelmingly infiltrated his base. The destruction in lives and properties in Monrovia was enormous. Prince Y Johnson was rescued by ECOMOG and resettled into exile in Nigeria. The combined efforts of ULIMO, AFL, Black Beret and ECOMOG denied a battered Taylor of victory. Taylor used the lull in hostilities after the **Yamoussoukro IV Accord** of October 30, 1991, to re-arm, reorganize and build up his armory while, requesting President Jimmy Carter to prevail on ECOMOG to reduce its heavy weapons in Liberia which was in "peace times". ECOMOG obliged to the request of President Carter. Octopus therefore, caught ECOMOG off guard without heavy weaponry and at a time when the Force Command was also changing hands. Human casualties were in the thousands, including ECOMOG's. Five American Catholic nuns with the Catholic Church in Liberia were brutally murdered by Christopher Vambo and others were amongst the notable Octopus casualties. John T Richardson, code named "General Octopus" was the mastermind behind the planning and execution of the dastardly "Operation Octopus", assisted by General John Teah, NPFL Commanding General.

By 1993 a conflict over allocation of allocated government jobs broke out in ULIMO between the Mandingo and Krahn factions. A bitter struggle ensued in Tubmanburg, Bomi County and the ULIMO faction was effectively split into ULIMO-J of Roosevelt Johnson (Krahn) and ULIMO-K of Alhaji Kromah (Mandingo). An attempt by ECOMOG to compel ULIMO-J to open the roads leading up to Bomi County proved fatal for ECOMOG and the entrapped civilian population. Scores of ECOMOG soldiers died in the battle; as did hundreds of children of starvation and they were buried on the Catholic St. Dominic Campus. As part of the NPFL's terror campaign to render IGNU and ECOMOG territories ungovernable, a June 6, 1993 attack at Harbel, Margibi County saw an infiltrating NPFL special Unit, under cover of dark, crept on innocent displaced civilians who were asleep, killing approximately 600 persons, including women and children. This attack was planned to give the impression that he AFL was responsible since Harbel, Firestone was under AFL control.

The UN Panel, the Wacco Commission, commissioned to investigate the incident, was deceived into believing AFL committed the atrocities. The TRC has determined

otherwise that the NPFL was the perpetrator of the massacre and survivals were taken to Gbarnga by NPFL forces. They were met by D. Museleng Cooper and Melvin Sogbandi amongst others, who told them, under threat of death, to implicate the AFL when asked by the international community. Charles Taylor visited the evacuated survivals pursuant to the scheme. Fellow perpetrators also admitted the NPFL responsibility and gave the TRC details on their role in the massacre and how they and others executed the mission and why. During this period, six Senegalese ECOMOG soldiers were also murdered by NPFL operatives in Vahun, Lofa County terrain.

The relationship between IGNU and NPRAG was, as to be expected, tense. Liberia was effectively divided into greater Monrovia and Greater Liberia of Charles Taylor's NPRAG. This divide was re-enforced by the introduction of new bank notes (liberty) by IGNU to counter spiraling inflation resulting from the former bank notes (JJ) being looted from commercial banks and containers which were in the hands of warlords including, Prince Johnson who was bitter and angered when possession of large amounts of the JJ bank notes could not be justified for which exchange was often denied. Although Taylor countered this by forbidden anyone in greater Liberia to use the new currency, it was soon clear that this move was hopeless as the new currency indeed triumphed in parallel and black markets.

On March 7, 1994, the IGNU was replaced by the first of three, Liberia National Transitional Governments (LNTG). The IGNU, which for many reasons, did not live up to expectations, had long survived beyond its mandated period, and the factions needed to be in Monrovia and get involved directly in government rather than by proxies. More factions were formed, the LPC, The Central Revolutionary Council of NPFL (CRC-NPFL) of Thomas Woweiyu, Samuel Dokie and Laveli Supuwood. LNTG I of Professor David Kpormakpor gave way to LNTG II of another Professor Wilton Sankawulo in August 1995 with faction leaders serving directly as members of the Council of State. Factional fighting which erupted in Monrovia on April 6, 1996, proved very destructive as Taylor, Kromah, and ECOMOG battled to subdue former ULIMO-J Leader, Roosevelt Johnson, in a power play bordering on revenge and the guise of enforcing the rule of law. The one hundred day fighting was notorious for its bloody impact, economic devastation and the resultant humanitarian disaster with over 80,000 internally displaced people seeking refuge at the US Grey Stone Compound in Mamba Point, Monrovia. The unresolved cross-factional issues of Kromah, combined with Taylor's political mischief, and miscalculation of Johnson's resistance, which, when combined with support from the LPC and the remnants of AFL soldiers in the BTC, proved most formidable for the big two and their accomplices. The untold suffering, property damage and death toll devastated Monrovia and collapse LNTG II. This was, perhaps, the worst fighting in three years. Death toll was high as all civil society activists in Monrovia went

underground to protect themselves. The prison was broken into[6] as newspaper offices were burned. Monrovia was massively looted by all factions and the warehouses and offices of international relief organizations and the UN were not spared. A total of 489 vehicles commandeered from the UN and other aid agencies at value put at US$8.2 million constraining further assistance to a population desperately in need. As ECOMOG appeared ill-prepared and reluctant to intervened, initially, hostages were taken by the ULIMO-J faction and the civilians had little security for property or life. Like in all episodes of the Liberian conflict, civilians were rendered homeless; they lost homes and properties, suffered hunger and disease. ECOMOG base was a source of refuge for another 20,000 civilians who also sought refuge in offices at Mamba Point in Monrovia, relief warehouses, hospitals, etc.

The proliferation of armed factions only exacerbated the civilian sufferings and casualties. Prior to the April 6 fighting, all factions committed abuses including rape, murder, looting, assault, torture, etc. The burden carried by regional states in hosting up to 700,000 refugees from Liberia became apparent when thousands of Liberians seeking refuge in April and May on a poorly equipped vessel, the "bulk Challenge" remained trapped on high seas as no west African country would accept the vessel to dock in their waters. The US Government intervened and Ghana eventually accepted the ailing refugees, allowing the dilapidated vessel to dock.

On September 3, 1996, Madam Ruth Sando Perry was later to head LNTG III which led the country to legislative and presidential elections based on the experimental proportional representational system. Charles Taylor won and became the 21st President of Liberia on August 2, 1997.

7.2. Taylor Becomes President

Far from being free and fair, as hailed by the world, the July 1997 elections which eventually saw Taylor in the Executive Mansion was held against the background of a devastating April 6 war just a year before. Also, these elections were held on the heels of a weary ECOWAS; over spent and anxious to be done with the Liberian imbroglio, and a wane population weary of war, was yearning for peace at all cost. Taylor literally threatened war if he was not elected president. "I spoiled it and it is I who will fix it", Taylor would say. Bill boards "behind Taylor lines" in greater Liberia, Taylor's held territories, which were not accessible to the opposition until barely months to the elections read "NO GHANGAY, NO LIBERIA". The fear of what Taylor might do if he were to lose the election apparently played a great role in consternating many to vote for him. Perhaps the best expression of the grim paradoxes that catapulted Taylor into power was indicated by the common electoral

rendition by the teeming Liberian youths who supported Taylor: *"He killed my ma, He Killed My pa, I'll vote for him".* Innocuous as this curt song may appear, it clearly summed up the climate of fear, trepidation and resignation that prevailed in 1997 when Taylor ran for the election that saw him into the Executive Mansion. Even though it was announced that Taylor won over 75% of all votes cast, the final results of the elections were never published.

7.3. A New War: Lurd – Model Insurgency: 2000 - 2003

The reality of being President of Liberia did not dawn on President Taylor himself early enough to enable him succeed. International good will and the meekness of his people in submitting to his new status and authority were squandered. He maintained the same antics and disposition of the warlord he was eight years before. In his mindset, Monrovia was Gbarnga, and he did everything to resurrect and represent the defunct NPFL, as the national army of Liberia and the security forces in a wholesome manner to the exclusion of other armed factions. This was viewed as a major threat to the fragile peace. Perhaps the most significant public act performed by Charles Taylor within the first year of his election was to expel ECOMOG troops from Liberia in 1998. He claimed this was to enable the government control its security. Without doubt it was more in revenge for ECOMOG's stiff opposition to his military bid to take over the reins of power in Liberia by force of arms. Ex-commanders of the NPFL were given permission by the government to operate private security outfits for hire by the private sector businesses to guarantee their security. Reports of extortion, harassment and general lawlessness by these private security agents and government personnel were commonly heard without redress.

These initial acts brought the Taylor regime under immense pressure and challenges to its authority from international, regional and domestic forces. A series of governmental actions became portend of looming conflict on a national scale. Immediately preceding the elections an attempt to kill Taylor was allegedly foiled by ECOMOG. Taylor radio also claimed that LPC and ULIMO J were planning to wage another war should Taylor win the elections. President Taylor's Police Director's public display of brute force against arm robbers and journalist including, Phillip Wesseh of the Inquirer Newspaper, was unwelcoming; an opposition member of parliament, Samuel Johnson, was whipped by Taylor's Vice President security forces. On 27 November 1997 opposition member Samuel Dokie and family were killed by Taylor's SSS personnel and their charred remains were later discovered. In March 1998 Roosevelt Johnson complained that Taylor's SSS forces made attempts on his home more than once. Taylor did nothing.

By April 1998 the political climate in Liberia became tense due to a string of extra judicial killings and Taylor's intentions to control the security forces in manner and form contrary to the Abuja Accord that ended the civil war. There was a crackdown

on the press and mass media, and other civil society activists, while Taylor refused to cooperate with ECOMOG in demobilizing approximately 35,000 ex-combatants. Instead, Taylor re-armed and reintegrated many of his ex-combatants into the AFL without incorporating members from other armed factions. Without further training, they preyed on the civilian population leading to an increase in violent crimes throughout the country as the opposing LURD forces lurked on:

a) November 28, 1997 the murder of Samuel Dokie and his family;

b) December 16, 1997 the murder of Daniel Nyankan body found on freeway;

c) April 1988 Mass grave discovered in Zorzor, Lofa County;

d) July 10, 1988 Adoption and murder of Noah Flomo, a prominent market woman was taken by nine members of the SSS;

e) September 18, 1998 Attack on Roosevelt Johnson 53 to 100 persons lost their lives;

f) September 19, 1998 1,500 civilians executed in the aftermath of the September 18;

g) September 19, 1998 murder of 13 krahn individuals on Shiefflin high way;

h) August 10, 1999 massacre of 25 Quardu-Gboni individuals in Nekabozu, Lofa County;

i) September 2, 1999 some 25 persons massacred in again in Nekabosu, Lofa County;

j) January 2000 18 Mandingoes massacred in Bawon Town, Zorzor, Lofa County;

k) January 2000 26 unarmed civilians killed on allegation of being LURD supporters in Gbar, Bomi County;

l) January 2000 summary execution of 100 persons on ATU Gbatala Training Base ;

m) Taylor sweep of the human rights community arresting journalist Hassan Bility ; human rights activist Aloysious Toe, Blamo Sieh and five others; and on April 24, 2002 human rights lawyer Tiawan Gongloe was arrested on spurious charges and severely beaten and tortured in prison; and

n) June 4, 2003 John Yormie and Isaac Vaye murdered by Benjamin Yeaten

Under these tense conditions, Roosevelt Johnson entered the country secretly with the aid of ECOMOG in Free Town and Monrovia. Taylor became frantic and increased pressures on Roosevelt Johnson when the latter declined the calls and overtures of President Taylor. On September 18, 1998, he was attacked by combined forces of specialized government security outfits to "flush" Roosevelt Johnson and his followers out of Camp Johnson Road. Roosevelt Johnson ran to the US Embassy and was flown out of Liberia. Several of his Krahn followers and kinsmen were arrested, charged with treason and subsequently convicted and sentenced to ten years imprisonment. The Supreme Court, the Gloria Scott Bench, on appeal from the defendants sustained the convictions, and in a bizarre way, increased the sentences. Taylor was generous in the use of executive clemency. A declining state of insecurity led to inflation in the city and additional hardship on ordinary people. Taylor on the other hand proved even more frantic and paranoia. He reshuffled his cabinet twice without explanation. In late February 1999 he fired his ministers of finance, state for presidential affairs and lands, mines and energy.

Taylor was keen to minimizing or eliminating all challenges to his authority. Attacks on civil society and the purging of his cabinet were common place actions of the President. On February 22, 2002, the Director of the Catholic Justice and Peace Commission, Cllr. Frances Johnson Morris, was arrested at her offices and imprisoned in a criminal male cell by Police Director, Paul E. Mulbah, under the guise of "mistaken identity", while Taylor was prostrating at a "Liberia For Jesus" public rally, surrendering Liberia to the Lord and Savior Jesus Christ. He authorized his Police Director, to close down two private radio stations, Radio Veritas, of the Catholic Church and Star Radio, for reporting that he was training Sierra Leone RUF fighters on his Gbatala training base. He said those two stations will never see the light of day again. Both stations are now operational. Taylor also came under keen international spotlight.

China broke relations with Liberia for its two china policy and the IMF scolded Taylor for unilaterally in a non-transparent way awarding "all previously unallocated mineral resources rights" in Liberia to a joint venture of Amelia Group of south Africa and the Liberian government known as Liberia Resources Corporation (Libersco). Taylor succumbed. No sooner a disagreement arose between President Taylor and ECOMOG Commander Victor Marlu over Taylor's strategy for reconstructing the army. Marlu argued that under the peace accord it was the responsibility of ECOMOG to build the new army in an open and transparent manner. Taylor disagreed, citing sovereignty and Executive authority of his to raise the army. ECOMOG withdrew from Liberia and the international community pointed out Taylor's support for RUF and admonished him to desist. Taylor denied

the allegations and called for proof even though it was public knowledge that RUF operatives, including Sam "Mosquito" Bockarie, had free movements in and out of Liberia and were literally operating and living in Liberia. The suspicion of the West African sub region, especially Guinea, Sierra Leone and Ivory Coast was that the arms for-illicit diamonds trade between Taylor and the RUF could further destabilize the sub region. Taylor's intransigence led to the imposition of mandatory sanctions on Liberia and individuals involved in the illicit arms and diamond trade, including close associates of the president who stood to benefit from the illicit dealings involving the exploitation of Liberia's natural resources. Taylor's rule signal the continuation of authoritarian rule in Liberia leaving behind a legacy of poor governance, administrative malfeasance, corruption, intimidation and intolerance of opposition, threats, torture, terroristic acts against the population and summary executions reminiscence of his predecessor, President Samuel K Doe.

7.3.1. The LURD and MODEL Insurrections

Taylor's antics continued as president. His repressive policies at home, and the continued support for rebels in neighboring countries, soon attracted to him armed opposition from without. In 1999, incursions and skirmishes along the Liberian common border with Guinea continued. Not until 2000 that the Liberians United for Reconciliation and Democracy (LURD), a rebel group that had the support of Sierra Leone, Guinea and the US, began attacking the government of Taylor with US made weaponry. LURD mounted several deadly attacks from the northwestern front and was joined, in 2003, by the Movement for Democracy in Liberia (MODEL), from the southeastern front. These two rebel groups staged a series of sustained attacks from both fronts against the Taylor government and insisted that the president should step down from the presidency.

There was a pattern of callous abuse and abandonment of the rights of civilian population continued. Reprisal killings on all sides, decapitation and disembowelment in the northwestern corridor of Lofa and Bomi Counties were common as the LURD forces and Government militia inflicted untold sufferings and killings on the innocent population. Black Saturday in Lofa and the Mahir bridge massacre in Bomi, were prominent features of this new war. At Mahir Bridge, in Bomi County, hundreds were loaded in pick-up backs for "transport to Monrovia" but were dumped in the river for being "supporters of LURD" by Benjamin Yeatin and Roland Duo. Black Saturday in Lofa County saw LURD massively killing residents of Voinjama City at which time the fighters compelled a lady to carry around in a wheel barrow the mutilated remains of her children, sister and husband, as meat on sale and, the local population was compelled to also purchase them. LURD fighters retained the proceeds. The atrocities included shelling of population centers, especially in Monrovia, with mortar rounds unrelentingly fired by LURD. Liberians jokingly refer to that experience as "more mortal" mocking the Guinean

who operated the equipment and the only English he is mocked to have spoken was "more mortar". In demonstrating Guinea's support for LURD he is scorned as asking members of his unit, presumably Guineans: "your mother there? A chorus "NO"; Your father there? "NO"! Then "more mortar". What became known as "world war I, II & III", referring to LURD's strike and retreat strategic attacks on Monrovia, revisited the horrors and persecution of the past on the civilian population in no less measure. Except for MODEL, which instructed its militias to only loot and not kill or rape, as a control measure, atrocities were minimized with looting as the hallmark of its engagements in the southeastern and central regions of Liberia. The scale of destruction and brutality, and the humanitarian catastrophe looming overhead, however, compelled a full involvement of the international community- UN, AU, USA, and EU - in coordination with ECOWAS - to stop the war. The International Contact Group on Liberia (ICGL) was created to do just that. President Charles Taylor, beleaguered and embattled without sources of fresh supplies of weapons, and slapped with a war crimes indictment and the unanimity of the international community led by US President Bush, Jr that he must leave, stepped down as President of Liberia and went to Nigeria to commence a new life of uncertainty in exile. In all of these hostilities, the suffering and persecution of the local population was always merciless. Economic hardship, rising unemployment and inflation, family break up or displacement imposed further strains on familial relationships with devastating impact on children, young girls and women. Education opportunities were lost or diminished as school closures meant lost of fees already paid and shortage of essential commodities led to price hikes and a declining living standard.

Throughout the conflict period, the traditional roles of women shifted remarkable to being major bread-winners. Men were the natural targets of advancing, occupying or resisting arm factions and, were therefore in hiding all the time. Women had to step in; performing household chores, selling or trading in consumable items across factional lines, providing food, securing shelter, medical needs and clothing for family members, maintaining the farm, bearing children and cooking for the family in the midst of war, violence and massive atrocities against the unsuspecting general population. This, not only led to, but increased their vulnerability and exposed them to all manners of violence and abuse. They were caught up in an intractable state of victimization that dehumanized them and sought to deprive them of their womanhood; in many cases the perpetrators succeeded. They were abducted and accused of being enemy spies on espionage missions because they dare venture out when no one dare to; they were raped, and compelled to be house or bush wives for the armed men and would be accused of supporting "rebels" of the opposing faction; they were also accused of being enemies for cooking for and serving the "enemy" while in captivity as servants, slaves and "infidels" or "kaffli". They were rejected by their own when liberated from captivity and returned home; husbands, children and relatives were condescending and suspicious; lacking in self-

actualization and low morale after years of abuse and a sense of inferiority, begging and prostitution become inconvenient realities; children begotten of these illicit relationships – "rebel baby", "ECOMOG children", "OTC Children", "bastards", "orphans", "child without back or front", were ostracized victims of stereotyping, stigma and a perfect target for recruitment into a marauding armed gang. A vicious cycle of debasement, violence, crime and human rights violations continued without notice, suspects or acknowledgement and accountability.

On 4 June 2003, the Chief Prosecutor of the Special Court for Sierra Leone issued a press statement announcing the opening of a sealed indictment of Liberian President Charles Taylor for "bearing the greatest responsibility" for atrocities in Sierra Leone since November 1996. This development excluded Charles Taylor from any other future role in the peace negotiation process as an indictee for war crimes. On June 18, 2003, the Accra Ceasefire Agreement was signed by the Government of Liberia (GOL), LURD and MODEL.

It was not until, another two months, after a massive protests from Liberian women, who stormed the conference without being invited, and the impatience of the host country and the ICGL, that on August 18, 2003, the Accra Comprehensive Peace Agreement (CPA) was signed; marking the cessation of hostilities in the nearly 15 years of civil war. Apart from the CPA making provisions for the new government after the expected departure of Charles Taylor from Liberia, the agreement also provided, for the first time, accountability mechanism in the creation of the Truth and Reconciliation Commission (TRC) for Liberia, in an attempt to provide the opportunity for Liberians to confront the legacies of their difficult past.

The Liberian civil war would best be remembered for a long time to come, not simply for the several thousands of lives it claimed – which will surely remain one of the sordid points of the country's checkered history – but for the carnage and the sheer brutality that characterized the war. The horrors of the Liberian war were abhorrent to the sensibilities of all and intolerable as collateral or inevitable consequence of war. 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".

7.4. The CPA and International Efforts to Restore Lasting Peace

The push for a peace conference in 2003 came from civil society, the leadership of the Inter-Religious Council of Liberia which held several meetings with each of the rebel factions, including President Charles Taylor himself. A separate initiative by leading political and civil society leaders, known as the Liberia Leadership Forum**,** met in 2002 and called for a peace conference in 2003. ECOWAS also continued to push for the possibility of talks. All parties to the Liberian raging conflict convened in Accra,

Ghana for a peace talk along with representative of select civil society institutions, the political parties and The Inter-Religious Council[7] were heavily represented. Taylor's sealed indictment at the UN, USA and Great Britain backed Special Court for Sierra Leone was unsealed on June 4, 2003; charging President Taylor with several counts of war crimes and crimes against humanity for his support and complicity with the RUF of Sierra Leone. President Charles Taylor had to flee the Republic of Ghana and remove himself from further participation in the peace conference. As an indictee, his future role in Liberian politics was extinguished and his protégés had to continue representation of GOL at the talks.

Back home, word of his imminent arrest in Ghana reverberated in Liberia, with his supporters led by the dreadful and murderous Benjamin Yeatin threatening "military vibration", should Taylor be arrested. Liberians and Ghanaian nationals, with fresh memories of the NPFL modus of indiscriminate reprisal killings during the nineties in which citizens of West African Countries contributing troops to ECOMOG were directly targeted and killed[8], became uneasy. Calm returned to Monrovia when the Ghanaian authorities refused to honor the indictment and permitted President Taylor, its guest, to return home to Liberia.

The fighting in streets of Monrovia raged on, despite the convening peace talks and the attacking armed forces demanded Taylor's resignation before a ceasefire. Taylor became increasingly vulnerable as his scrawny forces ran out of both military supplies and food. Life in Monrovia, with over a million inhabitants, was ghastly and unbearable. Two fresh supplies of Taylor's arms were seized. The Nigerian contingent at the Roberts International Airport confiscated a cache of Taylor-bound arms when it arrived at the airport. The opposition MODEL overran Buchanan, Grand Bassa County, before a shipment of another consignment of arms could dock at the Buchanan port of entry. Taylor forces in Buchanan, weary of war, and avoiding a destructive confrontation with MODEL, deliberately surrendered Buchanan to MODEL to prevent the shipment of arms from docking knowing that the consignment of arms and ammunition "was sufficient to continue the war for years to come", because the President was planning to "leave Monrovia and retreat into the interior of the country to continue his guerilla warfare".
ECOWAS presented to Taylor a list of names of potential facilitators of the Peace conference and Taylor chose General Abdusalami Abubakar, former Military Head of State of Nigeria, from the ECOWAS list to mediate the peace conference scheduled for June 2003. The conference convened on June 4, 2003 with high hopes of an early ending as the ceasefire agreement was signed June 18, 2003, allaying all fears that the war will be taken to the door steps of the Executive Mansion in a

[7] (first peace plan as inter-faith mediation council)
[8] (two Nigerian journalists died in NPFL prison of starvation and the killings of Ghanaians from cape mount , etc)

bloody struggle for power which will only continue the war with more resistance forces emerging, thereby exacerbating the worsening humanitarian situation.

Accountability and amnesty became contestable issues at the peace conference in a way no other previous conference or agreement had addressed. The only other prior reference to these transitional issues was the Cotonou Agreement of 1993 which provided for conditional amnesty of sort. This amnesty clause which refers repeatedly to acts committed "while in actual combat," was "clearly understood at the time not to cover war crimes such as rape or other atrocities, according to those who took part in these talks". In addition, that amnesty was contingent on a successful ceasefire and disarmament of forces, neither of which happened. A compromise at the Accra Conference was to proceed with the business of ending the conflict thus, deferring these matters to the future through the establishment of a truth and reconciliation (TRC).

The June 18, 2003 ceasefire agreement called for a transitional government excluding Charles Taylor. The agreement was broken amid growing international and domestic pressure, even at the peace talks to end the conflict. On July 6, 2003, Charles Taylor announced he would step down and leave Liberia for exile in Nigeria. The decision to step down led to a swift move by the UN and the international community to support ECOWAS efforts to secure the peace and enforce the ceasefire. The US sent troops to protect its Embassy near Monrovia, triggering an angry demonstration over the lack of military intervention by the US. The bodies of 18 persons killed by mortar fire were placed at the front gates of the US Embassy in protest; demanding that the US do something to end the carnage.

On the eve of Liberia's 136th independence anniversary - July 25, 2003 - US President George Bush ordered a naval amphibious force including 2,300 marines to the coast of Liberia. On August 1, 2003, the UN Security Council authorized ECOWAS to launch peacekeeping mission in Liberia (ECOMIL) as a vanguard peacekeeping force which began deployment on August 4, 2003, when the first group of Nigerian peacekeepers arrived in Liberia. A seven-man US Marine team arrived on August 5, 2003 to access logistical needs and assist with humanitarian efforts, Taylor resigns for exile on August 11, 2003 as His vice President, Moses Blah[9] holds on to the reins of power until the seating of the National Transitional Government of Liberia (NTGL) . Another batch of US Marines, approximatly 200, landed on Liberian soil on August 14, 2003 to assist the ECOMIL peacekeepers, in securing the distribution of humanitarian supplies as the parties to the conflict – GOL, LURD, MODEL – signed the CPA establishing the NTGL on August 18, 2003.

[9] replaced Enoch Dogolea who died suddenly under mysterious circumstances on June 23, 2000

Charles Gyude Bryant of the Liberia Action Party (LAP), by decision of the three warring factions, was selected from a short list of potentials including Ellen Johnson Sirleaf (obtained the highest votes of delegates) and Togba Nah Tipoteh, as Chairman of the LNTG on August 21, 2003, two days after the execution of the CPA. The US Marines withdrew on Liberia's Flag Day to warships off the Liberian Coast after eleven days on land, as an additional 650 ECOMIL forces deployed in Liberia. By September 11, 2003, ECOMIL troop level stood at approximately 3,500. On September 19, 2003, the UN Security Council unanimously approved a 15,000 peace keeping force – the largest in the world at the time - designated as the UN Mission in Liberia (UNMIL). The first batch of UNMIL troops began deployment on October 1, 2003 as the ECOMIL troops were inducted into UNMIL. C. Gyude Bryant was inducted into office at a ceremony in Monrovia as head of the new Transitional Government of Liberia on October 14, 2003. The war ended in Liberia and a period for confronting post-conflict challenges of peace-building, reconstruction and reconciliation had begun. The TRC of Liberia was established by an Act of the Legislature in June (2005), to investigate human rights abuses during the period January 1979 to October 15, 2003 and "provide a forum that will address issues of impunity, as well as an opportunity for both victims and perpetrators of human rights violations to share their experiences in order to get a clear picture of the past and to facilitate genuine healing and reconciliation".

8.0. CONFRONTING THE BITTER PAST: TRUTH, JUSTICE AND RECONCILIATION

8.1. The Work of the Truth and Reconciliation Commission (TRC)

The work of the TRC of Liberia commenced the latter part of 2005 in October when nine Commissioners were appointed by the Head of the Transitional Government, C. Gyude Bryant following a public vetting process by a selection panel constituted pursuant to the Act establishing the TRC. The Selection Panel was headed by ECOWAS. Other members of the panel were UNMIL as Co-chair, political parties, youth, women, inter-religious council, etc. The panel received over 180 nominations and applications which necessitated public vetting, interviews, and background checks. A final short list of 15 nominees was presented to the Head of State from which the nine commissioners were appointed to reflect Liberia's diversity in regional and professional considerations.

8.1.1. Background & History of the Establishment of the TRC

Prior to the enactment of the TRC Act, a process of national dialogue, consultation and consensus building ensued. Chairman Bryant, on January 4, 2004, constituted a nine member panel of Commissioners of the TRC, with Dr. Canon Burgess Carr, as head being deputized by Gerald Coleman - a member of the initial Commission - as part of his obligations to execute the dictates of the CPA. The Commission as constituted, solely by the Chairman, lacked set objectives, mandate, jurisdiction or legal status outside the CPA. The process attracted consideration opposition which led UNMIL, acting through Raphael Abiem, Transitional Justice Advisor to engage civil society and host a dialogue with the Transitional Justice Working Group (TJWG) on March 18, 2004 to find a way forward.

It became clear that civil society was in disagreement with the constitution of the TRC and a mediatory role by UNMIL between civil society and the Commission itself was rejected by the TJWG so as to avoid "undue influence" over the TRC Process. Various initiatives of civil society were instituted, including technical meetings to lend legality and legitimacy to the process. The Center for Democratic Empowerment (CEDE), headed by Ezekiel Pajibo, was designated to lead civil society efforts in this drive, along with the TJWG. On April 10, 2004, a five day workshop was organized by the ICTJ and the TJWG to harmonize the divide and find the way forward. It brought together Rev Gerald Coleman of the Commission and prominent civil society activists like Samuel K Woods, Ezekiel Pajibo, Cllr. Augustine Toe, Aloysius Toe and many others. UNMIL worked with all groups to harmonize a Liberian approach to a resolution.

Another attempt was made to solicit popular opinions on the process by the National Human Rights Center of Liberia (NHRCL) headed by Cllr. Jerome J Verdier, Sr. The NHRCL and other research authorities, along with CEDE, FIND, UNMIL Human Rights Section, and USAID, conducted county assessment research in five accessible counties – Montserrado, Bomi, Margibi, Grand Cape Mount and Bong – to determine the acceptance level of a TRC process. Town hall meetings were held and the people preferred a TRC process in the immediate term over a war crimes court or another transitional justice mechanism. Thereafter, a conference of Liberian stakeholders was convened at the Corina Hotel on April 29, 2004 by CEDE and the TJWG, with support from UNMIL and UNDP, to consolidate perspectives on the TRC process and draft a TRC Act, as a proposal to the Legislature. For three consecutive days, representatives from the counties, political parties, the TRC itself, civil society and other personalities of diverse political persuasions attended, including D. Museleng Cooper, Cllr. Laveli Koboi Johnson, immediate past Chief Justice, Gloria M Scott, of the erstwhile Taylor Government. The conference was chaired by Jerome J Verdier, Sr. and assisted by Atty. Alfred Brownell of Green Advocates as deputy. Two international experts, invited by UNMIL, Yasmin Suka of the South African TRC and Priscilla Heynar of ICTJ participated in the conference. Paul Allen James from the Sierra Leone TRC also participated. Three full days of deliberations and exchange of opinions ensued and for the next two weeks the process of legislation drafting, including research, comparative analysis, proposals, review and debate ensued, solely amongst Liberians who had assessed the historical background of the country and drafted an act accordingly. The TRC law was drafted to represent the aspirations of the Liberian people and thereby, captured the aspirations and drive for the accountability mechanism reflected in the act today.

On August 13, 2004 the draft Act was presented to Chairman Bryant at a closing ceremony and the document circulated locally and worldwide for peer review. The subsequent draft was presented to Chairman Bryant to same forwarded to the National Transitional Legislative Assembly (NTLA). Realizing that the passage of the new Act would effectively cure the deficiencies of the TRC he had established and dissolve it. Chairman Bryant was reluctant to send the bill forward to the NTLA and didn't do so until another bout of activism, led him to submit the draft bill in April 2005 for its first reading. At the NTLA itself, the bill did not get passed without opposition, which was noticeably loud. It took the expert testimonies of Priscilla Heyner of ICTJ, Human rights Expert Charlotte Abarka, UNMIL, Civil Society and numerous other individuals and organizations including, Hon. Comany Wesseh, himself a participant at the drafting conference and Head of the Legislative Committee on the scrupulous implementation of the CPA. He was resolute and undaunted in defense of the draft act and lobbied his colleagues to adopt all the expert testimonies and enact the bill. The Act Establishing the Truth and Reconciliation Commission of Liberia was enacted on June 9, 2005 and signed into

law by Chairman Bryant on June 10, 2005. It was published into handbill on June 22, 2005.

The next important phase in the establishment of the TRC was the selection of Commissioners. As a compromise with the Gyude Bryant Government, it was agreed - as contained in the Act – that, commissioners of the former TRC would be vetted first and those found to meet the satisfaction of the new qualification of the TRC Act would be automatically retained without further public vetting. Commissioners Gerald Coleman and Sheik Kafumba Konneh were retained by the seven-man "Selection Panel"; constituted according to the TRC Act as follows: three representatives from civil society, two from political parties, one from ECOWAS, and one from UNMIL. Nominations were solicited by the Panel following training by the ICTJ on their mandates and procedures. Nominations were made, a process of public vetting and publication ensued for three months and a shortlist of 15 was drawn by the Panel headed by ECOWAS. Out of the fifteen, seven were selected by Chairman Bryant and added on, were the two commissioners of the former TRC, making up the nine commissioners of the new TRC. The Panel completed its work and forwarded the list to Chairman Bryant on September 22, 2005; the nine commissioners were appointed on October 18, 2005 and were commissioned on February 20, 2006 by H.E. Ellen Johnson-Sirleaf, President of Liberia.

The Commission commenced its initial work – reviewing the enabling legislation, understanding the mandate and drafting a work plan- from a three room shabby office space provided by the government of Liberia, absent a complimentary full staff and without funding. Initial efforts to raise funding and awareness were met with serious setbacks as no one gave the Commission any chance of succeeding. These perceptional issues created an uphill struggle for the Commission and marred its early progress. Minimum awareness program were instituted at a cost–effective and sometimes at no cost to the Commission itself. Commissioners expended their personal funds to visit institutions and constituencies, holding community, groups and town hall meetings around the country; explaining the mandates, objectives and goals of the TRC.

Commissioners, amongst themselves, elected the leadership of the Commission and President Ellen Johnson-Sirleaf performed the commissioning ceremonies on February 20, 2006, and the activities of the Commission were formally launched on June 22, 2006 simultaneously, throughout the country in the all 15 counties amid massive pledges of support to the work of the commission from government, international development partners, and the people of Liberia far and wide. The Commission completed a two and a half (2½)-year work plan, a US$14 million budget adopting a comprehensive set of activities, including continued public awareness and engagement, statement-taking, staff recruitment; setting up the secretariat, inquiry and investigations departments, sound gender and children

mainstreaming, psychosocial support and witness protection, public hearings, and reports. A full range of activities included policy harmonization and training for commissioners and staff so as to ensure that the mandate of the TRC was scrupulously implemented within record time. Staff recruitment and setting up the secretariat was especially difficult considering that a tight time line was adopted, without any funding, and a rigid process to ensure that no one with known records or perception of human rights violations were hired consistent with its rules of procedures. Limited funding and material supplies, and resource inadequacies, constrained the work of the Commission throughout its mandated operational period. The initial work plan of the TRC is compared below with the actual timeline of implementation of its full mandate:

Initial Work plan:

TRC official launch and massive outreach program	June 2006 to December 2006
Acquire new offices and recruit core secretariat staff And statement takers	July 2006
Basic training for all staff members brought on board	August 2006
Deployment of 192 Statement takers throughout the country	September 2006 to January 2007
Reconciliation	October 2006 and December 2007
Antecedents/Historical Overview	November 2006
Public Hearings	April to December 2007
Specific Events & War Crimes and Human Rights Violations	November 2007
Finalize plans for National Conference and outline of TRC final report	January 2008
TRC First Draft Report Completed	February 2008
Last quarterly report	March 2008
Publish TRC Assets	April 2008
Commission Independent Audit of TRC	May 2008
Adopt Follow up and Assets transfer mechanisms	June 2008
National Conference on the Future of Liberia	July 2008
Finalize Preparation of Final Report	August 2008
Present Final Report to Government and publish it nationally and internationally	September 2008

Actual Implementation Timeline of the TRC's Mandate:

In March 2007, the Commission, after one year of existence, constituted a secretariat. Prior to that period, all nine commissioners played implementing roles in running the day-to-day activities of the Commission. When the Executive Secretary and the Director of Programs came aboard, the International Contact Group on Liberia (ICGL) intervened and requested that the Commission work with its partners to review and revise its work plan and develop a program budget, acceptable to donors and partners. TRC rules and procedures were also reviewed and revised. Under similar objectives, the TRC requested an external audit which was successfully conducted by the Bureau of General Audit of the Government of Liberia. The report was circulated to member countries of the ICGL, the Government of Liberia and donor partners. Since then, periodic audits have been conducted by USAID at the behest of either, the ICGL, the Government's General Auditing Commission (GAC) and the UNDP, in 2009, and all proved successful.

On July 18, 2007, after almost five months of meetings with the ICGL/TRC working Group, an acceptable budget was adopted and the commission undertook a two-month fast tracking process of renewed outreach activities into the fifteen counties. In July and August 2007, with funding initially sourced from UNDP and OSIWA, county offices were equipped and outreach activities of disseminating messages in preparation for statement-taking were conducted. Between the months of October and December 2007, statement taking activities were concluded in all counties and in selected countries in the Diaspora. The Commission announced in December 2007 that individual and thematic hearings in the counties would begin on January 8, 2008 in Montserrado County. Since then, the commission's work has continued uninterrupted

8.1.2. Public Information, Participation and Awareness

With the launch of the Diaspora Project on 22 June 2006, concomitantly with the national launching of the TRC, rigorous outreach efforts were exerted to market and localize the TRC to Liberians residing outside the country; beginning in the USA and then West Africa. Numerous outreach, education and sensitization events were held in several US cities where large populations of Liberians reside. Similar to national TRC activities, these activities included town hall meetings, formal presentations, speaking engagements in churches and mosques, and special events. Commissioners embarked upon a nationwide assessment and awareness visits to all counties of Liberia. The media at home and abroad was aggressively engaged and became enthusiastically involved in spreading the TRC's messages to Liberians and the general public worldwide. Several journalists from newspaper, radio and television outlets interviewed project staff and Commissioners in Liberia and abroad. The large Liberian populations living outside of Liberia suggested the need to take the TRC to the Diaspora. The TRC Diaspora objectives were to, reach out and create awareness,

share information, encourage participation and hold public hearings in the Diaspora communities in the United States, Nigeria, Ghana and Sierra Leone where feasible.

The TRC's Diaspora Project was designed to fully include the voice of the large Liberian Diaspora in the TRC processes; innovative, it was a response to some of the unique dynamics of the Liberian conflict, thus redefining the way in which truth and reconciliation commissions should operate - from local or nationally-centered bodies to global truth-seeking institutions - by conducting international hearings that included testimony and perspectives from its citizens abroad, thereby raising the bar of ingenuity in transitional justice approaches. The Diaspora Project began in Minneapolis, MN, USA, which is home to approximately five thousand of the forty thousand Liberians living in the USA, with the assistance of one of the TRC's key partners, the Advocates for Human Rights, which served as a primary implementer of the Project. The Diaspora project resulted in the collection of approximately one thousand five hundred statements from victims and alleged perpetrators of Liberia's various episodes of state chaos and conflict. The project eventually conducted activities in eleven US cities, and in Ghana, Nigeria and Sierra Leone where a significant number of Liberian refugees in West Africa reside. Community Advisory Committees comprising credible Liberians were established in each city hosting a project. Numerous outreach events were organized in collaboration with the advisory committees and were often hosted by the target communities. This approach ensured Diaspora community involvement and support for the Project. Approximately one thousand statements were collected from Liberians in West Africa.

Public sensitization and awareness were initiated during each phase of the TRC's work. The communication, sensitization and mobilization component's of the TRC's program was designed to coincide with every stage of activities. As already noted, sensitization and public outreach was a permanent feature of all TRC programs in the fifteen counties, and was carried out through music, drama, town hall meetings, workshops, visitations to churches and mosques, presentations to targeted audience, radio programs and media reports. Other specialized modes of communication, including the non-traditional and conventional, were explored to maximize the outreach capacity of the TRC. Notwithstanding these efforts and extensive strategic planning, the necessary financial support from stakeholders was not forthcoming; consequently, the TRC's outreach programs, had to be curtailed thereby, adversely affecting the Commission's work.

After receiving initial feedback about conditions in the counties during the outreach process, the TRC embarked upon a nationwide assessment of each county with the goal and objective of ascertaining first-hand, the plight of civil war rural victims and living conditions of inhabitants within rural Liberia, generally. The TRC immediately established county offices in order to decentralize its operation and

provide local residents with the opportunity to establish ownership of the TRC process.

Civil Society: Civil society was a major stakeholder in Liberia's various peace processes and was a part of the vanguard that advocated for the 2003 Comprehensive Peace Agreement (Accra). From the conceptualization of the TRC and the drafting and passing of the TRC legislation, to the vetting of Commissioners and senior staff, civil society representatives from various organizations (including women's groups, youth groups, the disabled community, political parties, the religious community, traditional organizations and the media) participated in the TRC process and continued to play a lead role in how the TRC implements its mandate. In 2007, the TRC entered into a memorandum of understanding with sixteen civil society organizations, further concretizing that partnership.

As early as May 2006, the TRC, through a public participatory process, launched a massive public outreach, awareness and sensitization campaign in collaboration with several civil society organizations aimed at formally introducing the Commission by explaining its mandate, educating the populace about the pivotal role it could play in healing the nation, encouraging them to participate, and garnering the support of the Liberian public and partners in the process. This public awareness campaign began in Monrovia and was subsequently expanded throughout Liberia's fifteen counties. Civil society groups at different levels were engaged by the Commission to assist in this effort; they include: the Liberian National Girls Guides Association, Boys Scouts of Liberia, Artists Association of Liberia, Liberian Crusaders for Peace, Roller Skaters Association of Liberia, Women on the Move Association, and the Traditional Women Association of Liberia. Local media, UNMIL, and other partners have also provided assistance in this area.

Civil society organizations buttressed the Commission's efforts by conducting sensitization and awareness campaign in all fifteen counties by distributing fifteen thousand copies of the TRC's informational questions and answers brochure, replicating and distributing ten thousand copies of the 1986 Constitution of Liberia to schools and communities for civic education, and by conducting sensitization and awareness workshops about the TRC process. The involvement of civil society in the TRC process enormously enhanced the Commission's ability to accomplish its mandate.

8.1.3. Statement Taking: Recruitment, Training, Deployment

Between 2005 and 2006, approximately two hundred individuals were recruited from local communities nationwide to be statement-takers. They were trained to solicit the voluntary narratives of individuals recounting their personal experiences and accounts of conflict; either as victims, witnesses, perpetrators, or as family

members of loved ones from their communities. The statement forms were specifically designed to be gender friendly, while special forms were designed for children statement-givers. This method employed a confidential interview using probing questioning techniques to assist the statement-giver in recounting traumatic events or experiences and to provide factual accounts or evidence of events that took place.

The Truth and Reconciliation Commission (TRC) collected narrative statements from as many individual statement givers as possible about the violence they experienced or witnessed during the conflict. Each statement covers detailed insight into the nature of violations and experience of particular statement-givers. A quantitative analysis have been gathered which identifies patterns and trends of violations experienced or perpetrated by the statement-givers collectively. Together, the aggregate group of statements can magnify the voices of victims and provide a body of empirical data that can help in processes of acknowledgement, accountability, understanding and closure. Recommendations for how the TRC should proceed with its work and its final report were also solicited from those persons who participated in the process and the public in general. As a result of its careful statement-taking approach, the TRC generated the goodwill of the public and succeeded in obtaining over twenty thousand statements from Liberians in Liberia and in the Diaspora, including the USA and West Africa; excluding statements collected by the UNDP in a human rights violation mapping project to complement the work of the Commission.

The TRC collected narrative statements from as many individual statement givers as possible about the violence they experienced or witnessed during the conflict. Each statement offers detailed insight into the nature of violations, and experience of particular statement-givers. A quantitative analysis, as contained in Appendix… can identify patterns and trends of violations experienced or perpetrated by the statement-givers collectively. Together, the aggregate group of statements magnifies the voices of victims and provides a body of empirical data that can help in processes of acknowledgement, accountability, understanding and closure.

The internationally renowned Beneficent Technology (Benetech) supervised, managed the TRC Data coding and information management system, designing a database that provided the analysis contained in this report based on statements collected by the TRC within limits and constraints that confronted the TRC process.

The analysis presented in this report reviews the broad dimensions of data extracted from TRC statements that are available from the TRC's database. Such data included in the TRC database are basic information about the statement-givers and statements given to the TRC; analysis of the recorded acts of violence in-depth (over time, by county, by victim characteristics, perpetrating groups and violation types) and

analysis of statement-giver responses to supplemental questions, for the country overall, as well as broken down by counties.

The data in this report only represent the data given to the TRC by individual statement-givers who elected to give a statement. These data present a considered pattern of violence which may throw light on the pattern of violence in Liberia as a whole. Reporting to the TRC (or to any organization collecting information about acts of violence) is never absolute. Some victims of violence may feel ill, fearful or intimidated; and decide not to engage the TRC or they may be in areas too remote to have been contacted, or they simply may not have come in contact with a statement-taker.

For these reasons and others, we emphasize that the statistics in this report only represent statements to the TRC and not all violence that occurred in Liberia during the TRC's mandated period. However, the TRC documented many tens of thousands of violations, indeed, the TRC documented more violations than any previous truth commission. These violations represent the experiences of approximately twenty thousand Liberians, and as such, are of great interest in their own right. The analysis of statements reflects 17,002 out of 17,416 statements entered into the TRC's database. The analysis excludes 414 statements because these statement-givers reported no violations within the TRC's mandate period, January 1979 to October 2003, or because the county or country where the statement was taken was not recorded. Even though the TRC could fill in the missing data (country, sex of statement giver, county of occurrence , etc. – as omissions or mistakes), the TRC conservatively elected to have them recorded as errors rather than filling in the missing data which could have been easily done since the uniqueness of Liberians names can clearly indicate sex without guessing, as the name may also indicate county of origin or county where the violations occurred by the name of towns or villages in the victim's narrative, and the country where the statement was taken in Liberia, Ghana, Nigeria, the UK or the USA. The 17,002 statements included in the TRC analysis contain information about 86,647 victims and 163,615 total violations. Total violations here includes 124,225 violations suffered by individual victims (or 76%), 39,376 suffered by groups (or 24 %), and 14 by institutions (or a negligible 0.0%). Groups were coded when one or more victims suffered the same violation but could not be individually identified from the information provided in the statement. Information that could be used to identify an individual victim includes first or last name, sex, age or date of birth, tribe, or relationship to the statement-giver.

The number of victims in groups could be based on a specific number provided by the statement-giver (such as "four of my neighbors"), an estimate given by the statement-giver (such as "about fifty persons"), or could be unknown (such as "people on the road with me"). The number in groups is often based on subjective estimates and varies widely from one victim in certain instances up to hundreds in

others. Therefore, to be as conservative as possible, we count one victim per group in TRC analysis.

The TRC collected an additional 315 statements that are not included in the analysis due to administrative errors. The TRC Coding and Database Section also coded and entered 1,165 statements collected in the USA, Europe, Ghana, and Nigeria. A grand total of **20,560** statements were taking, and documented by the TRC.

The underlying characteristics of statement givers in the Diaspora compared to statement givers in Liberia are sufficiently different that we did not combine information from statements collected from members of the Diaspora with statements collected in Liberia. Instead, we present analysis of the Diaspora statements in separate analysis and over comparisons between the patterns of victims and violations reported in Diaspora statements with statements collected in Liberia, with common trends.

Also excluded from the analysis is the nearly 14,000 statements collected by the UNDP mapping project due to acute resource constraints, time limitations and the difficulty in verifying its reliability by the TRC, since a different set of objectives, statement forms, scope, and analytical tools or database inputs were employed. Notwithstanding, the analysis and findings from the UNDP project were sparingly used as complimentary references/resources which supported the TRC findings generally.

Table 1, gives the number of statements collected by the TRC by the county in which the statements were taken and the sex of the statement giver. This table includes all statements collected in Liberia, including those which were found to be lacking or missing information about where the statement was taken. The TRC collected and processed 17,416 statements. This figure is significant for two reasons. First, given the relative size of Liberia, particularly in comparison to truth commissions in other countries, up to 17,000 statements is a sizable number for the TRC statement takers to collect and the system to process. For example, the TRC in South Africa collected approximately 21,000 statements in a country nearly fourteen times the size of Liberia. The South African TRC had, by far, much more resources and time allowance incomparable with what the TRC of Liberia was endowed with. Second, despite the large number of statements, nearly all of the statements collected in Liberia were analyzed for inclusion in the TRC's analysis of reported human rights violations contained in this report. In actuality, the TRC collected **20,560** (see Table 1B below) statements out of which only 17,416 were processed in the data base due mainly to administrative, operational and resource constraints. Additional time and money would have been required to hire additional coding staff, and afford investigators to go in the field to fill in missing information on some unprocessed statement forms.

Table 1: Number of Coded/Processed Statements by County

County	Male	Female	Unknown Sex	Statements	Percent
Montserrado	1894	1985	27	3906	22.4
Bong	835	756	6	1597	9.2
Nimba	819	774	4	1597	9.2
Bomi	531	672	8	1211	7
Gbarpolu	659	543	3	1205	6.9
Lofa	563	491	4	1058	6.1
Grand Bassa	489	429	4	922	5.3
Maryland	475	434	5	914	5.2
Grand Cape Mount	432	442	3	877	5
Grand Gedeh	479	384	5	868	5
Grand Kru	630	189	3	822	4.7
River Gee	416	303	2	721	4.1
Sinoe	364	264	5	633	3.6
Margibi	254	365	1	620	3.6
Rivercess	274	187	4	465	2.7
Total	**9114**	**8218**	**84**	**17416**	**100**

Table 1B: Aggregate of Statements Collected Including the Diaspora

Statement Classified by Source	Statements	Coded	Uncoded	Percent
Liberia	17,416	17,160	256	90
Liberia (Adm. Error)	315		315	2
Liberia (No violations reported)	414		414	2
USA	227	227		1
Nigeria	31	31		0
Europe	8	8		0
Ghana	897		2	5
Aggregate Statements Collected	**19,308**	**17,426**	**987**	**100**

We observe in Table 1 that the TRC collected a significant number of statements from female statement givers. Truth commissions in other countries have often failed to include the participation of women in equal proportion to men in statement-taking. In Liberia, however, nearly fifty percent of statements have been received from female statement-givers, which helped the TRC reflect the experiences of women as well as men during the Liberian conflict. This is also another distinguishing point of the TRC process in Liberia. This data however, does not include children engaged in the TRC Process. A child friendly regiment for taking statements and holding hearings was adopted by the TRC.

Diaspora Statement Taking Experience: In Liberia, statement-takers were Liberians paid by the TRC, but statement takers in the Diaspora were all unpaid volunteers recruited from *pro bono* affiliates. Most were non-Liberian, but Liberians were welcomed to the process, and several did complete the training and participated as statement takers. In addition to reviewing a 400-page training manual, all volunteers were required to complete a nine-hour in-depth training program. Volunteer trainings were held in all project locations; volunteers who were unable to attend could also complete the training by viewing video replay of the sessions which remain available on-line. Volunteer statement takers received training on the mandate of the TRC, the history of Liberia and the conflict, international human rights and humanitarian law, statement-taking protocols and policies, interviewing survivors of torture and war trauma, avoiding vicarious trauma, and cultural considerations for working with Liberians. All training sessions included a mock TRC statement interview facilitated by The Advocates' staff and a Liberian volunteer. Trainers included The Advocates' staff, Commissioners, psychologists, Liberian professionals and community leaders, as well as academics.

Statement forms and protocols were modeled after the process in Liberia with some modifications appropriate to the Diaspora context. The addition of disclosure form and resource information, as described above, was a key modification. Questions specifically relating to the experience of Liberians in flight and in the Diaspora also were added to the statement taking protocol. Diaspora forms and protocols were pilot-tested in late 2006. Volunteer statement-takers began taking statements in January 2007 in Minnesota. Project sites were added around the country and in the UK through January 2008. Statement taking continued through August 2008. The majority of TRC statements from the Diaspora were gathered during in-person interviews. In the United States and the UK, these interviews generally were one to two hours in length and took place in homes, designated statement-taking "sites," or in other locations of the statement giver's choosing. Interviews were conducted by a team of statement takers who then compiled a narrative summary of the statement giver's experiences, opinions and recommendations. As a result of an overwhelming demand from refugees in Ghana to provide statements to the TRC, interviews there

were almost exclusively taken by single interviewers in designated statement-taking sites around the settlement.

8.1.4. Hearings: Victims, Thematic, Institutional, County & Diaspora

Public hearings are an essential component of the TRC work. Employed for its catalytic and revealing purposes, it provided an opportunity for individual victims and perpetrators to have their experiences officially heard by the state and recognized as part of the Liberian national experience. The opportunity was provided individuals to tell stories and expose the underlining causes and trends of the conflict. The hearings also generated state sponsored – national - empathy, and an understanding from the people and Nation, the Commissioners and policy-makers of the conflicts and its varied trends. By satisfying these objectives, the hearings stimulated national public debates and pushed issues of the conflict, repairing victims, perpetrators' accountability, impunity, root causes of the conflict, etc. squarely into the public consciousness. Lastly, the public hearings helped to build in society the capacity to distinguish the truth of the past from lies about it, which is essential to building a stable political future. The TRC hearings assumed a dynamic of its own which warranted hearings taking on varying forms, exuding different outcomes. The hearings were – In-camera or Public Hearings; Victims or perpetrators; Contemporary History of the Conflict; Thematic or Institutional Hearings; county or Diaspora Hearings. The hearings included seven months of victims' and witnesses' testimonies and, to date, four months of actors, thematic and institutional hearings, and accounts and perspectives under the broader "contemporary history of the conflict" theme. Special consideration was made to accommodate women, children, the elderly, people with disabilities and other vulnerable groups. To date, the TRC heard more than 800 testimonies from witnesses testifying before it, under the theme: **"Confronting Our difficult Past for a Better Future."**

8.1.4.1. Types – In-camera and Public Hearings

In-camera hearings were held in a few cases as opposed to the overwhelming number of sittings of the Commission which were held in public, at public venues opened to the public. The Commission published its policy paper on these two types of hearings, published also in its Rules of Procedures. In camera or confidential hearings were reserved for victims and witnesses only and to a limited extent to actors upon request and at the discretion of the Commission. In the case of victims or witnesses, a request for confidential hearings was a matter of right and such right was never denied. For varying reasons of fear, stigmatization, insecurity, familial relations, community and group pressure and sometimes lack of confidence, request were made for in camera hearings and same granted upon request. Security and psychosocial support was provided at hearing venues and to individual witnesses.

After sessions of counseling, some witnesses changed their minds and submitted to public hearings and vice versa. Witnesses for these hearings were chosen based on review of individual statements made to the commission and the representative nature of the individual's experience, which when made public, would resonate with the society at large and throw light on the general impacts and trends of human rights violations on the general community, society from an individual experience.

8.1.4.2. Category – Victims and Contemporary History of the Conflict

The Commission, from the incipient stages of its work, made a conscious decision to hold hearings exclusively for victims first before any other hearing. This was a show of honor for victims and the prioritization of their issues and concerns foremost. These hearings were conducted throughout the Republic in each county beginning with the capital city, Monrovia. In contrast, the hearings on the "Contemporary History of the Conflict" focused political and military actors and perpetrators in Monrovia only.

The TRC spared no efforts in establishing contacts with all personalities it was interested in hearing based on findings of its inquiry and investigative processes, especially the allegations of victims and witnesses which many times over included perpetrators alike. Some perpetrators and actors eluded personal service of TRC citations, while others out rightly refused to accept citations. Others accepted citations but dishonor the appointment with the commission; several others were blatant in informing the Commission that they will not appear before the Commission or honor its processes. While the Commission has subpoena powers, it opted to use it as a matter of last recourse.

The Commission published in at least three local newspapers and on internet news outlets, including the TRC's own Website, its final notice to the public of individuals requested to appear, as perpetrators or alleged perpetrators, to answer allegations of human rights violations and war crimes or as "persons of interest" just to provide clarity or throw light on issues important to the work of the Commission. The hearings were held without incident and without the use of compulsory process. All heads of former warring factions appeared, except former president Charles Taylor who declined. Politicians of the TWP and the seventies appeared as did rights activists, political leaders and commanders of the former warring factions.

8.1.4.3. Thematic and Institutional Hearings

Thematic and institutional hearings: The Commission held a series of "thematic" hearings that addressed the trends, themes, and root causes of the conflict. Engendered was a public forum facilitating a national conversation and/or debate on the patterns of human rights abuses and the conflict which engineered it. These

hearings specifically looked at how the conflict uniquely effected or was affected by thematic elements of the conflict; such as motivations, inherent root causes, and the role of specific elements of our society. It provided a great opportunity for experts to lend their opinions on the roles that different components of the war played in the conflict. These experts spoke extensively about structural, historic and systemic patterns of violence; its causes and impact, on the state, victims and institutions, and sometimes international relationship. While victim hearings were personalized narratives, the thematic hearings were not about the personal experiences of the presenters, but the society as a whole. This nuanced version of history will seek to incorporate various levels of a national history that blend the stories of a diverse range of victims and perpetrators. Thematic hearings included: historical review, contemporary history of the conflict, women, children, the role of religious and traditional institutions, the media, youth, security, etc.

Institutional hearings were, in limited instances, held to review the current and past status of basic public institutions so as to ascertain the impact of the conflict on these institutions and the role, if any, these institutions played during the conflict. Responding to these queries will facilitate debates on these institutions, their mandates and functions and how they may be reformed in a post-conflict situation to ensure their effective performance and response to the challenges of state building, greater democracy and respect for human rights which will guarantee a non repetition of the experiences of the past.

8.1.4.4. Classification – County, Monrovia & Diaspora Hearings

Two victims who fled the country and lived on the Bududuram Liberian Refugee Camp in Bududuram, Ghana, testified in Liberia symbolically; representing the sub-regional Diaspora community. This was part of the TRC efforts to engage all Liberians in the process of healing and reconciliation. In Liberia itself, hearings, just as statement taking, was held in the capitol city of all 15 counties of Liberia, emphasizing and breaking away from the age-old practice which maked Monrovia the centre of all public activities, programs and developments. In Monrovia itself, two rounds of public hearings were held. The first being one for witnesses generally from all over the country and the second was a Montserrado county hearings which focused witnesses and violation committed in Monrovia specifically.

Yet still, Monrovia was the venue for thematic and institutional hearings including the hearings on the "contemporary history of the conflict". At each county hearing for victims, a day was reserved for institutional and thematic hearings specific to the county in which the hearings were being held.

Diaspora hearings: Pursuant to the Memorandum of Understanding with the TRC of Liberia, The Advocates assisted the TRC by planning and conducting public

hearings in the diaspora. The Liberian TRC was the first national TRC to hold public hearings in the United States. They were held June 9-14, 2008 at Hamline University in St. Paul, Minnesota. All eight Commissioners presided over the hearings, which centered on the theme of "Confronting Our Difficult Past for a Better Future: The Diaspora Experience." Twenty nine witnesses from ten states traveled to St. Paul to testify about the human rights abuses in Liberia that forced them to flee, their experiences in flight and in refugee camps, and the experience of resettlement in the United States. The hearings also provided Liberians in the Diaspora the opportunity to present their experiences and recommendations directly to the TRC, which is mandated to make binding recommendations to the government of Liberia. Hearings in the Diaspora and all other processes were mirrored as closely as possible to processes in Liberia.

At all of these hearings, the commission was sensitive to the needs and sensibilities of each victim or witness and as a community of people interested in the healing and reconciliation process of Liberia. Out of respect and empathy, and as a show of equality to remove any semblance of "big man, small man" dichotomy, the hearings venue and set up were neutral, friendly and free of intimidation as witnesses and Commissioners sat at the same level. The Hearings were recorded in both audio and video formats for both archival and outreach purposes. Efforts were made to ensure that television and live radio coverage of the hearings in most instances was possible.

8.1.5. Inquiry – Investigations, Interviews, IT Data Base, Research, Witness Protection, Security

In 2007, the TRC established an Inquiry Unit, inclusive of a Director and ten inquiry officers, to investigate and corroborate allegations for EDC, GHRV and SHLV emanating from statement-taking and other sources. The scope of its work included, for example, an inquiry into window cases such as the Lutheran Church, Carter Camp, Sinji, and Bakadu massacres, among others. The Inquiry Unit was also tasked with investigating what role, if any, non-state, state and international actors had in the commission of domestic and international crimes, including economic crimes. The staff of the unit rose up to 22, at some point in time, to include transcribers, inquiry officers and economic crimes investigators.

The Inquiry Unit, as a matter of TRC policy, incorporates witness protection mechanism into its work by assuring that the names and other identifying information of witnesses and victims are kept in strict confidence, and the TRC has instituted measures to protect the identity and physical person of those victims whose testimony put them at grave risk of harm.

As the Commission winds down its data gathering activities in country and in the Diaspora, a reduced number of Inquiry staff continue to provide invaluable service by analyzing the vast data collected through the thematic, actor and institutional hearings conducted in all fifteen counties. They continue to corroborate findings from witnesses or additional discoveries of sites and events in order to authenticate such findings.

8.1.6. Towards Greater Democracy and the TRC Process

A primary goal of the Truth and Reconciliation Commission (TRC) of Liberia has been outreach and inclusion of all Liberian Communities in its processes. This includes every Liberian, no matter where they live, in the Diaspora or at home; what tribe they belong to, or what their income level is. A struggle that the TRC has been faced with is succeeding at this goal in reaching everyone in the community, especially those who are illiterate, live outside of Monrovia, or have not been active in the reconciliation process as a way to minimally redress the historical wrong of exclusivity and exclusion from governance processes. There were grave concerns that the TRC, like other national institutions before it, would be Monrovia-biased, and as such, many Liberians at the TRC's inception, did not take active roles in the process because they did not believe in the process, do not trust national organizations, or they simply did not understand the goals of the TRC.

In order to engage every Liberian in the TRC process, and overcome negative perceptions about the TRC or its mandate, the TRC granted unhindered access to it and the opportunity for engagement was, very early on, guaranteed thus, ensuring that every Liberian truly understands what the TRC is and what the goals of the process are. As part of its broader vision for popular participation and greater democracy for Liberia, the TRC first established County Coordinating Committees (CCC) throughout the 15 political subdivision of Liberia comprising of various people that are well known and respected within each county. The members of the Committees were educated on different aspects of the TRC work and charged with engendering public inputs and interest into the TRC process. This initial structure was successful but encountered problems when the TRC fell short of resources to maintain and continue the engagement after the statement taking process. The success of the statement-taking and hearings in the counties are attributable to the honest work of our staff and the CCC.

The purpose of the County Coordinating Committees, and county structures and engagements was to reach every Liberian and afford the Commission grass root exposure. Promoting dialogue was also an objective of the CCC; believing that it is only when Liberians understand the TRC process and are involved, can reconciliation for all Liberians be achieved

A historical need: A culture of distrust and lack of confidence in national institutions has been formed in Liberia due to the many years of exclusion exacerbated by atrocities that people suffered during the war. This same sense of distrust may be transferred to people's views of the TRC. This is a risk the TRC was aware of and sought to avoid. There was a dire need to get the people involved with the TRC process and assist them overcome the inhibiting distrust, guilt and fears they harbor about it. Some people felt it is better to cover up the past rather than dig it up, possibly bringing up past pains that many feel should stay buried. Allowing trusted institutional and religious leaders to educate Liberians on the process helped to bridge the gap that a lot of people felt or perceived to have existed between them, the TRC and national processes. In a nation where distrust is widespread and people have learned to take care of themselves first, the way to restore trust and inspire hope in national institutions is through community leadership and participation in community and national life. Very early on the TRC realized it was important that credible community leaders and organizations enjoying the respect of the people are involved in the reconciliation and decision making processes affecting them at both the local and national levels. If these groups were able to maintain the trust of people throughout the war, their assistance to the TRC would be incredibly beneficial.

Sense of connection, belonging and ownership: This philosophy of community engagement guided the TRC throughout its work and led to the popular participation of the people in workshops, town hall meetings, research, county and regional consultations, and national conference. A sense of belonging and ownership of the TRC process was engendered nationally. There is a sense of belonging and moral satisfaction that is gained when people are allowed to take part in social and political activities. The goal of the TRC was to build national ownership of the process and the future of Liberia in the national consciousness beginning from the grass root, which bears the scars of historical exclusion and disenfranchisement. The TRC wants every Liberian to feel like a part of the new Liberia, by allowing ordinary survivors of the conflict to take such an active role in the TRC.

The TRC believed that a common sense of morality, duty and obligation that is generated by knowledge, participation and ownership, places citizens, communities, and institutions in the position more apt to ensuring and campaigning for the implementation of thee TRC recommendations. Popular participation in governance and the affairs of society generally, after violent conflict, can serve as a catalyst in engineering or forming new values of a society and help policy makers understand and prioritize the priorities of the people in building a new safer and secured society.

8.1.6.1. Democratic Participation and Prevention of Violence

The decisions or recommendations of the TRC are important to the future of the nation and the wellbeing of the people who, as citizens should be involved in

exchanging information, identifying needs, setting priorities, making choices and building consensus on these decisions. By allowing the public to have an active role in determining what should be done, added legitimacy is accorded the TRC process and the conclusions it makes, which reduces the potential for general dissatisfaction, confusion, further polarization and violent conflict. The TRC of Liberia by democratically legitimizing its process in the wishes of the people hopes to bridge the gap between people's aspirations and TRC's conclusions. The County Coordination Committee (CCC), County Regional Consultations (CRC), and the National Conference on Reconciliation (NCR) were intended to eliminate such gap, by involving every interested Liberian in the recommendation forming process. Research has shown that "frustration and lack of trust may contribute to violent protests to express public opposition to policy choices made by politicians, policy makers and bureaucrats." Public contributions to policies can result in policies that are more responsive to public need and reduce insecurity of poor and disadvantaged communities in the policy-makers and policies, which reduce the need for these groups to resort to violence in order to have their voices heard. While the recommendations of the TRC aren't being made by politicians or policy makers, they will nonetheless be charged with its implementation, an obligation the TRC, the people of Liberia and their international partners take very seriously. Therefore, it still stands that public participation in the recommendation process will decrease frustration and increase trust in the policies that are formed and the new grounds that are broken. The TRC policy towards greater democracy is well founded on the belief that If community members are given proper information and allowed to dialogue on national issues, participate in local decision making processes as to what the recommendations of the TRC shall be, there will be less risk of unfulfilled promises and more desire for people to be part of the ongoing reconciliation process.

8.1.6.2. Peoples Knowledge is Power in Democratic Settings

Another issue the TRC endeavored to address by its popular participation and grass root engagements at the levels of the CCC, CRC, and the NCR, is massive awareness and education of the TRC process. Many Liberians have little or no formal education due to the war to understand the sophistication and complexities of the TRC in generalized terms. Or, if they are able to get information on the TRC, they don't understand the terms used and the purpose of the TRC. The CCC, the TRC county teams including statement-takers, were charged with explaining the basic terms used by the TRC, as well as the more complex ideas, in a way that every Liberian could comprehend at the very grassroots. At all TRC forums, people were allowed to speak in the language of their choice to engender free speech as a matter of TRC policy.

The TRC also believes that if people are allowed to understand the reasoning behind policies and the constraints associated with their implementation, the government or

public institutions will earn the goodwill and support of the people when policies fail or succeed. Often a decision or policy may seem unreasonable to the public, but there are justifications for making the policy reasonable or necessary that are only known to the policy-makers and not the public. At these popular TRC forums, the TRC enjoyed a unique opportunity to explain to citizens why certain things can or cannot happen, which would help people to understand something such as why was there a war in the first place; why there hadn't been any trials dealing with the war in Liberia or why was it taking so long for them to see concrete results from the TRC, or more importantly also, what would happen after the TRC.

In the Liberian society where communication infrastructures and sophistications are barely minimum, it is important to reach out and take the process to the people directly so that the people have knowledge about what is going with the policy making process, or how the process even works. Communities must be properly informed in order for them to participate adequately in decision making. One has to show respect for and be sensitive to the peoples culture and work schedule – time or season for farming, time for community meetings, market days, etc - and the proper conduct of strangers. Since there is such a lack of academic education in Liberia, and many people are confronted with subsistence it was necessary to have a very active outreach program to educate people about the TRC and its process so that they participate and have faith in the process. In a lot of cases this meant having patience and slowing beginning with the rudimentary basics about the war and the factors that precipitated it, explaining justice, reconciliation and the need for forgiveness for example. The TRC did not want to make any assumptions about knowledge that people have, since so many were forced to give up their education during the war.

8.1.6.3. Credible dissemination of Information helps

Training, awareness, and sensitization were incorporated into the TRC strategy to educate the people on all aspects of the Commission's work. Such broad and comprehensive information facilitates direct face-to-face dissemination of information from one person to another, an effective medium of education for communities, organizations and institutions on the work of the TRC. Community members were sensitized on the history of the TRC, Statement Taking Process, Expectations, Confidentiality, Security, Human Rights, Amnesty, Prosecution, Reparation, & Reconciliation. Other areas were Hearings, Psychosocial Support services, community outreach strategy, Goals of the TRC, the CCC and events like the CRC, NCR, research projects, etc. Such goals, if always emphasized, are meant to educate the Liberian people on the TRC, gather support and inputs from the people, inform the TRC report and recommendation generating processes, make sure that community members would use their knowledge, influence and standing to advocate for the implementation of the recommendations, ensuring that the work of

the TRC in peace building, and reconciliation, is continued after the Commission's mandate is formally over.

8.1.6.4. Composition of County teams

In each of the 15 counties in Liberia, the TRC had a County Coordinator, field officer or general mobilizer along with other auxiliary staff, including TRC first line of important contact, the statement-takers, to drive through the work of the TRC in the county, making sure it succeeds. The coordinators hailed from their county of assignment and were well known and respected by their people. The TRC tried to ensure also, that all other staff were also citizens or residents of the county, culturally sensitive and communicates well with the people in all respect, including their spoken language. Other personalities and officials affiliated with, and contributing to the work of the commission, are the various county superintendents, city mayors, district and township commissioners, traditional and religious leaders, community leaders – youth, women, - Child Protection agencies, pro democracy and human rights organizations, district representatives, and civic organizations, education institutions and authorities, the county oversight Commissioner of the TRC, the program Department and the TRC Chairman; all constituted county structures.

Criteria: As a matter of criteria, everyone affiliated with the TRC process were legitimate institutions and personalities not known to have a track record of human rights violation, or any other type of misconduct, whether within Liberia or not that might have impugned the integrity of the Commission. Members, affiliates, employees or agents of the TRC were expected to be extremely committed to the TRC process and demonstrate a willing interest to work along side the TRC and within the TRC's Act, and Rules and Procedures. Everyone affiliated with the TRC was presumed not to be in any way a member or supporter of any armed faction or violence-related institution or illegal entity, whether or not within Liberia, in the past or present and also not an active member of any political party.

Grand Recommendations: At the end of it all-the TRC process – National Conference on Reconciliation (NCR) was conceived as the crowning event, the last engagement of the TRC with the public, where all recommendations would be harnessed for inclusion into the TRC report. All stakeholders were brought together and given the chance to present their recommendations for the TRC to leaders of the TRC. On June 15 - 20, 2009, almost a year later than was previously planned, the NCR was convened by the commission in partnership with several stakeholders including the Governance Reform Commission, represented by Commissioner Elizabeth Mulbah who co-chaired the conference and its Steering Committee along with TRC Chairman, Jerome J Verdier, Sr.

Working Groups: The eleven sub-thematic issues were broken up into working groups for the purpose of small group discussions which allowed everyone present the chance to voice their concerns and issues that they wanted to see approached by the TRC in its final report and recommendations. Group representations were then presented to plenary for vetting and further inputs, by comments and further recommendations, and sharing additional perspectives beyond the group deliberations and presentations. The Report from the Diaspora was also received by the Conference from the representatives of Advocates for Human Rights, headed by Jim O'neal. Ahmed Sirleaf, also of the Advocates for Human rights, and Anthony Kessely, President of the Union of Liberian Association in the Diaspora were also part of the Diaspora delegation. NGO's, the international community and TRC Commissioners and Staff, also attended the Conference. The TRC took into consideration and in many instances adopted the recommendations of the Conference and incorporated them into its final work product constituting the body of recommendations contained in this report.

8.1.6.5. Last Word on Greater Democracy

The goal of the TRC was to learn from the mistakes of the past which led the country to conflict, and find a way towards reconciling all Liberians. In order for this research to be comprehensive, every Liberian had an opportunity to be present and participate in all of the works of the TRC which were opened to the public. The TRC spared no efforts in ensuring that everyone was reached and given a chance to take part – if they wanted to - thus making a major shift from previous practices where the rural population was isolated from matters of public policy and decision making and "Monrovia became Liberia". There were many challenges to this goal including lack of infrastructures, low levels of literacy, and overwhelming public processes and the authorities overseeing them. By educating community leaders about the TRC and asking them to reach out to their community members, the Commission was able to bridge the gap that exists between citizens and the TRC, and complete its work of seeking truth, justice and reconciliation for Liberia in a holistic and comprehensive manner, that enhances the credibility, legitimacy and popular acceptance of the process.

8.1.7. Preliminary and Final Consolidated Reports

Sections 43 and 44 of Article IV of the TRC Act commands the TRC to submit a "final report" containing recommendations "at the end of its tenure", to the National Legislature [and the Head of State], detailing "all aspects of the TRC's work, investigations, hearings, findings and recommendations for prosecution". Elsewhere in Article X, Sections 5 and 6 of the Act, the TRC is allowed tenure of "two year life span" to carry on its operations with a further three months to wrap up its activities and write its report. The National Legislature, it is provided may extend by

"resolution" the tenure of the TRC upon request by the TRC for three months "at a time" but in no case shall it be "given for more than four times".

The initial tenure of the TRC was determined to expire September 22, 2008 and the TRC, having accessed the volume of work outstanding, requested of the National Legislature an extension of nine full months, meaning three consecutive extensions to run contemporaneously (October 2008 - June 2009). In the wisdom of the TRC, a three month extension will serve no meaningful purpose and since the National Legislature was schedule to retire for its six month annual break (October 2008 – March 2009), a contemporaneous extension became necessary.

The National Legislature granted the extension request of the TRC by joint resolution on September 22, 2008, extending the tenure of the TRC from September 22, 2008 to June 30, 2009. On this basis, the TRC continued its work and did not have to present its final report on September 22, 2008. Notwithstanding the actions of the National Legislature, the TRC opted to submit a preliminary report to that august body and the President of Liberia, of work already done and in further rationalization of the need for an extension of the TRC tenure, without negating the statutory obligation to publish a "Final Report".

Hence, on December 20, 2009, the TRC Preliminary Report contained in Volume I of the Final Report was presented to the Honorable National Legislature. And, the TRC would present a further Consolidated Report in Volume II of its final Report. The Consolidated Volume contains the full complement of the TRC Report, incorporating Volume I (Preliminary Report), Volume III (Appendixes) and Volume IV (County Reports from the 15 counties).

The reports of the TRC are forthright responses of the Truth and Reconciliation Commission of Liberia (TRC) to its core mandate; to investigate and determine responsibility for "egregious" domestic crimes, "gross" violations of human rights and "serious" humanitarian law violations; to examine the root causes of Liberia's various episodes of state breakdown and deadly conflict; and to recommend measures to ensure that truth, justice and reconciliation become permanent features of Liberia's socio-political, economic, legal and cultural landscape.

While the Preliminary Report sought to provide the Liberian people, the Government of Liberia, and the Liberian Legislature with a substantive prelude of the TRC's work at the time, the Final Consolidated Report (Volume II), this volume, is conclusive on the TRC work. The central rationale for issuing the Preliminary Report also, was to preserve the legal record and the Commission's determinations and recommendations to date which are presented herein incorporating recommendations emanating from subsequent processes like the extended public hearings, the county regional consultations, the conflict mapping project, the

Diaspora report, additional research findings, the National Conference on Reconciliation, etc.

8.1.8. Benetech

Benetech was commissioned by the TRC to develop a data collection and analysis process to address key questions about human rights violations and the nature of the conflict in Liberia. Specifically, Benetech was involved in establishing analytical objectives, to give meaning, and logical and technical understanding of the huge data collected by the TRC. The task of Benetech also included designing and implementing an information management system, conducting statistical analysis and integrating quantitative findings based on methods of large scale data collection and quantitative analysis of statements and other data about human rights violations.

Benetech's report and analyses to the TRC also included descriptive analysis by year, county, victim characteristics, perpetrating groups and types of violations. The Benetech report also considered supplemental questions to statement givers concerning, reconciliation, peace building economic impact of the conflict and reparation.

Benetech worked with TRC staff and participated in training programs for TRC staff of the Data Coding and Information Technology department. The partnership with Benetech helped to build the capacity of the TRC in order to undertake the task at hand, of managing a complex human rights information management system so that it could accurately and defensibly quantify and report information about human rights violations in Liberia.

8.1.9. The Diaspora Experience

Giving effect to the Diaspora project, The Advocates' staff and volunteers met with hundreds of Liberians in the United States, the UK, and the Bududuram Refugee Settlement in Ghana. TRC Commissioners also consulted and held meetings, and dialogues with Liberians refugees who fled the conflict to Guinea, Sierra Leone, Ghana and Nigeria. The Commission did not succeed in taking statements from Liberians in Guinea and Sierra Leone. Although not all Diaspora Liberians who gave statements fled as a result of the conflict, the general impression of many individuals is that there is not a single Liberian anywhere who was not affected by the Liberian conflict.

8.1.10. Conflict Mapping

The TRC commissioned a conflict mapping project which was implemented with technical assistance from the European Union to *'map current and looming conflicts in order to ameliorate the potential for future violent conflict and civil unrest'*. The objectives of the project was to make conflict sensitive policy recommendations including measures to improve the effectiveness of policy and programme initiatives in contributing to conflict prevention and reduction in Liberia.

The project inquiry included identifying the predominant causes and/or sources of looming conflict and unrest in Liberian. The project identified four main conflict issues as major sources of potential conflict looming and in need of urgent redress:

1. Voice and accountability in local governance and decision-making processes

2. Land and property related disputes

3. Identity conflicts

4. Youth dimension (emerged as theme in each of the three main conflict themes)

Voice and Accountability:

a. Widespread dissatisfaction with structures and processes of communication between citizens and local government;

b. Concerns that state/citizen interaction is dominated by a "narrow channel" of Traditional Authorities and elders;

c. There is a prevailing concern about a lack of accountability and transparency in the management of resources and information;

d. There are common allegations of resource misappropriation and distortion of information;

e. Attentions focus on the management of funds allocated for development; and

f. Youth the most prominent group expressing concerns.

Land and property-related disputes:

a. Boundary disputes; the predominant conflict issue in each of the 46 Districts surveyed;

b. Land disputes in border Counties of Nimba, Lofa and Bong overlie a volatile context of inter-communal divisions, and constitute a threat to national and regional security;

c. Land-related inter-generational tensions are common. Security of tenure, rather than access to land, is the problem, and tensions are increasing; and

d. Allegations of fraud in relation to surveys, land deeds and land sales.

Identity conflicts:

a. Generally negative discourse encompasses 'ethnic', 'tribal', 'religious', 'cultural' conflicts, and the invariable distinctions between "the natives", or those deemed to "belong to Liberia", and "those who do not belong", typically "Americo-Liberians" and "the Mandingos";

b. These categorizations are a diversion from the underlying problem; the formation of the Liberian state preceded any meaningful development of a Liberian nation, or sense of nationhood;

c. This problem was compounded by 160 years of constitutional dualism that afforded different degrees of rights to "aboriginals" and "settlers"; and

d. The effects continue to be felt today; public discourse is characterized by focus on what separates Liberians, as opposed to what unifies them.

Youth dimensions:

a. A thread running through the findings is the prominence of young people's views on, and engagement with (both positive and negative) the key issues. The war has unquestionably altered a social order that was previously characterized by:

   It was an order, which, it appears, had to change;

b. The implication is clear; this generation of young people, many of who have borne arms, must be given the opportunity to participate in

reforming the social and institutional arrangements that have failed them in the past; and

c. If this general condition is not met, there will remain a strong likelihood of a reversion to violence.

8.2. Catalogue of Deadly Conflicts, Violations and Atrocities (1821-1979; 1980-2003)

Liberia's long experience with violence did not begin in 1979 as many may tend to believe or as implied by the temporal mandate of the TRC. The TRC Act mandated it investigate and document human rights violations dating from January 1979 to December 2003.

To the contrary, a historical review by the TRC of Liberia's conflict and state building past reveal a legacy of violence and deadly conflicts over issues of land tenure and ownership, trade, independence and interdependence, voice, participation and inclusion, etc. In establishing the root causes of our current conflict, its antecedent and historical causes become desirable. A catalogue of violent conflicts and wars which have underpinned unity and reconciliation in Liberia are presented herein. Also are human rights violations publicly documented by human rights institutions in Liberia and around the world, the worldwide mass media as well as local and international non-governmental organizations (NGO). Generally, these violations are not included in the TRC Data Base and are therefore considered supplementary and historical in nature which contributes to the TRC's mandate to investigate and document human rights violations that occurred between 1979 and 2003.

8.2.1. Deadly conflicts between 1822–1915 (mainly over land snatching from the natives)

Conflicts	Years
Dei- British/Settler "Water Battle"	1822
Dei- Settler War	1822
Dei- Gola- Settler War	1832
Bassa- Settler War	1835
Kru- Settler "Fish" Conflict	1838
Vai – Settler Battles	1839- 1840
Bassa- Government War	1851 – 1852
Kru – Government War	1855

Grebo – Maryland War	1856 – 1857
Gedebo –Reunited Kingdom Revolution	1875 -1876
Grebo- Government War	1893
Kru – Government Battles	1909
Grebo – Government War	1910
Kru – Government Conflict	1912
Kru – Confederacy – Government War	1915

8.2.2. Nature of Human rights violations in the First Republic 1847 to 1980

Period/ Regime	Type of Violation committed	Perpetrator(s)	summary	Victim(s)
1847-1904	Discrimination, marginalization and violation of fundamental human rights	Various governments of the first republic	The natives were not recognized as citizens in their own land. They were considered backward and uncivilized	natives
1847-1948	Discrimination and marginalization, violation of fundamental human rights	The various governments of the first republic	Women were not accorded their rights in the first republic. It was under Tubman that they were given suffrage	women
1871	Constitutional violation, arbitrary action	The legislature	President E.J Roye was overthrown from office through a manifesto adopted by the legislature because they claimed the process of impeachment was too slow	President E. J Roye
1930	Forced labor and forced recruitment, violations of human rights	The Liberian government and the Liberian Frontier Force	The natives were forcibly recruited and coerced to work under inhumane conditions in swampy fields in Fernando Po	The indigenous Liberians
1932	Human rights violations, massacres, looting	The Liberian Frontier Force under the command of President Edwin Barclay	After the release of the League Of Nations report, the government launched a series of reprisal attacks against the Kru for testifying enmasse before the commission. This led to several deaths and wanton looting and destruction by the LFF	The Kru people of Sasstown, Wolokri and its environs
1951	Constitutional violation	William Tubman and the True Whig Party	The True Whig machinery during the 1951 elections harassed the opposition party under the leadership of Didho Twe till he went into exile and could therefore not participate in the elections. The end result was Tubman ran uncontested. This denied liberia multi party	Didho Twe and the Reformation party.

			democracy.	
1955	Human rights violation, constitutional violation	Saydee Totaye of the LFF	David Coleman and son were gunned down and killed and their bodies were displayed at the Barclay Training Center. They were accused of plotting to overthrow the government of Tubman	David Coleman and his son
1955	Constitutional violation, human rights violations	The True Whig Party and President Tubman	During the 1955 elections, the opposition party made up of a coalition of the Independent True Whig Party and the Reformation Party under the leadership of Edwin Barclay faced harassment from the True Whig Party. Several of Barclay's supporters in government were jailed or dismissed and others were harassed across the country. Tubman subsequently won the elections.	Independent True Whig Party, Reformation Party, Edwin Barclay and the supporters
1963	Constitutional violation, violation of fundamental human rights	President Tubman	In 1963, the government of Tubman discovered an "alleged attempt" to overthrow the president by the force of arms. The victim was court-martialled and subsequently incarcerated at the Belle Yallah prison.	Colonel David Y. Thompson of the AFL
1968	Constitutional violation, arbitrary detention	William Tubman	Henry Fahnbulleh, who was an ambassador at the time was accused of treason and jailed for life without the due process of law as stipulated in the constitution	Henry B. Fahnbulleh, Sr.
Tubman Era	Constitutional violation	William Tubman and the True Whig Party	Old Kru Town was declared a public domain and eventually razed down without due compensation to the original inhabitants of the land.	The inhabitants of Old Kru Town
April 14, 1979	Constitutional violation	President Tolbert and the members of the Armed Forces of Liberia and Guinean Troops	The people of Liberia under the leadership of the PAL organized a peaceful street protest against the increase in the price of rice. This turned violent when the army was ordered to dispel the crowd. Several lives were lost and properties damaged	The PAL and the citizens of Liberia.
April 14th 1979	Constitutional violation*		The offices of the PAL were ransacked because they were the organizers of the peaceful protest against the government	The Progressive Alliance of Liberia (PAL)
April 15,- June 26, 1979	Illegal arrest and detention	Government of the True Whig party	After the protests, the leadership of the PAL and their sympathizers were arrested and detained without due process	The PAL leadership and sympathizers
March,	Illegal arrest and	The True Whig	The Progressive People's Party	The PPP

1980	detention	Party	(PPP) staged a midnight march demanding the resignation of President Tolbert. The leadership of the party were arrested and imprisoned and the party banned	
April 12, 1980	Constitutional violation, military takeover and violation of human rights	The Armed Forces of Liberia	On the 12 of April, 1980, seventeen enlisted men of the AFL staged a military coup, overthrew the government and murdered the president in cold blood	President William Tolbert and some security personnel
April 22, 1980	Human rights violation, constitutional violation	The People Redemption Council under Doe	Thirteen officials of the Tolbert government were executed at a Monrovia beach after the military takeover	Frank Tolbert, Cyril Bright, James A.A Pierre, Richard Henries, Frank Stewart, Cecil Dennis et al

8.2.3. Catalogue of Selected Human Rights Violations over the period 1979 – 2003 mostly documented by none TRC sources

February, 1979: Seven people including one woman (Allen Yancy et al) convicted and hanged in Monrovia for ritual (Gboyo) killings in 1976.

April 14, 1979: Brutal suppression by Government security of a pending mass demonstration over planned increase in the price of rice. More than 100 people were killed and some 500 injured, according to Liberian Government statements.

March 1980: A Major crackdown and arrest of Bacchus Matthews and opposition leaders and supporters by Tolbert government. Hundreds were rounded up around the country, beaten, tortured and dehumanized whilst in prison "awaiting trial".

April 9, 1980: Government issued a "wanted dead or alive" hunt for members of the opposition. Many arrested, detained and tortured at the military facility of Post Stockade because of their political beliefs.

April 12, 1980: Samuel Doe's bloody overthrow of the TWP Government of William Tolbert. Scores were killed during the takeover on charges of corruption and human rights violations. On 17 April shadow trials without due process proceeded against 14 members of the government. 13 were publicly executed on April 22nd. The prisoners were tied to stakes and shot in public view. Proceedings against another 10 detained former officials continued throughout May, and 400 other prisoners including, family members of the deposed president, remained in custody without charge or trial for a prolonged period.

March, 1981: Seven people were executed by hanging after being summarily convicted of alleged murder and conspiracy in influencing the conduct of armed men.

June, 1981: 14 lower-ranks soldiers were arrested and accused of plotting to overthrow the government and to assassinate several leading members. After a summary trial without defense counsel, 13 of the soldiers were sentenced to death and allegedly secretly executed in the Post Stockade prison, Monrovia.

Late January 1982: Sergeant David Gbedeh was executed by firing–squad after being convicted of murder by the Supreme Military Tribunal.

February 3, 1982: Four soldiers executed by firing-squad without trial. They allegedly confessed during a hurried "preliminary investigation" by the military authorities to having participated in an armed robbery in which three other soldiers died.

1983: The Nimba Raid by supporters of Thomas Quiwonkpa in Yekepka, LAMCO Mining Company and government offices left many injured and rights violated.

February 8/9, 1984: Willis Knuckles, journalist for the Daily Observer Newspaper and a correspondent for the BBC in Liberia was detained at Post Stockade prison. He was severally beaten upon his arrest and also whipped during the following days.

June, 1984: Rufus Darpoh, a freelance journalist and former editor of the government controlled New Liberian Newspaper, was arrested and taken to maximum prison Belleh Yallah, under hash conditions and released in November without charge.

April - October, 1985: In the months preceding the elections several leading opposition politicians and others were imprisoned. They included Dusty Wolokollie, a prominent member of the Liberian People's Party (LPP) and John Karweaye, another LPP member, after expressing doubts as to whether the elections would be fair. Both were released without charge.

July, 1985: Ellen Johnson-Sirleaf, a leading member of the Liberian Action Party (LAP), was placed under house arrest, and a few days later she was detained and moved to the Post Stockade prison. Tried before the Special Military Tribunal and sentenced to 10 years imprisonment for sedition, released twelve (12) days later.

November 1985: Random Campaign of terror in Nimba and other counties against the people of Nimba suspected of supporting the failed coup attempt of General Thomas Quiwonkpa on November 12. General Charles Julu of the Executive Mansion Guard Battalion (EMG) led the purge against the Nimba people. Human

rights abuses including killings occurred on a substantial scale the days following the failed coup. The victims appeared mostly to be civilians who had not been involved in the conspiracy but who were suspected by the government of being sympathetic towards Thomas Quiwonkpa. A number of people unconnected were killed including Charles Gbenyon, a senior television journalist working for the Liberian Broadcasting System, who was killed a few days after the coup at the Executive Mansion, official residence of Head of State Doe.

1987: John Vambo, a journalist, was also detained without charge in August and later released.

1987: Zaye Gontee a businesswoman, was arrested in May and detained incommunicado and without trial for over three months in the Post Stockade and later released.

1989: Gabriel William Kpoleh and nine other prisoners of conscience remained in prison throughout the year. They were convicted without due process and imprisoned under poor conditions.

October, 1989: Momodu Lavala and two other students including Benedict Garlawolo were detained illegally and without charge for two weeks and eventually killed in early 1990.

January, 1990: The government said a number of rebels had been captured and would be brought to trial, but they appeared to include Gio and Mano civilians arrested in Monrovia. None was brought to trial and their fate is unknown. Meanwhile a counterinsurgency by the AFL against people mainly of Nimba origin led to killings, burning of villages and looting. This forced 160,000 civilians in Nimba County to flee into Guinea and Ivory Coast from January to May. Massacres in May were led by Capt. James Chelly and Edwin Voker.

May, 1990: Angeline Watta Allison and two others sentenced to life imprisonment for complicity to murder but appeared to be prisoners of conscience.

June 1990: Murder of Moses Duopu by Benjmin Yeatin for questioning the leadership status of Charles Taylor of the NPFL.

June 1990 Massacre of 27 Gio and Mano family members of the AFL by Moses Thomas, Moses Wright, James Chelly and George Dweh; reportedly under orders of Samuel Doe.

Between June and August 1990: Killing of prominent Liberians including Jackson F. Doe, Cooper Teah, Gabriel Kpolleh and up to 80 others associated with the NPFL in

a purge allegedly authorized by Charles Taylor. Paul Vaye, Henry Kerdiah, George Mansuo and George Karsua effected the arrest in Buchanan, Grand Bassa County. Jackson F Doe was murdered in Zorgowee, Nimba County.

Early July 1990: Bakadu, Lofa County massacre of 500 ethnic Mandingoes by NPFL. An Imam was beheaded.

July 29, 1990: Massacre of over 500 men, women and children mainly of Gio and Mano ethnicity seeking refuge at the St. Peters Lutheran Church in Monrovia as reprisal for the Bakedu Massacre.

August 2, 1990: Massacre of 250 Gios and Manos seeking refuge at the JFK Hospital in Monrovia; allegedly led by George Dweh.

August, 1990: About 50 foreigners including Americans were detained by the NPFL. The NPFL also took prisoner, at least 30 Nigerians as well as nationals of Guinea and Ghana, as part of attacks on ECOWAS citizens whose countries were contributing troops to ECOMOG. There were reports of widespread arrests among the Ghanaian community living in areas under the NPFL's control in response to ECOWAS decision to deploy ECOMOG.

1991: The INPFL reportedly held one woman at its camp throughout 1991, having taken her prisoner in November 1990, and to be holding a number of children at an orphanage within the camp as human shield to deter a possible attack by ECOWAS forces.

February, 1991: The INPFL detained and ill-treated some seven members of the Interim Legislative Assembly for three days.

September, 1991: After the September (ULIMO) incursion into western Liberia from Sierra Leone, and again in December, foreign and Liberian aid workers were detained for several days by the NPFL, assaulted and accused for spying.

June 1, 2002: Ambassador Albert Karpeh killed on June 1, 2002 by forces loyal to Alhaji Kromah over power struggle within the ULIMO movement.

April, 1992: Father Seraphino Dalpont was arrested by NPFL for possessing Interim Government currency and a Roman Catholic newsletter alleged to be seditious literature. He was released after paying a large fine, but re-arrested allegedly on suspicion of espionage. He was held in a police station in Gbarnga until mid-May, when he was released and deported to Cote d'Ivoire.

October 1992: Operation Octopus was the NPFL unprovoked attack on ECOMOG and Monrovia, left scores of civilians dead, paralyzed the city and created a humanitarian disaster.

October, 1992: Up to 300 orphans and a former government official were apparently taken away by NPFL forces on about 28 October from an orphanage near Gardnersville; orphans who escaped reportedly said that the NPFL was forcing the boys to fight for them.

October 1992: Five Catholic nuns were slain in Gardnersville, Monrovia during the Octopus attack, by Christopher Vambo and Edward Wowah of the NPFL .

June 6, 1993: Massacre of 600 displaced persons at a Harbel Camp within Firestone Plantation. The UN Wacco Commission placed responsibility at the door steps of the AFL; observers and TRC findings hold the NPFL responsible for the massacre in which the victims were burned on the outskirts of the camp.

November, 1993: The NPFL detained UN aid workers for several days accusing them of spying. They were later released.

November, 1993: After thousands of refugees had fled from the fighting in Sierra Leone into Lofa County, ULIMO forces reportedly took about 300 persons as prisoner, on suspicion of being supporters of the Revolutionary United Front (RUF).

1993: Murder of six Senegalese ECOMOG soldiers by Oliver Varnie, Timothy Mulbah and Joe Doe in Valhun on orders of Charles Taylor and defense Minister Thomas Woeweiyu. The bodies were dumped in a Vahun Valley.

May, 1994: The LPC reportedly detained 10 Ugandan UNOMIL soldiers, releasing them a few days later.

May, 1994: In separate incidents Mandingo ULIMO fighters held hostage 17 UN employees delivering food aid and 16 Nigerian ECOMOG soldiers, accusing them of supporting the rival ethnic Krahn ULIMO faction. They were released after a few days.

June, 1994: AFL soldiers detained UNOMIL staff at Scheffelin barracks near Monrovia for three days.

June, 1994: Krahn ULIMO fighters took hostage six unarmed UNOMIL officers in Tubmanburg for two days, reportedly beating them and subjecting them to mock executions.

July, 1994: The NPFL was reported to be holding about 25 ECOMOG soldiers and 30 long-term political prisoners.

September 9, 1994: The NPFL arrested 43 unarmed UMOMIL observers and 6 NGO workers and held them at nine different sites. 33 were released after 5 days and the rest were released by 18 September. The UN reported that some were beaten and terrorized by their captors.

September, 1994: NPFL fighters reportedly detained 43 UNOMIL officers and six aid workers in various parts of the country for up to 10 days.

September, 1994 Massacre of 100 persons hospitalized at Phebe Hospital. They were mostly fleeing hostilities between NPFL and ULIMO K.

November, 1994: LPC fighters reportedly took 10 girls captive in Sabo Wofiken, slashing their feet and forcing them to walk back to the fighters' base in Sinoe County.

December 15, 1994: Cow Field massacre of 48 civilians, while they were asleep, on Duport Road, Monrovia by the NPFL.

January 1995: LPC fighters killed 18 civilians in Grand Kru County.

January, 1996: In the area around Tubmanburg, ULIMO-J detained 130 ECOMOG troops who had been engaged in clearing mines and held them for 10 days as a shield against attacks.

February, 1996: Eight (8) aid workers were held for three days by the LPC in southeastern Liberia.

April 6, 1996: Monrovia fighting to arrest Roosevelt Johnson, in a combined NPFL/ULIMO operation with support of ECOMOG devastated the City, imposed economic and financial hardships and caused deaths. During the fighting in Monrovia, members of ECOMOG and other foreign nationals were held at the Barclay Training Centre Military barracks by Krahn troops loyal to Roosevelt Johnson.

April 18, 1996 Murder of 12 persons in Zuanna Town and Bloun Town, Bomi County. Group of fighters stormed the displace camp and burned it down along with Karmo Town.

Torture, Including Rape and Ill-treatment

Mid-1989: A suspected murderer and another man sentenced to death for murder in February both died at Buchanan Central Prison reportedly as a result of harsh conditions.

October, 1989: Henry B. Walker, a murder suspect, died at the Monrovia Central Prison reportedly as a result of harsh conditions.

October, 1989: Two murder suspects died at Monrovia Central Prison, apparently as a result of torture, ill-treatment or medical neglect. Following their arrest thought to have been in April or May, they had been held illegally and incommunicado in the Post Stockade, a military detention facility where political detainees have been tortured in the past.

January, 1992: While still formally allied to the Interim Government, the INPFL ill-treated and held two journalists - Isaac Bantu and Dan Brown - for three days under harsh conditions.

September, 1992: Nearly 600 ECOMOG soldiers were taken prisoner; some of whom were severely beaten by their NPFL captors.

January, 1993: ECOMOG beat and injured a British Broadcasting Corporation journalist, apparently because he had criticized ECOMOG in his reports.

December, 1993: 800 captured NPFL fighters held by the Interim Government at Monrovia Central Prison were reported to be suffering severe malnutrition and medical neglect; five were said to have died.

July, 1994: LPC fighters beat and detained, for five days, a civilian in Buchanan who resisted having his bicycle stolen.

July, 1994: LPC fighters at Barnabo Beach in Number Four District allegedly heated machetes in a fire and branded their captives, leaving large third degree burns on their victims.

September, 1994: The NPFL reportedly detained and ill-treated 30 civilians from the Bassa ethnic group in Butuo, Nimba County, accused of supporting the LPC.

September, 1994: Large numbers of civilians and refugees were beaten and raped and their property looted by the armed groups involve in the fighting around Gbarnga.

September, 1994: LPC fighters allegedly cut off the fingers and ears of Albert Mende, a journalist.

1995: LPC fighters, operating with the support of the AFL, systematically swept through rural areas in southeastern Liberia, robbing, torturing and intimidating people and forcing them to take refuge in Buchanan or other places under ECOMOG control. Many of those fleeing to Buchanan in February were reported to have been bayoneted, shot or flogged by LPC fighters. At the time, large numbers of people, perhaps as many as 6000, were reportedly being held by the LPC in the compounds of an agriculture company, where many were raped.

April, 1995: ULIMO-K set ablaze the towns of Fassama, Zuanna 1 and Zuanna 2. Survivors reported rapes, abductions and looting.

April, 1995: Benjamin Wilson, a journalist with "The Eye", was beaten by police when he refused to give them photographs he had taken of damages at a refugee compound in Monrovia.

June, 1995: UNICEF workers in Buchanan reported that they had registered 652 cases of women who had been raped, mostly by members of the warring factions, within a period less than 6 months.

July, 1995: Bill Jarkloh, a journalist with "The News", was beaten unconscious by ULIMO-J fighters. He had been interviewing Roosevelt Johnson when fighters stormed the building and he tried to photograph the incident. Three of those involved in the attack were arrested by ECOMOG and then handed over to the ULIMO-J high command.

September, 1995: James Momoh, a journalist with "The Inquirer was beaten by ECOMOG soldiers when trying to photograph AFL soldiers at a check-point.

March, 1996: NPFL officials shot two men in the legs after they were found threatening civilians.

Additional Extrajudicial Executions; Unlawful killing of civilians including massacres

1990: The predominantly Gio and Mano rebel forces summarily killed government officials and others considered to be supporters of President Doe's government, particularly members of the Krahn ethnic group and the Muslim Mandingo community.

1990: An unknown number of prisoners were executed after unfair trials before special courts set up by the rebels. At least a hundred people – government officials and members of the Krahn and Mandingo ethnic groups – were reportedly executed after being convicted of "crimes against the people" or of supporting the government.

January, 1990: Hundreds of unarmed civilians were killed by rebels and government troops in Nimba County in northeast Liberia.

January, 1990: A former prisoner of conscience, Robert Philips, was brutally murdered at his home in Monrovia by an AFL Death squad.

May, 1990: At least 30 Gio and Mano men, women and children were abducted by government soldiers from a UN compound where hundreds were seeking protection. They were then apparently executed extra judicially by the AFL.

June, 1990: A government soldier was executed by firing squad after being convicted by a court-martial of murdering a civilian.

June, 1990: Several hundred Gio and Mano soldiers were reported to have been arrested. Some appear to have been extra judicially executed - their bodies were found in the streets, although the government said that 150 had been released.

July, 1990: Large-scale killings occurred when predominantly Gio and Mano rebel groups entered Monrovia. One rebel leader was said, by eye-witnesses, to have personally shot four people dead in cold blood, including a Red Cross worker and a woman whom he shot in the face in front of her child.

August, 1990: In Grand Gedeh County, the NPFL forces were responsible for indiscriminate killings of people belonging to the Krahn ethnic group. Former government minister, Senator Fred J. Blay and Congressman William T. Jabbah were reportedly executed by the INPFL; they did not appear to have had any form of trial.

September 10, 1990: The assassination of Liberian President Samuel Doe by Prince Yormie Johnson, leader of the Independent National Patriotic Front of Liberia (INPFL), after being captured the day before at the temporary headquarters of the ECOMOG.

October, 1990: Two Nigerian journalists detained by the NPFL, Tayo Awotunsin and Krees Imodibie, were reportedly executed extra judicially. TRC findings revealed that they were executed by food deprivation; they were allowed to starve till death in NPFL Prison.

1991: Accord between Charles Taylor and Firestone. The management at Firestone had an arrangement with factional leadership during the war to organize protection and export of their product. Firestone reportedly paid the NPFL $2million annually for protection. NPFL's "G-2" security forces compelled rubber workers to continue work in exchange for use of Firestone communications equipment and a base for Operation Octopus that began in October, 1992.

1991: The NPFL was responsible for the killings of hundreds of members of the Krahn ethnic group and members of the Mandingo community in Grand Gedeh County, who were targeted for formerly supporting the Doe government. NPFL continued to detain, torture, and kill civilians in other areas under their control.

1991: The INPFL or NPFL killed Angeline Watta Allison. It was also reported that her husband, a former defense minister, Major-General Gray Dioh Allison, was captured and executed by the NPFL.

September, 1991: It was reported that a number of NPFL soldiers had been extra judicially executed after attempting to assassinate Charles Taylor. However, these reports were denied by the NPRAG administration. It said that an NPFL officer had been executed after a special court-martial had convicted him of murdering five soldiers.

October 20, 1991: Arrest of Jackson F. Doe. Paul Vaye, Henry Kerdiah, George Mansuo, and George Karsuo arrested Jackson Doe in Buchanan, Grand Bassa County, on the orders of Charles Taylor and murdered him in the town of Zorgowee in Nimba County.

January, 1992: The INPFL had executed at least three of their own soldiers at an NPFL camp near Monrovia for being in possession of new currency issued by the Interim Government.

April, 1992: NPRAG authorities charged four senior NPFL officers with the murder of seven suspected ULIMO supporters in Buchanan. Three were later released and it was not known if the other was tried.

July 3, 1992: NPFL fighters allegedly killed nine forestry workers in Jenimana.

August, 1992: When ULIMO seized NPFL-controlled territory, both NPFL and ULIMO forces were alleged to have killed civilians suspected of supporting the other side in the fighting.

August, 1992: Several dissident NPFL soldiers were reportedly executed by the NPFL for their involvement in an attempted assassination of Charles Taylor in which a bodyguard was killed.

October, 1992: During the Octopus attack on Monrovia, NPFL forces were reported to have deliberately killed civilians and taken other prisoners. NPFL troops reportedly abducted 50 people and killed others when they took control of Louisiana Township near the capital.

October 20, 1992: Two nuns, both US nationals, a Liberian man employed by the nuns' convent and two ECOMOG soldiers were killed in the nuns' car near Barnersville apparently by the NPFL.

October 23, 1992: Six NPFL soldiers entered the nuns' convent in the suburb of Gardnersville, killed three other American nuns and a Lebanese businessman, and abducted the businessman's Liberian wife, two other Liberian women with their four children, and four Liberian novices. Those abducted were apparently later released. NPRAG officials denied that NPFL forces were responsible.

Late October, 1992: The NPFL allegedly killed more than 25 people in Maryland County, apparently because they were suspected of supporting ULIMO.

October, 1992: Civilians in Monrovia were subjected to ill-treatment, harassment and looting by AFL and ULIMO troops. At least six people were reported to have been summarily executed by these forces on suspicion of being NPFL fighters.

November, 1992: ECOMOG forces threatened to shoot on sight any member of the armed forces who broke a night curfew imposed in Monrovia.

January, 1993: Two unnamed soldiers were reportedly executed in January after being convicted of looting by an AFL court martial.

January, 1993: AFL soldiers found responsible for extrajudicial execution of Brian Garnham, manager of a research laboratory.

February, 1993: ULIMO reportedly executed eight of its fighters in February for looting and harassing civilians.

February, 1993: 13 elders at Hende were held responsible for the drowning of a ULIMO commander when his canoe capsized. They were executed.

March, 1993: ULIMO summarily executed 114 young men in Zorzor suspected of supporting the NPFL. Refugees who fled to neighboring Guinea were reportedly

either forcibly returned to Liberia or executed in Guinea after perfunctory investigations by an illegal tribunal of Liberia exiles base in Macenta and apparently linked to ULIMO.

April, 1993: When ECOMOG forces took Buchanan in April, civilians who refused to flee with the NPFL were apparently killed by NPFL soldiers.

May, 1993: In an attack on Fasama, a town under ULIMO control, about 200 civilians were reportedly killed indiscriminately by NPFL soldiers.

July, 1993: ULIMO was alleged to have extra judicially executed as many as 300 members of the Lorma ethnic group in Voinjama who opposed their control of the town.

August/September, 1993: Reports of NPFL attacks on Liberian refugees in camps close to the border in Cote d'Ivoire or as they returned to tend their crops in south-eastern Liberia. Several were reportedly killed.

September, 1993: A UN inquiry found that the AFL had been responsible for the extra judicial executions of nearly 600 unarmed civilians- mostly women, children and elderly people- at displaced people's camps near Harbel in June. This report by the WACCO Commission is disputed by findings of the TRC to the effect that NPFL committed the atrocities.

October, 1993: ULIMO fighters reportedly killed large numbers of people from the Kissi ethnic group in Foya district.

October, 1993: Hundreds of civilians died or were deliberately killed during ULIMO takeover of Lofa and Bong Counties and the NPFL recapture of Bong County. Countless civilians who remained after the recapture were killed by the NPFL.

October, 1993: Sierra Leonean Revolutionary United Front forces were reported to have killed civilians in Lofa County on suspicion of supporting opposing forces.

October, 1993: Liberian Peace Council fighters reportedly killed civilians who refused to join them in Sinoe County in the southeast.

December, 1993: LPC fighters killed nine church ministers in Greenville after accusing them of being "anti-Krahn".

June, 1994: Mandingo ULIMO fighters reportedly killed at least four civilians and took women hostage for money when they burned and looted villages in the Tienne area.

June 17, 1994: ULIMO fighters raided the village of Goe. They forced all the villagers to assemble at a central point and accused them of supporting a rival ULIMO group. They burnt houses and looted extensively. They also tied up the village chief in his hut and set it on fire.

June 19, 1994: An ULIMO group led by commander Keita killed six people from the Bangorama village and burnt down the house of the local chief.

June 23, 1994: An ULIMO-K group attacked the village of Ngojah and murdered two people. They were tied up and their throats slit.

July, 1994: In Barnablo Beach, LPC fighters allegedly tied the victims' arms behind their backs, burned them severely with heated machetes, forced them to carry looted goods to another village and shot dead one man who had collapsed on the way.

July, 1994: LDF fighters reportedly killed more than 70 civilians in the village of Rusie, near Zorzor, Lofa County.

August, 1994: Mandingo ULIMO fighters allegedly killed at least 20 civilians in Gbesseh, Lofa County.
August/September, 1994: An ULIMO tribunal ordered the execution by firing-squad of civilians whom it suspected to be NPFL supporters.

August/September, 1994: Mandingo ULIMO fighters reportedly killed civilians in Lofa and Bong Counties.

August, 1994: The NPFL was reportedly to have executed up to 80 of its own fighters, without trial, and to have tortured and killed Lieutenant-General Nixon Gaye, an NPFL Commander, for leading a mutiny against Charles Taylor.

September, 1994: The massacre of over 100 persons who were hospitalized and/or seeking shelter at the Phebe Hospital. Those killed were fleeing fighting between ULIMO-K and NPFL. The NPFL is alleged to have committed the crime.

September, 1994: NPFL fighters tied up at least 20 men, women and children and threw them into the St. John River at Bahla Bridge.

September, 1994: At least two Tanzanian UNOMIL soldiers were killed in Kakata when Krahn ULIMO fighters reportedly attacked a convoy of civilians fleeing Gbarnga, which included UNOMIL observers and aid workers.

September, 1994: On 23 September armed men reportedly killed displaced civilians and medical staff at Phebe Hospital near Gbarnga; responsibility was not clear but the killings apparently occurred after NPFL forces overran the area.

September, 1994: NPFL fighters reportedly shot dead some 100 people in Palala, Bong County, on suspicion of being ULIMO supporters.

September, 1994: LPC fighters in Greenville were reported to have killed Marie Tokpa, a girl from the Kpelle ethnic group, who resisted being raped.

September, 1994: LPC fighters reportedly assembled the inhabitants of Kpolokpai, Kokoya District, Bong County, killed 30 alleged NPFL fighters and supporters with machetes, then shot dead 15 other civilians prisoners and fired into the crowd. TRC investigations confirmed.

September, 1994: NPFL fighters robbed and killed civilians as they fled fighting for the control of Gbarnga with ULIMO.

October, 1994: From October NPFL fighters reportedly killed scores of civilians in Maryland County whom they suspected of supporting the LPC, among them Simon Gyekye, a Ghanaian school principal in Pleebo.

October, 1994: LPC fighters apparently fired on assembled civilians in Zanzaye, killing scores of them.

November, 1994: LPC fighters allegedly killed 12 residents of Sabo Wofiken.

December, 1994: More than 50 civilians were massacred at Paynesville. Responsibility was unclear but witnesses said the attackers were Krahn AFL soldiers.

December, 1994: The NPFL executed six (6) senior commanders held responsible for the fall of Gbarnga in September, apparently after a court-martial.

December 15, 1994: The massacre of 48 civilians at Cow Field, Duport Road, Montserrado County. The civilians were murdered and burned by Paul Vaye, Sam Lartoe and other soldiers from the NPFL while they were asleep in their homes.

January 1995: Liberian Peace Council (LPC) fighters killed eighteen (18) citizens in Grand Kru County.

April, 1995: UNICEF representatives reported a massacre in Yourcee, a village near Buchanan. They stated that at least 62 people, including women and children, had

been rounded up and killed – most had been hacked to death. The UNICEF workers could not determine who was responsible for the massacre; the area had been controlled by the NPFL but was contested by the LPC.

June, 1995: Clashes between ULIMO factions in Royesville left many civilians dead; survivors were raped and terrorized.

August, 1995: After the peace agreement, it was reported that NPFL fighters had been responsible for the massacre of at least 75 civilians in the Tappita area, Nimba County. Although he discounted the figure of those killed, Charles Taylor, leader of the NPFL, stated that some NPFL members had been arrested and would face court-martial for these acts.

November, 1995: At least four LPC commanders were executed by firing-squad on the orders of a specially constituted court. According to reports, the execution followed a two-week investigation into human rights abuses.

December, 1995: UNOMIL observers commenting on the human rights situation in Tubmanburg confirmed that ULIMO-J had forced civilians out of the hospital where they had sought refuge from the fighting and had used them as "human shields" to protect their positions.

January, 1996: Members of the LPC killed, raped, and harassed members of the Grebo ethnic group in southeast Liberia.

January, 1996: The buried remains of five civilians were exhumed in Tubmanburg, together with those of nine ECOMOG soldiers, allegedly killed by ULIMO-J. One of the victims had been decapitated and, according to a pathologist, another had apparently been tied up and then shot.

February, 1996: Lieutenant Prince Musa of the NPFL was killed a few minutes after being found guilty by a court-martial of killing a civilian who refused to hand over money.

March, 1996: At least four (4) civilians were reportedly killed when LPC combatants in Buchanan opened fire on them after running over a pedestrian with their vehicle.

April 6, 1996: The attempted arrest of Roosevelt Johnson by the NPFL and ULIMO-K with ECOMOG support. The attempt led to the third battle for Monrovia, in which the US government supported the beleaguered ULIMO-J troops.

April 18, 1996: The murder of twelve (12) persons in Zuanna Town and Bloun Town, Bomi County. A group of fighters stormed the area and burned down the displacement camp and Karmo Town.

April & May, 1996: Fighters loyal to the NPFL publicly displayed the head of a ULIMO-J fighter who had been shot and then decapitated.

April & May, 1996: The body of Benson Wyen, former Managing Director of the Forestry Development Agency, was found near the police academy in Paynesville. He was reportedly killed by the NPFL.

May, 1996: Five (5) bodies were found on Benson Street, Monrovia. The victims reportedly had their ears cut off or their throats cut before being shot, following fighting between ULIMO-J and the NPFL.

July, 1996: Aid workers reported that ULIMO-K was restricting the movement of civilians in a displaced camp in Suehn and starving the inhabitants to cause food supplies to be diverted to their troops. ULIMO-K released some 60 starving children within a few days but did not permit the evacuation of other inhabitants for a further two weeks.

September, 1996: Dozens of civilians were killed after clashes between ULIMO-J and ULIMO-K. At least 21 civilians were killed in Sinje, Cape Mount County, reportedly by ULIMO-K. One of those killed was a baby girl, whose skull had been fractured.

September 28, 1996: The massacre of about seventeen citizens in Sinje, Grand Cape Mount County according to a UN press release issued by the Special Representative of the Secretary General, Amb. Anthony B. Nyakyi.

1996: An LPC official publicly stated that LPC fighters responsible for the killing of three civilians in Buchanan would be executed.

The Charles Taylor Era (1997-2003)

November 28, 1997: The murder of Samuel Dokie, a former ally of Taylor, was allegedly murdered by Taylor's special security forces after defecting to found the Central Revolutionary Council (CRC). Dokie was arrested with his family at a checkpoint in Gbarnga. The Special Security Services (SSS), a government force within Liberia dedicated to the protection of the president, ordered the arrest and killing. Benjamin Yeatin is linked.

December 16, 1997: The murder of Daniel Nyankan. Nyankan was found dead somewhere near Freeport, Monrovia with bruises all over his body.

April, 1998: The discovery of a mass grave in Zorzor, Lofa County. The NPFL has been implicated. The victims, including pregnant women, were bound at the hands and legs before being buried alive in shallow graves.

July 10, 1998: The abduction of Nowai Flomo, a prominent market woman, was taken by nine members of the SSS. She was allegedly abducted from her house at about 11:00 a.m.

September 18, 1998: The attack on Roosevelt Johnson on Camp Johnson Road. The attack claimed the lives of between 53 to 100 people. Johnson and others fled to the US Embassy for protection and were later evacuated to Nigeria and Sierra Leone.

September 19, 1998: The execution of 1,500 Liberian civilians at dawn. The execution took place pursuant to President Taylor's order that Roosevelt Johnson be evicted from his residence. The operation was spearheaded by Col. Junior Fania, Leo Jebo, Saar Gbollie, Joe Tuah, General Eric Sway, Arthur Saah and Benedict Mentee.

September 19, 1998: The murder of thirteen (13) Krahn individuals on Shiefflin highway by Mark Guahn.

August 10, 1999: The massacre of about 25 Quardu-Gboni individuals. The massacre took place in Nekabozu, Lofa County by militia men.

September 2, 1999: The massacre of about 25 persons in Nikagbozu, Lofa County. The massacre was blamed on the Defense Minister, Daniel Chea.

September 28, 1999: The murder of Papa George. Henrique Cassell, the Deputy Commissioner of Immigration and brother-in-law of President Taylor, shot Mr. George, a taxi driver, for overtaking him on a road. Cassell moves around freely without any published knowledge of how he got released from prison.

October 10, 1999: The massacre of about twenty (20) civilians by Siafa Norman.

2000: The summary execution of more than 100 persons at the Gbatala ATU Training Base in Bong County by Charles Taylor, Jr. Some of the victims were trainees charged with failing to follow instructions.

January, 2000: The massacre of eighteen (18) Mandingo persons in Bawon Town, Zorzor District, Lofa County.

January, 2000: The massacre of 26 unarmed civilians in Gbar, Bomi County. The civilians were accused of being supporters of LURD and were killed on the orders of Melvin Sogbandi.

May, 2000: The summary execution of 42 captives in Voinjama by Joe Gbala. The victims were presumed to be Government of Liberia (GOL) soldiers who had surrendered in a battle between John Town and Zorzor.

June, 2000: The murder of Enoch Dogolea. Dogolea was a vice president when he died.

September, 2000: The attacks by the Revolutionary United Front (RUF) on Guinea. The RUF was accompanied by Liberian fighters and Guinean dissidents including General Zoumanigui. The RUF eventually captured Gueckedou and Macenta at a high cost of human lives.

March, 2001: The summary execution of fourteen (14) persons in Kornia, Lofa County on the orders of Momo Jibba. Jibba ordered the executions after the GOL recaptured the town from the Liberian United for Reconciliation and Democracy (LURD). He also planned and executed the death of Francois Massaquoi, the Youth and Sports Minister at the time.

May, 2001: The massacre of seven (7) Mandingo individuals by Daniel Gweh and Tony Gonyor of GOL forces in Saclepea, Nimba County.

June 9, 2002: The massacre of 110 young men and women in Bopolu, Gbarpolu County by LURD combatant Oforie Diah (a.k.a Iron Jacket). The victims were accused of being GOL sympathizers.

July 20, 2002: The massacre of 175 persons on the orders of Benjamin Yeaten at Mahir River Bridge, Tubmanburg, Bomi County. The victims were accused of being LURD sympathizers.

September 18, 2002: The summary execution of Isaac Gono in Congo Town, Monrovia on the orders of Charles Taylor, Jr. He ordered the death of Gono, his driver, because he hit a dog with the car.

October 21, 2002: The incursion by Benjamin Yeaten, Joe Tuah, Edwad Zamay, Joe Walloe, Osebeo Dehmin, and Matthew Karn into the Ivory Coast on the mandate of Charles Taylor. The purpose of the incursion was to act as mercenaries for Philip Doh. A number of people died in the operation including those who refused to sign on.

2003: The abuses against Kissi civilians in Lofa County by LURD members were widely reported.

February 28, 2003: The murder of Kara Lund, Emmanuel Sharpolor, and Muse Keita of the Adventist Development Relief Agency by Gbor Vaye in Toe's Town, Grand Gedeh County.

June 4, 2003: The murder of John Yormie and Isaac Vaye on the orders of Benjamin Yeaten in Paynesville, Montserrado County. Yormie, the Deputy Minister for National Security, and Vaye, the Deputy Minister for Public Works, were arrested by a group of armed men acting under the command of one "Banana" of the SSS who was acting on the orders of Benjamin Yeaten. They were brought to Monrovia and interrogated before they were killed. Their bodies were dumped on the train tracks but have not been found.

May 6, 2003: The massacre of Samuel Bokarie, his wife, mother, and two children in Nimba County by Adolphus Sampson, Gola Red, Alphonso Nyanay and Marcus High Grade on the orders of Benjamin Yeaten.

May 26, 2003: The murder of a family of five at the railroad bridge near Gbarn, Nimba County by Adolphus Sampson. Sampson, the Special Bodyguard to Benjamin Yeaten, murdered the family upon seeing them with 75,000 Liberian Dollar and two pieces of diamonds.

May, 2003: The murder of 24 persons on Lofa Bridge by General Sekou Kromah of the LURD and his men.

June 9, 2003: The murder of eighteen (18) persons at the Stockton Creek Bridge in Monrovia by Charles Taylor, Jr. The victims were POWs arrested by General Roland Duo's men.

June/July, 2003: The murder of 42 persons on the Johnson Street Bridge in Monrovia by Lomax and Marcus High Grade. Lomax was the artillery crew commander of the Wild Geese. High Grade was the bodyguard to Yeaten and Nyenay. The victims were accused of looting and summarily executed.

July, 2003: The murder of 78 wounded soldiers by Marcus High Grade and Gola Red on the instruction of Benjamin Yeaten at Combat Camp. The soldiers, who had demanded payment from Charles Taylor, were transported from Monrovia to the camp under the pretense that they were going to be paid.

July, 2003: The summary execution of 26 persons in Klay by General Abbas of LURD. The victims were arrested on Bushrod Island as POWs.

September 8-20, 2003: The feeding of 26 living persons to Charles Taylor's lions by Zeezah Mazah at Tubman Farm, Bong County. This was the prescribed punishment for crimes.

October 11-26, 2003: The execution of over 26 persons on the Po-River, Tubmanburg highway on the orders of General Wasue Donzo of the LURD. Some of the bodies were dumped in the Po River. Nineteen (19) mass graves were discovered by researchers for the Truth and Reconciliation Commission in Lofa County. Locals attributed the dumping to Marine Chief of Staff, Roland Duo.

Arbitrary Arrest, Detention, Torture and Ill-treatment

February – May, 1997: ECOMOG forces undertook cordon-and-search operations to find hidden weapons. More than 70 people were arrested and held in secret detention camps on suspicion of possessing weapons. Most of them were tortured or ill-treated.

February, 1997: An ECOMOG patrol arrested 25 suspected former combatants in Grand Cape Mount County, took them to Monrovia and held them in a secret cell at the ECOMOG base. They were reportedly beaten with electric wire.

February, 1997: Four dock workers suspected of being former United Liberation Movement of Liberia for Democracy-Johnson branch (ULIMO-J) fighters were arrested in Sayon Town and taken to the ECOMOG base in Monrovia. There, three ECOMOG soldiers reportedly beat them with wire on their backs, shoulders and legs and kicked them.

May, 1997: ECOMOG soldiers based in Fendell traveled to grand Cape Mount County to conduct a cordon-and-search operation at Lajoy goldmine. During interrogation, six former fighters and three civilians were reportedly slashed with razor blades. One former combatant died during the night following the beating. The other victims reportedly had swollen faces, inured eyes, slashed wounds and hearing problems.

September, 1997: Liberian police and ECOMOG soldiers assaulted a group of some 500 employees of the Firestone Plantations Company in Harbel, near Monrovia, who were demonstrating peacefully for the release of four colleagues held by the company's security staff. Police and soldiers reportedly beat the workers with batons and gun butts, and then opened fire, injuring seven people.

April, 1999: At least 34, people mainly of Krahn ethnicity were charged with treason following fighting in September 1998. In April, 13 of the defendants were acquitted. Observers at the trial expressed concerns about the competence of the court and

irregularities in the trial proceedings. Some of the defendants complained that they had been ill-treated before and during the trial. Some appeared to have been beaten severely, and at least two had loss of hearing and broken limbs.

1999: A group of military officers, nine of whom were charged with sedition, was arrested in connection with the fighting in Monrovia of September 1998 and brought to trial during 1999. Their trial was suspended several times by a Court Martial Board amid controversy about the government's reported failure to ensure adequate financial resources for the trial. By the end of 1999, the trial was suspended indefinitely. Concerns were also expressed about the perceived lack of guarantees for a fair trial and about alleged intimidation of defense lawyers. Moreover, the defendants were reportedly ill-treated and held in conditions which might have amounted to cruel, inhuman and degrading treatment. They were reported to have been regularly denied food and medical care. On at least one occasion defendants fainted during the trial proceedings, reportedly because they had been denied food for several days. The prisoners were also repeatedly beaten and flogged in the early days of their detention.

February, 2000: A court martial convicted four army officers of sedition - General Joseph Jarlee, Major Alphonso Dubar, Master Sergeant Alxander Gee and Private Okpakakpu Mongar - and sentenced them to 10 years' imprisonment. Five other officers were acquitted. There were concerns that the trial did not meet international standards for fair trial and about the alleged intimidation of defense lawyers. The defendants, who were reportedly beaten following their arrest, continued to be detained in harsh conditions at a military barracks. General Jarlee was reportedly denied adequate food or medical treatment.

August, 2000: The Liberian government issued an arrest warrant for Ellen Johnson-Sirleaf, an opposition leader in exile, to face treason charges, with 14 others, for allegedly supporting the insurgents. Of those charged, only Raleigh Seekie was still in detention awaiting trial at the end of 2000. Several other civilians suspected of supporting the insurgents were reported to have been arrested in Monrovia and in other parts of the country. It was not known whether they had been released by the end of the year.

December, 2000: The Supreme Court heard appeals by 13 people convicted of treason in April, 1999 and by the prosecution in the same case which called for longer prison sentences. The Court increased the sentences from 10 to 20 years' imprisonment. In April 1999, the Criminal Court had given as its reason for a lenient sentence the "need for genuine reconciliation in the country". The trial had been marred by irregularities and some of the defendants had been beaten severely following their arrest. Most were former government officials serving 10-year prison

sentences in the Central Prison, Monrovia, where they were reportedly harassed and denied adequate medical care.

May, 2001: Over 100 men and boys in Bong County in northern Liberia were arrested as suspected dissidents. They were subsequently detained at Gbatala military base for periods of up to a month and reportedly tear gassed, had acid thrown at them, denied water and starved. Several reportedly died as a result.

April, 2001: As many as 15,000 fleeing civilians were halted for several weeks at the St. Paul River on the border between Lofa and Bong Counties by the Liberian security forces. Civilians were subjected to violations such as torture, including rape and forced recruitment into the security forces. There were reportedly numerous deaths from starvation, disease and unsanitary conditions.

June, 2001: A 29-year-old man was captured by the LURD while trying to flee the fighting. His hands were tied behind his back. He was detained for several days with two other men and a woman. He reportedly witnessed the deliberate shooting and killing of the two other men on the orders of a high-ranking officer. The woman was reported to have been raped. Both the woman and the man eventually escaped.

June & July, 2001: On several occasions ATU and police forces reportedly entered a camp for internally displaced people in Bong County, fired in the air, seized men and boys and took them to Gbatala military base where they were severely ill-treated.

November, 2001: Two Nigerian nationals reportedly died in custody as a result of torture after being arrested on suspicion of stealing jewellery from a deputy government minister, Bedell Fahn. The deputy minister and members of the security forces were subsequently arrested, tried and convicted.

December, 2001: A 14-year-old boy in Gbarnga, Bong County, was shot dead for participating in a student demonstration by police who subsequently said that he was an armed robber.

January, 2002: A LURD commander forced several men from Kolahun, Lofa County, to carry ammunition. Two were shot in the leg for not walking fast enough, one of whom later died.

February 24, 2002: ATU and SOD forces arrested 45 young men at a displaced people's camp in Monrovia. They were released the following day after payments by their families.

February, 2002: In Tubmanburg, four men suspected for being "dissidents" were reportedly tortured by members of the ATU; one subsequently died. A surviving victim described his scrotum being beaten with a hammer. Arrest and ill-treatment of suspected opponents continued after the lifting of the state of emergency in September.

June, 2002: During an attack by the LURD on a refugee camp at Sinje, Grand Cape Mount County, five nurses working with a Liberian medical relief organization were abducted and held until September.

December, 2002: Leading members of the Inter-Religious Council of Liberia, David Kiazolu and Christopher Toe, were arrested, apparently suspected of collaborating with the LURD.

December 11, 2002: Five members of opposition political parties were arrested in Grand Bassa County and taken to Monrovia where they remained held without charge before being released.

December 14, 2002: Throble Suah, a journalist on The Inquirer Newspaper, was stopped in the street of Monrovia and severely beaten by security forces, believed to be ATU members; he required urgent medical treatment.

Rape and Other Forms of Sexual Violence

March, 1999: Members of the military, searching for a missing man, detained and beat elders in the village of Dambala, Grand Cape Mount County. Villagers complained that the soldiers had raped several women and had looted money and goods. The alleged violations followed several hours of shooting in the village. Military authorities admitted that looting had occurred but denied the allegations of violence and rape.

June, 2001: A 17-year-old woman was seized in Vahun district by an ATU officer, detained and gang-raped repeatedly over 10 days. When she was released, her life was threatened if she told anyone.

February, 2002: A woman aged 23 who had fled her home was gang-raped and severely beaten by security forces in Margibi County.

May, 2002: As thousands of civilians fled fighting around Gbarnga as many as 20 women reported that they had been raped by security forces. They included a 19 year old raped by four government militia. Another woman was abducted, held for two days and reportedly raped by an ATU member.

August, 2002: Three women fleeing to Guinea were abducted by LURD combatants between Kotolahun and Honyahun. They were forced to carry loads and then raped. Those responsible were subsequently beaten by their commanders.

February, 2003: B.D., aged 18, from Bomi County, was captured by LURD forces in February, 2003 and forced to become the "wife" of a LURD combatant. A child was begotten out of the illicit relationship.

November, 2003: Persistent reports of killings, beatings, abduction and rape by MODEL forces were received. A 60-year-old man, narrated to Amnesty International how MODEL forces attacked Graie on November 1, 2003 burning most of the houses in Graie, Nimba county. Tied some people, beat them with cutlasses and stripped people-both men and women.

April, 2003: Abduction of civilians from displaced peoples camps by LURD forces.

Repression on Human Rights defenders; Opposition Leaders

July, 1997: During the election campaign, there were numerous reports of intimidation and harassment by former combatants, particularly in the north and the southeast of the country and by former members of the National Patriotic Front of Liberia (NPFL). Both were accused of threatening civilians and some returning refugees.

September, 1997: Philip Wesseh, managing director of an independent newspaper, The Inquirer, questioned police methods in dealing with alleged armed robbers. He was arrested and interrogated for several hours.

November, 1997: Samuel Dokie, former deputy speaker of the recently dissolved Transitional Legislative Assembly and a former Minister of Internal Affairs, his wife, Janet Dokie, and two other relatives were arrested by officials of the Special Security Service. In early December their bodies were found in a burned car; Samuel Dokie had reportedly been beheaded.

December, 1997: Seven journalists with The Inquirer Newspaper were taken to the President's residence, the Executive Mansion, in connection with an article about the killing of Samuel Dokie. They were questioned for two hours by members of the Special Security Services, who reportedly told them that some journalists might be killed if they did not improve their work.

December, 1997: Alex Redd, a journalist with Radio Ducor, was abducted by plainclothes security officials, apparently in connection with interviews he had carried out while covering Samuel Dokie's funeral. He was abducted some 150

kilometres outside the capital, Monrovia, but was found two days later in police custody in the city. He had reportedly been beaten and bore knife wounds. His captors had apparently abandoned him in the capital with his arms still tied behind his back and he had been handed over to the police. He was held for questioning and charged with treason but after six days in formal police custody the charges were reduced to felony and he was released on bail.

January, 1999: A journalist was arrested and detained in January for four days, apparently because of his investigative work on the involvement of Liberia in the Sierra Leonean conflict. He was allegedly beaten and held naked. He was accused of treason and espionage, but no formal charges were brought against him. The police authorities denied his arrest. His fiancée was briefly detained when she tried to locate him. A few weeks later, he was again seized by plainclothes security officers, and released only after the intercession of senior officials and foreign representatives. He had previously been arrested and reportedly tortured in August 1998.

March, 1999: Police briefly detained Isaac Menyongi of the Heritage newspaper for refusing to disclose the source of his article about a South African businessman's ties to Liberian officials.

March, 1999: Philip Moore, a reporter with the independent newspaper The News, was arrested on charges of 'criminal malevolence'. He was released a day later after intervention from the Press Union of Liberia and the JPC.

December, 1999: Police arrested the news editor of the Concord Times newspaper, Sarkilay Kantan, and a reporter on similar charges, following their articles about corruption in government and state-run companies. Four other journalists were also sought for arrest.

December, 1999: Police arrested James Torh, the executive director of FOCUS, on charges of sedition in connection with comments he had made in a speech at a high school. James Torh had a record of speaking out about human rights concerns in Liberia and had publicly criticized President Taylor over the issue of a truth commission to investigate past abuses. He was released on bail after three days.

March, 2000: Suah Deddeh, President of the Liberian Press Union, was arrested and questioned by security officers after criticizing the closure of two privately owned radio stations, Star Radio and Radio Veritas, by the authorities. He was released the next day without charge. After protest, Radio Veritas was allowed to reopen but Star Radio remained banned.

March, 2000: James Torh, a prominent human rights activist, fled the country after Anti-Terrorist Unit officers twice came looking for him at his home at night. In December 1999, he had been briefly detained and charged with sedition for allegedly making remarks critical of the government. When he did not appear at a court hearing in April, the authorities ordered his re-arrest.

August, 2000: Four journalists working for Channel 4, a UK television station, Sorious Samura, Gugulakhe Radebe, David Barrie and Timothy John Lambon - were detained for several days in Monrovia and accused of spying. The four were beaten following their arrest and one of them was threatened with death. They were released unconditionally after widespread protests.

September, 2000: Staff members of the independent New Democrat, including its editor Charles Jackson, fled Liberia following death threats, intimidation and harassment by the security forces.

November, 2000: Armed men believed to be civil war veterans, who reportedly included a senior armed forces officer, attacked members of a non-governmental organization, the Centre for Democratic Empowerment (CEDE), in Monrovia. They stabbed and wounded Conmany Wesseh, and physically assaulted Amos Sawyer, formerly head of the Liberian Interim Government during the civil war and CEDE Chairman, and other staff. The armed forces officer and seven others were subsequently charged with aggravated assault and released on bail to await trial. However, others believed to be also responsible for the attack were not known to have been investigated by police. Local human rights activists called for an independent inquiry. Suspects arrested in connection with a 1999 attack on the home of Conmany Wesseh and death threats against his family had been released without charge or trial despite evidence against them.

February, 2001: Joseph Bartuah, Abdullah Dukuly, Jerome Dalieh and Bobby Tapson, four journalists from the privately owned newspaper The News, were arrested and charged with espionage after publication of a report criticizing the delayed payment of civil servants salaries.

March, 2001: Dozens of university students and professors were whipped and severally beaten by the security forces during a peaceful protest in Monrovia against the arrests of more than 40 students. Some were released shortly afterwards without charge, with visible marks of beatings, and at least seven women students were reported to have been raped repeatedly in detention. At least 17 were released over the next three weeks after widespread public protests. In April the university suspended student leaders; most of whom fled the country.

April, 2001: Veteran politician Togba-Nah Tipoteh said that he and other politicians had received threats for criticizing the international community for giving financial assistance to the government.

April, 2001: Francois Massaquoi, Minister of Youth and Sports and former leader of the Lofa Defense Force, an armed group active in the civil war, was killed in unexplained circumstances in Lofa County. Reports suggested that he might have been killed because his political influence with government forces in the area was perceived to be a threat to the government.

September, 2001: Thompson Ade-Bayor, head of Liberia Watch for Human Rights, was illegally detained without charge or trial for 10 days after criticizing the security forces in a published article. The Liberian police reportedly paid fellow inmates to hang him by his feet and beat him.

October, 2001: Emmanuel Wureh, president of the National Bar Association, was imprisoned for a week after he was found in contempt of court for alleged insulting remarks during court proceedings. Leading Bar Association members Marcus Jones and Ismail Campbel announced a lawyers' boycott in protest and were themselves arrested. The House of Representatives subsequently asked the Minister of Justice to charge them with contempt of the Legislature and to detain them until they apologized to the House and retracted their protest. The legal basis for this process and their detention was unclear. Emmanuel Wureh was released in November and the other lawyers in December.

2001: Raleigh Seekie, an opposition leader, charged with treason along with 14 others in August 2000, was still in prison awaiting trial at the end of 2001. Others charged with him had not been arrested.

February, 2002: Frances Johnson-Morris, former Chief Justice and head of the Catholic Justice and Peace Commission, was arrested after publicly questioning the constitutional legality of the state of emergency. She was detained briefly with male detainees before the Minister of Justice ordered her release without charge.

March 20, 2002: Henry Cooper, a member of an opposition political party in Bong County, was reportedly arrested by police; his bullet-ridden body was found later.

April, 2002: Tiawon Gongloe, a human rights lawyer, was arrested and tortured in police custody, requiring hospital treatment for his injuries. He was initially prevented from leaving the country and was briefly detained again in May.

June, 2002: Hassan Bility, a journalist with The Analyst newspaper, was arrested with two associates, following articles condemning human rights violations. Sheikh

Sackor, Executive Director of Humanist Watch, was arrested the following month. Both were held incommunicado and tortured. The government accused them of belonging to the LURD and announced that they would be tried by a military court.

October, 2002: Aloysius Toe, a leading human rights activist, went into hiding in late October after police raided his home and briefly detained his wife and three other human rights activists. These arrests followed the launch of a campaign by the Liberia Coalition of Human Rights Defenders to secure the release of Hassan Bility and Sheikh Sackor.

8.2.4 Recorded Massacres in Liberia (1979 – 2003)

Below is a synoptic presentation of massacres that occurred in Liberia between 1989 and 2003. To date the TRC has recorded more than 100 different mass graves containing the remains of massacre victims estimated in excess of 8000 persons.

Case #	Date of incidence	Violations	Place of Occurrence	Source / Witness	Victims / Perpetrators
1	1994	massacre	Nyounde Town, lower Bomi County	Eye Witness Account	83 Zoes from the surrounding towns and villages were massacred by the ULIMO-K led by Col. Donzo
2	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.
3	1990	Killing	Caldwell, Monrovia	Family Members	Tecumsey Roberts was killed by Gen. Prince Y. Johnson at his Caldwell Base in 1990.
4	October 28, 2002	Arrested and detained	Monrovia, Liberia	Human Rights Activist/Journalist	Police arrested Blamoh Sieh, Director, National Human Rights Center and three staff members from the Center for protection of Human Rights

5	November 2, 1992	Massacre	Camp two, Harbel, Margibi County	Witness	During a football match, ECOMOG bomb fell on the playing pitch and killed about 150 persons and wounded about 86 persons
6	March 7, 2002	Arrested and detained	Monrovia, Liberia	Human Rights Activist/ Journalist	Police arrested and detained five Human Rights Activists Tunny Zeogar, Peter Nicholson, John Okai, Sam Nimely and Aloysius Toe for protesting the arrest of New Deal Movement Chairman Nigba Wiaplah.
7	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
8	January 15, 1994	Massacre	Neeswen Town, Rivercess County	Returnees from the county/Monrovia 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 to have entered the town about 3:00 a.m. and began slaughtering occupants of houses marked by the LPC.
9	June 19, 1994	Massacre	Moulton Corner Browerville, Montserrado County	Charles Bryant, Benjamin Brown, Marilyn Wright/The INQUIRER Newspaper June 23, 1994 Vol. 4#111	Nine persons including an entire family were slaughtered in the area that was controlled by Mandingo fighters who captured in from Krahn fighters.
10	August 1996	Massacre	Barclay 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	A team of medical doctors and health practitioners involved in the exhuming and rebury 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

				News, Vol. 7#	objects while some were beheaded civilians were killed and many injured while about 1000 civilians were bloodbath.
11	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
12	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.
13	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 laboure and looting/extortion properties
14	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.
15	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 enemies were advancing. All those got killed where all farmer that were returning from the farm that evening and they also burned down 14 houses
16	November 1996	Murder	Maryland County	Residents of Pleebo and Harper City, Maryland	The later Samuel Kwah Mensah who once served as Superintendent from 1992-1994 for Maryland County was

				County	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 Deputy Minister of Defense in the NTGL government, Sumo and Compare (Gambian) all of the NPFL
17	2003	Looting & extortion	Maryland County	Residents of Mary County	The Seaport of Maryland county and the four Major Industrials kor companies were finally looted by the MODEL faction.
18	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.
19	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 2oo1-2003, about 750-1000 civilians, comprising 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
20	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)
21	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
22	1994	Murder	Karblaka, Border with Ivory Coast Maryland County	Resisents 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.
23	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.
24	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
25	2003	Massacre	Shefflin High Way	Witness	About 50 ex- combatants mostly handicaps were massacred by the NPFL Government led by Gen.

					Benjamin Yeaten

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.
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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
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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 2oo1-2003, 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	Resisents 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.

County	Victims	Violations
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
Total	**93322**	**163615**

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

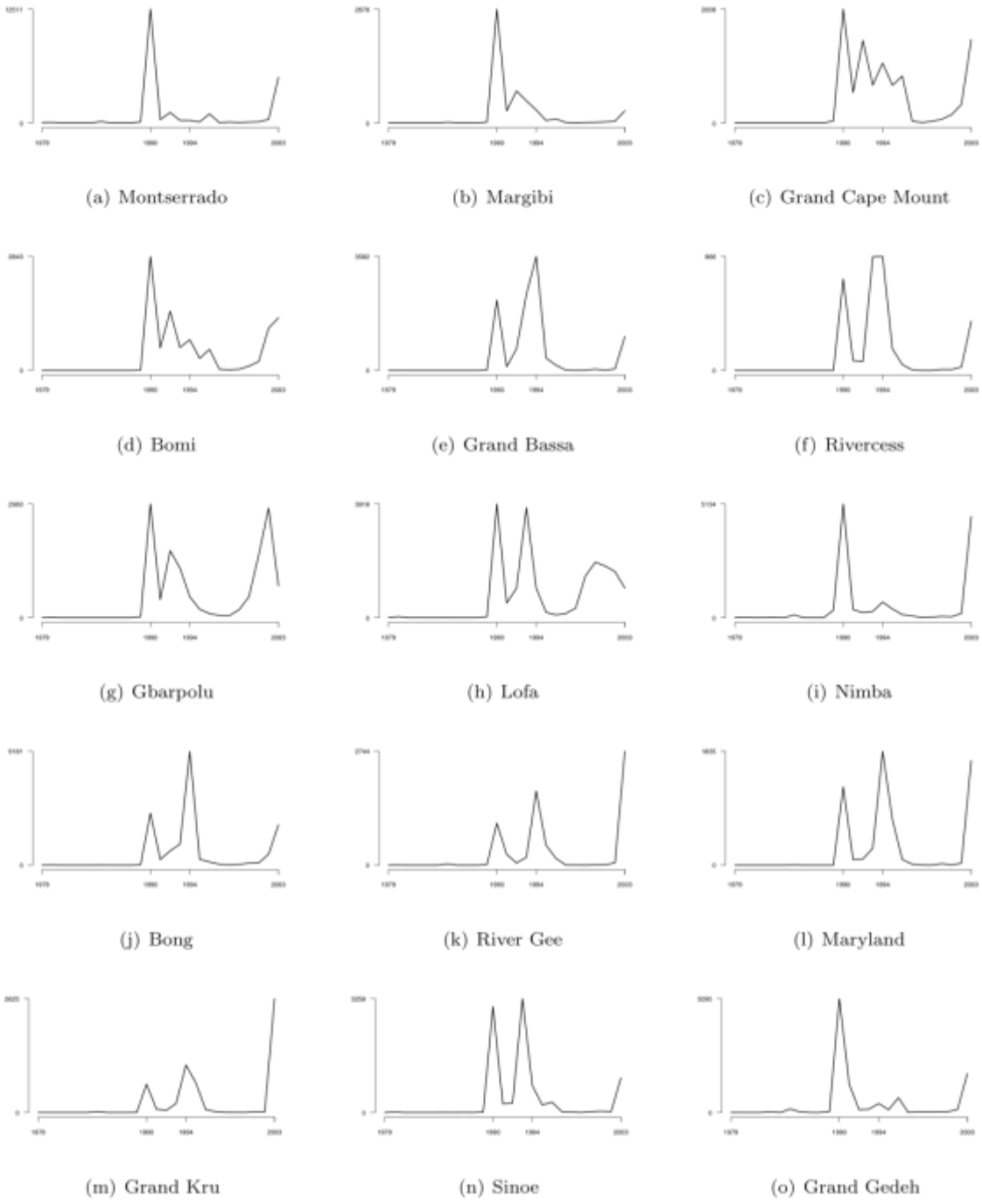
because of the population size and number of districts in Montserrado. But an even deployment or assigning a relatively even number of statement-takers, across counties with differing levels of violence could create "artificial" evenness in the measured data because statement-takers collect statements 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



(a) Montserrado (b) Margibi (c) Grand Cape Mount

(d) Bomi (e) Grand Bassa (f) Rivercess

(g) Gbarpolu (h) Lofa (i) Nimba

(j) Bong (k) River Gee (l) Maryland

(m) Grand Kru (n) Sinoe (o) Grand Gedeh

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

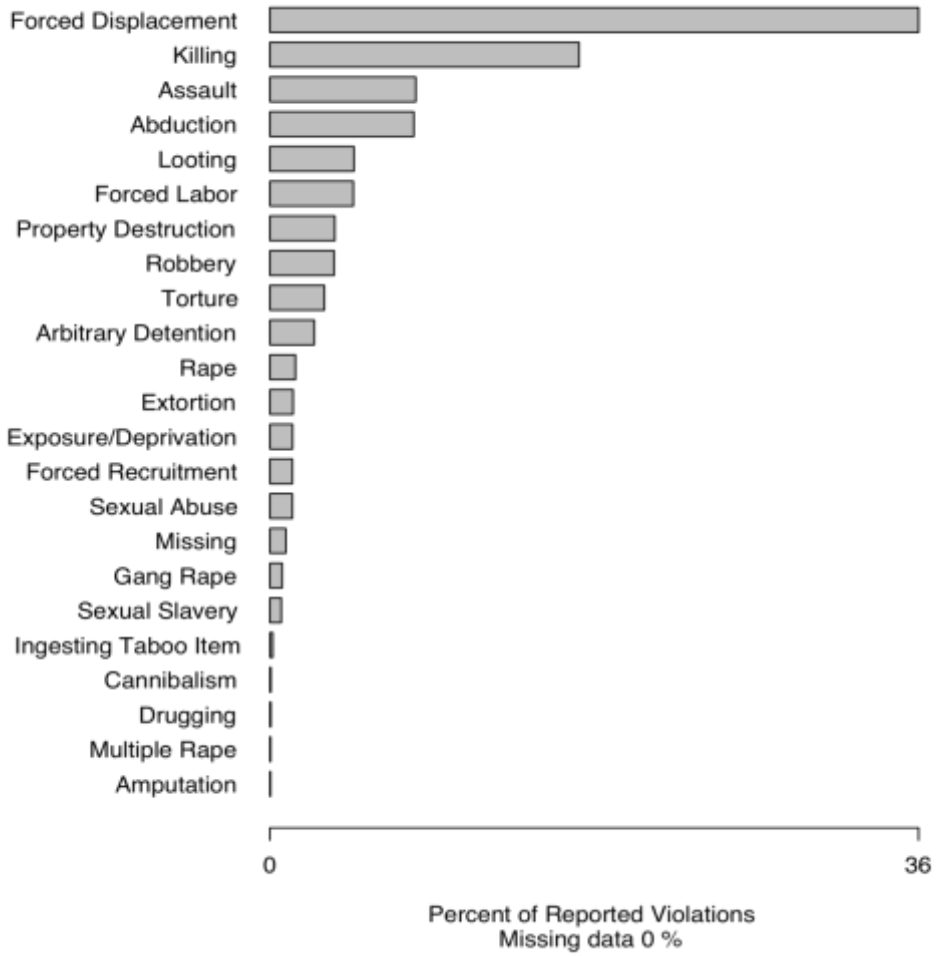
the faction was feared by the civilians. Terror became the main tool of warring factions. Other violations were based on personal vendetta. Fighters used their guns to settle personal feuds with teachers, friends, neighbors and relatives. Ethnic divisions and hatred were amongst contributing factors 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

Violation Type	Violations	Percent of Violations
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
Total	**163615**	**100.1**

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

Perpetrator	Violations	Percent of Violations
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

Perpetrator	Violations	Percent of Violations
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
Total	**155130**	**100**

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 22nd, 2006 to June 30th, 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".

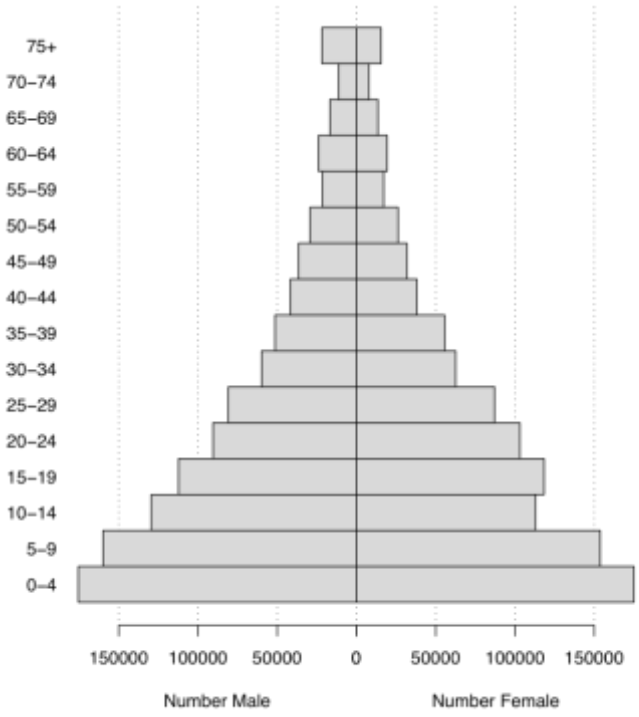
War induced victimization was wide spread throughout the population affecting a host of victims including women, men, children, youth, the elderly, and other vulnerable sections of our populace. Notwithstanding, analysis of testimonies collected from TRC witnesses point to men being targeted in greater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

Table 5: Reported Violations by Victim Sex, All Violations

Victim Sex	Violations	Percent of Violations
Female	46188	37.2
Male	76905	61.9
Unknown	1132	0.9
Total	**124225**	**100**

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 are 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 from 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 30th, 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 refugee 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 problem 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 Recherché 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 civilized 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 breading 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 descent 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 Liberian 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.1706 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.1718 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 attempted 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 INFPL 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 States1746 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.1765 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 juanta 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 Houphouet-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 th 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 47th 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."[10]

- 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

[10] 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
1.	Eugene Zinnah Gray	Montserrado
2.	Emmett Sando Gray	"
3.	Allan M. Nicholas	"

No.	Name	County
20.	Joseph Kpagbor	Grand Bassa
21.	Mulbah Sheriff	Gbarpolu
22.	Papa Ballah	"

4.	Joshua Milton Blayir	"
5.	Alfred Suah Debleh	"
6.	Morris A. Padmore	"
7.	Musa Fofana	"
8.	Yar Martor	"
9.	David Kennedy Vanyan	"
10.	Morris Weah	Marylandd
11.	Washington Moore	River Gee
12.	Mohammed Sheriff	"
13.	Wilson Saweayeh	"
14.	Stephen Jones	Grand Gedeh
15.	Daniel Seth	Sinoe
16.	Barduse Sarkoh	"
17.	Bob Kofi Zar	Rivercess
18.	Armah Youlu	Montserrado
19.	Joe Wylie	

23.	George T. Sengbe	Bomi
24.	Anthony Gballey	"
25.	Amos Chea	"
26.	Oldman Musa Pewee	"
27.	Felix Washington	"
28.	Adam Johnson	Margibi
29.	Vivian Willie	Nimba
30.	Rufus Mahmu Woyee	"
31.	Gertrude Pajebo	"
32.	Junior Duo (J. Born J)	"
33.	Junior Flomo	Cape Mount
34.	Sando Kiazolu	"
35.	Philip Wlue	"
36.	Thomas Boye Bloaju Boye	Montserrado

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.

No.	Name
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 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 fraudulent 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 statues 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 automous 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 allow to contest for a 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 extend 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 clearing 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 extend 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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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) survivals' 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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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 gnificant 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:

i. Six judges will serve in the Trial Chamber, three of which will be appointed by the President of Liberia, and three appointed by the Secretary-General of the United Nations (hereinafter "Secretary-General").
ii. Six judges will serve in the Appeals Chamber, two of which will be appointed by the President of Liberia, two judges appointed by the Secretary-General of the United Nations one judge by the President of the European Union, and one judge by the Chairman of the Commission of the African Union.
iii. Judges will only serve in the Chamber to which he or she has been designated.
iv. Judges from each Chamber will elect by a majority a presiding judge who will conduct the proceedings in his or her designated Chamber. The presiding judge of the Appeals Chamber will serves as the President of the Court.
v. The President of the Court shall be competent to make general and special assignment of judges to any Chamber or Panel consistent with the Court's Rules of Evidence and Procedure.
vi. Two alternate judges will be appointed by the Government of Liberia, one will be assigned to the Trial Chamber and the other to the Appeals Chamber.
vii. In the event of a vacancy the appointing authority retains the right to appoint alternative judge(s) subject to the approval of the President of Liberia.
viii. The judges of the Trial and Appeals Chambers shall collectively be referred to as the Entirety of the Court.

2. At least one-third of all of the judges must be women.

Article 4
Qualifications of Judges

1. The judges of the Court shall be persons of high moral character, integrity and impartiality who have expertise in public international law or Liberian criminal law, and have at least ten years of legal experience.

2. No person may be a judge if there is evidence or a public perception that he or she is alleged to have committed any violations of human rights law or humanitarian law, or played any role in supporting armed conflict in Liberia.

3. Judges will be appointed for five year terms.

Article 5
Term of office

1. The term of office of a judge shall be terminated:

   i. on the expiry of the term of office under Article 3
   ii. upon voluntary resignation, as confirmed by the Entirety of the Court;
   iii. upon permanent inability to perform the duties of a judge due to his/her illness, disability, or weakness certified by a competent medical board and decided by the Plenum of the Court;
   iv. upon being removed from office by the National Legislature after a request by the Court itself.

Article 6
Incompatibilities and Immunities

1. Judges of the Court may not be employed by any other entity or hold office in political organs, political associations or foundations connected to them, nor be involved in any political or party activities of a public nature. Professorial duties or research of a juridical nature are exceptions to this rule.

2. Judges of the Court will receive the same privileges and immunities as judges of the Supreme Court of Liberia. Expatriates appointed to serve as judges (i.e. international judges) shall be entitled to full diplomatic privileges and immunities of foreign diplomatic personnel.

Article 7
Language

1. English is the official language of the Court and in its communication with parties. Persons participating in proceedings have the right to speak in their native language. When requested by any persons participating in proceedings, the Court must provide qualified interpreters and transcribers.

Article 8
Rules of Evidence and Procedure

1. The Rules of Evidence and Procedure will be established by a consensus of the Entirety of the Court. They must comport with international standards of due process and include minimum procedural safeguards.

2. The Rules of Evidence and Procedure of the Court shall be published in five newspapers in the Republic of Liberia and made available to persons upon request.

Article 9
The Budget of the Court

1. The Court shall have its own budget, which shall derive from the Government of Liberia and voluntary contributions from donor/partner states, international institutions, non-governmental organizations and individuals.

2. The President of the Court is responsible for managing the budget of the Court. He or she will be assisted by the Chief Registrar.

Article 10
Counselors and Attorneys-at-Law

1. To appear or practice before the Court, an attorney must be licensed or certified to practice law in Liberia or in another jurisdiction with a recognized and functioning bar association that is recognized by the Court.

2. An attorney that does not fulfill the requirements under paragraph 1 may be specially admitted by the Court.

3. Procedures for special admission of attorneys and for recognition of licensing authorities for attorneys shall be established by the Court in its Rules of Evidence and Procedure.

4. The Court will define in its Rules of Evidence and Procedure the qualifications for attorneys that seek to appear before it. It will also have the authority to impose sanctions upon any attorney that appears before it; except for those that have been accorded diplomatic privileges and immunities.

JURISDICTION
Article 11
Criminal and Administrative Jurisdiction

1. The Court shall have criminal jurisdiction over crimes defined in this Statute and in the TRC's Final Consolidated Report Volume II including those categorized as gross violations of human rights (GVHR), serious humanitarian law violations (SHLV) and egregious domestic crimes (EDC), and any other relevant crimes.

2. The crimes enumerated in Articles 11-13 are largely derived from the Rome Statute of the International Criminal Court (ICC); however, their substance is derived from conventional and customary international law that predates the ICC. Liberia signed the 1998 Rome Statute establishing the ICC in July 1998 and ratified it in September 2004; consequently, since 1998, it has had a positive duty to refrain from acts that would defeat its object and purpose.

3. The Court shall recognize that while human rights obligations generally apply to state actors, select GVHR including, for example, enslavement, genocide and crimes against humanity, sit atop the hierarchy of international human rights law and international humanitarian law, and increasingly extend to private persons and to private action.

4. The Court shall have administrative jurisdiction and competence to adjudicate final administrative acts of the institutions and or bodies of the Republic of Liberia, determine the legality of individual and general administrative acts taken under State authority, resolve property disputes and levy tort penalties in accordance with Liberian law and international standards.

5. The Court shall be competent to:

   i. take a final and legally binding position on the implementation of domestic and international law including Liberian criminal or penal law, international treaties, customary international law and general principles of law.
   ii. decide any issue relating to international and inter-entity criminal law enforcement, including relations with Interpol and other international police institutions, such as decisions on the transfer of convicted persons, and on the extradition and surrender of persons under its authority, requested from any authority in Liberia by foreign states or international courts or tribunals;
   iii. decide any conflict of jurisdiction between the Court and any other courts.
   iv. initiate criminal proceedings for crimes defined under the Statute.

Article 12
Gross Violations of Human Rights

1. **"Murder"**

   The perpetrator purposely or knowingly caused the death of another human being or caused the death of another human being under circumstances manifesting extreme indifference to the value of human life; the perpetrator killed one or more persons.

2. **"Extermination"**

   The perpetrator killed one or more persons, including by the intentional infliction of conditions of life, inter alia the deprivation of access to food and

medicine, calculated to bring about the destruction of part of a population. The conduct constituted, or took place as part of, a mass killing of members of a civilian population.

3. **"Enslavement"**

   The perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty, in particular women and children.

4. **"Torture"**

   The perpetrator intentionally inflicted severe physical or mental pain or suffering upon one or more persons. Such person or persons were in the custody or under the control of the perpetrator. Such pain or suffering did not arise only from, and was not inherent in or incidental to, lawful sanctions. In the context of IHRL, it is understood that no specific purpose need be proved for this crime, as distinct from torture as a "war crime".

5. **"Rape"**

   The perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body. The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent. The concept of "invasion" is intended to be broad enough to be gender-neutral. It is understood that a person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity.

6. **"Sexual Slavery"**

   The perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty. The perpetrator caused such person or persons to engage in one or more acts of a sexual nature.

7. **"Enforced Prostitution"**

   The perpetrator caused one or more persons to engage in one or more acts of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent; and the perpetrator or another person obtained or expected to obtain pecuniary or other advantage in exchange for or in connection with the acts of a sexual nature. It is

understood that a person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity.

8. **"Enforced Sterilization"**

The perpetrator deprived one or more persons of biological reproductive capacity. The conduct was neither justified by the medical or hospital treatment of the person or persons concerned nor carried out with their genuine consent. The deprivation is not intended to include birth-control measures which have a non-permanent effect in practice. It is understood that 'genuine consent' does not include consent obtained through deception. It is understood that a person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity.

9. **"Sexual Violence"**

The perpetrator committed an act of a sexual nature against one or more persons or caused such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent. Such conduct was of a gravity comparable to the other offences in this section. The perpetrator was aware of the factual circumstances that established the gravity of the conduct.

10. **"Enforced Disappearance of Persons"**

The perpetrator arrested, detained or abducted one or more persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time. It is understood that under certain circumstances an arrest or detention may have been lawful.

11. **"Persecution"**

The perpetrator severely deprived, contrary to international law, one or more persons of fundamental rights. The perpetrator targeted such person or persons by reason of the identity of a group or collectivity or targeted the group or collectivity as such. Such targeting was based on political, racial, national, ethnic, cultural, religious, gender or other grounds that are universally recognized as impermissible under international law. The conduct was committed in connection with any act referred to above.

12. **"Deportation or Forcible Transfer of Population"**

The perpetrator deported or forcibly transferred or displaced, without grounds permitted under international law, one or more persons to another State or location, by expulsion or other coercive acts. Such person or persons were lawfully present in the area from which they were so deported or transferred. The perpetrator was aware of the factual circumstances that established the lawfulness of such presence.

13. "Imprisonment or other Serious Deprivation of Physical Liberty"

The perpetrator intentionally imprisoned one or more persons or otherwise severely deprived one or more persons of physical liberty. The gravity of the conduct was such that it was in violation of fundamental rules of international law. The perpetrator was aware of the factual circumstances that established the gravity of the conduct.

14. "Genocide"

Genocide means any of the following acts, whether committed in time of peace or in war, committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such:

i. Killing members of the group;
ii. Causing serious bodily or mental harm to members of the group;
iii. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
iv. Imposing measures intended to prevent births within the group;
v. Forcibly transferring children of the group to another group.

The following acts shall be punishable:

i. Genocide;
ii. Conspiracy to commit genocide;
iii. Direct and public incitement to commit genocide;
iv. Attempt to commit genocide;
v. Complicity in genocide.

15. "Crimes against humanity"

A "crime against humanity" is any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

i. Murder;
ii. Extermination;
iii. Enslavement;
iv. Deportation or forcible transfer of population;
v. Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
vi. Torture;
vii. Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
viii. Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
ix. Enforced disappearance of persons;

x. The crime of apartheid;
xi. Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

For the purpose of the paragraph above:

i. "Attack directed against any civilian population" means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack;
ii. "Extermination" includes the intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population;
iii. "Enslavement" means the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children;
iv. "Deportation or forcible transfer of population" means forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law;
v. "Torture" means the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused; except that torture shall not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions;
vi. "Forced pregnancy" means the unlawful confinement of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law. This definition shall not in any way be interpreted as affecting national laws relating to pregnancy;
vii. "Persecution" means the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity;
viii. "The crime of apartheid" means inhumane acts of a character similar to those referred to in paragraph 1, committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime;
ix. "Enforced disappearance of persons" means the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.

"Gender" refers to the two sexes, male and female, within the context of society.
The term "gender" does not indicate any meaning different from the above.

Article 13
Serious Humanitarian Law Violations

1. **"Murder"**

   The perpetrator intentionally killed one or more persons. Such person or persons were either *hors de combat*, or were civilians, medical personnel, or religious personnel taking no active part in the hostilities. The term "religious personnel" includes those non-confessional non-combatant military personnel carrying out a similar function. The perpetrator was aware of the factual circumstances that established this status. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

2. "**Mutilation"**

   The perpetrator subjected one or more persons to mutilation, in particular by permanently disfiguring the person or persons, or by permanently disabling or removing an organ or appendage. The conduct was neither justified by the medical, dental or hospital treatment of the person or persons concerned nor carried out in such person's or persons' interests. Such person or persons were either *hors de combat*, or were civilians, medical personnel or religious personnel taking no active part in the hostilities. The perpetrator was aware of the factual circumstances that established this status. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

3. **"Attacking Civilians"**

   The perpetrator directed an attack. The object of the attack was a civilian population as such or individual civilians not taking direct part in hostilities. The perpetrator intended the civilian population as such or individual civilians not taking direct part in hostilities to be the object of the attack. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

4. **"Cruel Treatment"**

   The perpetrator inflicted severe physical or mental pain or suffering upon one or more persons. Such person or persons were either *hors de combat*, or were civilians, medical personnel, or religious personnel taking no active part in the hostilities. The perpetrator was aware of the factual circumstances that established this status. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

5. "**Torture**"

   The perpetrator inflicted severe physical or mental pain or suffering upon one or more persons. The perpetrator inflicted the pain or suffering for such purposes as: obtaining information or a confession, punishment, intimidation or coercion or for

any reason based on discrimination of any kind. Such person or persons were either *hors de combat*, or were civilians, medical personnel or religious personnel taking no active part in the hostilities. The perpetrator was aware of the factual circumstances that established this status. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

6. "**Taking of Hostages**"

The perpetrator seized, detained or otherwise held hostage one or more persons. The perpetrator threatened to kill, injure or continue to detain such person or persons. The perpetrator intended to compel a State, an international organization, a natural or legal person or a group of persons to act or refrain from acting as an explicit or implicit condition for the safety or the release of such person or persons. Such person or persons were either *hors de combat*, or were civilians, medical personnel or religious personnel taking no active part in the hostilities. The perpetrator was aware of the factual circumstances that established this status. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

7. **"Outrages upon Personal Dignity"**

The perpetrator humiliated, degraded or otherwise violated the dignity of one or more persons. The severity of the humiliation, degradation or other violation was of such degree as to be generally recognized as an outrage upon personal dignity. Such person or persons were either *hors de combat*, or were civilians, medical personnel or religious personnel taking no active part in the hostilities. The perpetrator was aware of the factual circumstances that established this status. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict. For this crime, "persons" can include dead persons. It is understood that the victim need not personally be aware of the existence of the humiliation or degradation or other violation. This element takes into account relevant aspects of the cultural background of the victim.

Protocol II is particularly concerned with **"Outrages upon Personal Dignity"** that include, for example: Humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault:

i. "**Cruel Treatment**" The perpetrator inflicted severe physical or mental pain or suffering upon one or more persons. Such person or persons were either *hors de combat*, or were civilians, medical personnel, or religious personnel taking no active part in the hostilities. The perpetrator was aware of the factual circumstances that established this status. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

ii. "**Rape**" The perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body. The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

The concept of "invasion" is intended to be broad enough to be gender-neutral. It is understood that a person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity.

iii. "**Enforced Prostitution**" The perpetrator caused one or more persons to engage in one or more acts of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent. The perpetrator or another person obtained or expected to obtain pecuniary or other advantage in exchange for or in connection with the acts of a sexual nature. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

iv. "**Sexual Slavery**" The perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty. The perpetrator caused such person or persons to engage in one or more acts of a sexual nature. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

It is understood that such deprivation of liberty may, in some circumstances, include exacting forced labor or otherwise reducing a person to servile status as defined in the *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices*

Similar to Slavery of 1956. It is also understood that the conduct described in this element includes trafficking in persons, in particular women and children.

v. "**Sexual Violence**" The perpetrator committed an act of a sexual nature against one or more persons or caused such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent. The conduct was of a gravity comparable to that of a serious violation of Common Article 3 to the four Geneva Conventions. The perpetrator was aware of the factual circumstances that established the gravity of the conduct. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

8. "Sentencing or Execution Without Due Process"

The perpetrator passed sentence or executed one or more persons. Such person or persons were either *hors de combat*, or were civilians, medical personnel or religious personnel taking no active part in the hostilities. The perpetrator was aware of the factual circumstances that established this status. There was no previous judgment pronounced by a court, or the court that rendered judgment was not "regularly constituted," that is, it did not afford the essential guarantees of independence and impartiality, or the court that rendered judgment did not afford all other judicial guarantees generally recognized as indispensable under international law. The perpetrator was aware of the absence of a previous judgment or of the denial of relevant guarantees and the fact that they are essential or indispensable to a fair trial. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict. These elements do not address the different forms of individual criminal responsibility.

9. "Attacking objects or persons using the distinctive emblems of the Geneva Conventions"

The perpetrator attacked one or more persons, buildings, medical units or transports or other objects using, in conformity with international law, a distinctive emblem or other method of identification indicating protection under the Geneva Conventions. The perpetrator intended such persons, buildings, units or transports or other objects so using such identification to be the object of the attack. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

10. "Collective Punishment"

The perpetrator inflicts a general penalty, pecuniary or otherwise, on the population on account of the act or acts of individuals for which it cannot be regarded as jointly and severally responsible because punishment is personal and can only be imposed on the perpetrator(s).[11]

11. "Acts of Terrorism"

The perpetrator engages in any act which is a violation of the criminal laws of the Republic of Liberia and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any number or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage and is calculated or intended to:

i. intimidate, put in fear, force, coerce or induce any government, body, institution, the general public or any segment thereof, to do or abstain from doing any act, or to adopt or abandon a particular standpoint, or to act according to certain principles; or
ii. disrupt any public service, the delivery of any essential service to the public or to create a public emergency; or
iii. create general insurrection in a State;

Any promotion, sponsoring, contribution to, command, aid, incitement, encouragement, attempt, threat, conspiracy, organizing, or procurement of any person, with the intent to commit any act referred to in paragraph (a) (c).[12]

12. "Enslavement"

The perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty, in particular women and children.

13. "Pillage"

The perpetrator appropriated certain property. The perpetrator intended to deprive the owner of the property and to appropriate it for private or personal use. The appropriation was without the consent of the owner. The conduct took place in the context of and was associated with an armed conflict not of an international character. The perpetrator was aware of factual circumstances that established the existence of an armed conflict. It is understood that a person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity.

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[11] See, Article 50, *Hague Regulations of 1907*; and Article 7(2), *African Charter on Human and Peoples Rights*, Banjul, Gambia, adopted 27 June 1981. See also, Italy, Military Tribunal of Rome, *Priebke case*, Judgment, 22 July 1997.

[12]Article 1(3), *OAU Convention on the Prevention and Combating of Terrorism*, Algiers, Algeria, 14 July 1999, entered into force 6 December 2002.

14. "Using, Conscripting or Enlisting Children in Armed Conflict"

The perpetrator conscripted or enlisted one or more persons into the national armed forces or used one or more persons to participate actively in hostilities. Such person or persons were under the age of fifteen years. The perpetrator knew or should have known that such person or persons were under the age of fifteen years. The conduct took place in the context of and was associated with an international armed conflict. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

Article 14
Egregious Domestic Crimes

1. Mercenarism.

Offense. The crime of mercenarism is committed, a felony of the first degree, by an individual, a group, an association, representative or representatives of a State and the State itself with the intent of opposing by armed violence a process of self-determination or the territorial integrity of another State when the following acts are perpetrated:

i. The sheltering, organizing, financing, assisting, equipping, training, promoting, supporting or employing armed forces partially or wholly and consisting of persons not nationals of the country being invaded or attempting to invade and merely or solely for money, personal gain, material or other reward; or
ii. The enlisting, enrolling or attempting to enroll in the said armed forces; or
iii. The allowing of the activities referred to in Sub-section (1)(a) to be carried out in any territory under the jurisdiction of another State or in any place under its control; or
iv. The affording of facilities for transit, transportation or other operations for the armed forces and activities referred to in Sub-section (1)(a).

Grading: Mercenaries shall not in this Republic enjoy the status of combatants and shall not be entitled to the prisoners of war status. Assuming command over or giving orders to mercenaries shall be considered as an aggravating circumstance.

If the act of mercenarism results in the death of any non-participant in such mercenarism, other than a mercenary, the person convicted may be sentenced to death or life imprisonment as provided in Sections 50.5 and 51.3. In the case of a State, such act of mercenarism shall be regarded as a declaration of war against the Republic of Liberia (d).

2. Official Oppression.

A person acting or purporting to act in an official capacity of taking advantage of such actual or purported capacity commits a first degree misdemeanor if he knowingly:

i. Subjects another to unlawful arrest, detention, search, seizure, mistreatment, dispossession, assessment, lien, or other infringement of personal or property rights; or
ii. Denies, or impedes another in the exercise or enjoyment of, any right, privilege, power or immunity.

3. Murder.

A person is guilty of murder if he:

i. Purposely or knowingly causes the death of another human being; or
ii. Causes the death of another human being under circumstances manifesting extreme indifference to the value of human life. A rebuttable presumption that such indifference exists arises if the defendant is engaged or is an accomplice in the commission of, or an attempt to commit, or flight after committing or attempting to commit, treason, offenses defined in Sections 11.2 or 11.3 of this title, espionage, sabotage, robbery, burglary, kidnapping, felonious restraint, arson, rape, aggravated involuntary sodomy, escape, piracy, or other felony involving force or danger to human life.

Murder is a felony of the first degree but a person convicted of murder may be sentenced to life imprisonment.

4. Kidnapping.

Offense. A person is guilty of kidnapping if he unlawfully removes another from his place of residence or business, or a substantial distance from the vicinity where he is found, or if he unlawfully confines another for a substantial period in a place of isolation, with any of the following purposes:

i. To hold for ransom or reward;
ii. To use him as a shield or hostage;
iii. To hold him in a condition of involuntary servitude;
iv. To facilitate commission of any felony or flight thereafter;
v. To inflict bodily injury on or to terrorize the victim or another; or
vi. To interfere with the performance of any governmental or political function.

Grading. Kidnapping is a felony of the first degree unless the actor voluntarily releases the victim alive and in a safe place prior to trial, in which case it is a felony of the second degree.

When removal or confinement is unlawful. A removal or confinement is unlawful within the meaning of this section if it is accomplished by force, threat, or deception, or, in the case of a person who is under the age of 14 or incompetent, if it is accomplished without the consent of a parent, guardian or other person responsible for general supervision of his welfare.

5. Sexual Assault.

A person who knowingly has sexual contact with another person or causes such other to have sexual contact with him or her, when they are not married to each other, has committed a second degree misdemeanor if:

i. The actor knows that the contact is offensive to the other person when such other person is not a voluntary social companion or has not previously permitted sexual liberties to be taken;
ii. The actor knows that the other person suffers from a mental disease or defect which renders such person incapable of understanding the nature of such conduct;
iii. The other person is less than twelve years of age, provided the actor is sixteen years of age or older;
iv. The actor has substantially impaired the other person's power to appraise or control his or her conduct by administering or employing without the other's knowledge intoxicants or other means for the purpose of preventing resistance;
v. The other person is in official custody or detained in a hospital, prison or other institution and the act has supervisory or disciplinary authority over him or her;
vi. The other person is less than twenty-one years of age and the actor is his or her parent, guardian or acts as his guardian; or
vii. The other person is less than sixteen years of age and the actor is at least five years older than the other person.

6. Rape.

Offense. A male who has sexual intercourse with a female not his wife has committed rape if:

i. He compels her to submit by force, or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being;
ii. Has substantially impaired her power to appraise or control her conduct by administering or employing without her knowledge intoxicants or other means with the purpose of preventing resistance, or
iii. The female is less than sixteen years old, provided the actor is sixteen years of age or older.

Grade. Rape is a first degree felony if in the course of the rape the actor inflicts serious bodily injury upon the female, or if his conduct violates paragraph (1)(c) of this section, or if the female is not a voluntary companion of the actor and has not previously permitted his sexual liberties. Otherwise, rape is a second degree felony.

7. Fraud on the Internal Revenue of Liberia.

A person is guilty of a first degree felony, if he:

i. Knowingly conspires or colludes to defraud the Government of Liberia;
ii. Knowingly makes an opportunity for any person to defraud the Government of Liberia or another;
iii. Does or omits to do any act with intent to enable another to defraud the Government of Liberia;
iv. Makes or signs any fraudulent entry in any book or record of any Ministry or Agency of Government or signs any fraudulent certificate, return or statement;

v. Demands greater sums than authorized by law or receives any fee, compensation or reward for the performance of any duty except compensation from the Government of Liberia;
vi. With intent to defeat the application of any provision of the Revenue and Finance Law of Liberia, fails to perform any of the duties of his office or employment;
vii. Having knowledge of a violation of any Revenue and Finance Law of Liberia, or any fraud, fails to report in writing such information to the Commissioner of Internal Revenues or the Minister of Finance of Liberia;
viii. Demands, accepts, attempts to collect, directly or indirectly, as a payment, gift or otherwise of sum or thing of value for compromise, adjustment or settlement of any charge or complaint.

8. Theft and/or Illegal Disbursement and Expenditure of Public Money.

A person is guilty of a first degree felony, if he:

i. Knowingly fails to render his account or accounts for public money or property as provided by law, said person being an officer, employee or agent of the Government of Liberia or of any Ministry or Agency thereof or public corporation, having received public money which he is not authorized to retain as salary, pay or emolument;
ii. Knowingly takes, misappropriates, converts, or exercises unauthorized control over, or makes unauthorized transfer of an interest in the property of another or the Government of Liberia, with the purpose of depriving the owner thereof or purposely deprives another of his property by deception, or by threat; or
iii. Knowingly receives, retains or disposes of property of another or the Government of Liberia which has been stolen, with the purpose of depriving the owner thereof or the Government of Liberia [of such property].

9. Possession, Distribution, Transportation and/or Use of Tools and Materials for Counterfeiting Purposes.

A person is guilty of a first degree felony, if he:

i. Knowingly and without any authority from the Government of Liberia, secrets within, or embezzles, or takes and carries away from any building, room, office, apartment, vault, safe, or other place where the same is kept, employed, used and placed, logged or deposited by authority of the Government of Liberia, any tool, implement, or thing used or fitted to be used in stamping or printing any kind or description of bond, bill, note, certificate, coupon, postage stamp, factional currency note, or other paper, instrument, obligation, device, or document, authorized by law to be printed, stamped, sealed, prepared, issued, uttered, or put in circulation on behalf of the Government of Liberia;
ii. Knowingly and without such authority, so secrets, steals, or takes and carries away paper, parchment, or other material printed or stamped, in whole or in part, and intended to be prepared, issued, or put in circulation on behalf of

the Government of Liberia as one of such papers, instruments or obligations, or printed or stamped, in whole or in part, in the similitude of any such paper, instrument, obligation, whether intended to issue or put the same in circulation or not;

iii. Knowingly and without such authority, so secrets, steals, or takes and carries away any paper, parchment, or other material prepared and intended to be used in the making of any such papers, instruments, obligations, devices, or documents;

iv. with the purpose of deceiving or harming the Government of Liberia or another person, or with knowledge that he is facilitating such deception or harm by another person, he knowingly and falsely makes, completes or alters a forged or counterfeited writing or object;

v. Knowingly sells, buys, imports, processes or otherwise has within his control any plate, stone, paper, tool, die, mild or other implement or thing uniquely associated with or fitted for the preparation of any forged or counterfeited security or tax stamp or any writing or object which purports to be made by the Government of Liberia, its agent or any foreign government or its agent.

10. Misuse of Public Money, Property or Record.

A person is guilty of a first degree felony, if he:

i. Knowingly steals, takes, purloins, or converts to his own use and benefit or the use of another; or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the Government of Liberia or of any Ministry, or Agency thereof, or public corporation, or any property made or being made under contract for the Government of Liberia or any Ministry, Agency thereof or public corporation;

ii. Receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been stolen, purloined or converted;

iii. Disposes of, uses or transfers any interest in property which has been entrusted to him as a fiduciary, and in his capacity as a public servant or any officer of an institution, in a manner he knows is not authorized and that he knows to involve risk of loss or detriment to the owner of the property or to the Government of Liberia or other person for whose benefit the property was entrusted.

11. Economic Crime

A person is guilty of a first degree felony, if he/she:

i. Engaged in any activity by a public or private person of any nationality, or domestic or international corporate entity conducting or facilitating business in or related to Liberia, or on behalf of the Liberian government, a Liberian business, or Liberian resident or citizen, that generates illicit profit[13] either-individually or collectively or in any organized manner by engaging in,

[13] Illicit profit may be defined as the significant increase in the assets of a public official, private person, or corporate entity, which cannot reasonably be explained or justified in relation to ones position, income or corporate profit.

among others, the following activities: fraud, narcotic drug trafficking, money laundering, embezzlement, bribery, looting and any form of corrupt malpractices, illegal arms deal, smuggling, sexual slavery, human trafficking and child labor, illegal mining, illegal natural resource extraction, tax evasion, foreign exchange malpractices including counterfeiting of currency, theft of intellectual property and piracy, open market abuse, dumping of toxic wastes and prohibited goods, and any other activity unlawful under domestic or international law.

Article 15
Individual Criminal Responsibility

1. Any person that planned, instigated, ordered, committed, aided or abetted in the planning, preparation or execution of a crime referred to in Articles 11-13 of the Statute shall be individually responsible for the crime.

2. Any person, persons, groups or entities involved in a joint criminal enterprise or conspiracy including those that planned, instigated, ordered, committed, aided or abetted in the planning, preparation or execution of any crime referred to in Articles 11-13 of this Statute may be collectively prosecuted and held responsible for such crime(s).

3. The official position of a perpetrator or alleged perpetrator or accused, whether as President, Head of State, a government official, or elected representative, or irrespective of an accused persons citizenship or status, shall not absolve such person of criminal responsibility nor mitigate punishment.

4. A superior—during times of peace and armed conflict—is directly responsible for the acts of subordinates if he/she knew or had reason to know, by a preponderance of the evidence, that the subordinate would or did commit criminal acts under this Statute and failed to take reasonable and effective measures to prevent such acts or to punish the perpetrators thereof.

5. This Statute does not recognize any defense of superior orders—irrespective of whether a perpetrator or alleged perpetrator acted pursuant to Government, a non-state actor, rebel group, or corporation.

Article 16
Jurisdiction over Persons 17 years of Age

1. The Court shall have no jurisdiction over any person that was under the age of 18 when the alleged crime was committed. The Court shall have jurisdiction over

any person that was 18 years of age or older when the alleged crime was committed.

Article 17
Amnesty

1. The Court shall not recognize any amnesty granted to a person falling within the temporal jurisdiction of the TRC and the criminal jurisdiction—Articles 11 to 13— of this Statute.

Article 18
The President of the Court

1. The Entirety of the Court elects the Court's President and Vice-President for one renewable term of five years.

2. The President and Vice-President are elected in a secret ballot by a majority of the Entirety of the Court, in a session at which the eldest judge presides.

3. If the President is temporarily incapacitated he or she shall be replaced by the Vice-President.

Article 19
Competencies of the President of the Court

1. The President of the Court is responsible for:

    i. Representing the Court in its external relations with state bodies and organizations;
    ii. The appointment of judges to the different divisions and panels;
    iii. Selecting one of the two alternative judges in the event of the disqualification of a judge;
    iv. Setting the time table for sessions, handling cases and distributing the cases between the members of the Court and where necessary between the Divisions;
    v. Summoning and presiding over the Entirety of the Court;
    vi. The implementation of the budget of the Court;
    vii. Performing general administration of the staff of the Court;
    viii. Instituting disciplinary proceedings against judges, the Chief Registrar or a Deputy Registrar.

2. The President shall propose the Court's working schedule at the beginning of each calendar year, providing for the allocation of incoming cases in advance and according to objective criteria.

Article 20
The Entirety of the Court

1. The Entirety of the Court shall consist of all members of the Court. The Entirety adopts its decision with a simple majority of all judges of the Court.

2. The Entirety of the Court:

   i. Shall elect the President and the Vice-Presidents of the Court;
   ii. Shall draw up and adopt the Rules of Procedure and Evidence of the Court;
   iii. Shall select the Chief Registrar and two Deputy Registrars;
   iv. Shall adopt the working schedule proposed by the president;
   v. Shall confirm the procedures for disciplinary proceedings against judges, the Chief Registrar and Deputy Registrars;
   vi. Shall recommend the removal of a judge pursuant to article 4;
   vii. Shall adopt the draft budget of the Court.

Article 21
The Registry

1. The Court shall have a Registry responsible for the administration and servicing of the Court and its Chambers.

2. The Registry is managed by a Chief Registrar and two Deputy Registrars, under the supervision of the President of the Court and under the conditions specified in the Rules of Evidence and Procedure of the Court.

3. The Registry shall consist of a Chief Registrar and two Deputy Registrars, elected by the Entirety of the Court.

4. The Chief Registrar and two Deputy Registrars shall be persons of high moral character, integrity and impartiality who have significant legal expertise.

5. The Chief Registrar shall be a foreign national with over 10 years of legal experience including work with international courts and tribunals and or internationalized domestic courts.

6. The Registry may employ experts and advisors as necessary for the fulfillment of the mandate of the Court.

7. No person may be a member of the Registry if there is a well-founded public perception that he or she are alleged to have committed any violations of human rights law or humanitarian law, or played any role in supporting armed conflict in Liberia.

Article 22
The Prosecutor

1. The Prosecutor shall be responsible for the investigation and prosecution of persons referred to the Court by the TRC in the Final Consolidated Report Volume II, any persons or members of armed groups or rebel factions the TRC has determined are responsible for committing GVHR, SHLV and EDC, and any other person(s) that the Prosecutor determines committed GVHR, SHLV and EDC under this Statute between January 1979 and 14 October 2003.

2. The Prosecutor shall act independently as a separate entity of the Court. He or she shall not seek or receive directives from any government or from any other source.

3. The Office of the Prosecutor shall have the power to question suspects, victims and witnesses, to collect evidence and to conduct investigations within the territory of Liberia and in other states as necessary. The Government of Liberia shall, upon the request of the Prosecutor, provide the Office of the Prosecutor with effective assistance in carrying-out its mandate.

4. The Prosecutor shall be appointed by the President of the Republic of Liberia in consultation with the Secretary-General of the United Nations for a five-year term and shall be eligible for re-appointment. The Prosecutor shall be a person of high moral character, integrity, impartiality and professional competence, with extensive expertise in international criminal law, investigations and the prosecution of criminal cases.

5. The Prosecutor shall appoint a Deputy Prosecutor to assist him/her, which shall be a woman of high moral character, integrity, impartiality and professional competence, with extensive expertise in investigations and the prosecution of criminal cases. The Office of the Prosecutor shall employ other Liberian and international staff as required to fulfill the functions of the Office. Given the nature of the crimes committed and the particular sensitivities of girls, young women and children victims of rape, sexual assault, abduction and slavery of all kinds, special consideration shall be given to the appointment of prosecutors and investigators experienced in gender-related crimes and juvenile justice.

6. No person may be a prosecutor if there evidence of and or a public perception that he or she is alleged to have committed any violations of human rights law or humanitarian law, or played any role in supporting armed conflict in Liberia.

Article 23
Administrative Staff

1. The Court shall have its own staff. The Court shall determine in respect of its staff the organizational structure in its Rules of Procedure and Evidence.

1. The Court shall determine the duties and responsibilities, reasons for non-attendance, replacements, absences, leave and holiday arrangements in respect of administrative staff.

2. Administrative staff shall be persons of high moral character, integrity and impartiality who have significant legal expertise.

3. No person may be a staff member if there is a well-founded public perception that he or she is alleged to have committed any violations of human rights law or humanitarian law, or played any role in supporting armed conflict in Liberia.

CRIMINAL PROCEDURE

Article 24
Presumption of innocence

1. A person shall be considered innocent of a crime until guilt has been established beyond a reasonable doubt by a final verdict of the Court.

Article 25
Rights of the Perpetrators and Alleged Perpetrators

1. The term perpetrator refers to those persons that the TRC has determined are responsible for committing GVHR, SHLV and EDC. Alleged perpetrators are those persons that have been accused of committing GVHR, SHLV and EDC.

2. Any person subject to investigation by authorities of the Court or the Government of Liberia are not required to respond to any form of communication except for information related to his/her identify and place of residence. Agents of the court and law enforcement officials will inform persons of this right.

3. Perpetrators and categories of perpetrators referred to the Court by the TRC as well as any other alleged perpetrators have the right to request and have present defense counsel at any and all questioning. If the perpetrator or alleged perpetrator is deprived of liberty, he/she has the right to request the presence of defense counsel, if he/she is not able to afford defense counsel due to his/her financial circumstances, he/she will be provided a qualified counsel by the Court.

4. The Court and its agents have a duty to advise any perpetrator or alleged perpetrator of his/her rights set out in paragraphs 2 and 3 of this article. The accused must be informed about the charge against him/her and the grounds for the charge. The accused must be given without delay an opportunity to state his/her position concerning all facts and evidence against him/her and to present all facts and evidence in his/her favor.

5. It is unlawful to force a confession or any other statement from a perpetrator, alleged perpetrator, or other person participating in proceedings. The Court may not base its decision on evidence obtained unlawfully or by violating human rights and freedoms prescribed in the Constitution of Liberia or international law.

6. The Court may make judgments in absentia.

7. The provisions in this law do not in any way whatsoever restrict any rights guaranteed to the perpetrators, alleged perpetrators, and other accused persons by the Constitution of Liberia and international law including treaties and customary international law appended to it and generally accepted principles of international law.

Article 26
Ne bis in idem

1. No person shall be tried before a court in the territory of Liberia for any offence, for which he/ she has already been tried by the Court.

Article 27
Defense Counsel

1. In accordance with Article 25, a perpetrator or alleged perpetrator is entitled to effective defense counsel throughout the course of criminal proceedings.

2. A defense counsel may represent more than one person but not if the same criminal proceedings are being conducted against them all.

3. If a perpetrator or alleged perpetrator fails to, or is not able to, engage a defense counsel on his/her own, defense counsel may also be engaged ex officio or by his/her legal representative, spouse, extramarital partner, blood relative in a direct line, adopted parent, adopted child, brother, sister or foster parent. The Court may also appoint and retain defense counsel for the accused.

4. If a perpetrator or alleged perpetrator is mute, deaf or incapable of effectively defending him/herself, or if the proceedings are being conducted for a crime for which the penalty of extended imprisonment may be pronounced, he/she must have defense counsel from the very first examination.

5. No person may serve as defense counsel if there is evidence of, or a public perception that he or she are alleged to have committed any violations of human rights law or humanitarian law, or played any role in supporting armed conflict in Liberia.

Article 28
The Right to File an Appeal

1. Appeals of persons convicted by the Trial Chamber can be lodged with the Appellate Chamber on the following grounds:

    i. Substantial violation of criminal procedure regulations;
    ii. An error as to a question of law invalidating the decision;
    iii. A substantial error of fact which has occasioned a miscarriage of justice;
    iv. An error as to a question of law or fact invalidating the penalty or sentence.

2. The Prosecutor may file an appeal either against or in favor of the accused.

3. An appeal against a decision may be filed within 10 working days from the date of delivery of the decision to the party.

4. The perpetrator or alleged perpetrator may waive the right of appeal only after the decision has been delivered to him/her. The prosecutor may waive the right of appeal against the interests of the accused from the moment when the decision is announced to the end of the period allowed for filing an appeal against the interests of the accused, and may withdraw an appeal already filed at any stage before a decision is rendered by the Appellate Division.

5. The waiver and withdrawal of an appeal cannot be revoked.

Article 29
Decisions on Appeals

1. The President of the Court shall issue a decision rejecting an appeal which is lodged out of time.

2. The Appellate Chamber may confirm, reverse or revise decisions delivered by the Trial Chamber, according to the applicable law, procedural and legislation.

Article 30
Disqualification

1. A judge may not perform his/her judicial duties in the following cases:

   i. If she/he has been adversely affected by the crime;
   ii. If the suspect or accused, his/her defence counsel, the injured party, their legal representative or authorised agent, is his/her spouse or extramarital partner or direct blood relative at whatever degree and in a lateral line up to the fourth degree, or a relative by marriage up to the second degree;
   iii. If in the same criminal case he or she has performed actions as defence counsel, legal representative or authorised agent of the injured party, or has been examined as a witness or expert.

2. As soon as a judge learns that any of the grounds for disqualification exist, she/he must interrupt all work on that case and inform the President of the Court, who shall appoint his/her replacement. If it is a question of disqualification of the President of the Court, the Entirety of the Court shall vote by majority on his/her replacement.

3. If a judge feels that there are other circumstances which justify his/her disqualification, he/she shall so inform the President of the Court.

Article 31
Costs

1. The Court reserves the right to apportion in whole or in part—in its judgment—the costs of criminal proceedings to a perpetrator and or alleged perpetrator that it finds guilty. The proceeds from apportionment will be paid to the Court.

ADMINISTRATIVE PROCEDURE

Article 32
Concurrent Jurisdiction

1. The Extraordinary Criminal Court for Liberia and the national courts of Liberia shall have concurrent jurisdiction; except with respect to GVHR and SHLV.

2. The Extraordinary Criminal Court for Liberia shall have primacy over the national courts of Liberia, and may at any time request a national court to defer to its jurisdiction and competence in accordance with this Statute and the Rules of Evidence and Procedure of the Court.

3. The Extraordinary Criminal Court for Liberia may under paragraph 2 remove and transfer proceedings to any national court in Liberia, and in cases that pose a national security risk as determined by the President of the Republic, and with the consent of the President of the Court, conduct proceedings in foreign states.

4. The Court may, in consultation with the President of the Republic, enter into special agreements that authorize foreign states, particularly those with universal jurisdiction law, to arrest, detain and prosecute any persons that the TRC determined committed GVHR, SHLV and EDC perpetrators and alleged perpetrators

Article 33
Non bis in idem

1. No person shall be tried before the Court for acts for which he/she has already been tried by the national courts, and no persons shall be tried before the national courts for acts for which he/she has already been tried by the Court; except if:

    i. The national court proceedings were not just in-the-wake of the crime committed; were not impartial or independent; were not diligently prosecuted; or shielded the accused from criminal responsibility.

Article 34
Joinder of Parties

1. The Court may join more than one action in one set of proceedings when they involve common issues of law and of fact, in particular:

    i. when they involve the same act, decision or regulation;
    ii. when they involve several acts, decisions or regulations, one being the implementation, confirmation or repetition of the other;

iii. when they involve members of the same armed group, rebel group or warring faction, or entity.

2. The Court shall be entitled to join more than one action at any procedural stage.

3. An accused shall be entitled to challenge various acts, decisions or regulations and affiliation with an armed group in a single action. An action may be filed by more than one accused in respect of the same act, decision or regulation and affiliation with an armed group.

Article 35
Inquiries / Evidence

1. The Court shall consult the full record of the case presented by the Prosecutor or other authorized representative.

2. The Court shall order the collection of evidence as necessary in the following areas:

   i. Witnesses;
   ii. Experts;
   iii. Government agencies;
   iv. Non-governmental organizations;
   v. Corporations;
   vi. International institutions;
   vii. Documentation, including the full record to be provided by the Prosecutor or other authorized representative.

DISPENSATION OF JUSTICE
Article 36
Judgment

1. The judgment of the Court shall be final and rendered by a majority of judges of the Trial Chamber or Appeals Chamber. It shall be delivered in public and accompanied by a written opinion, and separate concurring or dissenting opinions may be appended to it.

2. The judgment may include a declaration of inadmissibility, a complete or partial allowance of the action or its rejection, an award of damages in compensation as it determines, or an order for the payment of costs to the victim.

3. The applicant shall be informed of the decision, which is final and binding, within the time limits set out in the Court's rules of procedure.

Article 37
Penalties

1. The Trial Chamber shall impose criminal sanctions on a convicted person for a specified period of time. The Court shall adopt sentencing guidelines consistent with prison sentencing practice in international courts and tribunals and in Liberian national courts.

2. In imposing sentences, the Trial Chamber shall consider the gravity of the offense, the age, background and circumstances of the convicted persons, and the impact of the crime on the victim and his/her family and society, generally.

3. The Court shall be particularly stern with persons convicted of killing, torture and gender-based crimes.

4. The Court may not recognize any amnesty or pardon granted prior to, or after, the adoption of this Statute for persons that the TRC has determined are responsible for committing, or is otherwise accused of, GVHR, SHLV and EDC.

5. The Trial Court may order forfeiture of property, proceeds and any assets to satisfy the costs of criminal proceedings and attach the property or proceeds of any assets acquired unlawfully irrespective of whether they are in Liberia or abroad.

Article 38
Execution of Judgment

1. The Court has jurisdiction to enforce its judgment and hold in contempt any person or entity, including the Government of Liberia, that obstruct its decisions.

2. The Government of Liberia shall assist the Court in enforcing its judgments.

3. The parties must comply with the judgment within two months of the Decision being received, or within such other period as may be determined by the Court.

Article 39
Enforcement of Sentences

1. Imprisonment shall be served in Liberia. If, however, the Government of Liberia determines that, for national security or capacity-related reasons, imprisonment should be served in another state, nothing in this Statute would prohibit it from relying-on or entering into an agreement for the enforcement of sentences with other states or institutions. The Court may, with the consent of the President of

the Republic, also enter into agreements for the enforcement of sentences with other states and institutions.

2. The conditions of imprisonment shall be governed by the law of the state enforcing sentences as long as such conditions are not violative of international standards subject to the supervision of the Court. The state or institution of enforcement shall be bound by the duration of the sentence and to Article 37(4) of this Statute.

3. A state enforcing a sentence may not amnesty, pardon or commute the sentence of any convicted and imprisoned person.

Article 40
Appellate Proceedings

1. The Appellate Chamber shall review and hear appeals from persons convicted by the Trial Chamber or by motion of the Prosecutor on the following grounds:

    i. A procedural error;
    ii. A gross error on a question of law invalidating the decision;
    iii. An error of fact that has resulted in a miscarriage of justice.

2. The Appeals Chamber may affirm, reverse, reconvene or revise a decision taken by the Trial Chamber. It may also assert jurisdiction over the matter.

3. The Appeals Chamber shall be guided by the Appeals Chambers of international or internationalized courts and tribunals, and the decisions of the Supreme Court of Liberia.

4. Decisions of the Appellate Chamber are final and binding.

Article 41
Reopening of Proceedings

1. A person convicted and sentenced by the Court may request the reopening of his/her case if substantial facts are revealed and made known that were not known at the time of the conviction.

Article 42
Salaries, Allowances and Expenses

1. Judges of the Court, the Prosecutor, the Deputy Prosecutor and the Registrar as well as international staff and consultants shall receive such salaries, allowances and expenses

commensurate with international standards as decided by the Entirety of the Court and the President of the Republic of Liberia. Salaries and allowances shall not be reduced.

2. The Registry will determine a salary scale for local staff commensurate with professional staff of the Supreme Court of Liberia.

Article 43
Privileges and Immunities

1. The Court shall be inviolable and enjoy such privileges and immunities as are necessary for the fulfillment of its purposes.

2. The judges, the Prosecutor, the Deputy Prosecutor and the Registrar as well as international staff shall, when engaged on or with respect to the business of the Court, enjoy full privileges and immunities accorded to heads of diplomatic missions and shall, after the expiry of their terms of office, continue to be accorded immunity from legal process of every kind in respect of words spoken or written and acts performed by them in their official capacity.

3. The Deputy Registrar, the staff of the Office of the Prosecutor and the staff of the Registry shall enjoy the privileges and immunities and facilities necessary for the performance of their functions.

4. Counsel, experts, witnesses or any other person required to be present at the seat of the Court shall be accorded such privileges and immunities as determined by the Court in the Rules of Evidence and Procedure.

5. The waiver of privileges and immunities will be determined by the Court in the Rules of Evidence and Procedure.

FINAL PART

Article 44
Publishing of the Law

1. This Law shall be published without delay in at least three newspapers in the Republic of Liberia.

Article 45
Entry into force of the Present Law

1. This law shall enter into force five days after the date of its publication.

Annex 3. Complete Listing of persons recommended for prosecution for gross Human rights violations and war crimes.

LEADERS OF WARRING FACTIONS

NO.	NAME	FACTION
1	Charles G. Taylor	NPFL
2	Prince Y. Johnson	INPFL
3	Roosevelt Johnson*	ULIMO & ULIMO-J
4	Alhaji G.V. Kromah	ULIMO & ULIMO-K
5	George Boley	LPC
6	Thomas Yaya Nimely	MODEL
7	Sekou Damante Konneh	LURD
8	Francois Massaquoi*	LDF

MOST NOTORIOUS PERPETRATORS

NO.	NAME	VIOLATIONS
1	Prince Y. Johnson	Killing, extortion, massacre, destruction of property, force recruitment, assault, abduction, torture & force labor, rape
2	Moses Z. Blah	Torture, Abduction, Assault & Looting
3	William Sumo	Torture, Abduction, Assault & Looting
4	Mehnsayon Sayon	Torture, Abduction, Assault, Looting,force detention, force recruitment
5	John Gbeto	Torture, Abduction, Assault & Looting
6	Paulson Garteh alias Gen. Satan	Massacre, Torture & Extortion
7	Augustine Zor	Massacre, Arson & Torture
8	Joseph Kpeyon	Massacre
9	Mateus Paily	Massacre
10	Gen. Lawrence Guanuu	Force Labor & Massacre
11	Supt. Jonathan Banney	Torture
12	Albert Sumeh	Murder & Rape
13	Gen. Sampson	Murder
14	Christopher Vambo alias Gen. Mosquito	Murder & Torture
15	Col. Joloka	Rape, Torture & Murder
16	Prince Nagbe	Rape, Torture & Murder
17	Pat Ran Kennedy	Murder, Looting & Force Labor
18	Klehgbayee	Murder, Looting & Force Labor
19	Abel S. Gbalah	Torture, Rape & Murder
20	Gen. Nally	Rape, Force Labor & Murder
21	Macdonald Tarpeh	Rape, Mutilation & Murder
22	Anthony Ponnie	Rape, Mutilation & Murder
23	Alfred Payne	Rape, Mutilation & Murder
24	Gen. Greene	Conscription, Rape & Murder
25	Saywalaka	Conscription, Rape &

		Murder
26	Chris Davis	Murder, Conscriptoin, Torture & Rape
27	Col. Boy Tarley	Murder, Force Labor, Mutilation
28	John Guain alias Gen. Norriega	Massacre
29	Michael Davies alias Sundaygar Dear-boy	Looting, Torture, killing & Gang Rape
30	Peter Giah children father	Killing
31	Coco Dennis, Gen. Gonda, (NPFL)	Massacre, Killing, Force Labor, Canibalism
32	Carsacar Group (NPFL) Joseph (model)	Massacre, Forced Labor
33	(LPC) Blood Sucker war boss	Rape, Killing, Torture & Canibalism
34	Nuku Johnson - Gen. Nathan (LPC)	Massacre, Torture, Rape
35	(NPFL) Red Devil	Massacre
36	(LPC) Mohammeh Bah (Superman)	Killing, Rape
37	(LPC) Superman	Massacre
38	J.Y. NPFL (delta force)	Rape, Torture & Extortion
39	Chinese Jabber Philip Kamiongar (NPFL)	Killing, Rape, Torture, Forced Labor
40	LPC Debbah	Killing, Torture, Destruction
41	(NPFL Marine), Fasue, Gonkarnue	Torture, Detention
42	NPFL-Markdamie, Black Diamond	Massacre, Cannabalism
43	Gen. Freeman (NPFL)	Massacre
44	Sundaygar, young killer, skinny	Torture, Massacre
45	NPFL - Matthew gio	Killing, Massacre
46	(NPFL Gen. Gondah (Reginald Ballout)	Torture, Forced Labor, cannibalism or eating victim's human flesh
47	Citizens of Duo (single barrel) unit NPFL	Massacre
48	(NPFL) Mekarnu Goweh, Saye Boayou	Extortion, Torture
49	(LPC) George pee Solo Garsanoo	Killing, Destruction and Torture
50	Saah R. Gborllie	Murder, dismemberment of pregnant women
51	Richard Flomo	Torture and Killing
52	Jerry Risks	Massacre
53	John Garan (Junior Garan)	Torture, Killings & Massacre
54	Gen. Steven Wontoe	Torture, extortion & Killings
55	Gen. Joe Tuah	Torture, summary executions, conscription, forced labor and ritualistic killings
56	David Daniel	Torture, rape, summary executions, conscription, forced labor and ritualistic killings
57	Martina Johnson	Killings
58	Junior Mitchell	Torture, sexual slavery, forced labor & killings
59	Gen. Fasue	Rape, Massacre, looting & Summary killings
60	George Dweh	Murder, killing & torture
61	Gen. Charles Julu	Murder, killing, destruction of property & torture

62	Augustine Nagbe alian Gen. Power	Torture, looting & destruction of property
63	Marcus High Gray	Torture, killing & looting
64	J. Appollo Swen	Killing & extortion
65	Sando Johnson	Killing & force recruitment
66	Joseph Marzah alian Zigzag Marzarh	Murder
67	Kai Farley	Massacre & killing
68	Varmuyah	Rape, torture & force labor
69	Amos Barclay	Rape, torture & force labor
70	Larry Murphy	Killing & torture
71	Mike Tyson	Massacre, torture & arson
72	Gen. Ofori Diah, alias Iron Jacket	Force labor
73	George Warpo	Massacre, Arson & Torture
74	Co. Zero-Zero	Massacre, Arson & Torture
75	Peter Dahn	Massacre, Arson & Torture
76	Co. Kortor	Massacre, Arson & Torture
77	Tommy B. Wongba	Massacre, Arson & Torture
78	Peter Pewee, alias Gen. Katali	Killing & torture
79	Gen. Ericson Bardio	Rape, sexual slavery & force labor
80	Benjamin Yeaten	Murder, torture & abduction
81	Roland Duo	Murder, torture & abduction
82	Felix Washington	Murder
83	Senegalese	Murder, torture & force displacement
84	Moses Tarley alias Co. Crab	Torture & murder
85	Co David	Torture & extortion
86	Siafa Norman	Abduction & arson
87	Sakou Donzo	Arson
88	Adolphus Dolo	Murder
89	Melvin Sogbandi	Killing, torture, massacre & looting
90	Mango Menlor	Murder, abduction & rape
91	Mark Guahn	Killing, genocide & murder
92	Moses Thomas- former	Torture, Murder
93	Maj. Jerry Gban	Torture, Murder, Looting
94	Waheeb Saab	Torture, Murder
95	Maj. Harry Johnson	Torture, Murder
96	Zico Nah Darliah	Murder, torture & force displacement, Rape, Genocide, Massacre
97	Lieutenant Andrew Gaye	Torture, Murder
98	Arthur Nyenabo	Torture, Murder

Annex 4: Economic Crime details

Economic Crimes, Plunder and Exploitation of State & Natural Resources

Economic actors and economic activities played a crucial role in contributing to, and benefiting from, armed conflict in Liberia. Successive governments, including the Taylor regime, established a massive patronage system with domestic and foreign-owned corporations in several critical economic sectors, such as timber, mining and telecommunications, and granted illegal benefits to the corporations in exchange for financial and military support.

Definition of Economic Crimes

Economic crimes are:

> any activity by a public or private person of any nationality, or domestic or international corporate entity conducting or facilitating business in or related to Liberia, or on behalf of the Liberian government, a Liberian business, or Liberian resident or citizen, committed with the objective of generating illicit profit[14] either individually or collectively or in any organized manner by engaging in, among others, the following activities: fraud, narcotic drug trafficking, money laundering, embezzlement, bribery, looting and any form of corrupt malpractices, illegal arms dealing, smuggling, sexual slavery, human trafficking and child labor, illegal mining, illegal natural resource extraction, tax evasion, foreign exchange malpractices including counterfeiting of currency, theft of intellectual property and piracy, open market abuse, dumping of toxic wastes and prohibited goods, and any other activity unlawful under domestic or international law.[15]

Economic Crimes in the Timber Sector

Economic crimes committed in the Liberian timber industry, one of Liberia's most critical economic sectors, impacted national and regional peace, security and rule of law in several ways. Logging revenue was unlawfully used by political elites and warring factions to fund armed conflict. Logging companies shipped, or facilitated the shipment of, weapons and other military material to warring factions. Logging companies also facilitated, and contributed to, the movement of suspicious funds and illegal economic gains out of Liberia and utilized security forces that operated as, or were, in fact, militia units that committed

[14] Illicit profit may be defined as the significant increase in the assets of a public official, private person or corporate entity, which cannot be explained or justified in relation to one's position, income or corporate profit.

[15] This definition was drawn from the meaning of economic crimes in domestic law both in Liberia and in other states and international law and doctrine in the regional context (e.g. the African Union Convention on Preventing and Combating Corruption).

grave human rights abuses in Liberia and throughout the region. Lastly, the companies unintentionally contributed to conflict when logging operations were looted by warring factions.

Violations of Domestic Law and Forestry Regulations

Between January 1979 and October 14, 2003, successive governments were unwilling, if not unable, to regulate the timber sector leading to tremendous uncertainty regarding which entities and individuals had a legal right to log in Liberia. Logging companies were awarded concessions based on a patronage process that rewarded their ability to provide illegal financial, political and logistical support to controlling governments. Furthermore, successive governments provided new concessions to favored companies without regard to existing logging rights.

Throughout the Liberian conflict, smaller logging companies and civilians were violently removed from their land and from logging concessions by larger logging operations that functioned with the support of government militia and rebel factions.

Oriental Trading Company (OTC) and other logging companies also committed widespread violations of logging regulations, such as clear cutting and cutting undersized trees. Clear cutting has devastating environmental effects. It substantially raises the risk of land erosion by leaving only bare dirt after a harvest. Furthermore, forests that are clear cut will not naturally regenerate, rendering the area useless for future forestry. Clear cutting also entirely destroys the habitat of natural fauna.

Tax evasion by logging companies in the timber sector was widespread and systematic. The Forestry Concession Review (FCR) Committee, which was established as a key mechanism to foster the transparent management of the logging industry, estimated accumulated minimum tax arrears of $64 million USD.[16] It is estimated that loggers paid the Government of Liberia (GOL) less than 2-3% of taxes due. Logging companies also paid millions of US dollars in exchange for illegal tax credits and improperly wrote off tax liability.

Nearly all logging companies failed to comply with their contractual obligations to Liberian local communities in the logging areas. Timber concession holders were obligated to build hospitals, schools and roads and hire locals as unskilled labors and provide them with training opportunities. Notwithstanding, the overwhelming majority of companies did not provide any benefit to the local community in the regions that they operated, according to

[16] Report of the Forest Concession Review Committee, Phase III, May 31, 2005. (hereinafter "FCR Report") at 36.

the FCR Committee.[17] For example, the University of Liberia granted 284,000 acres of university forest to OTC, in exchange for $2 million USD in renovations to the University of Liberia and 50% of profits, according to President Taylor. No payments were ever made.[18]

Logging companies and individuals in the logging sector made millions of dollars of illegal payments to government officials and leaders of warring factions. OTC reportedly made at least $7.9 million in payments directly into Charles Taylor's bank accounts in exchange for tax credits, according to the FCR Committee.[19] OTC also made $13.4 million in other payments to unknown bank accounts that included $1.9 million to known arms traffickers.[20]

The Logging Industry's Use of Security Forces

The security forces of the OTC, Mohammed Group of Companies (MGC), Maryland Wood Processing Industries (MWPI) and Inland Logging Company (ILC) each committed gross violations of human rights and/or war crimes to maintain control over their respective logging areas, the local community and their employees. The security forces of the logging companies were nearly indistinguishable from the former NPFL rebels. For instance, OTC security members that violated directives were sent to the war front as punishment.[21]

NPFL fighters, under the command of Roland Duo, looted and extorted other logging companies to occupy more territory for the benefit of the NPFL and OTC. Between 1996 and 1997, the NPFL intimidated Carlton Resources (CR), a logging company owned by John Gbedez that operated in Sinoe County, by unlawfully detaining a Carlton Resources employee after he refused to pay Roland Duo $1,000 USD after Duo seized a company vehicle.[22] In 1997, NPFL fighters, acting on the direction of Duo, allegedly destroyed CR logging equipment. CR personnel fled the concession and traveled to Monrovia.[23] In February 2003, OTC militia shot and killed a civilian, Mike Massa, who removed a log stump from an OTC yard.[24]

MWPI security forces, led by Col. William Sumo, attacked hundreds of civilians in Freetown and Salor because the local community had denied the militia access to the area. Sumo also directed the killing of civilians at Youghbor, near Fish Town. The United Nations Mission in

[17] See FCR Report.
[18] Anderson, Richmond, *Report of Public Affairs Director*, The News, Apr. 6, 2000.
[19] Bank Statements for Charles Taylor showing deposits by Natura Holdings (associated with Kouwenhoven and OTC)
[20] Id.
[21] TRC interview with a former financial assistant to OTC.
[22] TRC ECU Interview with former Carlton Resources employee, employed Jan. 1996 – Aug. 1997.
[23] *Id*.
[24] FCR Committee Report, at 29.

Liberia (UNMIL) Civilian Police (CIVPOL) Serious Crimes Unit later discovered more than 200 bodies at the site to corroborate witness testimony.[25]

Mohammed Group of Companies (MGC), along with an associated company, BIN, transported military forces to Grand Gedeh County to violently suppress civil unrest against the company. The MGC brought in Taylor's elite Anti-Terrorist Unit (ATU) forces to physically assault members of the Garr clan in Saniquellie, after they attempted to stop the MGC from cutting down trees on their land.[26]

ILC security forces controlled the port of Greenville and allegedly threatened other loggers that utilized the port. It also looted other logging companies, such as LTPOC, a small logging concession.

OTC strictly segregated its workers based on race and nationality at logging camps, according to a TRC witness that worked in OTC's Camp D, which he believed was located on the border of Grand Gedeh County.[27]

According to the Buchanan Port Authority, OTC evaded approximately $20 million USD annually in docking fees and paid only an annual docking fee of $1,000,000 USD.[28] The company also discriminated against its Liberian workforce. For instance, foreign truck drivers were routinely paid $100 USD for safely delivering a load of logs, whereas Liberian drivers were only paid $10 USD.[29]

[25] TRC ECU Report on The Role of Timber and Mining in the Liberian Conflict.
[26] TRC ECU Interview with Stanley N. Mahn, General Manager, and Moses Dahn, CEO, Liberia Agricultural Logging and Mining Corporation, Oct. 15, 2007.
[27] Prince Alex Diahkah, former OTC production clerk in Camp D and plywood factory machine operator in Buchanan, 2002 – 2003, TRC Interview.
[28] Samuel Togba, Buchanan Port Authority General Supervisor, TRC Interview; According to the witness' statement, four OTC ships docked at Buchanan every month. Vessels engaged in logging transportation are each typically charged $100,000. Based on fifty-two weeks of operations, OTC would accrue $20,800,000 USD in docking fees.
[29] Obediah Zangar Sr., Mayor of Buchanan City, TRC Interview.

Looting of Logging Companies by Armed Factions

The amount of property looted from the logging sector by government forces, rebel groups and logging company security forces cannot be calculated because many logging corporations did not report claims to the TRC. According to claims submitted by less than 15% of the logging sector that operated in Liberia, more than $133 million USD in equipment were looted by militia and the security forces of other logging companies.

In August 1990, Liberian Logging and Wood Processing Corporation (LLWPC) abandoned its camp to escape armed conflict. LLWPC estimated that $25 million USD in equipment was looted by unknown individuals.[30] In May 2003, Togba Timber Company (TTCO), a logging company that operated in Maryland County, was looted and vandalized by MODEL fighters and TTCO incurred approximately $4 million USD in damages.[31]

Between 2002 and 2003, LURD fighters looted the property of several logging companies. On December 6, 2001, the LURD looted an estimated $337,000 USD in logging equipment from TUTEX Wood Management Corporation in Gbarpolu County.[32]

Logging Industry Involvement in Illegal Arms Dealings

During the period of 1979 – 2003, timber was used extensively as an asset to exchange for arms shipments and military support. OTC paid for and organized numerous weapons deliveries to Liberian militia and the RUF regime in Sierra Leone through the port of Buchanan, which it controlled, in violation of UN Security Council Resolution 788. The TRC has identified at least eight arms shipments that were organized by OTC; six of the arms shipment arrived via sea, while at least two shipments were delivered via air. In addition, OTC paid for at least four arms shipments in 2001.[33]

At least seventeen logging companies either supported militias in Liberia, participated in, or facilitated, illegal arms trafficking, or otherwise aided or abetted civil instability:[34]

a. BIN Liberia Inc. (BLI)
b. Cavalla Timber (CT)
c. Exotic Tropical Timber Enterprise (ETTE)

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[30] TRC ECU interview, Nassir Charafeddine, President of TTCO and LLWPC, Oct. 9, 2007.
[31] *Id*.
[32] TRC ECU Interview, John S. Deah, President of TUTEX Wood Management Corporation, Oct. 9, 2007.
[33] Excerpts from International Intelligence Sources received by the TRC ECU. According to OTC invoices obtained by the TRC ECU dated from September 2001 – November 2001, OTC purchased thousands of AK-47 assault rifles and ammunition, hand grenades, anti-personnel land mines, anti-air craft missiles and other weapons.
[34] FCR Report at 28.

d. Forestry and Agricultural Products Corporation (FAPC)
e. Inland Logging Corporation (ILC)
f. Jasus Liberian Logging Corporation (JLLC)
g. Liberia Forest Development Corporation (LFDC)
h. Lofa Logging Company (LLC)
i. Maryland Wood Processing Industry (MWPI)
j. Natura Liberia Inc. (NLI)
k. Mohammed Group of Companies (MGC)
l. Oriental Timber Corporation (OTC)
m. Royal Timber Corporation (RTC)
n. Salami Mohammed Inc. (SMI)
o. Timber Management Corporation (TMC)
p. Togba Timber Corporation (TTCO)
q. United Logging Corporation (ULC)

Crimes in the Mining Sector

Because the NTGL did not conduct a concession review of the mining sector or the Ministry of Lands, Mines, and Energy for the period of 1979 – 2003, the TRC has limited information about economic crimes committed by mining corporations.

However, the evidence available to the TRC demonstrates that a devastating amount of economic crimes were committed in the Liberian mining sector. Much like the timber sector, Liberia's mineral wealth was systematically exploited by the Liberian political elite for personal benefit through networks and partnerships with opportunistic foreigners. Licenses for the mining sector were not allocated in a transparent and legal manner, and corporations consistently failed to pay appropriate taxes. The sector also facilitated money laundering, terrorism, bribery of public officials and illegal arms trafficking. Security forces associated with mining companies also committed grave violations of human rights.

Government, Armed Factions and Foreign Involvement in the Mining Sector

In the 1980s, Samuel Doe sought to centralize control over the mining sector by transferring mining rights to corporations run by compliant foreign investors. As a result, most of the large mining companies abandoned their operations during his period in office. Prior to 1991, official government diamond sales in Liberia equaled $150 million yearly. However, after the war began in 1991, diamond sales dropped to only $30 million, indicating approximately $100 million in yearly revenue to rebel factions.[35]

[35] Prkic, Francois, *The Phoenix State: War Economy and State Formation in Liberia*, in Schlichte, Klaus (ed.), "The Dynamics of States" (Ashgate Publishing, 2005) at 123.

In 1990, the Liberian Mining Corporation (LIMINCO) began making payments of $10 million USD monthly to Charles Taylor in exchange for the ability to mine and the cooperation of the NPFL.[36] In 1994, Taylor allegedly gained a 5 -10% stake in the partnership.[37] In 1995, the entire mine site was looted after it closed during the civil war.

In February 2000, Liberia passed the Strategic Commodities Act (SCA) which provided President Taylor with the sole legal authority to negotiate and execute all commercial contracts and agreements with domestic and foreign investors related to the exploitation of strategic commodities. After the SCA became law, all agreements signed by President Taylor had the same legal effect as a treaty to which Liberia is a party.[38]

After his election as President, Charles Taylor also received various large payments from known diamond smugglers as "political donations". In May 2001, Abbas Macky, an associate of diamond smuggler Aziz Nassour, paid $600,000 to Taylor's National Patriotic Party (NPP). In July 2001, Nassour reportedly paid Taylor $250,000 cash as a "political donation" at a political rally in Maryland County.[39] After Taylor accused NPP Chairman Cyril Allen of stealing some of the money, he was removed from his position in the party.[40]

As early as 1992, Roger D'Onofrio Ruggiero, a retired Italian agent of the United States Central Intelligence Agency (CIA), smuggled arms into Liberia in exchange for Liberian and Sierra Leonean diamonds.[41] D'Onofrio and Michele Papa, Ruggiero's representative in business deals with the Libyan government, established International Business Consultant Limited (IBC), a Liberian corporation. IBC later transferred 50% of its ownership to Charles Taylor and began selling weapons exclusively to the NPFL in 1993.[42] According to D'Onofrio's testimony to Italian prosecutors in 1995, IBC earned more than $3 million USD in 1993.[43]

The lack of transparency and government oversight of the diamond sector made it an attractive sector for money laundering. In September 1998, Al Qaeda entered the diamond sector, after the United States froze $240 million in Taliban and al Qaeda assets, shortly after the bombings of US embassies in Kenya and Tanzania.[44] Al Qaeda used the diamond trade

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[36] Economic Intelligence Unit, *Ghana, Sierra Leone, Liberia*, 4th Quar. 1992, at 32.
[37] Id.
[38] Strategic Commodities Act 2000, Section 3.
[39] *For a Few Dollars More*, Global Witness, Apr. 2003.
[40] *Id*.
[41] Transcribed Testimony of Roger D'Onofrio Ruggiero (1995), as reported in TRC Institutional and Thematic Hearing on Economic Crimes, Immants Liepens, investigative journalist, Latvian Public Investigation Bureau, Monrovia, Feb. 19, 2009.
[42] *Id*.
[43] *Id*.
[44] Farah, Douglas, *Report Says Africans Harbored Al Qaeda,* Washington Post, Dec. 29, 2002.

for four main purposes: (1) as a means of raising funds; (2) to conceal money targeted by financial sanctions; (3) to launder the profits of criminal activities; and (4) to convert cash into a stable and easily transportable commodity.[45]

The Diamond Industry's Use of Security Forces

Diamond companies also financially supported and hired private security forces that committed gross violations of human rights in Liberia between 1979 – October 14, 2003.

In November 1983, a group of Gio and Mano fighters led by former General Thomas Quiwonkpa allegedly attacked the Plant Protection Force (PPF), LAMCO's private security force, in Yekepa, in an effort to kill Charles Julu, the Director of the PPF, and avenge Quiwonkpa's dismissal from the People's Redemption Council (PRC) and the Armed Forces of Liberia. At the time of the attack, known as the Nimba Raid, Julu was visiting Ghana, but the raid resulted in the death of several members of Julu's family. Quiwonkpa, Sam Dokie and Cooper Teah were alleged to be the leaders of the attack.

In 1985, Julu led a PPF attack that killed hundreds of Gio civilians near Yekepa in response to a failed coup attempt against Samuel Doe and to avenge the attack on his family.

"Julu rounded up Gio civilians in the compound of the Lamco iron-ore mine and ordered soldiers to flog them. He used Lamco trucks to transport Gio soldiers and civilians to the Sika valley in the Nimba mountains near Yekepa, and slaughtered them before throwing them down a disused mine shaft. Lamco security guards, who Julu commanded, led the slaughter. The company, which at that time was partly owned by a Swedish company, Grangers, in a joint venture with the Liberian government, did not even dock the pay from the employees from the time they had taken off to murder and mutilate."[46]

In 1997, 450 former child combatants allegedly were used for gold mining in the ITI logging company's concession. The children were allegedly under the control of Roland Duo, the former NPFL chief of staff for River Cess County.[47]

Economic Crimes in the Petroleum and Telecommunications Sectors

On September 25, 2003, the Liberia Petroleum Refining Corporation (LPRC), acting under the authority of Edwin Snowe, former LPRC Managing Director and Montserrado County

[45] *For a Few Dollars More*, Global Witness, Apr. 2003.
[46] Huband, Mark, *The Liberian Civil War*, (Routledge 1998) at 40.
[47] United Nations Liberia Humanitarian Situation Report, June 30, 1997.

Senator, executed a credit agreement with West Oil Investment (WOI) for $10 million USD. The agreement designated WOI as the importer and distributor of petroleum products in Liberia in exchange for the credit. While the LPRC has not justified its decision to obtain the credit, shortly thereafter, the company made a series of suspicious payments beginning in 2003 through 2006.[48]

Lone Star Communications Corporation (LSC), Liberia's only mobile phone service provider from 2000 to 2004, allegedly committed an array of economic crimes including tax evasion, bribery and telecommunications fraud. LSC was owned by two corporations: (a) Investcom Global Limited, a Lebanese corporation, that owned 60% of LSC; and (b) PLC Limited, a corporation owned jointly by Charles Taylor and Benoni Urey and Emmanuel Shaw II, two of Taylor's financial advisors. Because Liberia has no functioning, land-based telephone system, LSC greatly profited from its status as the only company in the telecommunications sector.

In 1999, PLC Limited obtained an exclusive license to operate a global system for mobile communications (GSM) service without entering into a competitive bidding process.[49]

In 2001, Investcom LLC attempted to purchase a GSM license in Liberia.[50] Investcom LLC is a subsidiary of Investcom Holdings S.A. and Investcom Global, two corporations owned by Lebanese nationals and incorporated in Luxembourg and the British Virgin Islands, respectively.[51] The government of Liberia informed Investcom that no GSM license was available and that the company should purchase 60% of PLC Limited to enter the telecommunications market in Liberia. As a result, Investcom LLC allegedly acquired 60% of PLC Limited for $30,000 USD.[52] Between 2000 to 2004, LSC generated approximately $36 million USD in revenue.[53]

It also allegedly engaged in unlawful price fixing and charged $.50 US cents per minute for local calls and $1.25 USD per minute for calls to the United States. LSC also charged $65 USD for a subscriber identity module (SIM) card, which is mandatory for all mobile phone

[48] Documents and invoices received by the TRC regarding LPRC, Monrovia, Mar. 7, 2008; In 2008, Snowe, Sheriff and several others were indicted for crimes related to their management of LPRC, including economic sabotage, bribery, theft of property, and criminal conspiracy.

[49] Letter dated 24 May 2007 from the Panel of Experts on Liberia addressed to the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003), United Nations Security Council, S/2007/340, at 24.

[50] TRC ECU Interview with Khalid Makkawi, Chief Executive Officer, Lone Star Communications, Mar. 10, 2008

[51] Project Summary, Spacetel Benin, S.A.R.L., Multilateral Investment Guarantee Agency, available at http://www.miga.org/projects/index_sv.cfm?pid=503

[52] Letter dated 24 May 2007 from the Panel of Experts, *supra* note 125, at 24.

[53] Following Taylor's Money: A Path of War and Destruction, Coalition for International Justice, May 2005, at 11.

users on the network, and allegedly inflated the cost of scratch cards, which provide subscribers with pre-paid phone minutes.[54] After LSC's monopoly on the Liberian telecommunications market was broken in 2004, the price of calls fell to $.20 cents USD and $.40 cents USD, for local and United States calls, respectively.[55]

In 1997, shortly after Charles Taylor became President, Liberia established an exclusive rice importation agreement with Bridgeway Corporation (BC), a subsidiary of Haddad Group International and owned by George Haddad.[56] BC then began to provide approximately 75% of Liberia's rice.[57] The company allegedly earned tax credits in exchange for selling rice to the government of Liberia.[58] Charles Taylor used BC imported rice as a gift for former NPFL soldiers and his supporters.[59]

[54] *Id*.
[55] *Id*.
[56] Jablasone, Cheechiay, *Liberia: Reporter's Notebook*, 2007 Assessment, Global Integrity Report, *available at* http://report.globalintegrity.org/Liberia/2007/notebook (last visited June 15, 2009).
[57] Nah Tiepoh, Geepu, *The Rice Importation Liberalization Agenda in Liberia: Some Critical Policy Issues*, The Perspective, *available at* http://www.theperspective.org/riceimport.html (last visited June 15, 2009).
[58] TRC ECU Interview with George Haddad, Haddad Group International, Sept. 16, 2008.
[59] Jablasone, Cheechiay, *supra* note 125.

ADDITIONAL RECOMMENDATIONS

Additional Recommendations to Address the Needs of Women and Girls and to Advance Gender Equality in Liberia

This report has shown that Liberia 's 14 year civil war, buttressed by over a century of violence, oppression and inequality did not spare women and girls from being used, abused, killed, maimed, mutilated, tortured, raped, gang raped, abducted, forced into sexual slavery and drugged. Their houses, property and possessions were destroyed and looted, they were internally displaced and turned into refugees and suffered the loss of their breadwinners and livelihoods. This report therefore finds that women and girls were violated in every category of violations and that the ensuing harms, impact and consequences of these violations extended far beyond their direct physical experience.

This report determines that through the investigations of the TRC, many of the causes and origins of violence against women during wartime are rooted in the socio-cultural, traditional and political history of Liberia. It is also firmly linked to the low socio-political status of women, with the added perception of male superiority. This rendered women and girls extremely vulnerable to exploitation and violence during both war and peace. It has also taken into account the multiplicity and complexity of women's roles in the armed conflict, recognizing that women took on the added roles of perpetrator, collaborator as well as peacemaker and mediator.

These recommendations are therefore based on the need to not only address the direct consequences of the conflict in Liberia but also the root causes and origins of the violations that women continue to experience in the aftermath of the conflict. Women continue to experience the secondary harms from the increase in single parenting, unwanted pregnancies, health problems from sexually transmitted diseases, increasing poverty, prostitution, discrimination and increased responsibility due to the loss of breadwinners, livelihoods and the adoption of orphans.

These recommendations are informed by the recommendations elicited from women throughout the lifespan of the TRC, through all the projects and activities aimed at engaging women and girls in Liberia from its inception through June 2009.

General

The ratification and subsequent incorporation of international human rights instruments into national law is crucial to the advancement of women's rights. It imposes on states an obligation to interpret national law in a manner consistent with their duty to their population. Liberia ratified CEDAW in 1984 and is about to present its first and sixth report to the CEDAW committee in July 2009. This report comprehensively covers the status of women in Liberia today and makes a wide

range of pledges to advance substantive gender equality in Liberia. The Committee will make a number of recommendations to the Liberian government for them to fulfill their obligation to eliminate all forms of discrimination against women. It is therefore strongly recommended that a mechanism be established to monitor and report on the implementation of the CEDAW committee's recommendations.

Health and Wellbeing

For full recovery and transformation of Liberian society, the work initiated in the post-conflict process must be continued. It is therefore recommended as a first step that a comprehensive database of service providers throughout the country be compiled and made available and accessible to the Liberian population, especially to the women. This activity should be implemented jointly between civil society, the government and UN agencies to avoid overlaps and to ensure that it is comprehensive, covering every small community based organization offering services of any kind that will contribute to the health and wellbeing of the nation.

More clinical and psychosocial services need to be provided and accessible to all, at decentralized levels, especially reaching out to the rural population. This includes the establishment of decentralized health clinics. Parts of these services should be tailored to accommodate survivors of sexual violence and ex-combatants paying special attention to reaching women and girls associated with the fighting forces.

Active Economic Participation

Since many women associated with the fighting forces were not able to participate in the skills training programs provided on demobilization, and that many women requested vocational training during the TRC process, it is recommended that skills training programs be decentralized and made accessible to all, especially to women and girls outside of Monrovia. It is further recommended that these training programs are designed based on an assessment of marketable skills needed in Liberia and is coordinated, vetted and certified by both the Ministries of Gender and Development and Labour to ensure that the training is appropriate and the quality is standardized. Furthermore, government should develop incentives for all employers to offer skills training by setting up a levy that employers pay which they can access for the skills training of employees.

It is noted that for many who have undertaken skills training there is an absence of opportunities to practice the skills as well as the lack of accessible markets. It is recommended that the Ministry of Gender and Development and partners explore opportunities for women to utilize the skills acquired and for market opportunities where their goods can be sold.

The current legal and regulatory environment must be reworked to allow for the development of the microfinance sector and the provision of micro-credit for the poor and vulnerable especially women. The provision of these services must be linked to programs dealing with the root socio-cultural and traditional causes of gender inequality to avoid the backlash of violence that inevitably follows such financial empowerment programs.

Micro-credit schemes should especially target women associated with the fighting forces, internally displaced women, female single parents and caregivers, and war widows. Those providing micro-

credit should be compelled to incorporate a basic business management course into the provision of micro-credit especially for semi-literate or illiterate women.

Donor funded support to microfinance has been limited. UNDP programs in some counties have been the only means of financial support for rural women. Donors need to look into more support for microfinance.

Training to build capacity and expertise in microfinance implementation must happen at all levels – national, county and community.

The Legal and regulatory framework also needs to be reworked to allow greater access for women to financial and banking services including training women and girls on how to conduct and manage their finances effectively. Academic, vocational and practical skills training should be provided. All loans should only be approved along with a mandatory training on how to use finances effectively for the purpose intended, and especially on how to start small businesses.

Agriculture and subsistence farming are a major source of income for women. Female extension workers must be recruited and trained to ensure that extension services are gender responsive. New farming technologies must be identified and taught to women farmers along with the provisions of farm tools and network support with other women farmers.

Community farming should be encouraged through training on sustainable farming, and empowerment through setting up of co-operatives with tools and seed provided initially.

Education

Government needs to urgently and effectively implement specific interventions addressing challenges in education, especially the engagement of qualified teachers to schools in the country's more remote locations, which historically have suffered from poor levels of education.

The bias against women receiving formal education must be addressed at all levels, socially, economically and politically. The National Girl Child Education Policy must be implemented to address some of the following issues: Free and compulsory education for girls up to senior secondary level is recommended. Girls who become pregnant while at school must not be expelled. Government should ensure that counseling services are available at all schools as well as adequate sex education and awareness as preventative measures. In the event of girls becoming pregnant, services must be available for the girl to complete her education in a way that takes her health status into account. Teachers impregnating girls must be severely dealt with, through the setting up enforceable codes of conduct for teachers and students.

Accurate data must be collected and analyzed annually on the enrolment of girls in school, and the obstacles they are facing should the enrolment not be reaching adequate levels. Government should also go further and investigate the dropout rate by keeping statistics on the numbers of girls graduating or completing their educational cycle, to ensure that the graduation figures match the enrolment figures.

It is further recommended that the Ministry of Education in conjunction with the Ministry of Gender and Development, UN and Civil society partners establish decentralized adult education programs, including night schools for women in which basic literacy and numeric skills can be taught. This needs to take all the socio-economic concerns of women into account, like safe transport, child care and affordability.

Poor learning environments must be assessed and improved to avoid teachers, ministry officers and students working and learning in substandard environments without desks, materials or electricity.

All unqualified teachers must be put on up skills programs for basic teaching qualifications based on the fact that 65% of children in primary schools are taught by unqualified teachers. Forty-five percent of teachers have not completed high school.

Steps must be taken to organize the technical and vocational education and training system of Liberia which can provide the best opportunities for girls and also boys to acquire skills for income generation.

Increase access to quality basic education through physical rehabilitation of educational facilities, supply of teaching and learning materials, curriculum development, teacher training, school feeding, Accelerated Learning Programs (ALPs), and girls education programs.

Build management capacity of the Ministry of Education at central and county levels.

The Law and Discriminatory Practices

Although the statutory laws prohibit discriminatory practices, they make no specific provisions against discrimination in the private or domestic sphere. Access to justice is limited for women, particularly in the rural areas, and availability of legal aid is severely limited.

It is recommended that public education and awareness-raising be done on the existing national laws first, as well as international human rights conventions to which Liberia is a signatory.

It is recommended that more judges, prosecutors, magistrates are trained and sensitized on gender and discrimination. This includes clerks and other staff in the judicial system, whose negative attitudes towards women and their limited knowledge of rights, further limits women's access to the justice system.

It is recommended that a formal legal aid system is set up, coordinated and supported by the government and the judiciary to deal with the fact that poverty and illiteracy limits women's access to justice.

Public education on the law needs to be linked to literacy programs, since high illiteracy among women attempting to access justice, particularly in the counties and rural areas, limits their success. Since literacy is not a precondition for legal literacy, focus must be placed on educating women on their rights through different forms of communication as well.

An affirmative action policy or law must be developed and implemented to ensure that women's participation and inclusion does not rely on goodwill.

All current laws must be implemented rigorously, for example, the rape law. Monitoring systems must be established to investigate the weak implementation of the current laws.

All workplace discrimination within state institutions, particularly the traditionally male dominated sectors like the security sector, must be investigated and corrected with sanctions in place for sexual harassment, unequal incentive schemes, operational structures and bureaucratic procedures. Furthermore, substantive equalityi must be practiced to ensure that women are not further discriminated against, by treating everybody the same.

A sensitive action research study of the nature and prevalence of female genital mutilation / cutting must be done. Public education of the outcomes, the dangers and the choices women have regarding this practice must then follow. Laws must be enacted to protect women and girls who choose not to follow this practice.

Reparations

In the aftermath of conflict or authoritarian rule, the state is responsible for reparations to victims whether in the form of restitution (restoring the victim to the original situation before the violation), compensation for economic damages, rehabilitation (medical and psychological care, legal and social services), satisfaction (public disclosure of the truth, public apologies, commemorations and tributes to victims), or guarantees of non-repetition through reform of state institutions.

* All women who suffered sexual violations must receive free medical services

* All women who suffered physical violence and are suffering as a result must receive free medical services

* Psychosocial/trauma counseling for women must be continued

* Scholarships must be provided to the children of women whose husbands, partners or breadwinners were killed

* Individual reparation to be determined on a case-by case basis must be given to all women who either gave statements to the TRC or who testified at the public or in-camera hearings

* GOL must facilitate the reunification of women who were used as sex slaves, bore children for fighters but whose children were taken away from them by fighters at the end of the war, and who want to be reunited with their children the opportunity to be reunited with their children. Must women have said this will facilitate their healing and promote the ends of justice.

Women Associated with the Fighting Forces

A rehabilitation centre is crucial. Those who fought for years need total rehabilitation of the mind and need to learn new marketable skills. Facilities need to be decentralized and made available to people living in rural areas. These should be in the form of schools, clinics, training centers and so forth. Adult education is very necessary. Many girls are now parents and cannot go back to school.

The disabled

Special support is needed for families with disabled members. They need to be empowered to start businesses and regain their dignity so that they can move on. Community empowerment and training needs to be done with community leaders and church groups etc to sensitize them to the impact of mocking people who have suffered in the war and who have lost limbs etc

Victims of sexual violence

There should be specialized clinics for women to deal with the specific problems resulting from the violence of the war. Free and consistent healthcare must be provided for all survivors of rape and sexual violence medically and psychologically.

The elderly

A large number of elderly women have been rendered destitute and without families, must be re-integrated into society, and government and civil society are called upon to develop innovative programs that will restore these women's dignity and pride. Examples of this can be taken from other countries where the elderly have been taken into homes as child minders (adopt a grandmother), or to offer some assistance to families struggling to recover their family values. Homes for the elderly should be established in the main urban centers, subsidized by government where no family member or family can be found to 'adopt' the person. All the elderly women should be given free medical attention.

War widows

Women rendered widows by the war need to be empowered to understand their rights, and steps need to be taken to ensure that those who were working their husband's lands are granted access and ownership to that land. All war widows should receive free psychosocial counseling.

Displaced and homeless

Women who lost track of their children and families need a special service to be established that they can access, to reunite them with their missing family, and to be assisted to return to their original homes if that is what they deem appropriate. These women have also lost their properties and homes so a rebuilding plan is essential. Building materials should be subsidized and made available to women who can present a rebuilding plan. In the interest of reconciliation, the perpetrators who destroyed homes should be involved in this plan as part of community reparations to the victims.

Memorialization

The increased recognition of memorialization within the transitional justice field is exemplified by the recommendations made by various truth commission reports, which endorse the idea of symbolic reparations in the form of memorials, sites of memory, commemorative days, the renaming of public facilities in the names of victims, and other artistic/cultural endeavors. Collective memories built around war and violence play an important role in the process of rebuilding positive ties between the different segments of a society. Particularly crucial in such a process are the public and private rituals and narratives that sustain collective and individual memories of the history,

causes and course of mass crime, and allow the re-interpretation and re-assertion of the belief systems. However, while memorialization can be a bridge between past and future and contribute to reconciliation and healing projects, in many instances it further marginalizes women. Women's experiences, contributions, struggles for change, and campaigns for peace in Liberia, must be mainstreamed into the memorialization practice to ensure that they serve as mechanisms for inspiration and motivation for current and future generations. This would also encourage civic engagement around women's experiences of conflict, breaking cultures of silences and shame, and furthering the course towards gender equality.

Throughout the work of the TRC Gender Unit, there were persistent calls for memorials and ways to commemorate the dead especially from the women. It is therefore recommended that government and civil society work together with the communities, to identify sites to build monuments where they are appropriate and most honoring of those whose lives were lost during the civil war. It is especially important to memorialize sites of massacres, to hold mourning days, rites or feasts, or to write the names of the people who died during the war. Government is called upon to devise creative ways to engage the population and ensure that the voices of those remaining, particularly the women participate in devising and deciding who and what will be remembered where and how.

Institutional Reform / Vetting

Under institutional reform, vetting is increasingly implemented to address human rights abuses. It is defined as a formal process for the identification and removal of individuals responsible for abuses from public office. Vetting is becoming an integral part of the process of restoring trust in organs of the state, in an attempt to ensure that the structures that facilitated human rights abuses in the past no longer exist. The collapse of the rule of law during the war with the army and the police involved in perpetrating acts of violence on civilians makes credible institutional reform essential for citizens, especially women, to regain their trust in the state organs. It is also vital that Liberian state institutions reform and transform so as to promote and foster gender equality. The institutional reform process should transform such institutions into efficient and fair institutions that respect human rights, maintain peace, and preserve the rule of law. Institutional reform measures in Liberia are recommended to create the following in all public institutions such as the police and the military:

* the creation of oversight, complaint and disciplinary procedures;

* public education and awareness campaigns to train the public, especially women, on how to access recourse if the system discriminates against them or is harmful, especially the translation of such procedures into Liberian English and other accessible forms of communication.

* the reform or establishment of new legal frameworks;

* the development or revision of ethical guidelines and codes of conduct;

* the provision of adequate salaries, equipment and infrastructure;

* the reform of all institutions by screening and removing personnel who are deemed unsuitable for public employment, due to their willing participation in acts of violence and destruction during the war, from, for example, the security forces, the police or the judiciary.

The State needs to further ensure that women-friendly environments are developed within the police and judiciary for the reporting of sexual and GBV. More females must be recruited into the security sector and trained adequately to build their capacity, and more must be promoted into management and decision making positions as well. Adequate sexual harassment policies must be adopted and enforced within these sectors. Attractive incentives must be created to recruit women; including child care, promotional opportunities, and evidence that gender stereotyping is absent.

The Media

All forms of media in Liberia are powerful socializing agents and must be reformed and transformed to reflect the nation's serious commitment to gender equality. More women must be trained and advanced to take up leadership positions within the media. Media monitoring and watchdog mechanisms should be established to ensure that the messaging from the media is not perpetuating harmful gender stereotypes, and/or objectifying women and girls.

Truth-Telling and Reconciliation

Truth-telling and truth-seeking is not just the prerogative of the TRC and is a vital component to lasting unity and reconciliation amongst and between people. It is also a pre-requisite for closure and healing to take place. This is most meaningful at the community level. It is therefore recommended that community forums, 'palava hut' forms, and other broader national and regional mechanisms be set in place for more truth-telling to take place, which will lead to community reconciliation. Furthermore, peace-building should be included into educational curricula and taught in schools, with more awareness placed on reconciliation, what it means, and how it can be effected at community level and between perpetrator and victim. Traditional leaders, especially female leaders, should be trained to facilitate reconciliation and to use their influence at the community level to foster unity and peace.

The Human Rights Commission (HRC)

This is an important institution which will follow on after the TRC. It needs to be reconstituted immediately so that it can begin to work alongside or soon after the closure of the TRC to avoid too big a gap between the two institutions. A special task force should be created to look into the issue of reparations, with the HRC holding full responsibility for the monitoring of this process and holding it accountable. The HRC should be given the same mandate as the TRC in terms of ensuring that women's needs are catered for and that gender equality remains high on their list of priorities.

Prosecutions and Amnesty

The culture of impunity in Liberia has had a severe impact and dire consequences for women and girls. The state failed completely to protect them as civilians during the war and even in the post conflict periods, deepening this culture and allowed women's bodies to become the battlefield through which the war was fought. For women and girls, it is absolutely imperative to end the

culture of impunity. It is therefore recommended that war-lords and heads of fighting factions be punished for initiating, encouraging, participating in and perpetuating crimes against women during the war and in the post conflict periods. This punishment must be real, and justice must be seen to be done. This should involve jail-time, hard labor, and seizure of property or other ill-gotten gains. Public apologies from the warring factions must be mandated and reparations sought from them personally. Amnesty should only be considered with full disclosure and remorse for crimes against women. All child soldiers should be given conditional amnesty with the condition being mandatory rehabilitation.

Civil Society

Civil society needs to get together and form a strong coalition body that will critically look at itself, accept the criticisms and fill the gaps that are identified. They should ensure that they remain independent from government to maintain their watchdog status to hold government accountable, and to work more effectively alongside government programs.

Government

It is recommended that the boundaries between civil society and the Ministry of Gender and Development be clarified to ensure that the two work in tandem with transparent systems for vetting and choosing partners from civil society.

Advancing Women's Rights beyond the TRC

After all the testimonies, hearings, workshops, and the end of the TRC, it is critical that women ensure that their rights are advanced and harm committed against them is repaired. It is therefore further recommended that:

* Sensitization of women's rights happens through media, drama, or workshops since many women do not know their rights in Liberia. They have lost their husbands, land has been taken away and so forth, and they need to know exactly what rights they have and how to access them. (Right to Knowledge; Access to Information).

* All the national and international laws need to be disseminated in a simplified way throughout Liberia, so that everyone knows what they are and how to use them. Only two people from a group of 25 at the national conference knew about the Inheritance Law which has already been enacted. Throughout Liberia there is still confusion when traditional marriages are dissolved. (Equal Right to Inherit for Men and Women)

* All women should be assisted to regain their lost livelihoods and/ or be given the information they need to understand that they have a right to claim these losses. Many women lost businesses during the war, and also their male relatives who were helping them. They are left with small children and no means of income. There should be a scheme to assist these women to go back to their business and to start over. (Right to Work; Right to an adequate standard of living).

* Illiteracy is highest amongst women. Market women need to be literate. Many live in communities where there are no public schools. Women are being charged fees to attend school, when education

up to grade 9 is free. So they need literacy programs, more primary schools in rural communities and knowledge about the system. (Right to education).

* Many women are living at the mercy of family and friends having lost their homes in the war. Low cost housing schemes must be provided. (Right to Housing).

* The DDRR did not cater for victims. They need assistance such as skills training, medical care, and scholarships for their children, and trauma counseling. A resettlement fund should be made available, victims identified and given assistance to go back to their homes and start over.

* Legal Aid must be provided to women who are being thrown out by their husbands and husbands' relatives.

Recommendation on the Media

The TRC's engagement with the media considered certain realities as expressed in the three day workshop spent with panelists assessing today's media culture in the country, from the level of press freedom to the many challenges at hand and the media's readiness to contribute to the process of national development and reconstruction. There was a consensus that the press in Liberia (print and broadcast) is perhaps at its most difficult period in history, plagued by a myriad of issues resulting from the fourteen year civil war. As panelist Abdullai Kamara of the group, Journalists for Human Rights, put it, "Like all other sectors of Liberia, the media was completely devastated…" by the conflict. The ensuing problems could be summarized into the following sub-topics:

- A. Lack of Trained Manpower

- B. Ethical Transgressions

- C. Poverty in the Media

Workshop participants and panelists agreed that the media's role in the national reconstruction process is crucial. It provides a space for open and critical discussions and debates on national issues, and in the case of community radio, is increasingly becoming an educational tool – promoting local development in a number of areas. But to more effectively take on its responsibilities in the national reconstruction process, the media itself needs to be rehabilitated, addressing the points noted above.

A. Lack of Trained Manpower: As already noted the Liberian media suffered immensely from the civil war, losing a large percentage of its trained or more experienced manpower. Today many of those with any formal education in journalism and other veterans of the craft are either practicing out of the country or have taken up employment with NGOs or government agencies. There are no statistics on how many of the best of Liberian journalists were lost to the war in one way or another, but there's evidence of a rather young, inexperienced workforce with very little training currently filling the void. Many of the media practitioners in the country today lack the basics – conceptualizing a story, pursuing the news, and general newsgathering and writing skills. In fact a constant refrain during the workshop was that Liberian journalists "lack the nose for news."

For the most part, many of the media houses depend on press releases, which in some instances are rewritten to serve as news stories. The young journalists do not seem to have the capacity to look beyond the press releases or other narrowly defined sources of news to conduct their own investigation. A panelist from the Truth and Reconciliation Commission noted an example of this. During the TRC's outreach to the leeward counties, a number of journalists accompanied members of the commission. Their primary assignment: to report on activities of the commission in those counties. But as the TRC member noted, there were several other stories that were very evident during those trips – stories that went unnoticed and unreported by all but one correspondent who came back to base with at least one non-TRC related report.

Some panelists and participants also blamed such narrow focus on other factors like individual political interests or the pervasive culture of corruption in the media, which will be discussed later.

One glaring evidence of the absence of adequate training: many of today's newspapers are poorly produced and stacked with grammatical errors. There's also the question of how accurate some of the stories are. At issue: the reporter's ability or lack thereof to clearly portray the newsmaker's point of view.

The University of Liberia is the leading institution of training for journalists in the country. There are of course short term capacity building workshops and seminars conducted by the Press Union of Liberia, other media advocacy groups, NGOs and individuals. But the University's Mass Communications Department has been in the forefront of any long term training program. However its curriculum is out of step with today's reality. It was drawn up back in the early 80's and has not had any significant overhaul since then, leaving some to contend that acquiring a journalism degree from the university is a waste of time.

B. Ethical Transgressions: The Liberian media suffers from a serious credibility problem. According to workshop panelists, receiving money for news is a common practice in the country, which is serving to discredit the profession and jeopardize its ability to contribute meaningfully to the national reconstruction process. This is not new to the Liberian press. "Katos" has always been a part of the media culture, but in the years since the war it has become so pervasive, and for many newsmakers, it is the only or perhaps the best way to get their stories in the papers or on the airwaves. In fact another more troubling aspect of this practice has emerged during this post-conflict era.

Initially, "Katos" was mostly limited to reporters or editors receiving money (envelopes) when they show up for press conferences, interviews or some event in the pursuit of news stories. But today, it's been expanded to include the sale of pages of newspapers or airtime. Newsmakers and media critics argue that for stories to make it to the pages of some newspapers, or to get airtime on some radio stations, money has to change hands. One panelist quoted the former head of the United Nations Mission in Liberia, Jacques Klein as saying, "ten dollars can get you any story in Liberian newspapers." Another panelist, Kenneth Best of the Daily Observer newspaper, recalled being approached by a diplomat asking how much the Observer charged to get a story on the front page. The New Democrat's Tom Kamara recounted a similar incident. In his case he was asked the same question by a fellow journalist who was apparently acting on behalf of a newsmaker. While both the

Observer and Democrat may have declined any cash offer to publish stories, other newspapers regularly accept such offers.

Some critics contend that some of the more than 20 newspapers that exist today were started primarily to extort money from newsmakers. Their appearance on newsstand is very irregular, being published only when they've successfully sold news pages of the paper or receive ads from one of the local businesses or non governmental organizations.

C. Poverty in the Media: One panelist noted that the ethical issues facing Liberian journalists are perhaps the most serious, saying because of this problem the press today is at its worst. The question at hand is why is corruption so pervasive in today's media culture? A number of reasons were advanced. Some blamed the lack of adequate training, while others contended that training alone is not a solution. As the New Democrat's Tom Kamara pointed out "ethics can be taught in the classroom, but you cannot teach someone to be ethical."

Most participants attributed the problem to the malaise of poverty in the media brought about by a number of factors. Liberian journalists are among the lowest paid in West Africa with many making a meager $20 to $30 a month. A bag of rice, the country's food stable, costs about $65, meaning many reporters do not make enough to provide basic necessities for the survival of their families. But those who get paid are the lucky ones. Some reporters at the workshop revealed that a number of newspapers often fail to pay their employees or freelance journalists who do occasional work for them.

Some editors and managers blame the low pay scale on a myriad of problems. They insist that most media organizations are undercapitalized, barely making enough to keep operating. Newspaper sales are poor. Each paper costs about $20 LD, and in a country where the majority of the people are unemployed, that amount is beyond the reach of many. Another problem is the poor circulation, mostly limited to Monrovia and surrounding cities and counties. The New Democrat has the largest circulation with 3,500 copies a day, followed by the Daily Observer with about 2,000 copies.

About 75 to 80 percent of newspaper revenue comes from advertisements. Panelists noted that the ad culture has still not recovered from the civil war. Businesses are slowly re-emerging and economic activity is just beginning to pick up. As a result, many of the ads that appear in the papers come from the United Nations Mission and other UN agencies and international non governmental organizations. Ask managing editors and publishers, and some tell you that they do not make enough from ad sales to pay their employees relatively decent salaries. Participants argued that these factors contribute to the corruption seen in the media today.

During the discussions another school of thought emerged. Some critics argued that some media organizations generate sizable sums of money from ads. Yet they fail to pay their employees well. They blame this on poor management, noting that many newspapers and radio stations may not even have business plans and those who run them lack the requisite administrative skills.

Another issue is the debate over ad rates. Some managers see the need for standardizing rates, arguing that some newspapers may lower their rates considerably to attract clients. That creates an unfair advantage as the papers with the most circulation will then be forced to match the low rates.

CONFRONTING THE PROBLEMS:

There were many suggestions advanced during discussions on how to solve the many problems faced by today's journalists. Some participants argued that certain standards be set to address the pervasive lack of professionalism. Many of today's reporters have no formal training in journalism or related disciplines. In fact, most of them are only high school graduates, products of an education system that itself needs to be rehabilitated, prompting critics at the workshop to suggest a minimum education requirement. Others argued against this, suggesting that would be stifling freedom and limiting the rights of individuals.

Participants called for the Press Union of Liberia to play a central role in addressing many of these problems. But they lamented what one panelist called the lack of a "functional strategic direction within the organization." Another called the union a dysfunctional organization. The PUL has since held elections, and the former Secretary General, Peter Quaqua was elected president, promising to reform the union, once again giving it a voice in today's society.

RECOMMENDATIONS:

* The PUL, Media Institutions, Journalists and media practitioners should take ownership of the TRC Recommendations and use every opportunity promulgate the Recommendations for the understanding of the general populace and to serve as watch dogs over the implementation of the Report.

* The PUL and other media advocacy groups should launch a campaign to discourage newsmakers from paying for news.

* The PUL should encourage those media institutions that have not yet established a code of ethics to guide their employees to do so immediately or should adopt the PUL's code of ethics. The PUL must encourage every organization to begin to take more stringent disciplinary actions against staff members who violate the established or adopted code.

* The PUL and other media advocacy groups should begin to work with NGOs and UN organizations to consolidate capacity building efforts. While many donor agencies and NGOs recognize the need to help rebuild the media in the country, many are beginning to complain about the fragmented nature of the many training and development programs and are starting to question their effectiveness. A more cohesive or centralized approach may be what is needed.

* The Liberian Media Center should work with the Press Union of Liberia to organize a business development seminar for editors and media managers. The goal: to improve the marketing and business structure of media organizations to help them become financially sustainable, addressing the problem of poverty in the media. Topics to be covered: raising revenue, business structure, salaries, etc.

* The PUL and other media advocacy groups should seek the requisite expertise to begin immediate work on drawing up a proposal for the establishment of a mid level training program for journalists.

* The new leaders of the Press Union of Liberia should take action to revitalize the union.

* They must seek capacity building opportunities for the leadership and members. What's at stake here is the future of journalism in Liberia and the ability and capacity of the PUL to take the lead in the rehabilitation of the media in this country. The union must also more actively engage its members. It may seek the counsel of some of the older more experienced journalists (among them, former leaders). The new leadership could establish an advisory team to include some of these more experienced journalists.

* That an expert body, including the PUL, other media advocacy and research groups like the Center for Media Studies and Peace Building, CEMESP, and the Ministry of Information, should work to identify repressive media laws, all other laws that infringe on basic freedoms and regulations currently on the books and propose to the appropriate authorities that all such provisions be decriminalized. The laws in question, together with a general lack of respect for due process, were in part responsible for the abuses suffered by journalists and media houses in the past. Additionally, they are out of step with the new atmosphere of freedom enjoyed by the media in post conflict Liberia.

Legislature

Pursuant to its mandate, the Truth and Reconciliation Commission of Liberia also conducted studies on key governance institutions, key amongst them, the National Legislature. During the period under review the commission convened a two day Special Thematic Hearings on the legislature.

Under the theme: "The Role Of The National Legislature In Meeting The Needs of Its Constituents," the hearings were aimed at extracting lessons learned from our national experience and outlining the way forward for our nation, especially at these times of national reformation. During the deliberations prominent Liberians, versed in the working of the legislature and key past and present members of that august body made presentations.

In addition to its mandate to promote national peace, security, unity, justice and reconciliation, the TRC was authorized to produce an extensive report not only documenting the experiences of Liberians during the conflict, but to make recommendations for reforms in various areas including national institutions.

The institutional study program was one of the several mechanisms adopted by the commission in conducting an in depth research on various state institutions. During the study program critical analysis were done to determine the impact of the conflict on the legislature and how it contributed to the country's national crises.

Mrs. Hawa Goll-Kotchi, Commissioner of the Governance Commission, Mr. Morris Dukuly, former speaker of the erstwhile Transitional Legislative Assembly; human rights activist and former Director of the Justice and Peace Commission (JPC) of the Catholic Archdiocese made Others were; Attorney James Kabbah, Chief Clerk of the House of Representatives; Cllr. Jonathan Williams, Professor of Law

at the Louise Arthur Grimes School of Law; Cllr. Tiawon Gongloe, then Solicitor General of the Ministry of Justice, Republic of Liberia, and Honorable Alomiza Ennos, member of the House of Representatives representing Montserrado County.

Recommendations on the Legislature

* To receive the Final Report of the TRC

* To ensure that the Executive Branch of government implements all recommendations of the TRC's Final Report.

* Legislature should allow independent journalistic coverage and enforce the regular newsletters exercise by which their constituents can be informed about their activities and positions on issues. Those newsletters must include questionnaires that will help members gauge public opinion. Legislative agenda and the full text of bills on a daily basis either through their journal or web site must be carried out. This kind of interaction with constituents will allow citizens to comment on legislations.

* The opportunity must be provided by the legislature to hear the views of experts and citizens on public policies issues and to express and promote their agenda. The capitol building should be a place accessible to all and a constituent friendly environment

* The constitution should be amended to allow for a reduction in Legislative tenure of office from six years to four years for Representatives and from nine years to six years for Senators.

* The Constitution must be amended to allow the reduction in Presidential tenure of office from six years to four years.

* District offices of Legislators should embarked upon and engage in sensitization and education programs to educate their constituents about the roles, functions and powers of the legislature and bills, and matters before the house.

* The Legislature must enact a law to legalize lobbying but establish regulatory standards to that effect.

* The current usage of contempt powers by the Legislature, contravenes the Constitution. Contempt power is not summary or arbitrary, it should be used cautiously and only in cases of manifest necessity. Therefore, the Contempt Power of the Legislature should be reviewed especially as is exercised against ordinary Liberians. Contempt Power should be used only for actions that impede legislative functions. Any other perceived offense committed by an individual must follow due process pursuant to the Constitution.

* Members of the Legislature should be held by the same standards as other branches of government; including the obligation to be audited.

* The Legislature and Executive must strive for consensus on national policy issues

* The current distribution of power at the legislature especially at sub-committees level is imbalanced to female legislators hence; the legislature must review the leadership of various sub-

committees and make changes to reflect gender balance and equity. Female legislators must be afforded the same opportunity as their male counterparts to contribute to the work of the legislature.

* The Legislature should pass the Legislation on the Code of Conduct

Section 16.2. Determinations of Responsibility For Economic Crimes

The TRC determined that economic crime is unlawful under Liberian and International law.

The TRC determined that economic crime unlawful under regional law in Africa and international law.

The TRC determined that the following individuals, groups of persons, institutions and corporate entities listed in Tables 3 and 4 are responsible for committing economic crime between January 1979 and October 14, 2003. The TRC's definition of economic crime comports with domestic and international law and standards.[60] There are sixteen crimes that the TRC determined were committed during this period: (1) aiding and abetting economic criminal actors; (2) corrupt malpractices, (3) bribery; (4) discrimination; (5) environmental crimes; (6) extortion; (7) fraud; (8) government procurement fraud; (9) illegal arms dealings; (10) illegal extraction or sale of natural resources; (11) indigenous spoliation; (12) misuse of public property/funds; (13) money laundering; (14) narcotic drug trafficking; (15) smuggling and other custom violations; and (16) tax evasion. The TRC determines that the following individuals, corporations and organizations have committed economic crimes:

Table: Economic Crimes Violations Code Chart

VIOLATION CODE	VIOLATION	VIOLATION CODE	VIOLATION
AA	AIDING & ABETTING EC ACTORS	IA	ILLEGAL ARMS DEALINGS
BR	BRIBERY	IE	ILLEGAL EXTRACTION/SALE OF

[60] See generally, *TRC Report on Economic Crimes*, Volume III - Final Consolidated Report: Appendices.

VIOLATION CODE	VIOLATION	VIOLATION CODE	VIOLATION
			NATURAL RESOURCES
CO	CORRUPT MALPRACTICES	IS	INDIGENOUS SPOLIATION
DI	DISCRIMINATION	ML	MONEY LAUNDERING
XT	EXTORTION	MP	MISUSE OF PUBLIC PROPERTY/FUNDS
EN	ENVIRONMENTAL CRIMES	NA	NARCOTIC DRUG TRAFFICKING
FR	FRAUD	SM	SMUGGLING
GP	GOVERNMENT PROCUREMENT FRAUD	TE	TAX EVASION

Table . List of Individuals Responsible for Committing Economic Crimes

INDIVIDUALS RESPONSIBLE FOR COMMITTING ECONOMIC CRIMES		
ALLEGED PERPETRATOR	**ASSOCIATED COMPANIES & INSTITUTIONS/BUSINESS SECTOR**	**CRIMINAL OFFENSE**
1. BROWN, LEWIS	MANAGING DIRECTOR, LPRC	MP
2. COOPER, OSCAR	INLAND LOGGING COMPANY	AA, IE, LO, MP
3. CHARAFEDDINE, CARMELL	CAVALLA RUBBER	IE
4. CHENG, TENG L.	ORIENTAL TRADING COMPANY	IA, TE, FR, ML, AA, EN, IE, BR, SM, DI
5. DENNIS, COOCOO	NPFL	XT, IA, DI, SM
6. EMMANUEL, CHARLES MCARTHUR (AKA CHUCKY TAYLOR, JR.)	EXOTIC TROPICAL TIMBER, ANTI-TERRORIST UNIT (ATU)	IA, ML, TE, MP, SM
7. HAN KUING, CHAN	ORIENTAL TRADING COMPANY	IA, TE, FR, ML, AA, EN, IE, BR, SM, DI

INDIVIDUALS RESPONSIBLE FOR COMMITTING ECONOMIC CRIMES		
ALLEGED PERPETRATOR	**ASSOCIATED COMPANIES & INSTITUTIONS/BUSINESS SECTOR**	**CRIMINAL OFFENSE**
8. KANRANDA, JOHN	MOHAMMED GROUP OF COMPANIES	FR, TE, XT
9. KOUWENHOVEN, GUS	ORIENTAL TRADING COMPANY, ROYAL TIMBER CORPORATION	IA, TE, FR, ML, AA, EN, IE, BR, SM, DI
10. MININ, LEONID	EXOTIC TROPICAL TIMBER	IAS, ML, FR, TE, SM
11. NEAL, JUANITA	MINISTRY OF FINANCE	AA, MP,
12. PEABODY, CORA	MINISTRY OF COMMERCE	MP, AA
13. SALAME, MOHAMMED	MOHAMMED GROUP OF COMPANIES, BIN LIBERIA INCORPORATED	IA, IE, MO, TE, AA
14. SALAME, MOUSTAPHIA ALI	MOHAMMED GROUP OF COMPANIES	FR, TE, XT
15. SAYTUMAH, MORRIS	MINISTRY OF FINANCE	AA, TE
16. SHAW, EMMANUEL	LONE STAR AIRWAYS, LONE STAR COMMUNICATIONS, PLC LIMITED, LNPC	IA, CO, FR, BR, XT, TE
17. SNOWE, EDWIN	LPRC	AA, BR, MP
18. TAYLOR, CHARLES	PRESIDENT	IS, IA, IE, ML, XT, FR, EN, TE, MP, SM, DI
19. TAYLOR, DEMETRIUS ROBERT	FORESTRY DEVELOPMENT ASSOCIATION	SM, FR, EN, DI, CO, BR,
20. UREY, BENONI	PLC LIMITED, LONE STAR COMMUNICATIONS, MARITIME	IA, ML, TE, MP, FR, XT, BR,
21. WONG, JOSEPH KAI TAI	ORIENTAL TRADING COMPANY	IA, TE, FR, ML, AA, EN, IE, BR, SM, DI

Table : List of Corporations, Institutions and State Actors Responsible for Committing Economic Crimes

LIST OF CORPORATIONS, INSTITUTIONS, STATE ACTORS RESPONSIBLE FOR COMMITTING ECONOMIC CRIMES		
CORPORATE ACTORS/STATE ACTORS	**INDUSTRY/ORGANIZATION**	**CRIMINAL OFFENSE**
1. MOHAMMED GROUP OF COMPANIES	TIMBER	XT, FR, TE, AA, SM
2. INLAND LOGGING	TIMBER	MP, TE, IA, BR, AA, SM
3. ORIENTAL TIMBER COMPANY	TIMBER	IA, TE, MP, IE, ML, LO, FR, EN, BR, AA, SM, DI
4. MARYLAND WOOD PROCESSING INCORPORATED	TIMBER	MP, TE, IE, FR, SM, AA
5. NATIONAL PATRIOTIC FRONT OF LIBERIA (KEY LEADERSHIP)	WARRING FACTION	IA, XT, IE, NA, ML, RO, FR, EN, BR, MP, AA, CO, SM, DI
6. LIBERIAN INTERNATIONAL SHIPPING AND CORPORATE REGISTRY (KEY LEADERSHIP)	MARITIME	IA
7. FOREST DEVELOPMENT ASSOCIATION (ROBERT TAYLOR & OTHER KEY LEADERS)	GOVERNMENT AGENCY	SM, FR, EN, DI, CO
8. MINISTRY OF LANDS, MINE & ENERGY (MINISTERS FROM 1997 - 2003)	GOVERNMENT AGENCY	IE
9. MINISTRY OF FINANCE (JUANITA NEAL & OTHER KEY LEADERS)	GOVERNMENT AGENCY	AA, MP
10. MINISTER OF STATE (1997 – 2003)	GOVERNMENT AGENCY	MP
11. OFFICE OF THE PRESIDENCY	GOVERNMENT	IS
12. BUREAU OF MARITIME AFFAIRS	GOVERNMENT AGENCY	MP, ML, IA, BR, FR
13. MINISTER OF COMMERCE (CORA PEABODY & OTHERS)	GOVERNMENT OFFICE	MPP
14. MINISTER OF STATE	GOVERNMENT OFFICE	MPP
15. FIRESTONE CORPORATION	RUBBER	AAA

LIST OF CORPORATIONS, INSTITUTIONS, STATE ACTORS RESPONSIBLE FOR COMMITTING ECONOMIC CRIMES		
CORPORATE ACTORS/STATE ACTORS	**INDUSTRY/ORGANIZATION**	**CRIMINAL OFFENSE**
16. LONE STAR COMMUNICATIONS	TELECOMMUNICATIONS	AA, FR, TE, BR, CO, GP,
17. WEST OIL INVESTMENTS/AFRICAN MOTORS	PETROLEUM	BR, FR
18. PLC LIMITED	TELECOMMUNICATIONS	AA, FR, XT, ML, TE, CO
19. LIBERIA PETROLEUM REFINING COMPANY	PETROLEUM	MP

16.7. Determinations of Further Investigation on Individuals, Groups of Persons, Institutions and Corporate Entities

The TRC is mindful that the individuals, groups of persons, institutions and corporate entities listed in Tables 1-3 do not represent the entirety of economic crime or economic criminal actors that committed violations during the TRC's temporal mandate. The TRC believes that further investigation and legal proceedings will likely uncover additional evidence of economic crime.

Consequently, the TRC firmly recommends that the Government of Liberia and foreign law enforcement and intelligence agencies vigorously investigate the list of individuals, groups of persons, institutions and corporate entities in Table

Table : List of Individuals and Corporate Entities that the TRC Determined Must be Further Investigation

INDIVIDUALS AND ENTITIES THAT THE TRC RECOMMENDS FOR FURTHER INVESTIGATION		
PERSON OF INTEREST	**ASSOCIATED COMPANIES & INSTITUTIONS/BUSINESS SECTOR**	**CRIMINAL OFFENSE**
1. AHMED ABDULLAD, ABDULLAH	AL QAEDA	IE
2. AHMED, ALI SAID	ASI DIAM, OWNER	AA, IA
3. ALLEN CYRIL	NPP	BR, AA,
4. BAH, IBRAHIM	SENEGALESE DIAMOND SMUGGLER/ASSOCIATED WITH RUF	AA, ML, IE, IA
5. BASMA, HASSAN	LIBERIAN PETROLEUM REFINING CORPORATION	CO
6. BASMA, JAMIL	LIBERIAN PETROLEUM REFINING CORPORATION	CO
7. BHATTAL, GUPI	LOGGING INDUSTRY	IE
8. BOUT, VICTOR	SAN AIR GENERAL TRADING, CENTRAFRICA, WEST AIR SERVICES	IA, IE, FR, TE, AA
9. BROWN, LEWIS	MANAGING DIRECTOR, LPRC	MP, AA
10. CHEA, DANIEL	OTC SECURITY FORCES	AA
11. CHERNY, VALERY	AVIATREND	IA, AA, SM
12. CISSE, MOUSSA	ANTI-TERRORIST UNIT	AA,
13. COLEMAN, PETER	MINISTER OF HEALTH	BR, TE, AA
14. D'ONOFRIO RUGGIERO, ROGER	INTERNATIONAL BUSINESS CONSULTANT LIMITED	ML, FR, TE, AA, SM
15. DARWISH, ALI	DIAMOND TRADER	IA, AA
16. DOE, SAMUEL	PRESIDENT	IE, MP, AA,

INDIVIDUALS AND ENTITIES THAT THE TRC RECOMMENDS FOR FURTHER INVESTIGATION		
PERSON OF INTEREST	**ASSOCIATED COMPANIES & INSTITUTIONS/BUSINESS SECTOR**	**CRIMINAL OFFENSE**
17. DUO, ROLAND	COMMANDER OF NAVY RANGERS	IA, XT, LO, RO, AA, SM
18. EGLIE, DUANE	DIAMOND TRADER	IA
19. EL-DINE, TALAL	DIAMOND TRADER	IA
20. FAWAZ, ABBAS	MARYLAND WOOD PROCESSING INDUSTRIES	IA, IE, FR,
21. GEBBAH, MOMO	ANTI-TERRORIST UNIT	LO
22. GHAILANI, AHMED KHALFAN	AL QAEDA	IE, ML, SM
23. GUEI, GEN. ROBERT	HEAD OF STATE, COTE D'IVOIRE	IA, AA
24. HABIB, ADEL	DIAMOND COURIER	IE
25. HADDAD, GEORGE	HADDAD GROUP INTERNATIONAL, BRIDGEWAY CORPORATION	TE
26. JOVAN, ALEKSIC	ARMS TRADER	IA
27. JUSKO, PETER	JOY SLOVAKIA	IA
28. KAFFEL, ALI	ARMS TRADER	IE
29. KAMARA, MOHAMMED	NPFL	IE
30. KLEILAT, ALI	ARMS TRADER	IAD
31. MACKY, ABBAS	DIAMOND TRADER	ML, BR, AA
32. MARTIN, FERNANDE	LOGGING INDUSTRY	IA
33. MERONI, RUDOLF	MERONI & SCHMID	ML, FR, TE, AA, SM
34. MINOR, GRACE	NPP	AA
35. MOHAMMED, FAZUL ABDULLAH	AL QAEDA	IE, ML, SM
36. NASSOUR, AZIZ	DIAMOND TRADER	IE, IA, ML, FR, TE, AA

INDIVIDUALS AND ENTITIES THAT THE TRC RECOMMENDS FOR FURTHER INVESTIGATION		
PERSON OF INTEREST	**ASSOCIATED COMPANIES & INSTITUTIONS/BUSINESS SECTOR**	**CRIMINAL OFFENSE**
37. NASSOUR, ZEIN	DIAMOND TRADER	IA, AA
38. OMAN, NICHOLAS	HONORARY CONSUL TO LIBERIA	IA, FR, TE, AA, SM
39. OSSAILY, SAMIH	DIAMOND TRADER	IE, IA, ML FR, TE, AA
40. PAPA, MICHELE	INTERNATIONAL BUSINESS CONSULTANT LIMITED	ML, FR, TE, AA, SM
41. POPOV, PAPEL	MOLD TRANSAVIA	IA
42. REEVES, CINDOR	NPP ASSOCIATE	AA
43. RINDEL, FRED	PRIVATE CONSULTANT	IA
44. RUPRAH, SANJIVAN	WEST AFRICA AIR SERVICE, DEPUTY COMMISSIONER OF MARITIME AFFAIRS	IA, AA, TE, SM
45. SALAME, YUSUF	MOHAMMED GROUP OF COMPANIES	IA, AA, SM
46. SAMBA, LY	DIAMOND COURIER	IA, AA
47. SHAW, EMMANUEL	LONE STAR AIRWAYS, LONE STAR COMMUNICATIONS, PLC LIMITED, LNPC	IA, CM, FR, BR, XT, TE
48. SHERIF, SIAKA	LPRC CONTROLLER	AA, BR, MP
49. SUMO, WILLIAM	NPFL, MWPI	AA, XT, LO,
50. VEYSSET, ALBERT	LOGGING INDUSTRY	IE
51. WEAH, ANTHONY	POLICE CHIEF, GRAND BASSA COUNTY	BR, TE, AA
52. YANSANE, MOHAMED	PECOS	IA
53. YEATEN, BENJAMIN	NPFL/NPP	IA, IE, ML, AA,
54. YELENIK, SHIMON	ARMS TRADER	IA, ML, TE, AA, SM

10.8. Key Findings on Economic Crime[61]

1. Economic crime and corruption are endemic in Liberia.

2. Between 1979 and 2003, massive economic crime was committed by domestic and international persons, armed groups, institutions and corporate entities.

3. Economic crime in Liberia fuelled internal and regional armed conflict.

4. Poor governance and maladministration by successive Liberian governments created an enabling environment for economic crime.

5. Government officials and their cohorts in the domestic and international economic sector used the state apparatus in Liberia as an instrument of economic crime.

6. Successive Liberian governments, in particular the Taylor regime, unlawfully granted concessions and other investment incentive-related agreements to domestic and foreign persons and entities.

7. Armed factions unlawfully exploited Liberia's natural resources such as timber, diamonds and other minerals to enrich themselves and finance armed conflict.

8. The illegal exploitation of natural resources resulted in the destruction of Liberia's natural habitat, including forest degradation and the destruction of natural fauna.

9. Economic crime in Liberia has grossly deprived the country and its citizens of their economic rights and has contributed to Liberia's chronic underdevelopment.

[61] Please see, *TRC Report on Economic Crime*, June 2009, Volume III - Final Consolidated Report: Appendices.

Section 20.8

Additional Recommendations: Regarding Commissioners of The TRC:

The TRC recommends as follows:

1. That Commissioners of the TRC be honorably retired in keeping with the status

Of the Commissioners as enshrined in the Article, 4, Section 12 of the TRC Act

2. That Commissioners be accorded personal security for themselves and family for a period of 30 years;

3. That Commissioners continue to carry, bear and retain their diplomatic passport and status for life time.

4. That the full salaries and benefits of Commissioners be paid expeditiously including severance as a matter of priority and rights.