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Roving attaché mission to Monrovia, Liberia

7- 13 June 1998

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1. Introduction

1.1. Background to the mission

During Liberia's seven-year civil war (December 1989 to February 1997) a number of Liberian asylum seekers came to Denmark. The Danish immigration authorities found it difficult to deal with those asylum cases, partly as conditions in Liberia were hard to assess in view of the changing situation in the country and partly because it proved hard to obtain any information at all for use in considering asylum cases. The end of the war and the clarification of the political situation with the elections held in July 1997 may be assumed to have brought a change in the conditions giving grounds for asylum for Liberian asylum seekers generally.

With this in mind, the Danish Immigration Service decided to conduct a roving attaché mission to Liberia. The mission was carried out from 7 to 13 June 1998 by Immigration Service representatives.

The mission received assistance from the UNHCR's Liberia office in Monrovia. The UNHCR selected and arranged a series of meetings with relevant organisations and authorities in Monrovia. To those contacts were added along the way others which the delegation found during its visit to be relevant. The UNHCR also provided most of the delegation's transport during its stay in Monrovia as well as briefing the delegation on conditions in the country generally and in Monrovia in particular. Upon completing its mission, the delegation briefed the UNHCR on how the mission had gone.

The delegation met representatives of state authorities, the UN, international non-governmental organisations (INGOs) and human rights organisations in Monrovia.

The delegation was well received everywhere and at no time did it require guards for its protection. All interviews were held in English, there being no call to use an interpreter. It should be noted that

none of the delegation's sources asked to remain anonymous. However, two out of four INGO representatives requested that their names not be made public.

It should be pointed out that the delegation's assignment was merely to visit Monrovia. Some of the information in this report therefore relates only to conditions in Monrovia. It must be emphasised, however, that the report also contains a range of information applicable to Liberia as a whole.

1.2. Purpose of the mission

The purpose of the trip was to carry out specified inquiries and preliminary inquiries as follows: try as far as possible to clarify the following points:

- identify and make contact with sources that can be used on an ongoing basis in obtaining information for use in dealing with asylum cases;
- carry out a preliminary inquiry in preparation for any subsequent fact-finding mission to Liberia;
 1. entry conditions for rejected Liberian asylum seekers, including scope for settling safely in Monrovia and in Liberia generally;
 2. the security situation in Monrovia;
 3. the political and human rights situation in Monrovia and in Liberia generally;
 4. the ethnic and religious situation in Monrovia;
 5. the general humanitarian situation in Monrovia;
 6. possible reasons for seeking asylum.

2. General political and humanitarian situation in Liberia

2.1. Background

In 1822 the American Colonisation Society, working for the repatriation to Africa of African slaves freed in the USA, persuaded the US government to purchase a tract of land near Cape Montserrado in western Africa. This paved the way for Liberia, a land of liberty for freed slaves. Liberia was given a constitution like that of the USA. In 1824 Monrovia was founded, named after US President James Monroe. A total of over 20 000 freed slaves settled in Liberia over the period from 1822 to 1892. Those former slaves and their relatives, the Americo-Liberians, founded the Liberian state in 1847 and soon became a politically dominant force, ruling the country on their own with their True Whigs Party up until 1980. Liberia's indigenous peoples remained disenfranchised until 1980, when tension between the Americo-Liberians and the country's original population ultimately resulted in a bloody coup. President William R. Tolbert was murdered and the armed forces installed Sergeant Samuel Doe as the new president. He abolished the country's 133-year old constitution and the indigenous population generally gained greater political influence, but as time went by President Doe strongly favoured his own ethnic group, the Krahn people.

Samuel Doe's regime, however, turned out to be just as autocratic and repressive as previous regimes, being in fact even more brutal in its suppression of political opposition. The uprising by the National Patriotic Front of Liberia (NPFL), led by Charles Taylor, therefore met with great expectations, especially among the Gio and Mano peoples in Nimba County. The NPFL sparked off Liberia's civil war on 24 December 1989 with an incursion into eastern Liberia from Côte d'Ivoire for the purpose of wresting power from President Samuel Doe.

As had Samuel Doe since 1980, the NPFL exploited race as a way of mobilising support. That "ethnic ploy" prompted the Liberian army, the Armed Forces of Liberia (AFL), to perpetrate a spate of very bloody atrocities against the Gio and Mano peoples, among others, as a result of their support for the NPFL. The NPFL replied with indiscriminate slaughter of Krahn, Mandingo and other peoples suspected of supporting Samuel Doe's government. Race had previously not been a significant factor in Liberian politics, but became one to some extent during the civil war.

As the NPFL fought its way towards the capital, Monrovia, in June 1990, looting and ethnic disturbances increasingly took hold of the country. In the wake of the very fierce fighting, thousands of Liberians fled across the border into neighbouring countries. The Economic Community of West African States (ECOWAS) dispatched a multinational peace-keeping force to Liberia. The force, known as the ECOWAS Cease-Fire Monitoring Group (ECOMOG), was dominated by Nigerian troops, whose military leaders maintained close links with President Doe. ECOMOG's first objective was to secure Monrovia against the NPFL advance. Nevertheless, in September 1990 Doe was captured, tortured and murdered by an NPFL breakaway faction, the Independent National Patriotic Front of Liberia (INPFL), led by Prince Johnson.

For a number of years a state of tension then reigned in Liberia, with Monrovia under the authority of various interim civilian transitional governments, protected by ECOMOG. The remainder of the country was controlled by the NPFL or other factions formed in the course of the civil war. Among the main factions, mention may be made of the United Liberation Movement for Democracy in

Liberia (ULIMO), backed by Sierra Leone as a result of Taylor's support for the Revolutionary United Front (RUF) rebel group in Sierra Leone. The ULIMO later split into two: the Mandingo-dominated ULIMO-K, led by Alhaji G.V. Kromah, and the Krahn-dominated ULIMO-J, led by Roosevelt Johnson. The Liberian Peace Council (LPC), led by George Boley, was a Krahn-dominated faction operating in the south-east of Liberia.

The most recent serious hostilities took place in Monrovia in April 1996, when the transitional government wanted to have the leader of the ULIMO-J, Roosevelt Johnson, arrested for murder. Attempts by the NPFL and the ULIMO-K to arrest Johnson led to the fiercest clashes in Monrovia since 1990. The fighting was mainly between the NPFL and ULIMO-K, on one side, and the ULIMO-J, AFL and LPC, on the other. ECOMOG completely lost control of the situation. At the same time Roosevelt Johnson managed to slip out of Liberia in the confusion. ECOWAS then tried to get the peace process under way again. This resulted in the latest peace agreement, known as the Abuja agreement, at the ECOWAS summit in Abuja, Nigeria, on 17 August 1996.

The civil war took a huge toll in human suffering. According to the US State Department's Liberia Country Report on Human Rights Practices for 1997 (US 1997), out of a population of 2,8 million, the seven-year civil war left about 200 000 dead, about 750 000 refugees in neighbouring countries and at least 1,2 million internally displaced.

2.2. Present political situation

The Abuja agreement of 17 August 1996 laid the foundations for Liberia's latest peace process. The agreement set a new timetable for elections to be held and militias disarmed and demobilised. A new transitional government was also established, headed by Ruth Perry, a former senator.

The elections, both presidential and parliamentary, were held a few months behind schedule, on 19 July 1997. With 13 parties running in them, they passed off peacefully. The former leader of the NPFL rebel army, Charles Taylor, and his new party, the National Patriotic Party (NPP), won a landslide victory with a full 75,3% of the votes. The next largest party was Ellen Sirleaf-Johnson's Unity Party (UP) with 9,6%. The elections were monitored by international electoral observers and subsequently gained international recognition. The elections gave Charles Taylor an absolute majority in both houses of the Liberian parliament (Human Rights Watch/Africa, *Liberia Emerging from Destruction, Human Rights Challenges Facing the New Liberian Government*, Vol. 9, No 7(A), November 1997 (HRW/A 1997), pp. 12 and 13).

President Charles Taylor was officially installed on 2 August 1997 and established a government with national reconciliation as its declared prime objective. That government straight away set about expanding its authority in Liberia and completely rebuilding the legal system and police force.

In the light of this, the UN withdrew its observer corps, the United Nations Observer Mission in Liberia (UNOMIL), from the country and the international embargo on Liberia was lifted except for the arms embargo. UNOMIL was replaced by a new unit, the United Nations Peace-Building Support Office in Liberia (UNOL), its purpose being to support and monitor peaceful reconstruction in Liberia (Final Report of the Secretary-General on the United Nations Observer Mission in Liberia, S/1997/712 of 12 September 1997). Liberia's economy and infrastructure have been

completely shattered by the civil war and the country is receiving international aid for its reconstruction.

Liberia's political stability, however, remains very fragile. Following Taylor's landslide victory, political opposition from the other political parties which contested the elections is very feeble. Only the United Party puts up any civilian political opposition. Taylor's former opponents, the faction leaders Alhaji Kromah, George Boley and Roosevelt Johnson, have apparently been politically sidelined. However, the delegation was given the impression by various sources that it is too soon as yet to write them off for the future. The extent to which the new opposition may be allowed to carry on its activities in future is uncertain.

There have been no reports of any serious human rights violations during and immediately after the elections. However, the unstable situation is brought out by the reported killing on 29 November 1997 of a prominent political opponent and former ally of President Taylor, Samuel S. Dokie, allegedly by members of Taylor's Special Security Service (SSS) (United Nations Office for the Coordination of Humanitarian Affairs, Integrated Regional Information Network for West Africa (IRIN-WA), Weekly Round-Up 25/97, 5 December 1997, and Human Rights Review, Vol. 2, No 2, 6 to 12 April 1998).

According to Felix Downes-Thomas, Special Representative of the Secretary-General for Liberia/Head of the United Nations Peace-Building Support Office in Liberia (UNOL), developments as regards legal safeguards, the general security situation, demobilisation and reconciliation as well as the pace of economic reconstruction are crucial factors for Liberia's future political stability.

There is a further threat to Liberia's stability to be seen in developments in neighbouring Sierra Leone, where ECOMOG remains locked in conflict with the deposed junta and the RUF. In several cases fighting has taken place on both sides of the border and one of the officially disbanded military factions in Liberia, the ULIMO-K, is rumoured to be operating in Sierra Leone (see S/1997/712 and IRIN-WA Update 94/97).

The conflict in Sierra Leone has unleashed large influxes of refugees into Liberia. According to the UNHCR, 44 000 refugees from Sierra Leone have come to a camp at Vaihun in Liberia, near the border with Sierra Leone, within the last three months.

2.3. Refugee situation

The fact that almost half of Liberia's population are still refugees in neighbouring countries or internally displaced within Liberia has a powerful bearing on the humanitarian situation in Liberia at present.

According to the Liberia Refugee Repatriation and Resettlement Commission (LRRRC), there are 266 000 registered internal refugees in Liberia, 157 000 of them registered at camps in and around Monrovia. Some 19 000 are estimated to be squatting unregistered in unoccupied buildings or ruins in Monrovia. In addition there are around 700 000 living far away from their original homeplaces. The UNOPS and the LRRRC explained that they have just carried out a joint pilot project under

which about 50 000 internal refugees from camps in Montserrado and around Monrovia were resettled in their home areas. See also Annex 9 with regard to that pilot project.

According to the Briefing Kit on Liberia from the UNHCR Branch Office in Liberia, March 1998, there are about 480 000 registered Liberian refugees in neighbouring countries. According to the LRRRC, with unregistered refugees added in, there remain around 800 000 refugees in neighbouring countries. According to the UNHCR, 48 378 Liberian refugees have voluntarily returned from neighbouring countries with UNHCR assistance since July 1997. See also Annex 8.

There are thus still a considerable number of refugees and internally displaced persons who have not as yet had any wish, or any opportunity, to return to their home areas.

2.4. Food situation

The UNHCR representative in Liberia, E.O. Camara, explained that there is no famine anywhere in Liberia. However, he could not rule out the possibility of cases of malnutrition in some limited areas. At the same time he pointed out that people in rural areas are in many instances able to supplement their daily diet with naturally occurring resources, such as root vegetables, fruit and game, where normal resources and foodstuffs are in short supply. Overall he concluded that there is a clearer trend for food supplies to stabilise than the reverse. Moreover, the key to stable food supplies in Liberia, in his view, was for the population to cultivate the land, which in turn requires peace in the country.

2.5. Health and education

Health conditions are marked by deplorable sanitation and a lack of clean water, giving rise to a number of health problems. Cholera epidemics often break out (IRIN-WA Update 231, 17 June 1998). According to Johan P. Buwalda, Project Manager at the United Nations Office for Project Services (UNOPS), the UNOPS is working, under resettlement programmes, on renovation of schools and health clinics, water projects, latrines, reconstruction of roads and bridges, and assistance for returnees in cultivating the land.

Elizabeth Boyenneh, President of the Association of Female Lawyers of Liberia (AFELL), believed that about 40% of all school-age children actually attend school in Monrovia. She pointed out, however, that a very large number of children can be considered street children.

3. Monrovia

3.1. Geography

Liberia is a relatively small country, in African terms, covering an area of 97 754 km². Before the civil war, its population is estimated to have numbered around 2,8 million. About half a million of them lived in the capital, Monrovia. According to the UNHCR, there are currently getting on for 900 000 people living in Monrovia, particularly as a result of the many internal refugees who have settled in the capital and its environs.

Liberia is subdivided into the following 13 counties: Lofa, Grand Cape Mount, Bong, Nimba, Grand Bassa, River Cess, Sinoe, Grand Gedeh, Maryland, Montserrado, Bomi, Margibi and Grand Kru. See the map of Liberia in Annex 6.

There are 16 ethnic groups, the largest being the Kpelle in Bong County, the Bassa around Buchanan and the Gio in Nimba County. Those three groups together make up around one third of Liberia's population. The Kru and the Vai constitute other important ethnic groups. Descendants of the freed slaves from the USA are known as Americo-Liberians and form only a fairly small proportion of the population. Ethnic groups heard of in connection with the civil war are the Krahn in Grand Gedeh and Sinoe Counties and the Loma and Mandingo in Lofa County.

Liberia's infrastructure and economy were largely destroyed during the civil war. Agricultural production, for instance, is believed to stand at far below its pre-war level. Liberia's economy is extensively based on exports of commodities such as iron ore, timber and rubber. The country also contains significant diamond and gold deposits. During the war, diamond smuggling and timber exports formed an important source of revenue for various rebel movements. The bulk of the population live from farming, but the country was obliged to import large quantities of foodstuffs even before the civil war (Utrikespolitiska Institutet [Swedish Institute of International Affairs], Liberia, Sierra Leone, Stockholm, 1996, pp. 16 to 18).

3.2. The capital during the civil war

As the capital, Monrovia formed the prime target for Taylor's rebel NPFL. During the seven-year civil war, Monrovia mainly found itself under a kind of siege, with ECOMOG almost the only source of protection for the capital. However, Monrovia did not escape extensive destruction and atrocious human rights violations, although hostilities primarily centred on just a few major incidents.

The NPFL launched an assault on Monrovia in June 1990. The fighting was very fierce and the civilian population bore the full brunt of atrocities, with many buildings also being destroyed at the same time. Human rights violations included rape, torture and murder. Most of Monrovia's population of just under 500 000 fled the city as a result of that fighting. ECOMOG forces reached Monrovia on 24 August 1990. ECOMOG managed to dislodge the NPFL from the city. However, the NPFL retained control of the rest of Liberia (Carver 1996 and AI 1995).

In October 1992 the NPFL again attacked Monrovia, but was repelled by the combined forces of ECOMOG, the AFL and the ULIMO.

The latest and most serious breakdown in security in Monrovia occurred in April 1996, when the NPFL together with the ULIMO-K attempted to arrest the ULIMO-J leader, Roosevelt Johnson. This led to fierce fighting between the NPFL and ULIMO-K, on one side, and the ULIMO-J, AFL and LPC, on the other. ECOMOG completely lost control of the situation. However, ECOWAS managed to broker a cease-fire on 26 May 1996. During the six weeks' fighting in Monrovia, 3 000 people were killed and over half of the 1,3 million living in Monrovia fled the city.

For Monrovia, the conflict resulted in businesses, government buildings, banks, hotels and many private homes being looted and burnt down. Government institutions were virtually annihilated. Many houses were burnt down and still stand empty. Electricity supplies to the capital were cut and the port of Monrovia has been closed for lengthy periods.

3.3. *Monrovia today*

Monrovia is now a lively, relatively peaceful city, with small traders everywhere to be seen. The city shows signs of some reconstruction, including the resurfacing of its main roads. There is a great deal of traffic, with the city's many yellow taxis especially conspicuous. However, there is still no central electricity supply. It is thus only the most affluent as well as hotels, restaurants, public offices and various organisations that can afford generators. A number of the ministries are now located in new buildings. The university has been reopened and Monrovia's John F. Kennedy Hospital is in operation to some extent.

There remains a nighttime curfew in Monrovia from 2 a.m. to 5 a.m. According to Star Radio on 18 May, President Taylor has announced that the curfew is to be lifted on the 151st anniversary of Liberia's independence.

Another feature of the city is the many internal refugees squatting in unoccupied or burnt out buildings as well as more makeshift types of shelter.

See the plan of Monrovia in Annex 7.

4. Security situation

The security situation in Monrovia and in the rest of Liberia hinges crucially on two factors: the presence of the West African ECOMOG forces, on the one hand, and the country's armed forces and police together with President Taylor's own security forces, on the other. Most sources also pointed out that the lack of assistance for the country's demobilised soldiers and the holding of arms by many ex-combatants pose a grave threat to stability, security and peace. In general, sources seriously feared that the Taylor government would be unable to prevent a deterioration in the security situation or an outright resurgence of civil war, should ECOMOG withdraw its forces from Liberia.

John Hare, Operations Manager for the Save the Children Fund (SCF) in Liberia, made it clear that, should ECOMOG pull out of Liberia, he himself would also leave the country straight away for security reasons, despite having been living in Liberia for the last five years. He regarded ECOMOG's presence as the ultimate guarantor of peace in the country under present circumstances.

At the same time, John Hare emphasised that the situation generally in Liberia has improved significantly since the summer of 1997. He pointed out here that there are clear signs of Liberia once again attracting foreign investment. The Firestone Plantation Company has returned and he thought that Liberia's important rubber industry would quickly expand. The EU is also consolidating and extending its operations in Liberia. He saw these facts as a clear indication of renewed confidence in the future and as reflecting a distinct improvement in the security situation.

The UNHCR representative in Liberia, E.O. Camara, also took the view that there had been a considerable improvement in security in Liberia. He reported that it is now possible to travel throughout the country and the UN has offices and projects in many places in the regions, including the Lofa region, a relatively unsafe part of Liberia, and in the somewhat troubled areas bordering on Guinea in the north and Sierra Leone in the west. E.O. Camara, who has represented the UNHCR in Liberia since September 1997, emphasised that during his time there the UNHCR has never found itself under armed attack with firearms. Such attacks as had taken place had been with machetes and of lesser severity. At the same time, however, he pointed out that the World Food Programme (WFP) has suffered some armed attacks, although this may be related to poor food supplies.

Felix Downes-Thomas, Special Representative of the Secretary-General for Liberia/Head of the UN Peace-Building Support Office, took the view that the security situation in Liberia cannot by any means be considered highly fragile. He pointed to two key factors:

- (1) there has been a significant decrease in crime, especially serious crimes such as murder and armed robbery;
- (2) under the circumstances, the police force operates quite well.

He made the point that there are still deficiencies and problems in the police force, for instance a shortage of technical equipment and both inadequate and inappropriate police training. He pointed out that the police must be trained not as soldiers but as police officers. However, such problems and deficiencies are due not to any reluctance on the authorities' part but to the country's serious

shortage of financial resources. Sporadic instances of abuses by the police may therefore be encountered.

4.1. Demobilisation

According to Pascal Karorero, Deputy Resident Representative (Programme) for the United Nations Development Programme (UNDP) in Liberia, the country's future security is heavily dependent upon more extensive assistance for the many demobilised ex-combatants and soldiers in the country. He explained that no actual demobilisation programme has ever been carried out in Liberia. From 25 November 1996 until 7 February 1997 combatants were extensively demobilised in the country, with all those who handed in their arms receiving a demobilisation pack of one month's food supplies as well as a "demobilisation card" showing them to have been demobilised and thus to be ex-combatants. ECOMOG was responsible for carrying out that demobilisation. The fairly short duration of the project and the lack of follow-up to demobilisation in the form of an aid programme for ex-servicemen has, according to the source, given rise to widespread disillusionment among demobilised soldiers, who are in many cases responsible for armed robberies.

The Taylor government has been unwilling to introduce special follow-up schemes for demobilised soldiers. Karorero explained that the authorities fear resentment among the public, should aid measures be introduced for demobilised soldiers, who would thus receive aid not enjoyed by any other sector of the population.

John Hare, of the SCF, considered demobilisation in Liberia very inadequate. He estimated that only about 40% of all arms were surrendered to ECOMOG upon demobilisation. As to where the rest of those arms are being held he could only hazard a guess, but they are most likely to be still in the hands of some ex-combatants, who may thus pose a threat to the country's security. He had also noticed that the army have received brand new arms, which he thought something of a mystery, since the international arms embargo on Liberia remains in force.

John Hare still saw a risk of rebel leaders abroad taking it into their heads to return to Liberia with the aim of launching an armed uprising against the government. There is in that case a danger of dissatisfied government troops or ex-combatants supporting such an uprising and taking part alongside the rebels in looting and other abuses. On the other hand, he was certain that President Taylor's security apparatus is effective enough to uncover any attempt in Liberia to instigate an organised armed uprising against the government.

John Hare also denied that there are no job-creation schemes for demobilised soldiers. He pointed to a large number of road-building projects, among others, in Liberia, supported by various non-governmental organisations (NGOs) and the European Union (EU). Demobilised soldiers are indeed employed on those road-building projects. He believed that on EU road-building projects alone demobilised soldiers made up 95% of the work force.

The UNHCR representative in Liberia, E.O. Camara, took the view that a very large proportion of Liberia's male population below the age of 25 "have blood on their hands" as a result of fighting during the civil war. He thought it unlikely, however, that the authorities would attempt to punish those guilty of atrocities and crimes against humanity during the war. However, he could not rule

out the possibility of anyone known to have committed crimes against Taylor's supporters during the war risking harassment or serious ill-treatment by the authorities or pro-Taylor elements.

4.2. Police and armed forces

According to the Justice and Peace Commission (JPC), policemen also played an active part in the civil war. This took the form of members of the warring factions in the civil war being admitted to the police force without any prior police training. They then acted during the civil war as representatives of their respective factions and thus put their own factional interests above their duty to uphold law and order. In its Situation Report on Liberia for the period August 1997 to January 1998 (attached as Annex 1), page 4 (p. 43 below), the JPC explains that the Taylor government's refusal to implement police reform, whereby recruitment would show an ethnic and geographical balance and ensure professionalism and discipline, prompted the USA to withdraw its support for police training in Liberia.

This information was confirmed by the UNHCR Senior Protection Officer in Liberia, Yacoub Ali el Hillo, who reported that many countries have criticised the Taylor government for its unwillingness to improve police recruitment. He added that the USA withdrew its support for police training in the autumn of 1997 and is instead supporting the establishment of a properly functioning legal system.

According to the JPC, the Liberian army, known as the Armed Forces of Liberia (AFL), was dominated by Krahn members during the civil war. This meant that large sections of the army acted in their own tribal interests, being responsible for some of the worst human rights violations during the conflict. The Abuja peace agreement of August 1996 therefore contained a number of provisions on the restructuring of the army. Responsibility for such restructuring was assigned to ECOMOG but, following the elections held in July 1997, the Taylor government refused to allow ECOMOG to carry out the restructuring. The government gave as its reason for this that the Abuja agreement had ceased to apply now that the country had a lawfully elected government.

The government therefore made a start on its own restructuring of the army and about 2 000 soldiers were dismissed in the autumn of 1997. In place of those dismissed, according to the JPC, the government recruited various ex-combatants from Taylor's former rebel movement, the NPFL. The JPC reported that in the winter of 1997/1998 about 90% of all senior posts in the army were held by former NPFL fighters. That one-sided recruitment was strongly deplored by the JPC. It feared that the ex-combatants might prove criminals and would launch a witch-hunt against former opponents.

Felix Downes-Thomas saw the army's ethnic lopsidedness as a problem. He explained that, before the civil war, the army was dominated by ex-President Doe's Krahn members. The international community is demanding that the army should now be neutral and non-ethnic in nature. He could see two possible ways of meeting that demand:

- (1) either expand the army so as to allow other ethnic groups to be represented;
- (2) or limit the size of the army and reduce the number of Krahn soldiers.

According to the source, the Liberian government would either way find itself in a serious dilemma, facing criticism from abroad, if expanding the army, for sabre rattling or, in the second case, for being anti-Krahn.

4.3. Ethnic conflicts

Liberia's civil war cannot be reduced to a conflict between the country's ethnic groups. On the other hand, the civil war has to some extent been dominated by ethnic factors and by alliances between certain groups. That is to say that some of the armed rebel groups drew their support from particular population groups, while other groups supported the former Doe dictatorship.

Ex-President Doe belonged to the Krahn community, who were therefore generally regarded by many Liberians as Doe supporters. Camara explained that there are many Krahn refugees in Côte d'Ivoire, which already has a sizeable Krahn population of its own. He was able to report, however, that Krahn refugees in Côte d'Ivoire have now begun voluntarily returning from there to Liberia. This at first came as a surprise to the UNHCR, which had imagined that the Krahn refugees would not return home until much later.

Camara added that the UNHCR has only limited knowledge of any conflicts between the country's ethnic groups. He could well imagine, however, that members of the Americo-Liberian community might conceivably face harassment or abuses in Monrovia. Up until Samuel Doe's military coup in 1980, Americo-Liberians formed Liberia's dominant political and economic community. They are often regarded by other Liberians as some kind of "intruders", having taken over the coastal parts of the country from the indigenous population. The Americo-Liberians live mainly in the coastal areas and make up between 3% and 5% of Liberia's population.

Apart from the Mandingo, a mainly Muslim, nomadic trading people, the inhabitants of Loma County in north-western Liberia also include the Loma people. The relative insecurity of the Lofa region is due in particular to historically rooted, recurrent clashes between the Mandingo and the area's settled population, not least members of the Loma people, whose religion is a mixture of Christian and animist philosophy (animists believe that everything has a soul, even inanimate objects). The Mandingo are a people who have traditionally avoided involvement in Liberian politics, but during the civil war they began playing an active part in the war, possibly in response to abuses by the NPFL rebel group. The Mandingo organised themselves into the Mandingo-dominated ULIMO faction led by Alhaji Kromah. The movement, known as the ULIMO-K, engaged in armed fighting with the other ULIMO faction, the Christian and Krahn-supported ULIMO-J, led by Roosevelt Johnson.

4.4. Religious conflicts

Religious discrimination is prohibited by law in Liberia. Elizabeth Boyenneh, President of the Association of Female Lawyers of Liberia (AFELL), reported there also in practice to be full religious freedom in Liberia.

Downes-Thomas confirmed this, adding that the recent burning down of mosques in Lofa County and elsewhere, frequented in particular by the Mandingo community, is not sanctioned by the

government. He explained that sections of the press report the incidents as if the government is behind them or at any rate approves of them. He regretted this, pointing out that the government has in actual fact spoken out against the arson attacks and already arrested some of the suspects.

This was borne out by sections of the press in Monrovia. For instance, the newspaper *The Inquirer* reported on 11 June 1998 that President Taylor has repeatedly condemned such arson attacks on mosques in Lofa and Nimba Counties. *The Inquirer* quotes Taylor as having said: "I don't want to be a President of a nation where there is religious crisis". The newspaper added that President Taylor has held several meetings with representatives of the Muslim community in Monrovia and that he has deeply deplored the incidents and instructed the Liberian police to trace and arrest those involved in arson attacks on mosques. In response to the arson attacks, Muslims in Monrovia held a demonstration in which, besides shutting their own businesses, they also demanded that the government react swiftly and arrest the suspects. It should be noted that quite a large proportion of Monrovia's commercial life is Mandingo-dominated.

The arson attacks on mosques and homes in Lofa and Nimba Counties are more of an ethnic dispute between various groups than a religious conflict. The background to the dispute, according to Liberia Humanitarian Situation Report No 4, April 1998 (OCHA 4/1998), is resentment among the Loma people in Lofa County that the Mandingo people have begun returning to their previous homeplaces in the county. The conflict between the Mandingo and the Loma is historically rooted in the Loma people's suspicion of the Mandingo, who are not regarded as "proper" Liberian citizens.

Downes-Thomas explained that there are also Mandingo to be found in Sierra Leone and Guinea. During the civil war, many Mandingo members fled to Sierra Leone and Guinea, only returning after the end of the war. Many of the Mandingo have thus lost property in Liberia and the only visible sign left was the mosques. That was why mosques were targeted in the Loma and Gio peoples' attacks on the Mandingo. He confirmed that both the Gio and the Loma see the Mandingo as a foreign element in Liberia and not as citizens of the country. However, he considered these to be passing problems which would soon disappear.

5. Human rights situation

In his inauguration speech on 2 August 1997, President Taylor stated that the government would set up a National Human Rights Commission (NHRC) to ensure that all government bodies respected human rights. On 27 October 1997 President Taylor signed into law legislation designed to establish the NHRC. A Human Rights Committee (HRC) was appointed back in the autumn for the purposes of organising and administering the NHRC.

The UNHCR Senior Protection Officer, Yacoub Ali el Hillo, explained that the NHRC established by the government exists only in theory and not in practice, since the government does not seem to take the body's duties seriously. According to el Hillo, this might be a tactical ploy by the government, having in the past stated that it would set up a Human Rights Commission. In Liberia, 1998 Programme and Budget, Voluntary Repatriation and Reintegration of Liberian Refugees, April 1998, p. 4, however, the UNHCR reports that: "The creation of a National Reconciliation Commission and a National Human Rights Commission are encouraging signs ...".

The NHRC legislation has been criticised by the JPC, which maintains that it was signed into law by the President without any public hearing as to its content. President Taylor then appointed a five-member committee to take responsibility for the day-to-day running of the NHRC. The committee included the JPC's Director, Samuel Kofi Woods. He turned down the appointment, partly on the grounds that the work of the Human Rights Commission was restricted by the legislation establishing it. In its Situation Report on Liberia for the period August 1997 to January 1998 (see Annex 1), p. 11 (p. 50 below), the JPC states that the NHRC is non-functional. The Commission has no office and no replacement has been found for Kofi Woods. In that report the JPC adds that, according to the NHRC's Chairman, the NHRC has not yet received any funds for its administration and day-to-day running.

Elizabeth Boyenneh, of the AFELL, generally took the view that the human rights situation in Liberia has improved since the 1997 elections. She pointed out here that there have never been any arrests of human rights activists in Monrovia.

There are a number of instances of police responsibility for brutality against civilians in Liberia. El Hillo was able to inform the delegation that, shortly before its arrival in Monrovia, a member of the government-appointed National Human Rights Commission (NHRC) had been pounced upon and flogged by the police in public on the streets of Monrovia. This reportedly occurred with Monrovia's head of police looking on.

The JPC human rights organisation has recorded abuses committed by the police and security service against alleged criminals and opposition members. The JPC issues a six-monthly report on the human rights situation in Liberia. The report, giving details of such abuses, is attached as Annex 1.

5.1. Reasons for asylum and particularly vulnerable groups

The UNHCR representative, E.O. Camara, pointed out that virtually all of the leaders who actively fought against Taylor's forces during the civil war have left Liberia. He also could not rule out the

possibility that prominent opponents of Taylor in the civil war might possibly be in danger of persecution by the present authorities. This applied to both former armed opposition leaders and prominent business people. It was considered an important prerequisite, however, for such people to be known to those around President Taylor.

The UNHCR Senior Protection Officer, Yacoub Ali el Hillo, pointed out that there are vulnerable ethnic groups, especially members of the Krahn people, often regarded as supporters of ex-President Doe, himself a Krahn. The Leader of the ULIMO-J rebel movement, Roosevelt Johnson is also a Krahn.

The leader of the other ULIMO faction, ULIMO-K, Alhaji Kromah, was a Mandingo. President Taylor is known to be suspicious of the Mandingo people, regarded by him and many others as an alien element in Liberia. Their behaviour as a nomadic trading people and their frequent movements across national borders in the region and lengthy stays in neighbouring countries lead many people to see them as some kind of foreigners in Liberia. El Hillo made the point that there is currently a widely held belief among non-Muslim Liberians that the Mandingo are all Muslims, which is not true. The Mandingo are particularly vulnerable to maliciousness, harassment and brutality, especially in rural areas and to a lesser extent in Monrovia.

According to el Hillo, the civil war has generally contributed to heightening tension between the country's ethnic groups in comparison with the pre-war situation. It is thus evident that Mandingo and Krahn members are viewed with misgivings among other ethnic groups and by some of those in authority, being regarded at times as some kind of traitors. Having said that, however, he made the point that Monrovia, as the capital, houses representatives of all of Liberia's ethnic groups, without any open conflict between ethnic groups in the city, or between religious groups such as Muslims and Christians either.

El Hillo put forward three groups of reasons for seeking asylum that he considered serious:

- the first group concerns those described by him as "high-ranking officials with links to one of the opposing factions who fought against the NPFL and Taylor especially";
- the second group relates to events after the civil war. He thought that those who voiced criticism of Taylor during the election campaign in the summer of 1997 and by their words exposed Taylor as a war criminal might be at risk. A number of such opposition members in actual fact left Liberia after the end of the elections. In general, el Hillo could not rule out the possibility that activists working for political leaders who stood against Taylor might be in danger of abuses at the hands of the present authorities;
- the third group concerns ethnic and religious reasons for seeking asylum. He referred, for instance, to Liberia's Muslims. Many Muslims do not feel that the state is able or willing to protect them against abuses by other Liberians. He thus considered that there may be legal grounds for asylum, with ethnic and religious tension in the country on the increase. The National Reconciliation Commission is inoperative, not being provided with the requisite financial resources. A similar situation is also faced by the National Human Rights Commission, established by the government in the autumn of 1997.

Helen Moore, a coordinator for international non-governmental organisations (INGOs), took the view that the Mandingo community in Monrovia did not face any kind of persecution, but members of the Krahn community might not feel safe in the city.

Benedict F. Sannoh, Executive Director of the Centre for Law and Human Rights Education (CLHRE), said that there are at present people who dare not return to Liberia. It is hard to take cover among the crowd, as Liberia is a small community where "everyone knows everyone". He pointed out that there may, for instance, be people of some prominence who have problems with the authorities in Liberia, e.g. former employees of the Samuel Doe administration and Krahn members who fought against President Taylor. The source added that there is also widespread fear among many Krahn members living abroad. He instanced Krahn members invited to attend a conference on Liberia in Chicago, in the USA, staying away out of fear for their safety. That fear was reportedly based on reports of President Taylor feeling insecure in his present position and his disagreement with Johnson having sparked off rumours that Johnson plans to return home to Liberia in order to organise an armed struggle against Taylor.

Benedict F. Sannoh made the point, however, that it is not only the government and other authorities that can pose a threat to certain people's safety, but private individuals may also possibly have an interest in persecuting political opponents.

Those who committed crimes against humanity during the civil war may have reason to fear returning to Liberia, according to Benedict F. Sannoh. He considered the reconciliation process far from sufficiently advanced for them not to risk being held to account for their actions, either by relatives or acquaintances of the victims or by the authorities.

The Director of the Justice and Peace Commission (JPC), Samuel Kofi Woods, and its Legal Aid Officer, James N. Verdier, both believed there to be a number of concrete reasons why Liberians may seek asylum abroad. They referred to the JPC's Situation Report on Liberia for the period August 1997 to January 1998, which includes information that the police and security service have in a number of cases committed offences against alleged criminals and prominent opposition leaders (see Annex 1, p. 5 (p. 44 below) et seq.).

5.2. Alternative of internal resettlement within Liberia

El Hillo, of the UNHCR, considered use of the internal resettlement alternative problematic in Liberia. This is in particular due to Liberia being a small and relatively open society, in which any abuses by the government and the state may be very hard to avoid. The UNHCR would therefore not recommend rejecting asylum applications on the grounds that applicants can settle elsewhere in their home country.

5.3. Legal safeguards and the authorities' ability and willingness to afford protection

El Hillo, of the UNHCR, considered Liberia's legal system virtually to have collapsed as a result of the civil war. There is a widespread shortage of lawyers and judges. It does not at present pay to be a judge or a lawyer. Their earnings are very low and many lawyers therefore seek a move to the private business sector. He added that Liberia's Supreme Court lacks the

resources to perform its work and it is clear that the government does not attach any great priority to the legal system and legal safeguards. Chief Justice Gloria Scott was said by several sources to enjoy considerable respect and credibility and it was strongly regretted that she did not receive the necessary resources. El Hillo reported that Scott has tried to implement a number of projects to ensure legal safeguards, but this has proved almost impossible.

Benedict F. Sannoh, of the CLHRE, himself a lawyer, took the view that the formal fabric of the legal system is operative in Liberia. He pointed out, however, that judges are appointed by the President and the Senate. He would like to see the National Bar Association (NBA) instead appoint the country's judges. On the scope for appealing against a judgment, he explained that under the constitution an appeal is available in all criminal cases and this does work in practice. He also considered that in criminal cases there would normally be the certainty of a fair trial.

E.O. Camara thought the authorities' ability to enforce the law not very great. This also applied to Monrovia. He pointed out, however, that there are, on the other hand, a number of legally trained judges and lawyers who, in spite of difficult conditions, still set great store by legal safeguards and try to operate accordingly.

E.O. Camara added that the government has no plans to establish any kind of truth commission with a view to promoting reconciliation in the country. He said that some donor countries were disappointed at this and made the point that the UN has not taken any steps to support the establishment of such a commission.

Benedict F. Sannoh noted that the authorities do not have the resources to protect people from various kinds of abuses. However, he could well imagine that some prominent figures are able to obtain the authorities' protection, whereas the general public could not expect to do so. Moreover, many people would be likely not to seek the authorities' protection so as not to draw attention to themselves. This was confirmed by the JPC.

Benedict F. Sannoh reported that he has personally helped secure the release of people unlawfully detained. He added, however, that this did not prevent those same people from risking rearrest.

According to Benedict F. Sannoh, corruption and hence inadequate legal safeguards stem from Liberia's poor economic situation. He therefore regarded the very low pay for public servants as posing a real threat to legal safeguards and security in Liberia. A judge earns about US \$20 a month, while a family of four or five needs at least US \$150 a month for just the most elementary necessities. All public servants are therefore, in the source's view, forced to eke out their income by other means, which is why corruption is so rife. This was confirmed by Elizabeth Boyenneh. She pointed out that low police pay inevitably makes the force corrupt. Sannoh put a policeman's monthly pay at about US \$10. Boyenneh deplored the fact that most of the police force was made up of ex-combatants, many of them NPFL members. Ethnic factors thus come to have a bearing on legal safeguards for the individual. She also pointed to a number of examples of the police having made arbitrary arrests and beaten up detainees. There are instances of armed robbers having been gunned down out of hand by the police, allegedly while attempting to escape.

El Hillo pointed out that people who feel in danger of or have suffered abuses would not as a rule seek the authorities' protection, but would rather turn to one of Monrovia's human rights organisations. Where a human rights organisation advises them to go and see the police, however,

the advice is usually rejected by the victims themselves, apparently for fear of the police. He added that it is important to realise that the mere fact of the state authorities doing nothing about, say, abuses and conflicts between ethnic groups, for instance, may leave one community exposed to others, thereby lending legitimacy to the abuses.

Downes-Thomas confirmed that many victims of abuses attempt to resolve their problems outside the legal system. He also regretted, as he put it, "a heavy focus on human rights. Any opposition focuses on that issue and this is perhaps questionable, since the abuses do not centre on ordinary people, but more on opposition political leaders".

5.3.1. Legal safeguards for women

Elizabeth Boyenneh explained that the AFELL works to promote women's rights in Liberia and assist women in need of legal advice. In her view, Liberia's legal system has considerable shortcomings, not least as far as women are concerned.

The AFELL has long been working for women generally to be entitled to inherit a dead husband's property. This is not at present the case for women married under customary law. There are two legal ways of getting married in Liberia: customary marriage and civil marriage. However, there is a crucial distinction between the two types of marriage in that civil marriage entitles the wife to inherit following her husband's death, with the result that customary marriage discriminates against women. She emphasised that customary law is not only applied in rural areas, but also widely in Monrovia. The AFELL has worked hard for the adoption of proposed legislation ensuring uniform treatment of wives, regardless of their type of marriage. The legislation has not been passed yet, but there is now a committee working to secure a parliamentary majority for it. According to the source, the issue is openly discussed in Monrovia among the general public. She pointed out that critics of the proposed legislation often argue that the AFELL and its other backers have their sights set on abolition of polygamy in Liberia, which she categorically denied.

Boyenneh made the point that women do not as a rule report ill-treatment in the form of sexual abuse and rape. She emphasised that sexual assault on women is a major problem in Liberia, including Monrovia. Such attacks represent a great disgrace for the victim's family as well as for the victim herself and most victims will therefore try to conceal the incident. Many victims also fear that, if they report sexual assault, they risk reprisals by the assailant.

James N. Verdier, Legal Aid Officer for the JPC, pointed out that the JPC has not received many reports of rape cases. He explained that since January 1998 the JPC has only dealt with one rape case. On the other hand, that offence was a very serious one, taking place in Monrovia's Central Prison. A woman prisoner was there repeatedly raped by male prisoners, in the presence of prison warders.

Verdier was, lastly, able to report that the JPC has an agreement with the Ministry of Justice, allowing the JPC to inspect Monrovia's Central Prison twice a week.

5.4. Freedom of association and political freedom

There are a number of human rights organisations in Liberia. The vast majority of them are only present in Monrovia, but there are no apparent restrictions of any kind on the operations of such organisations. The delegation met a number of the organisations and none of them claimed to be restricted in their action or in publicly reporting human rights violations in Liberia. Elizabeth Boyenneh, for instance, stated that there have been no arrests of human rights activists under the present regime. Another human rights organisation, the Centre for Law and Human Rights Education, publishes a weekly newspaper, *Human Rights Review*, which has reported freely on human rights problems and violations and on political issues in Liberia. The JPC pointed out, however, that its members have faced various kinds of harassment by the police.

According to Elizabeth Boyenneh, there are no political prisoners currently being held in Liberia and the police characteristically show no interest in political activities generally.

Helen Moore, a coordinator for international non-governmental organisations (INGOs), reported that two people had just been deported from Monrovia, and this might have been politically motivated. The deportation took place shortly before the delegation's arrival in Monrovia. The two deportees were arrested only the day before being deported. According to the source, the reasons for the deportation were uncertain, but those concerned may have had links with prominent opponents of President Taylor. However, she also pointed out that the deportees were rumoured, on the other hand, to have been involved in illegal arms imports into Liberia, with the arms being destined for sectors of the opposition.

Helen Moore went on to report rumours of a police "death list" in Monrovia. She emphasised, however, that there is no clear pattern to the abuses and killings observed in Liberia, some of them put down to the police. She pointed lastly to a considerable difference between police behaviour in Monrovia and out in the countryside. There are a number of examples of the police in Monrovia being responsible for harassment of members of the political opposition.

Benedict F. Sannoh explained that political freedom is a constitutionally enshrined right. However, it is not the right to such freedom which poses a problem. The problem is rather that the many minor parties which contested the 1997 elections are currently in dire financial straits and a number of those parties do not have any real party ideology or even a party manifesto. They are as a rule founded upon the political and/or economic interests of individuals rather than on social interests. These factors impede open political debate in Liberia and pose a threat to democracy.

Benedict F. Sannoh and several other sources pointed out, however, that the fact that such a large majority of the electorate voted for Taylor in the 1997 elections is due to many

Liberians fearing that there would otherwise be a risk of a rebel leader like Taylor, if spurned, again taking up arms to win power in the country.

5.5. Freedom of movement

Elizabeth Boyenneh explained that there are basically no restrictions on freedom of movement in Liberia, but an exit visa is required in order to leave the country. However, she reported many

instances of the police in Monrovia and elsewhere stopping motorists and demanding a sum of money from them. This often occurs for no reason at all and without motorists having committed any kind of offence. Owing to low police pay of US \$3 to 10 a month, parts of the police force are corrupt and it is common knowledge that policemen attempt to top up their pay by this unlawful means.

The weekly *Human Rights Review*, published by the Centre for Law and Human Rights Education, a human rights organisation, under the editorial responsibility of its Executive Director, Benedict F. Sannoh, reported in its issue for 9 to 15 June 1998, Vol. 2, No 9, pp. 1 and 5, that government security checkpoints on Liberia's highways restrict free movement in the country, going on to observe:

"If the social contract theory under which people surrender a portion of their rights to the government in return for the protection of their lives and properties is to have any meaning in Liberia, government has got to instil in its security forces a sense of civil responsibility. The Monrovia-Buchanan, Kakata-Gbarnga highways, among others, have again come to be like the days of war when numerous checkpoints were manned by individuals who acted in the fashion of *every man is his own government* ... On several occasions, especially at night, highway security personnel chase vehicles plying these highways only to cross in front of them to demand a few dollars as a way of allowing the travellers to continue their journeys."

Downes-Thomas, like Elizabeth Boyenneh, considered there to be freedom of movement in Liberia and, as regards safety in this connection, it was his personal belief there is greater freedom and safety of movement in Monrovia than in, say, New York City.

5.6. Freedom of expression

Benedict F. Sannoh explained that freedom of the press is constitutionally enshrined in Liberia and, in his view, the country does have a genuinely free press. Downes-Thomas confirmed this and considered Liberia's press freedom one of the most extensive in the whole of western Africa, making the point that "the press can write what it likes". He thus thought it a gross exaggeration to say that press freedom is throttled by the government, as claimed by some journalists and human rights campaigners. Downes-Thomas made it clear that he could not understand why anyone should claim the press to be subjugated in Liberia.

According to Sannoh, there are about a dozen newspapers in Monrovia, including the weekly *Human Rights Review* published by the Centre for Law and Human Rights Education. There is just one distinctly pro-government newspaper, *The Patriot*. Other newspaper titles mentioned by Sannoh included *The New National*, *The Inquirer*, *National Chronicle*, *The News*, *The Heritage* and *New Democrat*. Further titles found on the newsstands are *Daily Times*, *The Independent Eye* and *The Post*.

Sannoh explained that many of the above newspapers were founded by current opposition politicians, but a number of papers are entirely independent. Newspapers have a circulation of about 2 000 to 3 000. However, it is rare for newspapers to deal seriously with human rights issues. He regretted that many of the newspapers are run merely as commercial businesses, dishing up whatever stories will sell.

There are also a number of radio stations in Liberia. *Radio Star* is regarded by Sannoh as a more highbrow broadcaster, not merely run as a commercial business. *Radio Kiss*, *Radio Hope*, *Radio Liberty*, *Radio Veritas* and other stations are purely commercial operations, considered more lowbrow by Sannoh. He reported that Monrovia has a total of six or seven radio stations.

Benedict F. Sannoh explained that, despite freedom of the press, there have occasionally been problems for some journalists and editors. He said that some members of the government do not respect the country's press freedom. There are examples of pressmen having been briefly detained, never for more than a day or two and mostly for less. The reason for such arrests has usually been supposedly untrue stories appearing in the press. There are no instances of other abuses by the authorities. The source regretted, however, that some newspapers and journalists seemed blithely unaware of their responsibility and ran untrue stories just because there was money to be made from them.

Elizabeth Boyenneh could confirm Sannoh's information that arrested journalists were all released after a fairly short while in detention.

James N. Verdier reported that journalists have been arrested and subjected to degrading treatment and outright violence by the police. In all instances the JPC intervened in the cases and managed to secure the release of the journalists in question. The source added that the JPC and the Press Union of Liberia (PUL) have concluded a Memorandum of Understanding, dated 17 April 1998. In it the JPC and the PUL agree that the JPC will represent the press in all cases vis-à-vis the authorities and provide PUL members with free legal assistance. The Memorandum of Understanding is attached as Annex 2. Verdier stated that, following it, there has been a considerable improvement in conditions for journalists in Liberia, with no instances of journalists being arrested for quite some while. He pointed out that, over a fairly short period up to February 1998, a total of seven journalists had been arrested, having written stories apparently embarrassing to the government. They were all released and problems for journalists have since been minimal.

However, James N. Verdier still thought the government to be trying to place obstacles in the way of the press and its freedom. He pointed out here that it costs a great deal, up to as much as about LRD (Liberian dollars) 15 000, or US \$375, to have a newspaper registered. In his view, a registration fee of that size represents a real attempt by the government to curb freedom of the press.

The delegation bought several days' newspapers in Monrovia and they all cost LRD 20, or US \$0,25, each. The papers all displayed open unbiased journalism and most of them printed letters to the editor, containing critical comments on the political issues of the day.

5.7. Human rights organisations in Monrovia

There are currently a number of human rights organisations in Monrovia. The delegation had a chance to meet representatives of four of them: the Justice and Peace Commission (JPC), the Movement for the Defence of Human Rights (MODHAR), the Association of Female Lawyers of Liberia (AFELL) and the Centre for Law and Human Rights Education. Some of the human rights organisations have organised themselves into an umbrella body, the National Human Rights Centre of Liberia (see Annex 3).

6. Rebuilding of state institutions

The many years of civil war resulted in the almost complete collapse of the Liberian state and of all state institutions, without exception. The rebuilding of Liberia's state institutions is vital if the state is to ensure the security of its population. This applies not least to the rebuilding of the legal system, the police and the armed forces.

According to Benedict F. Sannoh, the legal system has basically been re-established. In the UNOL's view, the police force has, under the circumstances, been re-established relatively quickly and effectively. However, the police lack modern equipment, have a very limited budget and do not receive the right training. The restructuring of the Liberian army, the AFL, remains the greatest challenge still to be faced. ECOMOG is currently still the prime military force and the only one stationed in and around Monrovia.

Benedict F. Sannoh considered the state institutions potentially corrupt. This is due to very low pay. According to the UNOL, corruption is therefore a necessity in order to eke out the very low earnings of state institutions' staff. Corruption is thus all-pervasive in the state.

It should be noted that Liberia's present constitution is broadly the same as the constitution promulgated by Samuel Doe's government on 6 January 1986.

6.1. *Ministry of Justice and legal system*

According to the report by Human Rights Watch/Africa, *Liberia Emerging from the Destruction* (HRW/A 1997, p. 23), responsibility for legal safeguards in Liberia lies with the Liberian Ministry of Justice. That Ministry thus has responsibility for the administration of the courts, the police (the National Police Force (NPF)) and the prisons.

According to Benedict F. Sannoh, the Liberian constitution forms the basis for the operation of the legal system. The constitution stipulates the separation of state powers between an executive, a legislature and a judiciary. Executive authority is vested in Liberia's President, who acts as commander in chief of the Liberian army, the AFL. Legislative authority rests with the bicameral National Assembly, comprising the Senate and the House of Representatives (see *Africa South of the Sahara*, 1998, p. 611).

According to Benedict F. Sannoh, the fabric of the legal system has basically been re-established. The highest tier of the Liberian legal system consists of the Supreme Court. It has five members: a Chief Justice and four Associate Justices. Below the Supreme Court come the circuit courts, for Liberia's 13 counties. Under them are magistrates' courts and lastly justices' courts (see HRW/A 1997, p. 23).

There are also traditional courts, dealing in particular with customary law. Rulings by those courts may be appealed against to courts in the ordinary legal system (HRW/A 1997, p. 23). According to Benedict F. Sannoh, everyone in Liberia has a constitutionally enshrined right to appeal against judicial rulings to a higher court.

Benedict F. Sannoh reported the situation at present to be that the President nominates judges for the Supreme Court, while the Senate has to approve them. The National Bar Association (NBA) had wanted judges to be appointed by the NBA, which would further strengthen the Supreme Court and ensure separation of the legal system from government.

The government does not provide any legal aid. According to Kofi Woods, of the JPC, the government lacks the necessary commitment, nor does it have sufficient resources, to provide members of the public with legal aid.

According to Benedict F. Sannoh, Liberia does have capital punishment.

6.2. Police

The Liberian police are known as the National Police Force (NPF). The NPF comes under the Ministry of Justice. There are a number of different police units in Liberia, including the traffic police and the immigration authorities (Bureau of Immigration and Naturalisation (BIN)). The various police units are recognisable by their uniforms.

According to Kofi Woods, of the JPC, there are currently police units to be found throughout the country. The police are at present unarmed. Several of the sources interviewed by the delegation pointed out that, despite there now being police throughout the country, there are a number of problems in connection with police training and the basis for police recruitment (see also section 4.2).

The NPF is still receiving assistance from ECOMOG, including for crime-fighting purposes (HRW/A 1997, p. 24). According to Downes-Thomas, ECOMOG makes up for police shortcomings in equipment and training.

According to Jappah Nah, Executive Director of the Movement for the Defence of Human Rights (MODHAR), most policemen are ex-combatants, recruited primarily from Charles Taylor's former rebel movement, the NPFL. With police ranks full of ex-combatants untreated for the traumas of war and untrained in proper police behaviour, there are frequent cases of police misconduct and cases in which the police even act with great brutality.

Apart from the ordinary police, there are a variety of security forces. According to Helen Moore, an INGO facilitator, the structure of the many security forces resembles the security apparatus built up by Taylor in the NPFL. One of the main security units is the Special Security Service (SSS). El Hillo explained that the SSS is the President's own security staff, reportedly made up of former NPFL fighters. The Executive Mansion Special Safety Unit (SSU) is a special force protecting President Taylor's presidential residence. Lastly, there is a National Security Agency (NSA).

6.3. Armed forces

The Armed Forces of Liberia (AFL) remain the country's official army, but ECOMOG is now the only military force stationed in and around Monrovia. The approximately 7 000-strong AFL have not yet been restructured and rebuilt. Soldiers are temporarily housed in barracks at the Barclay

Training Centre, Monrovia, and at Schiefflin Barracks outside the city. The AFL have handed in their arms as part of demobilisation (HRW/A 1997, p. 24).

According to the UNOL, the rebuilding of the AFL represents a bone of contention between the Taylor government, on the one hand, and ECOMOG, the UNOL and the international community, on the other. The UNOL wants to see the AFL reflect Liberia's demographic and in particular ethnic make-up.

One component of the Abuja agreement was that ECOMOG should restructure and rebuild the AFL. However, that had not been done by the time of the elections held on 19 July 1997. This, according to Benedict F. Sannoh, pitted Charles Taylor against ECOMOG in a war of words as to who should carry out the rebuilding of the police and the AFL after the elections. Charles Taylor took the line that after the elections it must be the sovereign right of Liberia's newly elected national government itself to rebuild the AFL and the police, while ECOMOG thought this still to be its job.

The background to the dispute is that ex-President Doe primarily recruited his own, Krahn ethnic group into the AFL. During the civil war, the AFL were guilty of serious human rights violations and ethnic persecution. In particular, the AFL were responsible for widespread killings among the Gio and Mano ethnic groups, allied with Taylor's NPFL at the start of the civil war (HRW/A 1997, p. 24).

The rebuilding of the police and the AFL has thus come to a standstill as a result of the dispute over ECOMOG's rights. The war of words between Taylor and ECOMOG has been settled for the time being with the signing on 5 June 1998 of a new agreement between ECOWAS and the Liberian government, establishing the framework for ECOMOG's continued presence in Liberia. According to the newspaper *The Inquirer* (Vol. 7, No 102, Friday, 12 June 1998), ECOMOG is to respect Liberia's sovereignty and laws, although this does not bring ECOMOG under the Liberian government's control. ECOMOG thus remains under ECOWAS control. According to IRIN-WA Update 228 of Events in West Africa, 12 June 1998, disagreement over who is responsible for rebuilding the AFL has been shelved, with the new ECOMOG General opting to drop the matter.

6.4. Prisons

All of Monrovia's prisons were destroyed and emptied during the civil war. The only prison in operation in Monrovia nowadays is Monrovia Central Prison. However, the prison has not been fully repaired and is in need of renovation. Liberia's prisons are run by the Bureau of Rehabilitation, coming under the Ministry of Justice (HRW/A 1997, p. 25).

The Liberian Ministry told Star Radio on 16 May 1998 that there are 120 prisoners held in Monrovia Central Prison. They include 13 children waiting for their cases to come to court. According to Elizabeth Boyenneh and Jappah Nah, there are not now any political prisoners in Liberia.

7. Entry and exit conditions in Monrovia

Since the reopening on 15 December 1997 of Monrovia's Robertsfield international airport, situated 56 km outside the capital, it is once again possible to reach Monrovia by air, including scheduled flights by large airliners. Robertsfield is served by Ghana Airways and other regional airlines. Ghana Airways operates four flights a week to Monrovia from Accra, Ghana. The airport was completely destroyed during the civil war and the burnt out airport buildings have now been replaced by a temporary construction.

The delegation found conditions in Robertsfield's arrival and departure hall chaotic. The authorities are not able to keep unauthorised persons out of the airport building, not even from the passport control, baggage recovery and customs inspection areas. In spite of this, the various airport authorities do operate. The Bureau of Immigration and Naturalisation (BIN) thus checks passports. Vaccination certificates are checked by the health authorities and luggage is thoroughly inspected by the customs authorities as well as varying numbers of unauthorised persons who also attempt to collect money from passengers.

Liberia can be entered by land as well. The road linking the country with Côte d'Ivoire is open and passable.

The BIN comes under the Ministry of Justice and its duties include checks on those entering or leaving Liberia. Anyone wishing to leave Liberia first requires an exit visa issued by the BIN.

The Liberian Ministry of Foreign Affairs is responsible for issuing passports.

7.1. Passports and other identity papers

According to the Liberian Ministry of Foreign Affairs, a Liberian passport establishes Liberian nationality. Only the Liberian Ministry of Foreign Affairs can issue passports to Liberian nationals.

The Liberian government began issuing new passports in August 1997 because of problems with forgeries and irregularities regarding issue of the old passports. The Liberian Ministry of Foreign Affairs announced, at the same time as it began issuing the new passports, that all old Liberian passports would cease to be valid after 31 December 1997. New passports of the ordinary series have a dark blue cover (the old ones were green). In addition to the ordinary passport there are two other types: a diplomatic and an official passport. The diplomatic one constitutes a normal diplomatic passport, while the official one is used by people not on diplomatic service but engaged in special duties for the Liberian state. See Annex 4.

A Liberian passport is applied for by submitting a completed Liberian passport application form to the Ministry of Foreign Affairs. The form is attached as Annex 5. The form is accompanied by a request in writing and documents substantiating the applicant's Liberian nationality, e.g. a birth certificate.

The Liberian Ministry of Foreign Affairs explained that genuine birth certificates are stamped with a dry seal and not with a rubber stamp. Birth certificates issued during the civil war may be forgeries.

The applicant is required to report in person to take delivery of the passport, as it has to be signed by him in the presence of the issuing authority. A fee of US \$20 is charged for the issue of a passport.

Liberians abroad can obtain a new passport at a Liberian embassy or, where there is none, from the Liberian consul-general. The procedure is as described above. In addition the consul-general, for instance, will interview passport applicants to establish their Liberian identity. The application form, together with any documents and a letter from the consul-general, is then forwarded to the Liberian Ministry of Foreign Affairs in Monrovia, which will assess the application and only then, if appropriate, issue a passport. The passport will subsequently be sent to the embassy or consulate-general, to which the applicant can report to take delivery of it.

According to the Liberian Ministry of Foreign Affairs, no identity cards have been issued in Liberia since 1990.

7.2. Repatriation

George Wallace, Senior Ambassador at Large from the Ministry of Foreign Affairs, made the point that the Danish authorities should inform the Liberian authorities for identification purposes in cases of expulsion under police escort to Liberia. This requirement was due to a number of unfortunate precedents in which European authorities repatriated supposed Liberian nationals who, when checked by the Liberian immigration authorities upon arrival in Liberia, turned out not to be Liberian nationals.

The Liberian Ministry of Foreign Affairs explained that, for the repatriation of Liberian nationals without valid travel documents, the Liberian consulate-general would be able to assist in obtaining a laissez-passer.

Dr Alexander Kulue, of the Liberia Refugee Repatriation and Resettlement Commission (LRRRC), said that the LRRRC would be able to assist with the repatriation of Liberian nationals to the country. The LRRRC can be contacted in advance with personal particulars such as name, age and part of the country to be returned to. The LRRRC will then make the necessary arrangements, including contact with the relevant Liberian authorities.

According to James N. Verdier, the Liberian authorities may be very quick to label people. The JPC therefore considers that there may be a high probability of expelled Liberians attracting suspicion upon arrival in Monrovia. In such cases they may be sent for questioning by the security police. In that event, if the worst comes to the worst, they might disappear.

The JPC made the point that there may well be misunderstandings and mere suspicion concerning anyone may be enough for him to be sent for questioning. The JPC therefore considered that the immigration authorities are not yet adequately trained and prepared to receive expelled Liberians.

John Hare, of the SCF, thought it too soon to enforce repatriation of rejected Liberian asylum seekers to Liberia. In his view, this should not be done until some months hence, once the security situation has become clearer. He went on to explain this by reporting that there are rebel leaders

who still have many troops under arms and are thus in a position to launch an uprising against the government. He therefore also disagreed with the UNHCR over the repatriations now taking place to Liberia. In his view, refugees abroad would return of their own accord, once they thought the time right, i.e. in the light of the security situation.

8. Future information sources

The Justice and Peace Commission (JPC) issues a six-monthly situation report. Samuel Kofi Woods said that the JPC might well be able to assist with any questions which immigration authorities had regarding specific asylum cases and other, general questions.

Benedict F. Sannoh (CLHRE) likewise expressed his organisation's readiness to help, adding that he personally could also assist with specific checks on the authenticity of documents.

El Hillo explained that both Samuel Kofi Woods and Benedict F. Sannoh could be considered highly reliable sources, including as to Liberian nationals' possible reasons for seeking asylum.

John Hare, of the SCF, said that he and his organisation would be pleased to help with logistical support etc. for any future Danish fact-finding mission to Liberia, including tours inland.

The UNHCR in Liberia also stated its readiness to assist with inquiries into general issues of relevance to asylum.

9. Individuals, organisations and authorities consulted

Biong, P., Legal Officer, United Nations Peace-Building Office in Liberia (UNOL)

Bishop, Timothy L., Catholic Relief Services (CRS)

Boyenneh, Elizabeth, President, Association of Female Lawyers of Liberia (AFELL)

Buwalda, Johan P., Project Manager, United Nations Office for Project Services (UNOPS)

Camara, Ebou O., Representative, UNHCR Branch Office in Liberia

Downes-Thomas, Felix, Special Representative of the Secretary-General for Liberia/Head of the United Nations Peace-Building Support Office in Liberia (UNOL)

el Hillo, Yacoub Ali, Senior Protection Officer, UNHCR Branch Office in Liberia

Hagoss, Gebremedhin, Political Adviser, United Nations Peace-Building Office in Liberia (UNOL)

Hare, John, Operations Manager, Save the Children Fund

Karorero, Pascal, Deputy Resident Representative, UNDP

Kassir, Alphonso B., Legal Analyst, Ministry of Foreign Affairs

Kulue, Alexander, Executive Director, Liberia Refugee Repatriation and Resettlement Commission (LRRRC)

Moore, Helen, International NGO Facilitator

Nah, Jappah, Executive Director, Movement for the Defence of Human Rights (MODHAR)

Sandimanie, Lydia W., Director of Passports/Visas, Ministry of Foreign Affairs

Sannoh, Benedict F., Executive Director, Centre for Law and Human Rights Education (CLHRE)

Verdier, James N., Legal Aid Officer, Justice and Peace Commission (JPC)

Wallace, George, Senior Ambassador at Large, Ministry of Foreign Affairs

Williamson, Aaron Von, Legal Officer, Ministry of Foreign Affairs

Woods, Samuel Kofi, Director, Justice and Peace Commission (JPC)

Two representatives of international NGOs

10. Bibliography

Africa South of the Sahara, 1998 (ASS 1998), Liberia, Europa Publications, London 1997 (27th edition)

Amnesty International (AI 1995), Liberia, A new peace agreement – an opportunity to introduce human rights protection (September 1995), from UNHCR RefWorld – Country Information

Amnesty International (AI 1997), Liberia, Time to take human rights seriously – placing human rights on the national agenda, 1 October 1997

Human Rights Watch/Africa (HRW/A 1997), Liberia Emerging from the Destruction, Human Rights Challenges Facing the New Liberian Government, Vol. 9, No. 7(A), November 1997

Richard Carver (Carver 1996), Liberia: The Prospects for Peace – Update December 1994 – September 1996, Writenet, October 1996, from UNHCR RefWorld – Country Information

US Department of State (US 1998), Liberia Country Report on Human Rights Practices for 1997, WWW 1998

UN Office for the Coordination of Humanitarian Affairs (OCHA 4/1998), Liberia Humanitarian Situation Report No 4, 20 April 1998

UNHCR (April 1998), Liberia, 1998 Programme and Budget, Voluntary Repatriation and Reintegration of Liberian Refugees, Geneva, April 1998

United Nations (S/1997/712), Final Report of the Secretary-General on the United Nations Observer Mission in Liberia, S/1997/712 of 12 September 1997

Utrikespolitiska Institutet [Swedish Institute of International Affairs], 1996 (UI 1996), Liberia, Sierra Leone

11. Abbreviations used

AFELL	Association of Female Lawyers of Liberia
AFL	Armed Forces of Liberia
BIN	Bureau of Immigration and Naturalisation
CLHRE	Centre for Law and Human Rights Education
CRS	Catholic Relief Services

ECOMOG	ECOWAS Cease-Fire Monitoring Group
ECOWAS	Economic Community of West African States
HRC	Human Rights Committee
INGO	International non-governmental organisation
INPFL	Independent National Patriotic Front of Liberia
JPC	Justice and Peace Commission
LPC	Liberian Peace Council
LRRRC	Liberia Refugee Repatriation and Resettlement Commission
MODHAR	Movement for the Defence of Human Rights
NBA	National Bar Association
NHRC	National Human Rights Commission
NPF	National Police Force
NPFL	National Patriotic Front of Liberia
NPP	National Patriotic Party
NSA	National Security Agency
PUL	Press Union of Liberia
RUF	Revolutionary United Front
SCF	Save the Children Fund
SSS	Special Security Services
SSU	Executive Mansion Special Safety Unit
ULIMO	United Liberation Movement for Democracy in Liberia
ULIMO-J	United Liberation Movement for Democracy in Liberia-Johnson
ULIMO-K	United Liberation Movement for Democracy in Liberia-Kromah
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNOL	United Nations Peace-Building Support Office
UNOMIL	United Nations Observer Mission in Liberia
UNOPS	United Nations Office for Project Services
UP	Unity Party

12. List of annexes – *The annexes are available on request*

Annex 1	Situation Report on Liberia for the period August 1997 to January 1998, Justice and Peace Commission
Annex 2	Memorandum of Understanding between the Justice and Peace Commission and the Press Union of Liberia
Annex 3	National Human Rights Centre of Liberia – participating organisations
Annex 4	Note concerning new Liberian passports
Annex 5	Liberian passport application form
Annex 6	Map of Liberia
Annex 7	Plan of Monrovia
Annex 8	Voluntary repatriation statistics, UNHCR, Monrovia, 8 June 1998
Annex 9	Relocation of 50 000 displaced people, pilot programme: final report, from the Working Group (LRRRC, Federation-LNRCS, UNDP/UNOPS), 8 June 1998
Annex 10	Justice and Peace Commission (information leaflet)

Annex 1

Annex 2:

REPUBLIC OF LIBERIA MONTSERRADO COUNTY

THIS MEMORANDUM OF UNDERSTANDING, ENTERED INTO THIS 17 DAY OF APRIL, A.D. 1998, BY AND BETWEEN THE CATHOLIC JUSTICE AND PEACE COMMISSION, A HUMAN RIGHTS ADVOCACY ORGANISATION, PARTY OF THE FIRST PART, AND THE PRESS UNION OF LIBERIA, PARTY OF THE SECOND PART HEREBY,

Annex 3

Annex 4

Annex 5

Annex 6

Annex 7

Annex 8