



COUNTRY OF ORIGIN INFORMATION REPORT

LIBERIA

APRIL 2006

RDS - IND

COUNTRY OF ORIGIN INFORMATION SERVICE

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1. Scope of Document

- 1.01 This Country of Origin Information Report (COI Report) has been produced by Country of Origin Information Service, Research Development and Statistics (RDS), Home Office, for use by officials involved in the asylum / human rights determination process. The Report provides general background information about the issues most commonly raised in asylum / human rights claims made in the United Kingdom. It includes information available up to 10 March 2006.
- 1.02 The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- 1.03 The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- 1.04 The structure and format of the COI Report reflects the way it is used by Home Office caseworkers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- 1.05 The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- 1.06 As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.
- 1.07 The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent

documents. All sources contain information considered relevant at the time this Report was issued.

- 1.08 This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.
- 1.09 COI Reports are published every six months on the top 20 asylum producing countries and on those countries for which there is deemed to be a specific operational need. Inevitably, information contained in COI Reports is sometimes overtaken by events that occur between publication dates. Home Office officials are informed of any significant changes in country conditions by means of Country of Origin Information Bulletins, which are also published on the RDS website. They also have constant access to an information request service for specific enquiries.
- 1.10 In producing this COI Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

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Advisory Panel on Country Information

- 1.11 The independent Advisory Panel on Country Information was established under the Nationality, Immigration and Asylum Act 2002 to make recommendations to the Home Secretary about the content of the Home Office's country of origin information material. The Advisory Panel welcomes all feedback on the Home Office's COI Reports and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk.
- 1.12 It is not the function of the Advisory Panel to endorse any Home Office material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected individual Home Office COI Reports, but neither the fact that such a review has been undertaken, nor any comments made, should be taken to imply endorsement of the material. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

Advisory Panel on Country Information
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2. Geography

- 2.01 “The Republic of Liberia lies on the west coast of Africa, with Sierra Leone and Guinea to the north, and Côte d’Ivoire to the east.” [1] (Location, Climate, Language, Religion, Flag, Capital)
- 2.02 Europa noted:
- “English is the official language but the 16 major ethnic groups speak their own languages and dialects. Liberia is officially a Christian state, although some Liberians hold traditional beliefs. There are about 670,000 Muslims. The national flag (proportions 10 by 19) has 11 horizontal stripes, alternately of red and white, with a dark blue square canton, containing a five-pointed white star, in the upper hoist. The capital is Monrovia.” [1] (Location, Climate, Language, Religion, Flag, Capital)
- 2.03 The CIA World Factbook noted that Liberia was divided into “15 counties; Bomi, Bong, Gbarpolu, Grand Bassa, Grand Cape Mount, Grand Gedeh, Grand Kru, Lofa, Margibi, Maryland, Montserrado, Nimba, River Cess, River Gee, Sinoe.” [6] (p11) The Economist Intelligence Unit (EIU) Profile 2005 stated that the estimated population in mid-2004 was 3.2m. [4a] (p3) Europa noted the main towns as Monrovia, Harbel Zwedru, Tubmanburg, Buchanan, Gbarnga, Yekepa, Greenville, Harper, Ganta and Bensonville. [1] (Area and Population)

For further information on geography, refer to Europa World online, source [1].

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3. Economy

- 3.01 The Economist Intelligence Unit (EIU), in its Country Profile on Liberia dated November 2005, noted:

“Liberia’s economy has traditionally been based on subsistence agriculture, rubber, mining (mainly iron ore, but also gold and to a lesser extent diamonds) and timber. The government has also received a steady flow of revenue from shipping registrations under Liberia’s flag of convenience and corporate registry (both managed from the US). Apart from rubber smallholdings and the commercial Firestone plantation, agriculture is almost entirely limited to subsistence farming (a mixture of food and cash crops, including rice, coffee and cocoa). Years of civil war have destroyed much of Liberia’s infrastructure, in particular that needed for large-scale iron ore mining, which has consequently ground to a halt. The UN has also imposed a trade embargo on the diamond and timber sectors. The establishment of a transitional government in October 2003 has allowed for some progress to be made in getting the economy back on track, and the IMF [International Monetary Fund] estimates that in 2004 economic activity had reached 70% of pre-war levels.” [4a] (p20)

- 3.02 The EIU in the same Profile noted:

“Because the US dollar is legal tender in Liberia, and given the huge disruption caused by decades of civil war, the economy is substantially dollarised. However, the return of political stability since late 2003 has helped to slow this process. Demand for local currency [the Liberian dollar] has picked up, and in the expectation that this will continue the Central Bank has developed a monetary policy framework aimed at promoting price and exchange-rate stability. In the short-term, this includes introducing a credit facility for banks to protect them against liquidity shortfalls; in the medium-term there are plans for introducing repurchasing agreements and an interbank foreign-exchange market; and in the long-term there are plans for developing money and securities markets. However, all these projects will take time and could be delayed by the weakness of the new government.” [4a] (p23)

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4. History

- 4.01 The Foreign and Commonwealth Office (FCO), in its Country Profile on Liberia dated 9 May 2005, noted:

“Liberia was established as an independent state by freed slaves from America in 1847. For more than 130 years from its founding, politics were dominated by the small minority of the population descended from these original settlers, known as the Americo-Liberians. During that era, Liberia was renowned for its stability, its functioning economy and the large amount of foreign investment it attracted largely in the rubber plantations and the iron ore mines. A strong Masonic network linked the Americo-Liberian elite. But the indigenous Africans were largely excluded from political power. That changed quite suddenly.

“In 1980 Master Sergeant Samuel Doe, a member of the indigenous Krahn ethnic group, seized power in a violent military coup. Key members of the Americo-Liberian elite, including the President and his Cabinet were summarily executed in public on the beach. Over the next 25 years, the state of Liberia, its institutions and its economy collapsed. The USA, a traditional strong ally of Liberia, withdrew its support. Doe mismanaged the economy and transformed the armed forces into an ethnic Krahn militia which committed extensive human rights abuse [sic] against Liberia’s other ethnic groups.” [3] (p1)

- 4.02 The USSD Background Note on Liberia of January 2006 noted:

“On December 24, 1989, a small band of rebels led by Doe’s former procurement chief, Charles Taylor, invaded Liberia from the Ivory Coast. Taylor and his National Patriotic Front rebels rapidly gained the support of Liberians because of the repressive nature of Samuel Doe and his government. Barely 6 months after the rebels first attacked, they had reached the outskirts of Monrovia.” [2c] (p3)

- 4.03 The same report added:

“The 1989 - 1996 Liberian civil war, which was one of Africa’s bloodiest, claimed the lives of more than 200,000 Liberians and further displaced a million others into refugee camps in neighboring countries. The Economic Community of West African States (ECOWAS) intervened and succeeded in preventing Charles Taylor from capturing Monrovia. Prince Johnson--who had been a member of Taylor’s National Patriotic Front of Liberia (NPFL) but broke away because of policy differences--formed the Independent National Patriotic Front of Liberia (INPFL). Johnson’s forces captured and killed Doe on September 9, 1990.” [2c] (p3)

- 4.04 The Foreign and Commonwealth Office (FCO), in its Country Profile on Liberia dated 9 May 2005, noted:

“In 1996, ECOWAS made a final and successful effort to get the factions to reach a peace agreement. Known as the Abuja Accord, it provided for democratic elections. These were held in July 1997. Taylor won, due to his control of large parts of the country and the perception that his election was the ‘price of peace’. However, the elections bought only temporary respite. Taylor’s government set about plundering the state of its assets and stifling opposition

activity. In 1999 fighting began again as anti-Taylor rebel groups emerged or reformed. Fighting escalated and by July 2003 Taylor had lost control of most of the country, including much of Monrovia. Peace talks in Accra in August [2003] led to the signing of the Comprehensive Peace Agreement (CPA) in September [2003]. A new ECOWAS peacekeeping force was deployed, which has since been replaced by the 15,000 strong UN force (UNMIL). Taylor was forced into exile in Nigeria. He has been indicted by the Special Court for Sierra Leone for his role in the conflict in Sierra Leone but remains in Nigeria.” [3] (p2)

4.05 An Amnesty International report of 11 August 2005 noted:

“Two years after former Liberian President Charles Taylor fled Liberia for exile in Nigeria, Nigerian President Olusegun Obasanjo should no longer allow Taylor to escape prosecution for crimes against humanity and war crimes committed during Sierra Leone’s civil war, the Campaign Against Impunity said today. Nigeria should immediately surrender Taylor to face trial at the Special Court for Sierra Leone.” [13b] (p1)

For further information on history, refer to Europa World online, source [1a].

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5. State Structures

THE CONSTITUTION

5.01 The Europa worldbook online version stated:

“Under the Constitution of January 1986, legislative power is vested in the bicameral National Assembly, comprising the 26-member Senate and the 64-member House of Representatives. Executive power is vested in the President, who holds office for a six-year term (renewable only once). The President, who appoints the Cabinet (subject to the approval of the Senate), is directly elected by universal adult suffrage, as are members of the Assembly. Members of the House of Representatives are elected for a term of six years, and senators for a term of nine years. Following a peace agreement in August 2003, a power-sharing National Transitional Government and a 76-member unicameral legislature, the National Transitional Legislative Assembly, replaced the previous organs of government on 14 October [2003] for a two-year period, after which a democratically elected administration was to be established. (The National Transitional Government was officially inaugurated on 23 March 2004.) There were 13 counties at the time of the 1997 senatorial elections; two further counties were created in 1998 and 2001, respectively.” [1] (Government)

5.02 The US State Department’s Report on Human Rights Practices (USSD) covering 2005, dated 8 March 2006, stated:

“Liberia is a constitutional republic with a population of approximately 3.5 million. After 14 years of civil war and 2 years of an interim government, Ellen Johnson-Sirleaf was declared the winner of multiparty presidential elections on November 23 2005, marking a significant milestone in the country’s transition to democracy. Domestic and international observers considered the elections generally free and fair. President Johnson-Sirleaf replaced Chairman Charles Gyude Bryant, who led the interim National Transitional Government of Liberia (NTGL) since October 2003. In August 2003 the former government and the country’s two rebel groups -- Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL)—signed the Comprehensive Peace Agreement (CPA), which ended the 1999 - 2003 civil war.” [2a] (p1)

CITIZENSHIP

5.03 The requirements for citizenship are set out in Chapter IV of the Liberian Constitution. Citizenship would appear to be acquired by descent from a Liberian citizen. Dual nationals must, upon reaching maturity, renounce any other citizenship that they may hold by descent from a foreign national. There is limited information regarding the acquisition of citizenship, but naturalisation is referred to in the Constitution. [15a] (p 1-2)

5.04 USSD 2005 noted:

“Although the law prohibits ethnic discrimination, it also provides that only ‘persons who are Negroes or of Negro descent’ may be citizens or own land. Many persons of Lebanese and Asian descent who were born or have lived

most of their lives in the country were denied full rights as a result of this racial basis for citizenship.” [2a] (Section 5)

5.05 In a BBC article, dated 22 July 2005, it was reported:

“Liberia’s economy is dominated by the 4,000-strong Lebanese community, many of whom were born in the country. So strong is the Lebanese community that it is likely to influence major political decisions. And yet, they are not allowed to vote in October’s [2005] crucial elections, which it is hoped will mark the end of war and instability and mark the start of a new era.” [7b] (p1)

5.06 The article added:

“Because they are not citizens, they are not allowed to own land – one reason why many Lebanese routinely transfer abroad huge amounts of money generated in Liberia.

“Tony Hage, a wealthy businessman and farmer who has resided in Liberia for 38 years and heads the Lebanese community, thinks that the Lebanese who were born in Liberia at least should be allowed citizenship.” [7b] (p1)

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POLITICAL SYSTEM

5.07 The Foreign and Commonwealth Office Country Profile of May 2005 noted:

“Since the signing of the CPA, a vast DDR programme (Disarmament, Demobilisation and Reintegration) has disarmed 100,000 combatants, although reintegration programmes have had only patchy success. UNMIL are deployed over the entire territory to provide security. The CPA created the National Transitional Government of Liberia (NTGL), which is made up of representatives from former rebel groups, the newly formed political parties, the former Taylor government and civil society. It is led by former businessman Gyude Bryant. The NTGL has already been accused of extensive corruption. Stability remains fragile. In spite of UNMIL’s presence, there are periodic outbreaks of rioting and looting across the country.” [3] (p2)

5.08 USSD 2005 stated:

“On November 23 [2005], the National Electoral Commission (NEC) declared Ellen Johnson-Sirleaf, who won 59.4 percent of the vote, the winner of the November 8 [2005] run-off presidential election; none of the 22 presidential candidates received the required 50 percent plus one vote to win in the October 11 [2005] election. October election voters selected 30 senators and 63 representatives. Congress for Democratic Change (CDC) candidate and runner-up George Weah received 40.6 percent of the vote in the November 8 [2005] run-off election.

“Despite the international community’s assessment that the elections were free and fair, Weah mounted a legal challenge and charged the NEC with electoral fraud. On December 16 [2005], the NEC concluded that the CDC had

presented no convincing evidence of fraud, and that errors committed during the electoral process had a 'negligible effect' on the outcome of the run-off election. The CDC did not appeal the decision. There were a few reports of violence and intimidation during the elections and many irregularities. Members of the Mandingo community complained of discrimination and harassment during the voter registration process, the NEC Chairwoman publicly criticized one of the presidential candidates, and presiding officers assisted illiterate voters after they had reached the voting booths.

"The NEC registered 30 political parties, 22 of which ran presidential candidates in the election. Individuals and parties freely declared their candidacies, and membership in the dominant parties did not confer any formal advantage."
[2a] (Section 3)

- 5.09 The Economist Intelligence Unit (EIU), in its Country Report of December 2005, noted:

"Presidential and legislative elections were held successfully in October and November [2005]. Ellen Johnson-Sirleaf has been elected president, after a second round run-off against George Weah. No party won a majority in the legislative election. Some associates of former president, Charles Taylor, have been elected to parliament, raising concern about his continued influence over the country's politics. Mrs Johnson-Sirleaf has stated her intention to form a cabinet that is inclusive, in the interests of reconciliation."
[4b] (p2)

- 5.10 The same report noted:

"The election of Ellen Johnson-Sirleaf as president is expected to have a positive impact on the country's chances for political stability and economic recovery over the forecast period. Mrs Johnson-Sirleaf is a highly educated, veteran politician with an economics background and many years [sic] experience working at international organisations. This makes her probably the best candidate to lead the government in its post-war recovery. She enjoys good relations with international organisations and donor governments, with whom she will have to work closely, as they are heavily involved in Liberia's development. Importantly, she also has widespread support from leaders across Africa, adding to her credibility as Liberia's next president.

"Her stated intention is to pursue reconciliation, rather than recrimination, and to make efforts to address the various ethnic disputes still festering since the end of the civil war in 2003. Mrs Johnson-Sirleaf is likely to form an inclusive government, with representatives from many different parties included in the cabinet, and has already invited her defeated opponent in the presidential election, George Weah, to join her in the new cabinet. The fractured nature of Liberia's politics is reflected in the newly elected parliament, which contains 11 different parties, none of which has a majority. Although this may make it difficult for Mrs Johnson-Sirleaf to implement a strong programme, it does avoid the situation that has arisen in the past, where the dominance of one party caused political tensions, which led to instability."
[4b] (p6)

- 5.11 The United Nations Integrated Regional Information Networks (IRIN), in a report dated 16 January 2006, noted:

“Ellen Johnson-Sirleaf placed her hand on the bible and took the oath of office as Liberia’s and Africa’s first female president on Monday [16 January 2006], promising peace and restoration for the war-torn nation.

“Sirleaf told the largest gathering of regional leaders and international dignitaries to grace the capital since war broke out in 1989 that Liberians must work together to put 14 years of conflict behind them.” [5f] (p1)

5.12 IRIN, in a report dated 17 January 2006, noted:

“Newly inaugurated President Ellen Johnson-Sirleaf has announced the first ministers to join her 22-member peacetime government.

“The key positions of Finance and Defence were among the first nine released by statement from the president’s office, late on Monday [16 January 2006], and both were non-partisan appointments based on professional criteria.

“Finance went to Sirleaf’s former World Bank colleague Antoinette Sayeh while the Defence portfolio was handed to one-time chief of police turned UN-worker Brownie Samukai.

“Tackling corruption was singled out as a peacetime priority by Sirleaf at her inauguration on Monday [16 January 2006]. And the 67-year-old grandmother also promised neighbouring states that she would allow ‘no inch of Liberia’ to be used to foment conflict as had been the case during the country’s 14-year civil war, that ended in 2003.

“So far, the appointments have been well received in the war-blackened capital Monrovia, where citizens gave Sirleaf’s preference for technocrats the thumbs up.” [5g] (p1)

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JUDICIARY

5.13 Europa stated:

“In February 1982 the People’s Supreme Tribunal (which had been established following the April 1980 coup) was renamed the People’s Supreme Court, and its Chairman and members became the Chief Justice and Associate Justices of the People’s Supreme Court. The judicial system also comprised People’s Circuit and Magistrate Courts. The five-member Supreme Court (composed of representatives of the interim Government and of the NPFL) was established in January 1992 to adjudicate in electoral disputes.” [1] (Judicial System)

5.14 USSD 2005 stated:

“Although the law provides for an independent judiciary, judges were subject to political, social, familial, and financial pressures, and the judiciary was corrupt. Courts regularly received bribes or other illegal gifts from damages that they awarded in civil cases. Defense attorneys often suggested that their clients pay a gratuity to appease or secure favorable rulings from judges, prosecutors,

jurors, and police officers. By statute members of the bar must be graduates of a law school and pass the bar examination; however, some judges and magistrates were not lawyers. On September 16 [2005], the Supreme Court ordered the closure of all noncommissioned justice of the peace courts; however, some courts were still operating at year's end [2005]. No replacement courts were in place at year's end [2005]. There were reports of executive branch influence over the judiciary." [2a] (Section 1e)

5.15 USSD 2005 also stated:

"The judiciary is divided into four levels, with the Supreme Court at the apex. All levels of the court system in Monrovia, including the Supreme Court, barely functioned. The Supreme Court appointed judges to counties outside of Montserrado but four counties still did not have a court house at year's end [2005], and others were in disrepair. Although judges were assigned throughout the country, in some cases they were unable to hold court due to lack of security, supplies, or equipment. There were five qualified prosecutors and nine public defenders in the country." [2a] (Section 1e)

5.16 USSD 2005 reported:

"Trials are public and juries are used in circuit court trials but not at the magistrate level. Under the law, defendants have the right to be present, to consult with an attorney in a timely manner, and to have access to government-held evidence relevant to their case; however, in practice these rights were not always observed. Defendants in criminal trials enjoy a presumption of innocence and have the right to an attorney, to confront witnesses in a public trial, and to appeal adverse decisions, but many of these protections were not available to defendants who could not pay bribes. There was no effective system to provide public defenders, especially in rural areas. Some local NGOs provided legal services to indigents and others who had no representation. There continued to be long delays in deciding cases." [2a] (Section 1e)

5.17 Freedom House, in its report on Liberia covering events in 2004, noted:

"The judiciary is subject to executive influence, corruption, and intimidation by security forces, which operate with impunity. International human rights groups have urged Nigeria to hand Taylor over to the UN-backed Special Court for Sierra Leone, which has indicted him for war crimes linked to his alleged involvement in the arms-for-diamonds trade that helped sustain Sierra Leone's civil war. Liberia's Justice Ministry in October [2004] froze the assets of several Taylor associates and relatives in line with a UN resolution. The Supreme Court ordered the suspension of the sanctions against two associates after their lawyers argued that only the courts had the authority to impose such measures. Prison conditions are harsh and sometimes life threatening. However, there was no evidence that the government operated unofficial detention facilities where prisoners were tortured, as in previous years. Arbitrary detention and brutality by the police, former members of Taylor's security forces, and former rebel groups are problems. Violations were less frequent in 2004 than in previous years." [10a] (p373)

5.18 Human Rights Watch, in their Overview on Liberia for 2005, stated:

“Even when judicial authorities have been assigned to a courtroom, the dearth of prosecutors and public defenders undermines the quality of justice dispensed. Judges and other staff often fail to fulfill their duties, sometimes by neglecting to attend proceedings. Magistrate and local tribal courts often try, sentence, fine and imprison people for criminal and civil matters that are outside their jurisdiction. Frequent reports exist of judicial authorities releasing suspects charged with criminal offenses after having received a bribe, or soliciting money from them to stop the case from proceeding to a higher court. Prisons and detention centers continue to operate far below international standards with overcrowded cells and lack of food and water for detainees.” [14a] (Judiciary)

- 5.19 USSD 2005 stated: “The law prohibits trial-by-ordeal, which involves the placement of a heated metal object on a suspect’s body or the insertion of an extremity into hot oil to determine whether the defendant is telling the truth; however, the practice reportedly continued in rural areas.” [2a] (Section 1c) USSD 2005 continued “Traditional forms of justice administered by clan chieftains remained prevalent in some localities ...” [2a] (Section 1e)

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LEGAL RIGHTS/DETENTION

- 5.20 The Amnesty International Country Report 2005 covering events of 2004 stated:

“As a result of the conflict, the judicial and legal systems had been all but destroyed and considerable challenges remained in establishing the rule of law and respect for human rights. Rehabilitation of some courts progressed, and cases were set for trial, but limited resources resulted in protracted delays. Detainees were routinely held in police custody beyond the legal limit of 48 hours before being brought before a court and charged or released. Access to justice for both suspects and victims remained extremely limited.

“UNMIL, together with national and international stakeholders, developed plans for training judges, magistrates and justices of the peace, as well as a review of the seriously deficient juvenile justice system. A number of illegally detained children were released pending hearing of their cases.” [13a] (Strengthening institutions to protect human rights)

- 5.21 USSD 2005 noted:

“The law requires warrants to make arrests and provides that detainees either be charged or released within 48 hours; however, warrants were not always based on sufficient evidence, and detainees, particularly those without the means to hire a lawyer, often were held for more than 48 hours without charge. The law also provides for bail, but few suspects could afford it. Detainees have the right to prompt access to counsel and, if indigent, to have an attorney provided by the state, but the government did not ensure such access for all detainees.” [2a] (Section 1d)

- 5.22 USSD 2005 added:

“Although the law provides for the right of a person who is charged to receive an expeditious trial, lengthy pretrial and pre-arraignment detention remained serious problems. Trial delays were caused by judicial inefficiency, lack of court facilities and qualified judges, and corruption. In some cases the length of pretrial detention equaled or exceeded the length of sentence that could be imposed for the crime. Approximately 97 percent of the prisoners housed at Monrovia Central Prison were pretrial detainees. On September 30 [2005], the JPC [Catholic Justice and Peace Commission] reported that there were an estimated 40 inmates who had been jailed for more than 500 days without trial.” [2a] (Section 1d)

5.23 The report also noted:

“The law prohibits arbitrary arrest and detention; however, security forces continued to arrest and detain persons arbitrarily, although less frequently than in previous years.” [2a] (Section 1d)

DEATH PENALTY

5.24 Amnesty International (AI) in its Country Report covering 2004, stated that Liberia retains the death penalty. [13a] (p1)

5.25 AI, in their report Death Penalty News dated January 2006, noted:

“On 16 September [2005], Gyude Bryant, Chairman of the National Transition Government of Liberia since former President Charles Taylor relinquished power in 2003, ratified the Second Optional Protocol to the ICCPR [International Covenant on Civil and Political Rights] which provides for the total abolition of the death penalty. This followed the 18 other international human rights treaties the government had signed or ratified in September 2004.

“The last judicial execution in Liberia took place in the 1980s.” [13a] (p1)

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INTERNAL SECURITY

5.26 USSD 2005 stated:

“Approximately 15 thousand peacekeepers deployed by the UN Mission in Liberia (UNMIL) and 1,100 international police (CIVPOL) had primary responsibility for maintaining security, while the Liberian National Police (LNP) and Armed Forces of Liberia (AFL) were being retired and retrained. Unlike in the previous year, former rebel combatants no longer retained control of some rural areas. Civilian authorities generally maintained effective control over security forces.” [2a] (p1)

5.27 The UN Integrated Regional Information Networks (IRIN) noted in a report dated 3 November 2004:

“The heads of Liberia’s three factions on Wednesday [3 November 2004] signed an agreement to dissolve their movements’ military wings and do away with violence, paving the way for them to stand at next year’s elections.” The report added:

“The former government of ex-president Charles Taylor, as well as two former rebel groups – Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) – all promised a peaceful future in a ceremony in the capital, Monrovia, which came three days after the UN-led disarmament programme officially ended.” [5a] (p1)

5.28 The report of the UN Secretary-General on Liberia of 7 December 2005 noted:

“The overall security situation in Liberia remained calm, but fragile. The main sources of potentially serious security challenges were Armed Forces of Liberia personnel who were not satisfied with their demobilization and retirement benefits, ex-combatants who were awaiting reintegration opportunities, disgruntled supporters of the Congress for Democratic Change after the run-off elections ... and members of the former Anti-Terrorist Unit who threatened to disrupt the national elections if they were excluded from the armed forces demobilization programme. Security problems in western Côte d’Ivoire also remained a potential threat to the efforts to consolidate stability in Liberia.

“On 24 October [2005], a crowd of demobilized irregular armed forces personnel demonstrated outside the Ministry of Defence, protesting non-payment of their full demobilization benefits. On the following day, they constructed roadblocks and threw stones at Liberian Government vehicles. UNMIL formed police units and troops intervened to disperse the group. At the end of October [2005], the Ministry of Defence made payments towards the salary arrears of both regular and irregular armed forces personnel, thereby reducing tensions.

“At the same time, members of the Anti-Terrorist Unit, an armed militia created by former President Charles Taylor, claimed that they were entitled to receive demobilization benefits under the security sector reform programme and threatened to cause ‘inconveniences in the peace process’ if this matter was not addressed. Following consultations with the Ministry of National Defence, the National Security Agency and the National Commission on Disarmament, Demobilization, Reintegration and Rehabilitation, the unit acknowledged that it had already benefited from the disarmament and demobilization programme and therefore could not receive additional benefits from the security sector reform programme.” [16e] (p 4-5)

5.29 The report of the UN Secretary-General also stated:

“Since the formal closure of the disarmament and demobilization programme in November 2004, UNMIL has continued to collect weapons and ammunition voluntarily surrendered or discovered during search operations. So far, some 400 weapons, 49,062 rounds of ammunition and 389 pieces of unexploded ordnance have been collected. A UNDP [United Nations Development Programme] community arms-collection and development pilot project was launched in September [2005] in Grand Gedeh, Lofa and Nimba counties. However, \$7.5 million is still required for the implementation of this vital programme countrywide.

“Over 26,000 ex-combatants are still waiting to be placed in reintegration and rehabilitation projects. The National Commission on Disarmament, Demobilization, Reintegration and Rehabilitation is operating six counselling and referral offices for demobilized ex-combatants in Buchanan, Gbarnga, Harper, Monrovia, Voinjama and Zwedru, which provide information on the availability of educational and other reintegration opportunities. However, these offices continue to face a number of challenges, including inadequate administrative and logistical support. UNICEF [United Nations Children’s Fund] continues to conduct follow-up monitoring of former child combatants who were reunited with their families and has established skills-training programmes at border-crossing areas in Grand Gedeh and Nimba counties.

“As highlighted in my earlier reports, 612 ex-combatants who identified themselves as foreign nationals during the disarmament and demobilization process are still to be repatriated to their home countries. ICRC [International Committee of the Red Cross], which continues to support the repatriation exercise, has an outstanding caseload of 17 children associated with the former fighting forces who are waiting for their guardians to be traced in their countries of origin.” [16e] (p 8-9)

5.30 The same report added:

“During the period under review [June to December 2005], ex-combatants awaiting reintegration programmes protested delays in the delivery of reintegration opportunities, while those already in reintegration programmes protested the late payment of reintegration benefits, delays in graduation ceremonies and the late distribution of tool kits. In addition, the majority of ex-combatants who were illegally occupying the Guthrie Rubber Plantation and the Butaw Oil Palm Corporation failed to register for reintegration programmes due to the lucrative nature of their illegal activities. These ex-combatants will be encouraged to take advantage of the recently concluded management agreement between the Transitional Government and the Agro Resources Corporation, which aims to provide employment to an estimated 3,000 war-affected Guthrie residents.” [16e] (p5)

BORDER SECURITY AND RELATIONS WITH NEIGHBOURING COUNTRIES

5.31 The Foreign and Commonwealth Office (FCO), in its Country Profile on Liberia dated 9 May 2005, noted:

“Liberia, together with its neighbours Guinea and Sierra Leone, belong to the Mano River Union (MRU), established in 1973. Difficult political relations between the three countries meant that it never got off the ground. It was re-launched in May 2004 with a focus on mutual security.” [3] (p3)

5.32 The FCO, in its Country Profile, added:

“An International Contact Group on Liberia (ICGL) was launched in September 2002. It is co-chaired by the ECOWAS chair (currently Niger) and the EU and comprises the UK, US, France, Nigeria, Morocco, UN, ECOWAS Secretariat and AU [African Union]. Its initial aim was to draw together the different internal and external processes surrounding Liberia and present a coherent path for peace in Liberia. Its mandate was expanded in September 2004 to include

Guinea, Guinea-Bissau, Côte d'Ivoire and Sierra Leone and its name changed to the International Contact Group for the Mano River Basin (ICG-MRB).” [3] (p4)

5.33 The EIU, in its Country Profile 2005, stated:

“Liberia’s relations with its fellow Mano River Union countries, Sierra Leone and Guinea, have been improving rapidly in recent years, following years of difficulties caused by the close interrelation between the security situations in all three countries. The departure of Mr Taylor in 2003 ended a long and close relationship between Liberia and the Sierra Leone rebel group, the Revolutionary United Front (RUF). Similarly, Mr Taylor was reported to support rebel groups in Guinea, and even his exile in Nigeria since 2003 has not stopped allegations that he continues to meddle in that country’s politics. However, with Mr Taylor gone, there has been progress towards reviving the Mano River Union, with numerous meetings taking place between the countries’ respective heads of state as well as increased co-operation on security issues regarding their mutual borders. However, there remain concerns over the potential for conflict from these countries, as well as from neighbouring Côte d’Ivoire, where the political situation remains unresolved, to spill over into Liberia. The crossborder movement of arms and mercenaries has been reported within the subregion, and given that insufficient economic opportunities exist in these countries to offer an alternative livelihood to mercenaries, the problem is expected to continue. The presence of UN peacekeeping troops in Liberia, Côte d’Ivoire and Sierra Leone has helped to control security at mutual borders, but the expected phasing-out of these forces will create a challenge for keeping the subregion’s mercenaries under control.” [4a] (p15)

5.34 The Profile added:

“Relations with Liberia’s oldest ally, the US, have improved in recent years, following tensions during Mr Taylor’s reign that were mainly caused by his support of the RUF rebels in Sierra Leone. US marines provided logistical and technical support for the restoration of law and order following the end of the civil war, and many US aid agencies are now active in the country. The US has backed the transitional government that came to power in October 2003, but alongside numerous other donor countries it has become increasingly concerned about the rise of corruption and economic mismanagement. Given the potential for this problem to continue, donors have demanded that new mechanisms for overseeing budgetary functions are put in place, and their continued financial support will depend on this being implemented.” [4a] (p15)

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PRISONS AND PRISON CONDITIONS

5.35 As noted in the Amnesty International Country Report of 2005 covering events in 2004:

“Lack of resources and debilitated infrastructure resulted in dire conditions in all places of detention, including severe overcrowding, poor hygiene, and inadequate food and medical care. In August [2004], 27 detainees in police custody in Monrovia were admitted to hospital suffering from severe

malnutrition, dehydration and skin diseases. International agencies subsequently provided food and other services. Efforts to provide separate cells for detained women, men and children were thwarted by resource constraints. Assaults on detainees by police and prison officials highlighted the need for effective screening of recruits, training in international human rights standards, and adequate disciplinary measures.” [13a] (p3)

5.36 USSD 2005 reported: “There were no reports of political detainees.” [2a] (Section 1d)

5.37 USSD 2005 stated:

“The government permitted the independent monitoring of prison conditions by local human rights groups, the media, and the International Committee of the Red Cross (ICRC). Some human rights groups, including the ICRC, made regular visits to detainees held in police headquarters and prisoners in Monrovia Central Prison.” [2a] (Section 1c)

5.38 Human Rights Watch, in their Overview on Liberia for 2005, stated:

“In 2003, UNMIL proposed an ambitious strategy to rebuild the justice system. In 2005, however, reforms progressed at an alarmingly slow pace. The judiciary remains severely dysfunctional: only half of 145 magistrate positions are staffed, and of these none holds a law degree. Only five of Liberia’s fifteen circuit courts are operational. Of grave concern is that only 3% of all inmates in Liberia’s prisons and holding cells are convicted felons. The 97% remaining are being held in pre-trial detention, often for extended periods of time.” [14a] (Judiciary)

5.39 The United Nations Integrated Regional Information Networks (IRIN), in a report dated 20 February 2006, stated:

“During the final months of the civil war, when rebel fighters bombarded the capital Monrovia, Liberia’s central prison took mortar hits and prisoners scrambled over the rubble to freedom.

“Over two years since the end of fighting, the country’s only maximum security prison is filling up once again but the jailhouses have not been repaired or rebuilt and the legal structures for handling prisoners’ cases are far from fully operational.

“As a result, 300 suspected murderers and rapists are crammed into cells with no electricity, running water or toilet facilities in a building designed to hold no more than 180 inmates.” [5h] (p1)

5.40 The USSD 2005 noted:

“Prison conditions were harsh and in some cases life threatening. The government did not provide detainees or prisoners with adequate food or medical care; however, an NGO [non-governmental organisation] continued its 2004 program to provide food to the prisons. During the year [2005] an NGO refurbished prison cells at Monrovia Central Prison, but the prison still held twice its maximum capacity, primarily due to the large number of pretrial detainees. In some counties the structure that served as a jail was a container

with bars at one end. There also were reports that local officials forced prisoners to work for them.

“There were no separate facilities for juvenile offenders. Convicted prisoners and detainees awaiting trial were not held in separate facilities. During the year [2005] a prison in Voinjama placed the accuser and the accused in the same cell for more than a month, even after the accuser admitted that he had accused the wrong person. Women and particularly juveniles were subject to abuse by guards or other inmates.” [2a] (Section 1c)

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ARMED FORCES

5.41 Europa worldbook, online version, stated:

“The total strength of the Armed Forces of Liberia (AFL) at August 2004 was estimated at 11,000–15,000. Following a major rebel offensive against the capital in June 2003, the Economic Community of West African States (ECOWAS) agreed in July to dispatch a Nigerian-led peace-keeping contingent to Liberia. On 1 August the UN Security Council authorized the establishment of the multinational force, the ECOWAS Mission in Liberia (ECOMIL), which was to restore security and prepare for the deployment of a longer-term UN stabilization force. The UN Mission in Liberia (UNMIL), which was officially established on 19 September [2003] and replaced ECOMIL on 1 October [2003], was mandated to support the implementation of a comprehensive peace agreement, and a two-year transitional administration. With a total authorized strength of up to 15,000, at the end of February 2005 UNMIL numbered 14,738 troops, 205 military observers, and 1,074 civilian police, supported by 486 international civilian police and 668 local staff. Following the completion of the disarmament programme, in January 2005 a US military commission arrived in Liberia to assist in the restructuring of the armed forces. In 2003 defence expenditure was estimated at US \$45m. (equivalent to 11.4% of GDP).” [1] (Defence)

5.42 The EIU, in its Liberian Country Profile 2005, stated:

“The US has been allocated the responsibility of running the Security Sector Reform (SSR) programme, for which it has pledged US\$200m. The three-year programme initially aimed to recreate the Armed Forces of Liberia (AFL) as a small professional force of 4,000, with ground, air and maritime components, but funding shortfalls led to plans being scaled back in mid-2005 for a force of just 2,000. The US\$35m programme for the army is being implemented by a private security company, Dynacorps, which has already worked with the US on such programmes in Iraq and Afghanistan and is expected to start work before the end of 2005. The restructuring of the police force is already well under way, with local recruits currently undergoing extensive training by UNMIL and an emergency police response service in place; the police force is targeted to reach its capacity of 6,000 by 2006.” [4a] (p16)

POLICE

5.43 USSD 2005 reported:

“The Ministry of Justice has responsibility for enforcing law and maintaining order within the country and oversees the LNP and the National Bureau of Investigation (NBI). Approximately 15 thousand UNMIL [UN Mission in Liberia] peacekeepers and 1,100 CIVPOL [international police attached to UNMIL] officers had primary responsibility for maintaining security while the LNP [Liberian National Police] and the AFL [Armed Forces of Liberia], which was under the Defense Ministry, were being retired and retrained during the year [2005]. Approximately 600 CIVPOL officers assisted with restructuring, recruitment, training, and equipping the LNP, which was comprised of new recruits and those who served under the former Taylor administration. During the year [2005] CIVPOL recruited, trained, and deployed more than 1,100 LNP officers to Monrovia and 7 surrounding counties; an additional 300 recruits were sent to Nigeria for further training. In September [2005] the LNP opened a Women’s and Children’s Protection Section, and 50 officers had completed training to staff the unit by year’s end [2005]. The LNP operated independently and retained arrest authority; however, CIVPOL accompanied LNP officers in joint patrols around Monrovia.

“LNP officers, who were not equipped with firearms, were slow to respond and often ineffective, which resulted in an increase in armed robberies during the year [2005]. Corruption and impunity were problems. Unlike in the previous year [2004], police handling of mob violence did not result in deaths; however, there were reports of police brutality, particularly during demonstrations. Police had limited logistics and forensic capabilities and did not adequately investigate many crimes, including murders. The LNP, with the assistance of CIVPOL’s non-compliance unit, investigated reports of police misconduct, and CIVPOL issued several notices of noncompliance to LNP officers during the year [2005]. However, dismissals or other strong disciplinary measures were taken only in the most severe cases, such as rape or serious assault.” [2a] (Section 1d)

5.44 The UN Secretary-General’s report dated 7 December 2005 noted:

“Further progress was made in the training and restructuring of the Liberian National Police. The earlier announced target of 1,800 trained Liberian National Police personnel was achieved by the time of the October elections. In addition, the 300 police personnel who recently completed specialized training in Nigeria will form part of a police support unit tasked with dealing with riot control and violent crimes. Nigeria has pledged to provide equipment, including 50 side arms, to support this unit. More than 300 Special Security Service personnel and 152 Liberian Seaport Police personnel have graduated from the United Nations training programme, while 20 Liberian National Police officers and 10 Special Security Service officers have completed a senior leadership qualification course.

“During the reporting period [June to December 2005], the Chairman of the National Transitional Government of Liberia, Charles Gyude Bryant, approved a new structure for the Special Security Service. Under this structure, the authorized full strength of the Special Security Service will be reduced from its current strength of 1,287 to 395, including 35 civilian staff. The demobilization of the redundant Special Security Service personnel remains on hold, as the National Transitional Government is unable to raise the \$900,000 required to fund this exercise. At the same time, \$3.9 million is also urgently needed for the

demobilization of police personnel who are ineligible to join the reformed Liberian National Police.

“The recent United States donation of \$1.6 million for operating expenses and renovations at the Police Academy should allow the police training programme to continue for another year. However, at least \$600,000 is urgently needed for operating expenses to bring the number of trained Liberian National Police personnel to the provisional full strength of 3,500. An additional \$4 million is also required for the rehabilitation of police infrastructure and for capital improvements to the Police Academy.” [16e] (p7)

MILITARY SERVICE

- 5.45 The War Resisters' International (WRI) survey of 1998 indicated that there is no conscription in Liberia. [9]

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MEDICAL SERVICES

- 5.46 The United Nations Integrated Regional Information Networks (IRIN), in a report of 28 January 2005, noted:

“Within the medical profession there were disputes regarding wages. Nurses and doctors are refusing to return to work in the Liberian countryside because their salaries are too small and often late and the transitional government’s promise to pay 18-months of salary arrears has failed to materialise.” The report added that “The pay dispute is hampering efforts to restore basic services to more remote corners of Liberia, which is set to hold its first post-war elections in October [2005].” [5b] (p1)

- 5.47 The EIU, in its Liberian Country Profile 2005, stated:

“According to World Bank estimates for 2003, life expectancy has risen again, to 47 years (the same as the average for Sub-Saharan Africa). The UN Development Programme’s Human Development Report 2004 put life expectancy at birth at 41.4 years during the period 2000 - 05. The mortality rate for children under five years old remains extremely high, at an estimated 235 per 1,000 live births in 2003, according to the report. The World Bank presently estimates a ratio of only 0.2 doctors per 10,000 people in post-war Liberia. Malnutrition and disease, including cholera and yellow fever, have been rife. Since the end of the conflict the government, with the assistance of donors, has rehabilitated a number of clinics and hospitals, but healthcare provision remains rudimentary.” [4a] (p17)

HIV/AIDS

- 5.48 The EIU, in its Liberian Country Profile 2005, noted:

“In a statement issued to the 26th special session of the UN General Assembly on HIV/AIDS in June 2001, the then Liberian health minister, Peter Coleman, put Liberia’s HIV/AIDS prevalence rate at 8.2%. According to the UN

programme on AIDS and HIV (UNAIDS) in Monrovia, 4% of women attending antenatal clinics tested positive for HIV in 1992 and 1993. In 1996 and 1997 HIV testing at various sites found no evidence of HIV infection among antenatal clinic attendees. In 1999, however, at an unspecified site, 12.7% of antenatal clinic attendees were found to be HIV-positive. These figures are likely to be an under-reporting of the true extent of the problem. UNAIDS estimates that 100,000 adults and children were HIV-infected at end-2003, with an infection rate of 5.9% of the adult population, but cautions that there are insufficient data to allow a proper assessment of the situation and that mass population movements as people return home are likely to increase the spread of the disease.” [4a] (p17)

5.49 A report by IRIN, dated 21 July 2005, stated:

“With health centres reopening across Liberia after 14 years of fighting and AIDS awareness on the rise, Liberia is running out of HIV-testing kits to meet rising demand, according to the government-run National AIDS Control Programme (NACP).

“There is high demand right now for the test kits, because more and more health facilities are being opened in rural areas that were previously inaccessible owing to the civil conflict and mass sensitisation campaigns across the country have encouraged more people to turn out to know their HIV/AIDS status,” Dr Eugene Dolopei, the head of NACP told IRIN.

“But he warned that Liberia was rapidly running out of equipment to test the 2,000 or so people who report to 30 government and church-owned testing centres each month to determine their HIV status.

“Dolopei said Liberia needed another 1,600 HIV testing kits – each containing 100 individual tests – to last the country until May 2006.” [5c] (p1)

PEOPLE WITH DISABILITIES

5.50 USSD 2005 noted:

“Although it is illegal to discriminate against persons with disabilities, in practice they did not enjoy equal access to public buildings or government services. No laws mandate access to public buildings, and streets, schools, public buildings, and other facilities were generally in poor condition and inaccessible to persons with disabilities. As a result of the civil wars, a large number of persons had permanent disabilities, in addition to those disabled by accident or illness. Persons with disabilities faced discrimination, particularly in rural areas. Babies with deformities often were abandoned. Some NGOs provided services to persons with disabilities. During the year [2005] special ballots were created to assist visually impaired voters.” [2a] (Section 5)

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EDUCATIONAL SYSTEM

5.51 Freedom House, in its report on Liberia covering 2004, noted:

“Academic freedom was restricted under the Taylor government, as students feared expressing political views opposed to the government. Exiled student leaders returned to the country after the transitional government was installed. Security forces were sent to the University of Liberia in Monrovia in March [2004] after students protested the school’s continued closure.” [10a] (p 372-373)

5.52 Europa noted:

“Primary and secondary education are available free of charge. Education is officially compulsory for nine years, between seven and 16 years of age. Primary education begins at seven years of age and lasts for six years. Secondary education, beginning at 13 years of age, lasts for a further six years, divided into two cycles of three years each. Following elections in July 1997, the new Government aimed to rehabilitate large numbers of children who had been recruited to fight for the armed factions during the period of civil conflict. In 1999, following a programme of rehabilitation and reconstruction, the number of primary schools in the country increased to more than 4,500 (compared with 1,500 in 1998), while the number of secondary schools rose to 461 (compared with 241 in the previous year). In 1999/2000, according to UNESCO [United Nations Educational, Scientific and Cultural Organisation] estimates, 83.4% of children in the relevant age-group (95.6% of boys; 71.2% of girls) were enrolled at primary schools, while the equivalent ratio for secondary enrolment was 20.3% of children in the appropriate age-group (23.7% of boys; 16.9% of girls). In early 2002 it was reported that only 40% of children of school age had access to educational facilities. In 1998 20,804 students were enrolled at institutes providing higher education, including the University of Monrovia, the Cuttington University College (controlled by the Protestant Episcopal Church), a college of technology and a computer science institute. The Government announced that about 10.9% of projected 1999 budget expenditure was allocated to education. A comprehensive peace agreement, signed on 18 August 2003, provided for the disbanding of all rebel groups, and the reintegration of recruited child combatants.” [1] (Education)

5.53 USSD 2005 stated:

“The government generally was unable to provide for the education and health of children. Due to the poor condition of government schools, many children who attended school, particularly in Monrovia, went to private institutions. Education was compulsory until students reached 16 years of age. Many private schools still needed to be refurbished due to wartime damage. School fees remained relatively high, thereby making education unattainable for many school-age children. In both public and private schools, families of children often were asked to provide their own uniforms, books, pencils, paper, and even desks. According to a 2003 UN Children’s Fund (UNICEF) report, more than half of school-age children did not attend school.” [2a] (Section 5)

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6. Human Rights

6.A HUMAN RIGHTS ISSUES

OVERVIEW

- 6.01 The United Kingdom Foreign and Commonwealth Office (FCO) stated in its Country Profile of 9 May 2005:

“The Liberian civil war saw appalling human rights abuses by all sides. The warring factions used sexual violence and torture as weapons, and recruited child soldiers. President Taylor’s regime was contemptuous of democratic principles and human rights. Arbitrary arrests, forced conscription and the reported torture and murder of suspected dissident sympathisers, human rights campaigners and journalists became commonplace. Since the end of the civil war, there have been no significant prosecutions for human rights abuses.” [3] (p 2-3)

- 6.02 Human Rights Watch, in their Overview on Liberia for 2005, stated:

“The completion in October and November 2005 of presidential and parliamentary elections marked a major step towards the consolidation of Liberia’s transition from a near-failed state rife with human rights abuses to a democratic state governed by the rule of law. The elections followed a 2003 peace agreement which ended three years of internal armed conflict and the deployment in 2003 of some fifteen thousand United Nations peacekeepers.

“At year’s end [2005] there were solid grounds for optimism including the disarmament of more than 101,000 combatants; the return home of tens of thousands of civilians who had fled during the war; the recognition by both Liberia and the international community of the role corruption played in fomenting armed conflict; and the ability of journalists and civil society to function after years of being silenced, persecuted and targeted. A Truth and Reconciliation Commission empowered to recommend prosecutions for the worst offenders was also established. However, the human rights situation remained precarious as a result of frequent criminal acts in the face of inadequate police and civil authorities; striking deficiencies within the judicial system; financial shortfalls for programs to train demobilized combatants; and continued regional instability, most notably in neighboring Côte d’Ivoire. Moreover, there was little progress on ensuring accountability for past atrocities.” [14a] (p1)

- 6.03 The Economist Intelligence Unit (EIU), in its Country Report of December 2005, noted:

“Human rights groups have highlighted the risk that is presented by including many individuals accused of human rights violations in the new parliament. There had earlier been a debate over whether such individuals should be allowed to run in the election, but this was eventually agreed to in order to accommodate the wishes of various political factions. This raises the question of whether any of those accused of human rights violations during the civil war will be prosecuted, which is legally possible as Liberia’s current law does not

give immunity to legislators accused of serious human rights violations. The mandate for the yet-to-be-established Liberian Truth and Reconciliation Commission (TRC), which will be tasked with investigating human rights violations that took place between January 1979 and October 2003, also stipulates that although amnesty can be given to those expressing remorse for their crimes, this will not apply to cases where serious human rights violations have taken place. It is a concern that certain individuals may be tempted to continue to use extra-legal measures or force in pursuit of their interests.” [4b] (p13)

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FREEDOM OF SPEECH AND THE MEDIA

- 6.04 The Committee to Protect Journalists (CPJ), in its report on Liberia for 2004, noted:

“Since the end of Taylor’s regime and the violent conflict that accompanied it, threats and attacks against journalists from government security forces and other groups have decreased considerably. However, while security for journalists improved significantly in 2004 as U.N. peacekeepers extended their control across the country, a number of attacks were reported.” [11] (p2)

- 6.05 The US State Department’s Report on Human Rights Practices (USSD) covering 2005, dated 8 March 2006, stated:

“The law provides for freedom of speech and of the press, and unlike in the previous year [2004], the government generally respected these rights in practice.

“In 2004 there were reports that the NTLA threatened to arrest persons who criticized the legislative body or refused to appear before it, but there were no such reports during the year [2005].” [2a] (Section 2a)

- 6.06 USSD 2005 noted:

“In Monrovia there were more than 30 newspapers that published during the year [2005] with varying degrees of regularity. Three were independent dailies, and nine appeared at least twice a week. Most newspapers were printed by one printing facility, but other facilities opened during the year [2005].” [2a] (Section 2a)

- 6.07 Liberia’s media is highly dependent on radio, USSD 2005 stated:

“Due to the price of newspapers and transportation, the estimated 75 percent illiteracy rate, and road conditions elsewhere in the country, newspaper distribution generally was limited to the Monrovia region. As a result radio was the primary means of mass communication. There were 12 independent radio stations that regularly broadcast in Monrovia, 25 local stations, and 1 government-operated station. Radio stations operated without government restrictions.

“There were three local television stations; however, television was limited to those who could purchase sets, generators, and fuel to provide electricity. For those persons and businesses with satellite capability, CNN [Cable News Network], BBC [British Broadcasting Corporation], Skynews, and SABC Africa generally were available.” [2a] (Section 2a)

6.08 USSD 2005 noted:

“During the year [2005] political party members attacked journalists at political rallies. The attackers claimed that the journalists were members of the opposition. Some persons sustained minor injuries.” [2a] (Section 2a)

6.09 The Economist Intelligence Unit (EIU), in its Country Profile of November 2005, noted:

“Liberia’s state television station, ELTV, which was off the air for most of the war, has resumed broadcasting as a largely commercial station. There are two private television stations broadcasting for short periods of the day and several FM radio stations in the capital, but with limited reach. In May 2005 the Hirondele Foundation, a Lausanne-based non-governmental organisation (NGO), relaunched Star Radio, which had been shut down under the Taylor government. Star Radio broadcasts in many different languages and is transmitted countrywide. International radio stations, especially the BBC World Service and the US Voice of America, are widely listened to. There are numerous independent newspapers, and press freedom has greatly improved since the end of the Taylor regime.” [4a] (p18)

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JOURNALISTS

6.10 The CPJ annual report 2004 noted:

“While no journalists were imprisoned in 2004, many faced criminal charges under repressive laws. In January [2004], four journalists and a former business manager from the private weekly Telegraph were accused of “criminal malevolence,” a charge sometimes used by members of Taylor’s government to harass aggressive journalists. The charges were brought over an article alleging that National Security Minister Losay Kendor had embezzled public funds. The case was referred to the Criminal Court and remained pending at year’s end [2004].” [11] (p1)

6.11 The Freedom House Report on Liberia covering 2004 stated:

“Liberia’s independent media have survived at the cost of extensive self-censorship. Employees have suffered from constant surveillance, harassment, threats, detentions, and beatings. Criminal charges were brought against journalists working for the private weekly newspaper Telegraph in January [2004]. Editor in chief Philip Moore Jr., managing editor Adolphus Karnuah, and subeditor Robert Kpadeh Jr. were charged with ‘criminal malevolence’ in connection with a story alleging that the country’s national security minister

embezzled about \$15,000; they were released the same day. Internet access is not impeded, but Liberia suffers from poor communications infrastructure.” [10a] (p372)

6.12 The report added:

“Press freedom improved markedly in 2004 compared with the situation in the previous year. Several private newspapers are published, and there are at least five new FM radio stations, including Radio Veritas, the shortwave station of the Roman Catholic Church.” [10a] (p372)

6.13 USSD 2005 noted:

“No action was taken during the year [2005] against Anti Terrorist Unit forces responsible for the January 2003 torture of Throble Suah, a reporter for the Liberian *Inquirer* newspaper.

“Journalists reportedly extorted money from citizens by threatening to publish negative articles about them and accepted bribes from politicians to publish negative articles about their opponents. After the Press Union of Liberia changed management during the year [2005], the union encouraged citizens to file complaints against newspapers that published false information. ” [2a] (Section 2a)

6.14 The CPJ, in a report entitled Attacks on the Press in 2005, noted:

“Monrovia court ordered the offices of the privately owned weekly *Forum* shuttered for ‘contempt of court’ in March [2005]. The action came after the paper’s managing editor allegedly missed several summonses in connection with an ongoing civil libel case. The paper reopened two weeks later, after paying a fine.

“In November [2005], journalists complained of attacks and death threats made by supporters of failed presidential candidate George Weah. His party, the Congress for Democratic Change (CDC), claimed fraud in the presidential run off won by Ellen Johnson Sirleaf. The Press Union of Liberia advised journalists not to cover functions at CDC headquarters in the capital, Monrovia, until the party could guarantee their safety. The union said it had documented five cases of CDC supporters beating journalists at the headquarters. It later lifted its advisory, saying CDC leadership had apologized and offered assurances about journalist security.” [11b] (p4)

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FREEDOM OF RELIGION

6.15 The USSD Religious Freedom Report (USSDRF) for 2005 stated:

“The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some exceptions during the reporting period.

“There was some improvement in the status of respect for religious freedom during the period covered by this report. The National Transitional Government of Liberia (NTGL) tolerated religious freedom.” **[2b] (Section 2)**

6.16 USSDRF 2005 stated:

“All organizations, including religious groups, must register their articles of incorporation with the Government, along with a statement of the purpose of the organization. Traditional indigenous religious groups are not required to register, and generally do not. Registration is routine, and there were no reports that the registration process was burdensome or discriminatory.

“The Government permits, but does not require, religious instruction in public schools. Religious education, particularly Christian education, is taught in public schools but is not mandatory. Students can opt out of religious instruction, and parents may enroll their children in private schools for religious reasons.” **[2b] (Section 2)**

6.17 USSDRF 2005 stated:

“The generally amicable relationship among religions contributed to religious freedom. The IRC [Inter-Religious Council of Liberia] promotes dialogue among various religious communities. In October 2004, a property dispute escalated into widespread violence between Mandingos, who are predominantly Muslim, and other predominantly Christian ethnic groups. The violence broke out in Monrovia and spread to Kakata and other nearby towns and villages. At least 25 persons were killed, and several mosques and churches were looted and burned. The United Nations Peacekeepers (UNMIL) brought the situation under control after 3 days. The violence was widely regarded as a reflection of ethnic rather than religious tensions.

“The country’s civil war, which ended in 2003, had a religious undertone in that the LURD rebels were mostly Muslim Mandingos while government troops were mostly animists and Christians. Ethnic tensions persist between the Mandingo and several other ethnic groups.” **[2b] (Section 3)**

6.18 USSDRF 2005 noted:

“The Government responded to requests for the restitution of religious properties. In the Taylor era, government militia seized some properties belonging to ethnic Mandingo Muslims. Since 2003, most confiscated properties have been abandoned or returned to their owners. All religious groups had an equal opportunity to reclaim property formerly belonging to their religious organizations, particularly if used to hold religious services.” **[2b] (Section 2)**

6.19 USSDRF 2005 also noted:

“Since 2003, there have been no arrests based on religion or ethnicity. No state executions based on religion took place in the period covered by the report.

“During the reporting period, there were no reports that persons were detained without charge or placed under house arrest based on their religious beliefs or practices.

“All religious and political detainees held by Taylor’s government were released, and the NTGL did not detain anyone on the basis of their religion.” [2b] (Section 2)

6.20 Freedom House, in its report covering 2004, noted:

“Religious freedom is respected in practice, but Muslims have been targeted because many Mandingos, who were a key ethnic component of the rebel group LURD, follow Islam. Religious freedom suffered a setback in October [2004] when a property dispute that triggered rioting in Monrovia dissolved into religious fighting. Several churches and mosques were attacked. Authorities arrested up to 250 people in connection with the violence, which claimed about 14 lives. The unrest was the worst seen in the city since Taylor was forced into exile in 2003.” [10a] (p372)

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RITUAL KILLINGS

6.21 In a BBC report dated 29 June 2005, it was noted: “The leader of Liberia’s transitional government, Gyude Bryant, has promised to use the death penalty against anyone found guilty of sacrificial killings.” [7a] (p1)

6.22 The BBC report added:

“Elections for the first president since Charles Taylor left the country are due in October [2005], which, our correspondent says, is the likely reason for the increased number of ritual killings.

“Human parts such as genital organs are believed to offer supernatural powers, especially by aspiring politicians and so the number of alleged ritual killing rises in the run-up to elections.

“In January [2005] extra United Nations peacekeepers had to be sent to south-eastern Liberia following violent protests over alleged ritual killings.” [7a] (p1)

6.23 USSDRF 2005 stated:

“Ritual killings, in which killers remove body parts from their victims for use in traditional rituals, continued to occur during the reporting period. There is little reliable information available about traditional religions associated with ritual killings, and the number of such killings is difficult to ascertain. Many believe that practitioners of traditional indigenous religions among the Grebo and Krahn, who are concentrated in the southeast, engage in ritual killings. Body parts of a person believed to be powerful are considered the most effective for ritual purposes. In some cases, the rituals reportedly involve eating body parts to gain special powers. Fighters on all sides of the civil war reportedly engaged in such practices. In January [2005], a dusk to dawn curfew was imposed in Maryland County after riots broke out over the Government’s failure to address a spate of ritual killings. There were a few reports of ritual killings in and around Monrovia, but no evidence to support such claims.” [2b] (Section 3)

- 6.24 The US State Department's Report on Human Rights Practices (USSD) covering 2005, dated 8 March 2006, reported:

"Incidents of ritualistic killings were reported during the year [2005]. Little reliable information was readily available about traditions associated with the practice in which body parts used in indigenous rituals were removed from the victim. The number of such killings was difficult to ascertain, since police often described deaths as accidents or suicides even when body parts were removed. It was believed that practitioners of traditional indigenous religions among the Grebo and Krahn ethnic groups concentrated in the southeastern counties most commonly engaged in ritual killings. The victims were usually members of the religious group performing the ritual, and often included women and children. Body parts removed from a member whom the group believed to be powerful were considered to be the most effective ritually.

"On June 2 [2005], in Grand Gedeh County, ritualistic killings were reported, and in July [2005] residents of Zwedru demonstrated against an increase in ritualistic killings. During the year [2005] NTGL Chairman Bryant stated that he would personally sign the death warrant of anyone found legally guilty of a ritualistic killing; however, no one was prosecuted for ritualistic killings during the year [2005]." [2a] (Section 2b)

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RELIGIOUS GROUPS

- 6.25 USSDRF 2005 noted:

"As much as 40 percent of the population practices either Christianity or Christianity combined with elements of traditional indigenous religions. Approximately 40 percent exclusively practices traditional indigenous religions. Approximately 20 percent of the population practices Islam, which continued to gain adherents. A small percentage is Baha'i or atheist.

"Christian denominations include the Lutheran, Baptist, Episcopal, Presbyterian, Roman Catholic, United Methodist, African Methodist Episcopal (AME), and AME Zion denominations, as well as a variety of Pentecostal churches. Some of the Pentecostal movements are affiliated with churches outside the country, while others are independent." [2b] (Section 1)

- 6.26 The same report added:

"The Muslim population is mainly from the Mandingo and Vai ethnic groups, which are found predominantly in the West. Ethnic groups throughout the country participate in the traditional religious practices of the Poro and Sande secret societies. Christians live throughout the country." [2b] (Section 1)

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FREEDOM OF ASSEMBLY AND ASSOCIATION

- 6.27 The US State Department's Report on Human Rights Practices (USSD) covering 2005, dated 8 March 2006, noted:

"The law provides for the right of peaceful assembly, and the government generally respected this right.

"LNP, CIVPOL, and UNMIL troops used tear gas to disperse demonstrations during the year [2005], and there were reports of police brutality. Unlike in the previous year [2004], there were no reports that UNMIL troops beat demonstrators." [2a] (Section 2b)

- 6.28 USSD 2005 also reported:

"In January [2004] LNP officers used tear gas to disperse a demonstration at the Liberia Telecom Corporation; some demonstrators received minor injuries. At a political rally in September, police with batons beat persons after party supporters began fighting for t-shirts. In the beginning of October [2005] LNP officers used tear gas against their own superiors to protest their lack of regular pay. On November 11 [2005], following the release of the preliminary November 8 [2005] election results, UNMIL troops used tear gas to disperse a demonstration in support of presidential contestant George Weah." [2a] (Section 2b)

- 6.29 USSD 2005 stated:

"The law provides for the right of association, and the government generally respected this right in practice. There were 30 registered political parties. Dozens of civil society organizations, organized around themes such as human rights, women's issues, development objectives, poverty alleviation, health concerns, and worker's associations, were active." [2a] (Section 2b)

- 6.30 An article by the United Nations Integrated Regional Information Networks (IRIN), dated 9 August 2005, stated:

"The Liberian government has banned all public demonstrations and UN peacekeepers have stepped up security as the West African nation prepares for October [2005] polls designed to return it to democracy after 14 years of civil war.

"The decision to ban public demonstration is intended to ensure that the national security of the state is stable and guarantee an election free of violence," Justice Minister Kabineh Janneh said on Monday [8 August 2005], adding that the ban was indefinite." [5d] (p1)

ELECTIONS 2005

- 6.31 The Economist Intelligence Unit (EIU), in its Country Report of December 2005, noted:

"Liberia's presidential and legislative elections were held successfully in October and November [2005], and Ellen Johnson-Sirleaf was elected as president. George Weah's Congress for Democratic Change (CDC) won the most seats in the House of Representatives. International and national

observers endorsed the conduct and results of the elections, which were also accepted by the UN secretary-general, Kofi Annan, the African Union, and diplomatic representatives inside the country. Many observers expressed relief and gratitude that the elections had been carried out without any major incidents of violence or malpractice. The UN Mission in Liberia (UNMIL) played a major role in ensuring security for the elections and maintained a heavy presence throughout the country. UNMIL performed air and road patrols in Monrovia and in rural areas, as well as playing a key role in terms of logistics and transporting voter material to the outlying areas. Over 1m votes were cast in the 3,070 polling stations, representing a turnout of 74%. Only a few minor incidents of malpractice were reported during the first round of elections, which were quickly dealt with by the National Elections Commission (NEC), which was universally praised for its conduct.” [4b] (p10)

6.32 The EIU report also noted:

“The results of the second round of the presidential election were confirmed by the NEC on November 23rd [2005]. Mrs Johnson-Sirleaf won the election with 59.4% of the vote, while Mr Weah received 40.6%. But before the result was confirmed, vote-counting in the days after the election showed that Mrs Johnson-Sirleaf was clearly in the lead, and this led to a protest by Mr Weah and the CDC. The latter made allegations that fraud had taken place, including ballot-box stuffing. Protests were held by Mr Weah’s supporters, which at times threatened to become violent and unruly, but the situation remained under control and the CDC decided to focus instead on making a formal complaint. The NEC promptly began investigating the CDC’s allegations of fraud, but the result of the election was nonetheless confirmed by the NEC, indicating its belief that nothing other than minor irregularities will be uncovered. Following pleas from various individuals and organisations, Mr Weah did eventually accept defeat, but it is not yet clear whether he will accept Mrs Johnson-Sirleaf’s offer to join her future government as a minister, when it takes office in January [2006].” [4b] (p 11-12)

For further information see section [Political System](#).

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EMPLOYMENT RIGHTS

6.33 The US State Department’s Report on Human Rights Practices (USSD) covering 2005, dated 8 March 2006, noted:

“The law provides workers, except members of the military and police, the right to associate in trade unions, and workers exercised this right in practice. The law also prohibits unions from engaging in partisan political activity. Unlike in previous years, there were no reports of government interference in union activities.” [2a] (Section 6a)

6.34 USSD 2005 also noted:

“Union power was extremely limited. Since the country’s workforce largely was illiterate, economic activities beyond the subsistence level were very limited,

and labor laws tended to favor management. However, during the year [2005] more employees, particularly civil servants, were willing to challenge management, reportedly because they felt safer doing so than previously.

“The law does not prohibit antiunion discrimination, but there were no reports of such discrimination during the year [2005].” [2a] (Section 6a)

6.35 While the union membership is generally allowed, USSD 2005 noted:

“The law allows unions to conduct their activities without interference, and the government protected this right in practice. With the exception of civil servants, workers have the right to organize and bargain collectively; these rights largely were untested during the year [2005] because of the lack of economic activity.” [2a] (Section 6b)

6.36 The report added that:

“A 1984 People’s Redemption Council decree nullified labor laws that provided for the right to strike, but that decree has not been enforced for years. Due to the destruction of the economy and the estimated 80 percent unemployment rate, strikes were infrequent.” [2a] (Section 6b)

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PEOPLE TRAFFICKING

6.37 The US State Department’s Report on Human Rights Practices (USSD) covering 2005, dated 8 March 2006, noted:

“In June [2005] NTGL Chairman Bryant signed into law the country’s first antitrafficking bill, which provides for criminal penalties ranging from one year to life in prison for traffickers; however, there were reports that persons were trafficked to, from, and within the country. Enforcement efforts were weak, but unlike in the previous year [2004], the government did not obstruct the prosecution of suspected traffickers. One suspected trafficker was tried and acquitted during the year [2005].” [2a] (Section 5)

6.38 USSD 2005 stated:

“On September 7 [2005], the court acquitted a nightclub proprietress arrested in May 2004 on charges of trafficking three Moroccan women. The ministries of justice and labor have primary responsibility for combating trafficking.” [2a] (Section 5)

6.39 USSD 2005 added:

“NGO estimates of the number of persons trafficked to the country during the year [2005] ranged between 20 and several hundred. Victims were trafficked within the country and from neighboring countries for prostitution and labor. Young children were at a particularly high risk for trafficking, especially orphans or children from extremely poor families. Trafficking victims were often subjected to harsh living and working conditions.” [2a] (Section 5)

6.40 USSD 2005 also noted:

“There were reports of forced labor; however, none had been confirmed. There also were reports of the recruitment of child soldiers, but the reports had not been confirmed, and the matter was under investigation at year’s end [2005].

Traffickers enticed their victims with promises of a better life. Parents of trafficking victims were persuaded that their children would have better food and educational opportunities in another country and that they would eventually return home.” [2a] (Section 5)

6.41 The USSD Trafficking in Persons Report (TPR) of June 2005 stated:

“Liberia was formerly a significant source and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Former government and rebel forces trafficked men, women, and children to serve as porters, laborers, combatants, and sex slaves during the civil war. UNICEF [United Nations Children’s Fund] estimates that the former warring factions included more than 15,000 children. Armed groups also compelled people to mine gold and diamonds. During the year [2004], however, the overall situation dramatically improved as factions disbanded. The majority of trafficking victims returned to their homes, many with the repatriation assistance of NGOs and UN organizations. There is currently no evidence of widespread trafficking in persons.

“In May 2004, several Moroccan, Russian, Ukrainian, and Filipino women were discovered in a Monrovia nightclub and determined to be victims of commercial sexual exploitation. The nightclub owner reportedly confiscated the women’s passports and withheld their income. The women were given protection in an UNMIL safe house for several months and subsequently repatriated to their respective countries. The court case is still pending, but, given the state of the Liberian judiciary, may not soon be brought to conclusion.” [2d] (p3)

6.42 The TPR added:

“The National Transitional Government of Liberia lacks both funding and trained personnel to cope with the issue of trafficking in persons. The NTGL consists of people who led or served in rebel groups which were egregious offenders in the practice of trafficking in persons for the purposes of forced and bonded labor, soldiering, and using girls and women as sex slaves. Because involvement among government officials, including ministers, was so widespread, it is unlikely that any action will be taken against these individuals. Some senior officials are also known to have patronized clubs where trafficked women were employed; in the current post-conflict environment there is little motivation to confront the problem. The government is not devoting any resources to combating trafficking in persons in terms of prevention, protection, or prosecution. Funding for the police is inadequate, and corruption is a serious problem. This situation is unlikely to change until after the October [2005] elections and the inauguration of the new government in January 2006. In the interim, UNMIL, through its civilian police and trafficking units, serves as an effective deterrent to the resumption of all but small-scale trafficking in persons activities.” [2d] (p3)

FREEDOM OF MOVEMENT

- 6.43 The US State Department's Report on Human Rights Practices (USSD) covering 2005, dated 8 March 2006, noted:

"The law provides for these rights, and unlike in the previous year, the government respected them in practice. As of year's end [2005], government and UNMIL security forces effectively controlled all of the country, including all major border crossings. LNP officers reportedly subjected travelers to arbitrary searches and petty extortion at checkpoints in and around Monrovia; however, unlike in the previous year [2004], ethnic Mandingos were not singled out for such harassment." [2a] (Section 2d)

- 6.44 USSD 2005 also noted:

"Unlike in the previous year [2004], the government did not impose curfews. The law prohibits forced exile, and the government did not use it." [2a] (Section 2d)

TRANSPORT

- 6.45 The Economist Intelligence Unit (EIU), in its Country Profile of November 2005, noted:

"Liberia's road system is patchy and in extremely poor condition following years of civil war. There are only a handful of main roads, and according to World Bank data (from African Development Indicators 2004) in 1999 just 6.2% of the total network of some 10,600 km was surfaced. There are no passenger railways, although mining companies own some 500 km of single-track lines, which were used before the war to transport iron ore and other goods. Most of these lines are now in serious need of repair.

"Before the war the country's five ports, Monrovia, Buchanan, Greenville, Harper and Robertsport, handled around 200,000 tonnes per year of general cargo, in addition to approximately 80% of the country's iron ore exports and around 400,000 tonnes/year of petroleum product imports. The central port of Buchanan and the south-eastern port of Greenville handled the majority of timber exports from Liberia before the UN timber sanctions took hold. A new investment deal by Mittal Steel in the iron ore industry includes plans to rehabilitate the port at Buchanan to facilitate the export of iron ore.

"Roberts International Airport (also known as Robertsfield), 45 km east of Monrovia, is Liberia's only international airport. The government has made limited efforts to reform its civil aviation administration, with the help of the UN International Civil Aviation Organisation (ICAO), and to improve its capacity for air traffic control and surveillance in compliance with the UN sanctions. In September 2003 the Belgian national carrier, SNBrussels Airlines (the airline that succeeded Sabena, which was liquidated), reintroduced its Brussels-Monrovia service. But few other international airlines have shown interest in

introducing flights to Monrovia, and travellers often fly to Sierra Leone and travel cross-country to reach Liberia.” [4a] (p18)

6.46 Human Rights Watch, in their Overview on Liberia for 2005, stated:

“During 2005, United Nations peacekeepers and civilian police consolidated their control throughout all major Liberian towns leading to significant improvements in protection for civilians. However, serious institutional deficiencies within the national police force and judicial system remain. The illegal occupation of rubber plantations by former rebel leaders who refused to recognize the legitimacy of the Liberian Transitional Government of Liberia (NTGL), rioting by ex-combatants mostly in response to delays in reintegration programs, as well as the emergence of vigilante groups formed to combat rising crime in the face of an incompetent police force were worrying developments in 2005.” [14a] (Ongoing Insecurity and Related Abuses)

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6.B HUMAN RIGHTS – SPECIFIC GROUPS

ETHNIC GROUPS

6.47 The US State Department’s Report on Human Rights Practices (USSD) covering 2005, dated 8 March 2006, noted: “The country has 16 indigenous ethnic groups; each spoke a distinct primary language and was concentrated regionally. No ethnic group constituted a majority of the population.” [2a] (Section 5) The CIA Factbook of 10 January 2006 gave the following breakdown of the ethnic groups in Liberia:

“Indigenous African tribes 95% (including Kpelle, Bassa, Gio, Kru, Grebo, Mano, Krahn, Gola, Gbandi, Loma, Kissi, Vai, Dei, Bella, Mandingo, and Mende), Americo-Liberians 2.5% (descendants of immigrants from the US who had been slaves), Congo People 2.5% (descendants of immigrants from the Caribbean who had been slaves).” [6] (p3)

6.48 The USSD Background Note of January 2006, noted:

“There are 16 ethnic groups that make up Liberia’s indigenous population. The Kpelle in central and western Liberia is the largest ethnic group. Americo-Liberians who are descendants of freed slaves that arrived in Liberia early in 1821 make up an estimated 5% of the population.

“There also are sizable numbers of Lebanese, Indians, and other West African nationals who make up a significant part of Liberia’s business community. Because of the 1989 - 1996 civil war and its accompanying problem of insecurity, the number of Westerners in Liberia is low and confined largely to Monrovia and its immediate surroundings. The Liberian constitution restricts citizenship only to people of Negro descent.” [2c] (p2)

6.49 Freedom House, in its report covering 2004, noted:

“Societal ethnic discrimination is rife, and the Taylor government discriminated against indigenous ethnic groups that opposed Taylor during the civil war, especially the Mandingo and Krahn ethnic groups. Ethnic clashes erupted sporadically during 2004.” [10a] (p373)

MANDINGOS

6.50 USSD 2005 noted:

“During the year [2005] ethnic, religious, and other differences between Mandingos and non-Mandingos continued but did not result in mob violence, as in previous years. During the Taylor administration, many Mandingo citizens fled their homes as a result of discrimination, arbitrary arrests, and violence; however, during the year [2005] Mandingos continued to return to Lofa, Bong, and Nimba counties.” [2a] (Section 5)

6.51 The UNHCR [United Nations High Commissioner for Refugees] in its position paper on Liberian asylum seekers of 3 August 2005 stated:

“The special situation of the members of the Mandingo ethnic group deserves some specific attention. The Mandingo ethnic group is one of the minority ethnic groups in Liberia. Members of this group have always been regarded as non-indigenous outsiders, even though they have lived in Liberia for many generations, and some of them are originally from Liberia. They are known to be middle-class business people who were associated with the regime of late President Samuel Doe, as a matter of economic opportunity. Due to such association with the regime of Doe, they became targets of persecutory acts during the Liberian conflict which was waged by Charles Taylor (who is a Congo), as well as during his subsequent regime. Members of the Mandingo ethnic group continue to have a difficult co-existence with other ethnic groups in Liberia, notably the Gio and Mano, mainly in Monrovia city, Nimba and Lofa counties. The situation of the members of the Mandingo ethnic group is further compounded by the fact that, unlike the other ethnic groups, they do not identify themselves as belonging to any given territory within Liberia. They are settled in border counties (notably Nimba and Lofa) and in Monrovia. As they are not fully recognised by the autochthones [other ethnic groups who see themselves as indigenous to the country] as Liberian nationals, they might not be entitled to land property in Liberia, in line with the Liberian Constitution. Nevertheless, the Liberian Constitution and the Liberian nationality law recognise the *ius soli* as a mode of acquisition of the Liberian nationality. Legally, only the Mandingos who immigrated to Liberia (mostly from Guinea) may have a problem in acquiring the Liberian nationality; their descents [sic] born in Liberia should be recognised as Liberian nationals. In this respect, it is expected that requests from members of the Mandingo ethnic group will be met with hostility, and it remains to be seen if they will be able to have their property rights reinstated.” [15b] (p3)

KRAHN

6.52 The USSD Background Note on Liberia of January 2006 noted that the Krahn had considerable influence under the Doe regime: “Doe’s government increasingly adopted an ethnic outlook as members of his Krahn ethnic group soon dominated political and military life in Liberia. This caused a heightened level of ethnic tension, leading to frequent hostilities between the politically and militarily dominant Krahns and other ethnic groups in the country.” [2c] (p2)

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WOMEN

- 6.53 The US State Department's Report on Human Rights Practices (USSD) covering 2005, dated 8 March 2006, noted:

"The law prohibits domestic violence; however, it was widespread and not seriously addressed by the government, the courts, or the media. Several NGOs continued programs to treat abused women and girls and to increase awareness of their rights. LNP officers received training on sexual offenses as part of their initial training. During the year [2005] UNMIL, CIVPOL, UNICEF [United Nations Children's Fund], and the Sierra Leone police facilitated a 3-week training program for approximately 50 LNP investigators assigned to the Women's and Children's Protection Section that deals with sexual offenses.

"On December 22 [2005], the NTLA passed legislation to strengthen existing rape laws. The new law provides sentences for rapists from seven years' [sic] to life imprisonment; accused rapists are ineligible for bail. Rape was common during the country's 14-year civil war, including in IDP camps. Few perpetrators were prosecuted due to a weak legal system, poor evidence, or social taboos against reporting sexual offenses. In December security forces reportedly arrested a traditional leader in Lower Margibi County for allegedly raping a nine-year-old girl and a Monrovia man for allegedly raping his step-daughter." [2a] (Section 5)

- 6.54 USSD 2005 also noted that FGM [female genital mutilation] continued to be common in Liberia:

"FGM traditionally was performed on young girls in northern, western, and central ethnic groups, particularly in rural areas. Because social structures and traditional institutions, such as the secret societies that often performed FGM as an initiation rite, were undermined by the war, many experts believed that the incidence of FGM had dropped to as low as 10 percent. However, since the end of the civil war, traditional societies were reestablishing themselves throughout the country, and the practice of FGM was believed to be increasing. The most extreme form of FGM, infibulation, was not practiced. The government took no action against FGM during the year [2005]." [2a] (Section 5)

- 6.55 USSD 2005 reported:

"Along with the election of the country's first female president, there were 3 female ministers in the NTGL, 4 women in the 26-seat NTLA, and 1 female supreme court judge. The head of the NEC [National Electoral Commission], also a former supreme court justice, was a woman." [2a] (Section 2)

- 6.56 USSD 2005 also reported:

"Women have not recovered from the setbacks caused by the war, when many schools were closed, and they were prevented from maintaining their traditional

roles in the production, allocation, and sale of food. Thousands of women remained displaced, preventing them from pursuing livelihoods or education.

“Women can inherit land and property, received equal pay for equal work, and were allowed to own and manage businesses. The government prohibits polygyny; however, traditional laws permit men to have more than one wife.

“During the year [2005] professional women’s groups -- including lawyers, market women, and businesswomen -- vocally expressed concern regarding government corruption, the economy, security abuses, rape, domestic violence, and children’s rights.” [2a] (Section 5)

6.57 As noted by Freedom House in its report on Liberia covering 2004:

“Treatment of women varies by ethnic group, religion, and social status. Many women continue to suffer from physical abuse and traditional societal discrimination, despite constitutionally guaranteed equality. Rape, including gang rape, was rampant during the civil war. Women and girls were often abducted as laborers and sex slaves, while others joined rebel groups or militias to protect themselves.” [10a] (p373)

6.58 United Nations Integrated Regional Information Networks (IRIN), in a report dated 5 December 2005, stated:

“New legislation making rape illegal for the first time in Liberia was passed by parliament on Thursday [30 November 2005] amid a flurry of rape cases and accusations that have flooded the local media.

“‘Nobody will abuse our girls and women and get away with it; any law on rape especially the rape bill just passed into law will be totally implemented under our government,’ Sirleaf said in a live radio interview.

“Liberian women’s rights groups, led by the Association of Female Lawyers of Liberia, drew up the legislation in response to what they said was a growing number of cases of rape and sexual assault.

“Though statistics are unavailable, more and more cases have been reported in the local media since civil war ended two years ago.

“Rape was common during Liberia’s 14 years of civil conflict where warlord rebel leaders pressed drugs and weapons on disenchanted youths and encouraged fighters to ‘pay themselves’ by looting, raping and pillaging.

“Under the new law, rapists can be sentenced to between seven years or life imprisonment, depending on the gravity of the case. Accused rapists will not be granted bail.

“Previously there was no legislation against rape per se, though gang rape was considered an offence.

“Liberia’s chief prosecutor, Theophilus Gould, told reporters on Monday that the absence of laws against rape had contributed to an increase in rape cases.” [5e] (p1)

6.59 The IRIN article added:

“While parliamentarians from the transitional government that will remain in office until mid-January [2006] voted on the bill, women’s groups staged a peaceful march in the capital Monrovia.

“For so long our girls and children have been sexually abused by older men without redress and this law will certainly serve as a deterrent to would-be rapists,’ Sarah Barclay, a women’s trade leader told IRIN on Monday.

“Gender Minister Varbah Gayflor said the rape [law] signals justice for all Liberian women.

“Women have been humiliated for so long and we are glad that women have now gotten justice...rape is a gruesome act and must be stopped,’ she said.

“Just this weekend, a traditional leader was arrested in Lower Margibi County just 35 km southeast of Monrovia for allegedly raping a nine-year-old girl and last week a 35-year-old Monrovia man was accused of raping his step-daughter, according to radio reports.

“Also last week, a Nigerian UN peacekeeper was arrested on suspicion of raping a girl aged nine.

“Liberian police officials said they wanted to see the Nigerian prosecuted under Liberia [sic] law. But General L. N. Yusuf, a senior Nigerian military commander with the UN Mission in Liberia, said the soldier will be subject to other regulations.

“The Nigerian soldier is subject to three laws, the Nigerian Army act, the Nigerian civil law or Penal Code and the UN laws. If the soldier is found guilty after a thorough investigation, these laws would be applied,’ General Yusuf said.” [5e] (p 1-2)

CHILDREN

6.60 USSD 2005 stated:

“The law prohibits the employment of children under the age of 16 during school hours in the wage sector; however, due to extreme poverty and lax enforcement, child labor was a serious and widespread problem. The minimum age for employment was consistent with the mandatory age for education. The Ministry of Labor lacked the resources to carry out its mandate to monitor child labor. Throughout rural areas, particularly where there were no schools, small children continued to take care of younger brothers and sisters and to work on family subsistence farms. In urban areas children assisted their parents as vendors in markets or they hawked goods on the streets.

“During the year [2005] there were media reports that a foreign rubber company employed child labor. The company, which had a minimum age requirement for employment of 18 years, claimed that some employees had sent their children to tap rubber in their place. A legal case against the company was filed in a foreign court.

“Unlike in the previous year [2004], there were no reports that former government and rebel combatants forced children to work in the alluvial mining industry. There also were no reports that rebel combatants forcibly conscripted persons, including children, to serve as porters, forced laborers, and sex slaves.” [2a] (Section 6d)

6.61 USSD 2005 noted:

“More than 15 thousand children were disarmed and demobilized during UNMIL’s 2003 - 04 DDDR [disarmament, demobilization, rehabilitation, and reintegration] program. During the year [2005] ICRC efforts to reunite children who had been separated from their families during the war, including child soldiers, continued. Since 2003 approximately 700 children were reunited with their families, and an estimated 400 children awaiting reunification remained scattered within the country and in refugee camps outside of the country, according to the ICRC. Former child soldiers who turned over their weapons were entitled to a three-month stay in an Interim Care Center (ICC), which offered medical aid, counseling, reading lessons, and help tracing families. Initially many children refused to leave the ICCs due to concerns for their personal safety and lack of schools or other support in their communities; however, during the year [2005] many more children were successfully repatriated to their home communities.

“Unlike in the previous year [2004], there were no reports that former rebel combatants forcibly conscripted persons, including children, to serve as porters, laborers, and sex slaves.” [2a] (Section 5)

6.62 USSD 2005 also noted:

“Throughout the year [2005] local and international NGOs reported widespread child abuse, particularly by parents. Traditional punishments were often physical and included beatings with sticks and straps. Sexual violence against children was a problem in some areas, according to a 2004 - 05 study by the National Child Rights Observatory Group.” [2a] (Section 5)

6.63 USSD 2005 reported:

“There were thousands of children living on the streets of Monrovia, but it was difficult to tell who were street children, former combatants, or IDPs. Nearly all youths witnessed atrocities, and some committed atrocities. There were 40 registered orphanages and many unofficial orphanages that served as transit points or informal group homes. Orphanages were underfunded and had difficulty providing basic sanitation, adequate medical care, and appropriate diet. Many orphans lived outside these institutions, which received erratic government funding and relied primarily on private donations. In September a special government task force, composed of 17 organizations including the UN and NGOs, promised to close 35 orphanages that were exploiting orphans.” [2a] (Section 5)

6.64 The United Nations Integrated Regional Information Networks (IRIN), in a report of 22 February 2006, noted:

“Child rape – with victims as young as age four – is common across post-war Liberia, topping a list of abuses against children over the last year, a rights monitoring group says.

“The lack of effective laws to combat rape complicates the problem, the National Child Rights Observation Group (NACROG) said in a report released this week.

“It is quite frustrating and unimaginable that a grown-up man will choose to completely damage a young child in the name of sex and enjoys impunity simply because laws are weak, ancient and non-effective,’ NACROG’s report said.

“Liberia passed a new rape law late last year, for the first time officially making the act illegal, but activists say the law still needs to be strengthened and the legal system bolstered.

“NACROG said 48 cases of rape against children ages four to 13 were documented in the last year in eight of Liberia’s 15 counties. The group cited at least seven cases of gang rape against children in the capital, Monrovia.

“Two instances of rape leading to death were recorded with no punishment for the perpetrators,’ NACROG coordinator Jerolinmek Piah told IRIN.

“Of the 48 cases, 26 were either settled out of court or abandoned by the alleged victims, NACROG said, while 16 cases are pending and six have been settled in court.

“The new law passed by parliament in December made all rape illegal; previously only gang rape was seen as a criminal offence. President Ellen Johnson-Sirleaf, who was sworn in last month as Africa’s first elected female president, said at the time, ‘Nobody will abuse our girls and women and get away with it.’” [5i] (p1)

6.65 IRIN, in a article of 22 February 2006, stated:

“Liberian children are being sold for adoption in dubious circumstances and others are living in sub-standard orphanages, according to rights groups in the West African nation.

“Some institutions, while purporting to help orphans, are charging huge sums of money for adoptions, the National Child Rights Observation Group (NACROG), said in a report this week.

“NACROG, comprising representatives of local and international NGOs, civil society, and several ministries, is asking the government to investigate three orphanages and calling for a halt to all adoptions from Liberia.

“There are enough facts also that orphanages are profiteering from this venture against the will of children,’ NACROG head Jerolinmek Piah told IRIN. ‘Suspicion that most of these homes are involved with trafficking of children is very serious and thus demands an investigation....From our findings thus far, most of the adoption homes are agents and or facilitators of child trafficking.’

“Meanwhile the human rights section of the UN Mission in Liberia (UNMIL) expressed concern about conditions for orphans in a January [2006] report, saying that poor administration in many orphanages exposed children to abuse. ‘Record keeping of children residing in the orphanages is generally poor...the lack of records increases the vulnerability of the children to abuse and trafficking,’ the report said.

“UNMIL also denounced harsh and unsanitary conditions in many orphanages, and said some are operating illegally. The Liberian government has acknowledged problems and said some children’s homes could be shut down.

“But administrators of the three orphanages pinpointed by NACROG denied the trafficking accusations and said their adoption programmes were government-approved.

“Eric Sewa, country director of the Acres of Hope, told IRIN that “there is nothing illegal we are doing and all of our operations are legal and approved by the Liberian government.

“‘There is no iota of truth in this accusation.’

“Vivian Cherue, Liberia’s deputy health minister in charge of social welfare overseeing all orphanages, could not confirm any case of child trafficking. ‘All adoption papers that passed through [the] office are from the court and duly signed by the respective parties and it is difficult for me to prove any case of child trafficking through adoption.’” [5] (p1)

6.66 The article added

“The UNMIL report said it evaluated 78 orphanages - housing more than 5,000 children - and concluded that most have orphans living in difficult conditions and some are operating without a government permit. ‘Most orphanages were found to be in very poor condition, lacking basic requirements for the protection of children’s emotional and physical well-being.’

“Sanitary conditions in some of the orphanage homes are alarming, UNMIL said. It cited a case of an orphanage in the capital, Monrovia, where seven boys slept in one tiny room with no beds and no access to toilets. The boys were forced to urinate and defecate in their living space.

“Bettie Stewart, a Liberian social worker specialising in children’s issues, blamed the government for not doing enough to go after delinquent orphanages. ‘It is indeed down-heartening to see a majority of our orphanages in a deplorable state, sometimes the children in there can not afford a square meal per day, while the government sits and watches the situation,’ she told IRIN.

“Stewart also accused orphanages of exploiting [the] children’s plight. ‘[Some] are using their orphanages to solicit charities abroad like [sic] clothing, food and money and the children mostly do not benefit from those charities.’

“Deputy health minister Cherue said the government plans to shut down orphanages found to be offenders, once an ongoing evaluation is finished. In a previous phase of the assessment the government found 35 orphanages to be

operating below standard, she said. 'They do not have proper care for the children and some of them were found to be operating illegally.'

"But Reverend Stephen Enoch, owner of an orphanage in Monrovia that houses 65 children, told IRIN that in this war-wounded country, children's homes had done an invaluable job. 'Right now, we do not have any subsidy from government and people insult [accuse] us of being thieves [using funds meant for] children which is not true. Most the homes are operating without funds and we are serving humanity by giving hope to destitute and orphan children.'" [5] (p1)

Lesbian, Gay and Transgender Persons

- 6.67 Both male and female homosexuality is illegal. There are no known reports of it being widely tolerated by society, or of there being a homosexual culture in Liberia. [12a] (p 1-4) [12b] (p 1-4)

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6.C HUMAN RIGHTS – OTHER ISSUES

REFUGEES AND INTERNALLY DISPLACED PERSONS (IDPs)

- 6.68 The US State Department's Report on Human Rights Practices (USSD) covering 2005 stated:

"The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided some protection against refoulement, the return of persons to a country where they feared persecution, and granted refugee status or asylum. The government generally cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers. The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and 1967 protocol.

"Unlike in previous years, there were no reports that refugees ... were subjected to abuse, primarily by former government and rebel combatants who had reorganized as gangs." [2a] (Section 2d)

- 6.69 USSD 2005 noted:

"Relief agencies estimated that as of December [2005], approximately 272 thousand IDPs had returned home since the end of the war, and approximately 54 thousand were awaiting repatriation in camps, settlements, and communities throughout the country. Conditions at most IDP camps were fair, but food, sanitation, and security were sometimes inadequate. During the year [2005] the government worked with international organizations to return IDPs to their homes and planned to resettle 15 thousand to 20 thousand IDPs per month. However, road conditions, elections, and intermittent funding gaps temporarily

halted the return process and angered thousands of IDPs who planned to return home before the elections. Some IDPs chose to stay in camps because conditions were better than in the communities from which they came, while others remained to see whether peace would be sustained after the elections. Unlike in the previous year, there were no reports that former government and rebel combatants subjected IDP populations to rape, battery, arbitrary arrest, extortion, and theft. However, there were reports of rape in IDP camps, primarily committed by other IDPs or members of the surrounding community.

“Approximately 190 thousand refugees from the country remained in neighboring countries, primarily in Sierra Leone, Guinea, Cote d'Ivoire, and Ghana. During the year [2005] UNHCR assisted the repatriation of approximately 35 thousand refugees, and another 30 thousand refugees returned to the country without assistance.” [2a] (Section 2d)

- 6.70 The UNHCR, in its Global Appeal 2006 – Liberia, reflected that during 2005, the Liberian authorities and other bodies had assisted in addressing the needs of refugees, IDPs and returning Liberian nationals. [15c] (p 188-193) However, significant problems remained, and these were also outlined in the report:

“In spite of peacekeeping efforts law and order remains fragile, as the Government has not yet been able to firmly re-establish its presence and authority throughout the country. The Government has not yet fully assumed its coordination and leadership role countrywide, and there are concerns about the sustainability of the reconstruction effort.

“The availability of basic services in main areas of return remains limited and so far there few police or other law-enforcement mechanisms to back up traditional community service structures.

“The very poor roads, requiring major rehabilitation, have been a major obstacle to the repatriation operations. UNMIL plays a major role in road repairs, but it intends to upgrade the road network only as much as is required to facilitate the deployment of its forces. Resources available to humanitarian agencies for infrastructure rehabilitation are often limited, and long-term infrastructure development programmes are not yet in place.” [15c] (p189)

For further information see section [Transport](#).

- 6.71 The same UNHCR report noted that, as of January 2006, it planned for the following numbers for the main refugees communities in Liberia: 12,600 Ivorians and 2,240 Sierra Leoneans. [15c] (p188) The report stated:

“Although the repatriation operation for Sierra Leonean refugees ended in July 2004, the Government of Liberia will continue to extend its hospitality to the more than 2,200 remaining refugees in the country until a cessation clause is invoked. Only legal assistance is foreseen for this group in 2006.” [15c] (p191)

- 6.72 The report added:

“Over 12,000 Ivorian refugees live in Nimba and Grand Gedeh Counties. The unstable political situation prevailing in Côte d'Ivoire is likely to inhibit the voluntary repatriation of Ivorian refugees in 2006, and UNHCR plans to maintain its assistance throughout the year [2005].” [15c] (p191)

- 6.73 The UNHCR, in its position paper of 3 August 2005 on Liberian asylum seekers, noted:

“As a result of these positive developments, UNHCR started in October 2004 to facilitate the voluntary repatriation of Liberian refugees to those counties which were declared ‘safe’ by the National Security Assessment Committee for Resettlement, as well as providing assistance to IDPs wishing to return to those counties. With the continuing improvement of the security situation, in January 2005, the last counties were declared ‘safe’ for return. By 17 July 2005, roughly 28,000 Liberian refugees voluntarily repatriated with the assistance of UNHCR, mostly from Sierra Leone, Guinea, Ghana and Nigeria, while in addition, over 100,000 refugees returned spontaneously. Moreover, as of 9 July 2005, some 190,000 IDPs returned to their areas of origin, since November 2004. UNHCR is endeavouring to provide assistance to all returnees, despite many constraints, including the lack of basic infrastructure in most of the areas of return and insufficient resources, mostly financial.

“Notwithstanding the positive developments described above, the overall security situation still remains a concern. Although UNMIL has deployed throughout the entire country, the position of the Transitional Government is very weak as it is slowly regaining control of the country. The Government still has no army, which needs to be re-established, as there are several groups of militias and paramilitaries. In addition, many State apparatus, notably law enforcement mechanisms, including the police, remain virtually non-existent. The judicial system is yet to be fully rehabilitated, and the overall rule of law remains to be entirely re-established. As a result, there remain areas in Liberia, such as in Nimba County where security incidents still occur intermittently.”
[15c] (p 1-2)

- 6.74 The UNHCR, in its Global Appeal 2006 – Liberia stated:

“It is expected that in 2006 conditions in Liberia will continue to allow for returnees and IDPs to resettle in their communities of origin. While most IDPs will already have returned to their places of origin, it is expected that some 101,000 refugees will return from neighbouring countries in 2006 with assistance from UNHCR.” [15c] (p191)

- 6.75 In a report dated 2 February 2006, the UNHCR noted:

“Since the relocation of IDPs started in November 2004, UNHCR has assisted over 282,000 of 314,000 IDPs to return to their places of origin. In coordination with other UN agencies, UNHCR provides protection, non-food items and a cash grant to travel back to their home districts.” [15d] (p3)

- 6.76 The UNHCR, in a press briefing dated 17 February 2006, stated:

“The positive changes that have been taking place in Liberia have prompted a UNHCR policy shift in which we will now actively promote voluntary repatriation for the estimated 160,000 Liberian refugees still outside their homeland. Until now, UNHCR has ‘facilitated’ voluntary return, but we were not actively promoting it.

“The election of President Ellen Johnson-Sirleaf in November [2005] was a milestone in a process of democratisation and stabilisation that started in Liberia more than two years ago. The new president has appealed to all Liberian refugees to come home, saying she sees their return and reintegration as a priority for her government. We agree.

“Some 200,000 Liberian refugees have already gone home since former ruler Charles Taylor fled the country in August 2003. Of those, almost 50,000 came back with the help of UNHCR’s voluntary repatriation programme, which began in October 2004. In total, more than half of the estimated 340,000 refugees registered in countries of asylum at the end of 2003 are now home.

“Refugees continue to return to Liberia at an average of some 250 a day. Upon arrival, they receive assistance packages consisting of household goods, allowance for travel within the country, free education and health care in the areas of return, as well as free access to communal structures and amenities built or rehabilitated with UNHCR funds. Our staff in Liberia are satisfied that return and reintegration are taking place within the required standards of safety and dignity.

“The decision to move from ‘facilitation’ to ‘promotion’ of voluntary repatriation for the estimated 160,000 Liberian refugees remaining in five main countries of asylum (Côte d'Ivoire, Ghana, Guinea, Nigeria and Sierra Leone) was taken by High Commissioner for Refugees António Guterres after a careful review of conditions in Liberia. After more than a quarter of a century of misrule, much still remains to be done to rebuild the country. But already there has been considerable progress, notably in the areas of disarmament, security and human rights. Overall, the conditions are in place for refugees to return in their country in safety and dignity.

“In practice, ‘promotion’ means that UNHCR will not only help transport refugees who wish to return, but will also actually advocate for their return. There will be more information campaigns to update the refugees on conditions in their homeland. Refugees will be offered opportunities to visit Liberia to see the situation for themselves. Visits by prominent Liberians to refugee settlements will also be organized.” [15e]

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UNHCR POSITION REGARDING THE RETURN OF REJECTED ASYLUM SEEKERS

6.77 The UNHCR, in its position paper of 3 August 2005, outlined its position regarding the return of rejected asylum seekers:

“Taking into consideration the developments in Liberia, and the decreasing number of Liberians seeking asylum for the time being, it is no longer warranted to advise that all Liberian asylum-seekers should be granted refugee status on a prima facie basis. However, in appreciation of the fragile security situation and ongoing human rights violations in Liberia, it is recommended that possible asylum requests of Liberian nationals should be treated as follows:

- “i Liberian asylum-seekers in Africa should undergo individual refugee status determination in line with the relevant provisions of the 1951 Convention and its 1967 related Protocol, as well as Article I (2) of the 1969 OAU [Organization of African Unity] Convention Governing the Specific Aspects of Refugee Problems in Africa, as applicable.
- “ii Liberian asylum-seekers outside Africa should undergo individual refugee status determination, in line with the relevant provisions of the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees. Given the possible continuing violations of international human rights and humanitarian law, particularly through the targeting of civilians by possible uncontrolled still armed elements (on ethnic and/or political grounds), some Liberians may qualify as refugees under the 1951 Convention/1967 Protocol relating to the Status of Refugees. Those not recognised as refugees should continue to be favourably considered for complementary forms of protection.
- “iii In the process of refugee status determination, due attention should be paid to possible grounds for exclusion, in accordance with Article 1 F of the 1951 Convention, and/or Article I.5 of the 1969 OAU Convention, as the case might be.
- “iv Considering that the situation remains precarious, a moratorium on forced returns of rejected asylum-seekers to Liberia is still warranted.” [15b] (p4)

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UNITED NATIONS

- 6.78 The Foreign and Commonwealth Office (FCO), in its Country Profile on Liberia dated May 2005, noted that Liberia is referred to under Security Council Resolution 1343 (2001):

“The UN Security Council imposed sanctions against Liberia in 2001, under UNSCR 1343, in response to President Taylor’s support for the RUF [Revolutionary United Front] in Sierra Leone. The sanctions comprised an arms embargo, a ban on the trade of rough diamonds and the timber trade, and a travel ban for certain named individuals. On 12 March 2004 the Security Council adopted UNSCR 1532, which imposed an assets freeze against Charles Taylor, his close family and associates to prevent them using misappropriated funds to undermine peace and stability in Liberia. Successive Panels of Experts have monitored the implementation and enforcement of these sanctions.” [3] (p4)

- 6.79 Some Liberians and foreign nationals are subject to a travel ban, because of their involvement with the RUF, or in UN proscribed activities within Liberia. This is referred to in UN Security Council Resolution 1343 (2001) dated 7 March 2001, and Security Council Resolution 1521 (2003) dated 22 December 2003. [16a] (p 4-5) [16c] (p3)
- 6.80 Under Resolution 1509 (2003) dated 19 September 2003, a United Nations Mission in Liberia (UNMIL) was sanctioned for a period of 12 months. [16b] (p3)

The Economist Intelligence Unit (EIU), in its Country Report of December 2005, noted:

“The UN Security Council voted in September [2005] to extend UNMIL’s mandate by six months, to the end of March 2006. The UN secretary-general, Kofi Annan, had requested a year-long extension, but this was rejected, probably because of the cost of the operation, which, at US\$760m per year, is one of the most expensive UN peacekeeping missions. The UN Security Council also called for the schedule for UNMIL’s withdrawal to be mapped out by early next year. However, the extension to March 2006 only allows for the peacekeeping forces to provide security for the first three months of the new government’s tenure. Although Liberia’s elections passed off reasonably peacefully, considerable security issues remain and the state is still politically fragile. The rebuilding of the country’s armed forces has not yet begun, because the previous force has not yet been fully retired (a precondition for restructuring), owing to a lack of funding. A private US security company, Dyncorps, will oversee the recruitment and training of the new army, but this is only expected to start in January 2006. ... It therefore appears that Liberia’s security forces will not be in a strong position to take over from UNMIL if it starts to withdraw in March 2006. The UN has previously extended the mandates of its missions in West Africa, often by six months at a time, and given that there is a fairly strong international commitment to ensuring that peace continues in Liberia, there is a strong likelihood that UNMIL’s mandate will be extended again by at least six months.” [4b](p14) [16d]

6.81 UNMIL stated that as of 31 January 2006 its deployment consisted of :

“16,065 total uniformed personnel, including 14,832 troops and 205 military observers; 1,028 police supported by 549 international civilian personnel, 844 local staff and 242 United Nations Volunteers” [8] (p2)

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HUMANITARIAN SITUATION

6.82 The Foreign and Commonwealth Office (FCO), in its Country Profile on Liberia dated 9 May 2005, stated:

“Decades of mismanagement and conflict have made Liberia one of the world’s poorest countries. The civil war left thousands of people brutalised and traumatised and hundreds of thousands of people were displaced. It left a generation of Liberians with no education and few skills to use in peace time. The state, its institutions, its security forces, its education and health services all have to be rebuilt from scratch. A Donors Conference was held in February 2004. It committed some US\$500 million for reconstruction. But disbursement has been slow because of worries over continued corruption and financial mismanagement.” [3] (p3)

6.83 The United Nations Integrated Regional Information Networks (IRIN), in a report of 20 February 2006, noted:

“Battered Liberia emerged from 14 years of brutal civil war in 2003 to begin a mammoth reconstruction programme under UN supervision. Two years on, Monrovia is still without electricity and running water and blackened buildings in the seafront capital bear the scars of mortar shelling, bullets and years of neglect.” [5h] (p1)

- 6.84 The Economist Intelligence Unit (EIU), in its Country Profile of November 2005, reported:

“All petroleum is imported, and periodic foreign-exchange shortages have resulted in disruption to supplies. The Liberian Petroleum Refinery Corporation (LPRC) liberalised the import of petroleum products in late 2003 and granted import licences to five companies, Aminata, Sirmex, LibAfric, Monrovia Oil Trading Company and Mobil Liberia. About 38% of imported oil is used in diesel electricity generators, with most domestic energy requirements met by other sources, mainly wood and charcoal.” [4a] (p 19-20)

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Annex A: Chronology of Major Events

- 1847** Constitution modelled on that of the US is drawn up. In July, Liberia becomes independent.
- 1917** Liberia declares war on Germany, giving the Allies a base in West Africa.
- 1926** Firestone Tyre and Rubber Company opens rubber plantation on land granted by Government. Rubber production becomes backbone of economy.
- 1936** Forced-labour practices abolished.
- 1943** William Tubman elected president.
- 1944** Government declares war on the Axis powers.
- 1951 May** Women and indigenous property owners vote in the presidential election for the first time.
- 1958** Racial discrimination outlawed.
- 1971** Tubman die and is succeeded by William Tolbert Jr.
- 1974** Government accept aid from the Soviet Union for the first time.
- 1978** Liberia signs a trade agreement with the European Economic Community.
- 1979** More than 40 people are killed in riots following a proposed increase in the price of rice.
- 1980** Master Sergeant Samuel Doe stages a military coup. Tolbert and 13 of his aides are publicly executed. A People's Redemption Council headed by Doe suspends Constitution and assumes full powers.
- 1984** Doe's regime allows the return of political parties following pressure from the United States and other creditors.
- 1985** Doe wins presidential election.
- 1989** National Patriotic Front of Liberia (NPFL) led by Charles Taylor began an uprising against the Government.
- 1990** Economic Community of West African States (Ecowas) despatched a peacekeeping force. Doe is executed by a splinter group of the NPFL.
- 1991** ECOWAS and the NPFL agree to disarm and set up an Interim Government of National Unity.
- 1992** The NPFL launches an all-out assault on West African peacekeepers in Monrovia; the latter respond by bombing NPFL positions outside the capital and pushing the NPFL back into the countryside.

- 1993** Warring factions devise a plan for a National Transitional Government and a ceasefire, but this fails to materialise and fighting resumes.
- 1994** Warring factions agree a timetable for disarmament and the setting up of a joint Council of State.
- 1995** Peace agreement signed.
- 1996 April** Factional fighting resumes and spreads to Monrovia.
- 1996 August** West African peacekeepers start a disarmament programme, clear landmines and reopen roads, allowing refugees to return.
- 1997 July** Presidential and legislative elections held. Charles Taylor wins by a landslide and his National Patriotic Party wins a majority in the National Assembly. International observers declare the elections free and fair.
- 1999 January** Ghana and Nigeria accuse Liberia of supporting Revolutionary United Front rebels in Sierra Leone. Britain and the US threaten to suspend aid to Liberia.
- 1999 April** Rebel forces thought to have come from Guinea attack town of Voinjama. Fighting displaces more than 25,000 people.
- 1999 September** Guinea accuse Liberian forces of entering its territory and attacking border villages.
- 2000 September** Liberian forces launch 'massive offensive' against rebels in the north. Liberia accuses Guinean troops of shelling border villages.
- 2001 May** UN Security Council reimpose arms embargo to punish Taylor for trading weapons for diamonds with rebels in Sierra Leone.
- 2002 January** More than 50,000 Liberians and Sierra Leonean refugees flee fighting. In February Taylor declares a state of emergency.
- 2003 March** - Rebels advance to within 10km of Monrovia.
- 2003 June** Talks in Ghana aim at ending rebellion overshadowed by indictment which accuses President Taylor of war crimes over his alleged backing of rebels in Sierra Leone.
- 2003 July** Fighting intensifies; rebels battle for control of Monrovia. Several hundred people killed. West African regional group ECOWAS agrees to provide peacekeepers.
- 2003 August** Nigerian peacekeepers arrive. Charles Taylor leaves Liberia after handing power to his deputy, Moses Blah. US troops arrive. Interim government and rebels sign peace accord in Ghana. Gyude Bryant chosen to head interim administration.
- 2003 September/October** US forces pull out. UN launches major peacekeeping mission, deploying thousands of troops.

2004 February International donors pledge more than \$500m in reconstruction aid.

2004 October Riots in Monrovia leave 16 people dead; the UN says former combatants were behind the violence.

2005 June UN extends a ban on Liberian diamond exports a source of funding for the civil war and urged Liberia to freeze Charles Taylor's assets.

2005 September Liberia sign an agreement under which the international community will supervise the state's finances in an effort to counter corruption.

2005 November Ellen Johnson-Sirleaf proclaimed the winner of presidential elections, becoming the first woman to be elected as an African head of state.

2006 January Ellen Johnson-Sirleaf sworn in as Liberia's and Africa's first female president on 16 January 2006.

Sources [7b] [5f]

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Annex B: Maps



Maps of Liberia are available from the following websites:

United Nations Cartographic Section,
<http://www.un.org/Depts/Cartographic/english/htmain.htm>

Date accessed 25 April 2006.

NB a general map and a map relating to UNMIL is also accessible from this site.

Reliefweb

<http://www.reliefweb.int/rw/rwb.nsf/doc404?OpenForm&rc=1&cc=lbr>

Date accessed 25 April 2006.

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Annex C: Political Organisations

All Liberian Coalition Party (ALCOP)

Founded 1997 from elements of the former armed faction of Alhaji G V Kromah, the United Liberation Movement for Liberia for Democracy: Chair: David Kortie. [1] (Political Organizations)

Coalition for the Transformation of Liberia (COTOL)

Founded 2005; its leader Harry Varney Gboto-Nambi Sherman. A coalition of Liberian Action Party (LAP), leader Gyude Bryant, Chairman of the National Transitional Government of Liberia (NTGL)/ Liberian Unification Party (LUP) leader Laveli Supuwood/ People's Democratic Party of Liberia (PDPL)/ leader Fiyah Gbolie/ True Whig Party (TWP) Leader Rudolph Sherman. [1] (Political Organisations) (Recent History)

Congress for Democratic Change

Founded 2004; its leader is George Manneh Weah who was runner-up in the 2005 elections. [1] (Political Organisations) [5f]

Liberians United for Reconciliation and Democracy (LURD)

A group led by Sekou Damate Conneh that was opposed to former President Taylor. In August 2003, LURD signed a peace agreement with the Liberian Government. [1] (Recent History)

Movement for Democracy in Liberia (MODEL)

A group led by Thomas Nimely Yaya that was opposed to former President Taylor. In August 2003, MODEL signed a peace agreement with the Liberian Government. [1] (Recent History)

National Democratic Party of Liberia (NDPL)

Founded 1997 from the former armed faction the Liberia Peace Council; leader Winston A Tubman. [1] (Political Organisations)

National Patriotic Front of Liberia (NPFL)

Formed in 1989, it began the civil war under the leadership of Charles Taylor, with an invasion into Nimba county that led to its control of large parts of Liberia. It acquired largely Gio and Mano support. Between 1990 and 1994, it controlled much of Liberian territory, but ceased to be active in January 1997. In 1990, a substantial faction of the NPFL split from Taylor, forming the Independent National Patriotic Front of Liberia, but this group collapsed in 1992. [1] (Recent History)

National Patriotic Party (NPP)

Was led by Charles Taylor. Founded 1997 from the former armed faction the National Patriotic Front of Liberia; won the majority of seats in legislative elections in July 1997. Leader Roland Chris Yarkpah Massaquoi. [1] (Political Organisations) (Recent History)

National Transitional Government of Liberia (NTGL)

In August 2003, a power-sharing National Transitional Government and a 76-member unicameral legislature, the National Transitional Legislative Assembly, replaced the previous organs of government on 14 October 2003 for a two-year period, after which a democratically elected administration was to be established. The National Transitional Government was officially inaugurated on 23 March 2004. [1] (Recent History)

Progressive Democratic Party (PDP)

Founded early 2005, by members of former rebel movement, Liberians United for Reconciliation and Democracy; leader Sekou Damate Conneh. [1] (**Political Organisations**)

United Liberation Movement for Democracy in Liberia (ULIMO)

Formed in 1991, by supporters of the late President Samuel Doe and members of the Liberian army. Split into two factions in 1994: ULIMO-J and ULIMO-K. Both factions of ULIMO would appear to have fully disbanded prior to the election in 1997. [1] (**Recent History**)

United Liberation Movement for Democracy in Liberia-Johnson (ULIMO-J)

A faction of the original ULIMO, led by Roosevelt Johnson. In early 1996, ULIMO-J officials announced Johnson's deposition, resulting in a further split between Johnson's supporters and those loyal to the new leadership. [1] (**Recent History**)

United Liberation Movement for Democracy in Liberia-Kromah (ULIMO-K)

A faction of the original ULIMO, led by Alhaji G V Kromah since 1994. Ceased to be active in January 1997. [1] (**Recent History**)

United Nations Mission In Liberia (UNMIL)

In September 2003, the United Nations Security Council passed Resolution 1509 authorising a 15,000 strong peacekeeping force to provide security in Liberia. UNMIL began to deploy on 1 October 2003. UNMIL has a broad and robust mandate covering peacekeeping, criminal justice, human rights, child protection, 'Disarmament, Demobilisation and Reintegration' (DDR), and public information. [1] (**Recent History**) [16b]

Unity Party (UP)

Ellen Johnson-Sirleaf, its leader, was sworn in as President in January 2006. [1] (**Political Organisations**) [5f]

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Annex D: Prominent People

BRYANT Gyude

Chairman of the National Transitional Government of Liberia (NTGL). A 55-year-old businessman and member of the Liberia Action Party (LAP), Mr Bryant is also a leader of the Episcopal church. A member of the Grebo ethnic group of southern Liberia, which remained relatively neutral during the civil war, Mr Bryant graduated in economics from Cuttington University College. [4a] (p14)

BRUMSKINE Charles

As a veteran politician, he has built up a large group of core supporters both locally and among the diaspora. He has lived abroad in recent years following his departure from the Taylor government in the late 1990s. [4a] (p14)

DOE Samuel Kanyon

Former Non-Commissioned Officer in the Armed Forces of Liberia. Led coup against Tolbert Government in 1980 and assumed power as leader of the PRC (People's Redemption Council). Executed in September 1990, by a splinter group of the NPFL, the Independent National Patriotic Front of Liberia. [1] (Recent History)

JOHNSON Gen. Roosevelt

Commander of Krahn ULIMO-J (United Liberation Movement for Democracy in Liberia-Johnson) faction, since it split from the original ULIMO in 1994. He was replaced as leader in February 1996. [1] (Recent History)

JOHNSON-SIRLEAF Ellen

A distinguished national politician and former UN official, who came second to Charles Taylor in the 1997 presidential election. Although she contributed to the peace process as chairman of the Governance Reform Commission, she openly supported Mr Taylor in the early 1990s war, for which she made a public apology after local critics raised the issue. She successfully contested the October and November 2005 elections and was elected president, after a second round run-off against George Weah. She is Africa's first female president, and took office on 16 January 2006. [4a] (p14) [5f]

TAYLOR Charles Ghankay

Ex-president and creator of the former ruling National Patriotic Party (NPP). He led an invasion force in late 1989, which resulted in internecine fighting until elections were held in 1997, which he won. He ruled with an authoritarian zeal, but a new civil war flared up, which ultimately forced him out of office in August 2003. There is growing international pressure to have him tried for war crimes in Sierra Leone. [4a] (p14)

TIPOTEH Togba Nah

Leader of the Liberian People's Party (LPP). A former university professor and minister of planning, Mr Tipoteh is an influential opposition figure. The only major political opposition leader remaining in the country, and critical of government policies, he is disdained by NPP stalwarts but respected by many Liberians. [4a] (p14)

WEAH George

A popular and heroic figure, given his status as one of the most successful African footballers in Europe and his bankrolling of the national football team. In view of his popularity he automatically became a front-runner in the 2005 presidential race, particularly as he is untainted by any involvement in the long years of conflict and

exploitation. He was runner-up in the 2005 elections. [4a] (p14) [5f]

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ANNEX E: List of abbreviations

AI	Amnesty International
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CIVPOL	International Civilian Policing
CPJ	Committee to Protect Journalists
EBRD	European Bank for Reconstruction and Development
EU	European Union
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organisation for Migration
MSF	Médecins sans Frontières
NA	Northern Alliance
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organization
NTGL	National Transitional Government of Liberia
OCHA	Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights
ODPR	Office for Displaced Persons and Refugees
OECD	Organization of Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Cooperation in Europe
STD	Sexually Transmitted Disease
STC	Save The Children
TB	Tuberculosis
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMIL	UN Mission in Liberia
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organisation

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