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February 2, 2009

Congressional Research Service

Report RL32243

*Liberia: Transition to Peace*

Nicolas Cook, Foreign Affairs, Defense, and Trade Division

October 28, 2004

**Abstract.** This report covers recent events in Liberia and related U.S. policy.

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# CRS Report for Congress

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## **Liberia: Transition to Peace**

**Updated October 28, 2004**

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# Liberia: Transition to Peace

## Summary

This report, which is updated periodically, covers recent events in Liberia and related U.S. policy. In 2003, Liberia began a post-conflict transition process to achieve enduring peace, socio-economic reconstruction and democratic governance. This process resulted from the signing of a peace accord and the resignation of then-president Charles Taylor in August 2003, after months of international mediation. The accord ended a civil war that burgeoned in 2000 which pitted the forces of Taylor against two armed anti-Taylor rebel groups. The war led to an extreme deterioration in political, economic, humanitarian, and human rights conditions in Liberia. It also affected neighboring states, from which anti-Taylor forces operated; against which the Taylor regime sponsored acts of armed aggression; and in which large numbers of Liberians sought refuge.

Liberia's security situation, though periodically volatile, has improved steadily since August 2003. A disarmament and demobilization program, which encountered repeated initial difficulties, has inducted over 95,000 ex-combatants to date. This process is jointly supervised by the United Nations Mission in Liberia (UNMIL) and the National Transitional Government of Liberia (NTGL), which received over \$522 million in aid pledges at a February 2004 donor conference. UNMIL began operations on October 1, 2003. The NTGL, formed under the August accord and installed on October 14, 2003, is mandated with re-establishing government authority and preparing for elections in late 2005. The transition faces many challenges, most related to the socio-economic effects of war; the dominant role within the NTGL of former armed factions, which are prone to internal dissension; and limited state capacities. UNMIL has reached full force strength, and has deployed peacekeepers to most areas of the country, but insecurity remains a challenge in many rural areas. Implementation of the peace accord and of the NTGL's mandate have been beset by disagreements over the allocation of positions, accusations of corruption, and leadership rivalries within the NTGL. The legal status of Taylor, who is living in exile in Nigeria and is under indictment by the Special Court for Sierra Leone for war crimes related to his alleged involvement in war crimes in Sierra Leone, remains unresolved. U.S. legislation urges Nigeria to hand Taylor over to the court.

Considerable public and congressional debate over possible U.S. intervention in Liberia occurred in mid-2003. The United States did not intervene militarily, but it did: deploy limited military forces to Liberia to bolster U.S. security interests; assist the Economic Community of West African States (ECOWAS) military force to deploy to Liberia prior to UNMIL; help mediate the August accord; and provide International Disaster and Famine Assistance (IDFA) (\$200 million) and support for UNMIL (\$250 million). In addition to H.R. 4818, the Foreign Operations FY2005 Appropriations bill, current Liberia-related bills pertain to proposals to change the immigration status of certain Liberian nationals and to cancel certain Liberian national debts. Liberia-related bills introduced in the 108th Congress include H.Con.Res. 240; H.Con.Res. 233; H.Con.Res. 255; H.J.Res. 2; H.R. 2673; H.R. 1930; H.R. 3918; H.R. 3289; H.R. 2800; H.R.4511; H.R. 4793; H.R. 4818; H.R. 4885; S. 2812; S. 1426; and S. 656.

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# Liberia: Transition to Peace

## Overview and Recent Developments

In August 2003, a political accord was signed that formally ended over three and one-half years of armed civil conflict in Liberia, a small West African country of about 3.3 million people. Since that time, the country has made steady progress toward consolidating peace, initiating post-war resettlement and socio-economic reconstruction, and establishing functional interim state institutions. Despite such progress, there are indications that these and other related goals — such as the conduct of credible and transparent democratic elections, the creation of a durably transparent and effective governance regime, and a transition from reconstruction to long-term economic growth — face diverse and substantial obstacles.

## U.S.-Backed Peace and Transitional Process

**Donor Assistance.** Liberia's progress has been aided, in part, by international donors, including the United States, which held a pledging conference for Liberia in New York on February 5-6, 2004. At the conference, donors pledged over \$522 million in relief and reconstruction assistance for Liberia; \$200 million of this amount was pledged by the United States.<sup>1</sup> The donor conference, attended by representatives of 96 countries and 45 public and private organizations, reviewed the plans of the National Transitional Government of Liberia (NTGL) for a post-conflict transition, as well as progress toward implementation of a peace accord signed in August 2003. It also received an update on the activities and views of the United Nations (U.N.) Mission in Liberia (UNMIL) and considered a program of assistance organized around a "Results-Focused Transition Framework" centering on reconstruction and rehabilitation activities in 2004 and 2005. The framework's main elements, which underpin the efforts of the multiple functional U.N. agencies and many of the non-governmental organizations that are active in Liberia, include the following:

- Security maintenance, demobilization and reintegration, development of democratic governance and the rule of law, police training and reform, and elections;
- Protection of refugees and internally displaced persons (IDPs), advocacy for human and gender-based rights, combating HIV/AIDS;

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<sup>1</sup> Secretary of State Colin L. Powell, "Remarks to the International Reconstruction Conference on Liberia," U.N. Headquarters, New York City, Feb. 6, 2004; Jim Fisher-Thompson, "U.S. to Pledge \$200 Million to Liberia for Reconstruction, Says USAID Chief," *Washington File*, Feb. 4, 2004; and World Bank, "Liberia: International Reconstruction Conference, 5-6 February 2004," Summary Pledge Sheet.

- Provision of basic services, including water, sanitation, health care, and education, and related services;
- Economic development policy strategy and restoration of productive capacity and livelihoods; and
- Reconstruction of infrastructure, e.g., electricity, transport, telecommunications, and housing.

**U.S. Supplemental Appropriation.** The donor conference followed President Bush's November 6, 2003, signing into law of the *Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004*, P.L. 108-106. It provided \$245 million for assessed costs of United Nations (U.N.) peacekeeping operations in Liberia, and up to \$205.5 million for peace, humanitarian disaster, and famine assistance for Liberia.<sup>2</sup>

**U.N. Mission and Transitional Government.** The authorization of sharply increased U.S. assistance to Liberia followed the deployment on October 1, 2003 of UNMIL, authorized by the U.N. Security Council on September 19, 2003, and the establishment of the National Transitional Government of Liberia (NTGL). The NTGL, inaugurated on October 14, 2003, was formed in accordance with a peace agreement signed in Accra, Ghana, which formally ended the Liberian conflict. The NTGL is led by Gyude (*Joo-deh*) Bryant, a businessman and Episcopal church layman of ethnic Grebo descent, who leads the Liberian Action Party. As head of state, Bryant occupies the office of chairman, a post designated in the August 2003 Comprehensive Peace Agreement (hereafter labeled the CPA), as the top executive NTGL position in order to emphasize the transitory nature of the NTGL and to forebear the naming of a president prior to elections. The NTGL vice-chairman is Wesley Johnson, a university economics lecturer who heads the Liberian United Peoples' Party.

**Peace Accord.** The signing of the CPA on August 18, 2003 followed two and a half months of negotiations mediated by the Economic Community of West African States (ECOWAS) and the International Contact Group on Liberia (ICGL).<sup>3</sup> Its signatories include the armed parties in Liberia's conflict and Liberia's leading political parties and civil society groups. The armed parties included the forces of Liberia's former president, Charles Taylor, and two armed anti-Taylor rebel groups,

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<sup>2</sup> \$200 million in International Disaster and Famine Assistance (IDFA) account funds were appropriated for Liberia in various sections of P.L. 108-106 and in the Joint Explanatory Statement of the Committee of Conference that accompanied the enrolled bill. The act, however, also included language ("and by transfer not to exceed 0.5 percent of the funds appropriated under any other heading in this chapter") that indicates that up to an additional \$5.5 million was potentially allocated for Liberia and/or Sudan. The IDFA account funds relief, rehabilitation, and reconstruction assistance to victims of natural and man-made disasters, and combines the former International Disaster Assistance (IDA) account and a previously proposed Famine Fund. IDFA allocations are designed to complement other bilateral assistance programs, particularly in countries affected by complex emergencies.

<sup>3</sup> The ICGL is a body formed in September 2002 by key donor and regional states to coordinate a comprehensive, regionally-focused conflict resolution process.



Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL).

The accord provides for disarmament, demobilization, rehabilitation and reintegration (DDRR) programs and a peace-building process in Liberia. It mandates that the NTGL implement a largely failed June 17, 2003 cease-fire agreement;<sup>4</sup> monitor and coordinate the DDRR process, with international assistance, as well as a range of other political and reconstruction programs; and assist in the preparation and conduct of internationally supervised elections in October 2005.<sup>5</sup> Other key provisions of the accord include

- The stipulated establishment of various political processes, legal authorities, mandates, and bodies, including an Implementation Monitoring Committee (IMC) and a National Commission for Disarmament, Demobilization, Rehabilitation and Reintegration (NCDDRR) to implement the peace accord, and a timetable for this purpose;
- Military and police restructuring;
- Release of political prisoners and prisoners of war;
- The apportionment of key government leadership positions among accord signatories;
- “Consideration” of “a recommendation for general amnesty to all persons and parties engaged or involved in military activities during the Liberian civil conflict”;
- Naming of a new supreme court; and
- The creation of a Contracts and Monopolies Commission (CMC), a Governance Reform Commission (GRC), an Independent National Commission on Human Rights (INCHR), a National Electoral Commission (NEC), a National Transitional Legislative Assembly (NTLA), and a Truth and Reconciliation Commission (TRC).

**Key Turning Points.** The signing of the peace accord was preceded by two key events: the departure from Liberia on August 11, 2003 of Charles Taylor, who resigned from the presidency and went into exile in Nigeria after accepting an offer of political asylum from its government; and the deployment by ECOWAS of a military intervention force known as the ECOWAS Mission in Liberia (ECOMIL).

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<sup>4</sup> Key provisions of the cease-fire agreement were not implemented until after the CPA was signed. The cease-fire was extensively and repeatedly violated by the three belligerent groups during negotiations leading to the accord. Two cease-fire monitoring bodies called for under the cease-fire agreement did not deploy until after the CPA was signed. The Joint Verification Team, formed in early July 2003, did not deploy to Liberia because of a fluid military situation and lack of a cease-fire, and due to organizational and technical hurdles. The Joint Monitoring Committee (JMC), was not formed until September 2003. Cease-fire violations included three massive assaults by LURD on the capital, Monrovia, each resulting in hundreds of civilian casualties, and government-rebel battles in multiple locations in Liberia’s interior.

<sup>5</sup> The June and August agreements are available online from the U.S. Institute of Peace. See [http://www.usip.org/library/pa/liberia/pa\_liberia.html].

The departure of Taylor, elected Liberia's president in 1997 after its first civil war (1989-1997), followed intense international pressure on him to leave Liberia, as he had publicly pledged to do on June 4, 2003. After Taylor's departure, the vice president, Moses Blah, assumed the presidency as head of a caretaker government, pending the swearing in of the NTGL. Several developments appear to have motivated Taylor's decision to leave. These include the possibility that if he did not accept Nigeria's asylum offer, he would have faced immediate extradition to Sierra Leone to answer international war crimes charges (see below); continuing military gains by LURD and MODEL; and LURD's refusal to engage in serious conflict resolution efforts while Taylor remained in office. His departure appears to have been a key factor motivating LURD and MODEL to agree to the CPA.

The ECOWAS intervention sought to end heavy fighting and alleviate a worsening humanitarian crisis in the wake of the failed June 17 cease-fire. ECOMIL was mandated with monitoring and securing the cease-fire, enabling the delivery of relief aid, and preparing the way for UNMIL. Lead elements of ECOMIL, predominantly comprised of a Nigerian battalion that had been serving with the U.N. Mission in Sierra Leone (UNAMSIL), began deploying to Liberia on August 4, 2003. An additional Nigerian battalion, one of several West African forces trained under Operation Focus Relief,<sup>6</sup> and troops from Mali, Senegal, Gambia, Guinea Bissau, Togo, Ghana, and Benin, continued to arrive throughout August and into September 2003. ECOMIL, which reached a full force strength of over 3,560 members by mid-September, deployed with the aid of extensive U.S. and U.N. assistance. The United States provided logistical and transport services, communications equipment, and other supplies worth \$26 million in funds drawn from U.S. peacekeeping operations accounts. This assistance was delivered primarily by PAE Government Services, Inc., a military logistics services firm that had previously supported ECOWAS forces in Liberia and Sierra Leone, in liaison with elements of the U.S. military Joint Task Force Liberia (see below).

## Liberia's Conflict: Background

### Actors and Patterns in Liberia's Conflict

**Liberians United for Reconciliation and Democracy (LURD).** Liberia's recent conflict, the second in a decade,<sup>7</sup> began when LURD launched a series of cross-border raids into Liberia's northwestern Lofa County in mid-year 2000, reportedly from nearby bases in southern Guinea. These actions resembled

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<sup>6</sup> Operation Focus Relief (OFR) was a one-time U.S. military training program that provided "robust" infantry operational combat training and equipment to troops from Nigeria, Ghana and Senegal in anticipation of their possible deployment with UNAMSIL. At the time of the training, in 2001, Sierra Leone was emerging from conflict, but was seen as subject to a possible military threat from the now defunct rebel Revolutionary United Front (RUF) in Sierra Leone. OFR cost between an estimated \$86.75 million and \$87.53 million.

<sup>7</sup> Liberia's first civil war, past developments, and U.S.-Liberian relations are covered in CRS Report RL30933, *Liberia: 1989-1997 Civil War, Post-War Developments, and U.S. Relations*.

several similar, but abortive, attacks launched in 1999, likely by fighters who later formed LURD, which began to coalesce in mid-1999. It was initially primarily comprised of Liberians living in Sierra Leone and Guinea as exiles and refugees.<sup>8</sup> LURD's nominal leader, Sekou Damate Conneh, is a former Liberian tax collector of Mandingo heritage who fled to Guinea in 1990. He later worked as an auto trader and businessman, and was imprisoned after returning to Liberia in 1997; he later again fled to Guinea. Conneh reportedly has close relations with the authorities in Conakry, but these appear to have been mediated, in part, by his wife, Aisha Keita-Conneh, who is reportedly a personal advisor to Conté, including on spiritual matters. Differences between the couple, discussed below, contributed to internal rifts within LURD.

**MODEL.** The formation of LURD was motivated by its members' mutual opposition to what they viewed as a persistent pattern of ethnic bias, political exclusion, human rights abuses, and corruption under Taylor. LURD's ethnically diverse make-up reflected the commonality of such views across ethnic lines. Such shared views were not strong enough, however, to permanently overcome parochial self interests, leadership rivalries, and a history of competition between the two ethnic groups, the Mandingo and the Krahn, that initially formed the bulk of LURD's membership. In early 2003, such issues prompted some of its Krahn members to depart LURD and form MODEL.<sup>9</sup>

MODEL appears to have been formed as the result of a merger between LURD members based in the west of Cote d'Ivoire, Liberia's neighbor, and Force Lima, a militia based in the same area. Force Lima was formed in late 2002 to counter Liberian militias — reportedly backed by the Taylor government — that entered the Cote d'Ivoire in support of two Ivorian rebel groups that in November 2002 had taken up arms against the Ivorian government of President Laurent Gbagbo. Many of Force Lima's recruits were anti-Taylor Liberian Krahn refugees who had lived for extended periods in western Cote d'Ivoire, which is the traditional homeland of the Guere, an Ivorian ethnic group closely related to the Krahn by culture and language. Force Lima, and later MODEL, were reportedly backed by the Gbagbo government, which dismissed such allegations, and its supporters.

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<sup>8</sup> LURD and MODEL have been the subject of numerous press accounts, and U.N. and non-governmental organization reports. In particular, see James Brabazon, "Liberia: Liberians United for Reconciliation and Democracy (LURD)," *Armed Non-State Actors Project Briefing Paper No. 1*, Royal Institute of International Affairs, Feb. 2003; International Crisis Group (ICG), "Liberia: The Key To Ending Regional Instability," *Africa Report No. 43*, Apr. 24, 2002; and ICG, "Tackling Liberia: The Eye of the Regional Storm," *Africa Report No. 62*, Apr. 30, 2003. The latter also discusses MODEL in depth.

<sup>9</sup> The LURD-MODEL split closely mirrored the division of the United Liberation Movement of Liberia (ULIMO), a defunct, predominantly Mandingo and Krahn faction from Liberia's first civil war to which many LURD fighters had belonged. In 1993, ULIMO split into ULIMO-K, a Mandingo-dominated faction, and ULIMO-J, a predominantly Krahn group. The similar organizational evolution of LURD and ULIMO suggests that ethnicity will likely continue to function as a key organizing principle, both for exclusionary purposes and in alliance building, shaping political competition for control of state resources and power.

Despite the emergence of MODEL as a LURD splinter group, there remained linkages between the two organizations. They reportedly shared some common sources of financial support, and some members were affiliated with both groups, which shared a common foe and did not militarily oppose one another. In addition to such commonalities, both groups have faced internal divisions, and both are seen as susceptible to further fissures, particularly due to by rank-and-file members' resentment of their leaders' actual or perceived access to state resources and the perks of state office, which some hold as officials of the NTGL.

**Pattern of Conflict.** After the first LURD attacks in 2000, the armed rebel campaign, though episodic and seasonal, grew both in its geographic extent and military intensity. Initially concentrated in Lofa, hostilities gradually spread south and then to central Liberia, as LURD launched operations further afield, including attacks near to the capital, Monrovia. By late 2002, many western and central Liberian towns had been the site of combat or had experienced indirect effects of war, such as influxes of displaced persons, the activities of armed elements, and the negative impact on daily life and economic activities of generally rising insecurity. As the conflict grew, rebel forces gradually seized more territory and held it for increasingly long periods, notably in 2003, but the military situation was often fluid. Belligerents' territorial control was limited and transitory. Fighting often focused on provisioning, looting, and harassment raids, and often targeted displaced persons' camps, rural industries, and towns along Liberia's rudimentary road network. Marginal changes in variables, such as access to arms matériel, provisions, or manpower, often shifted the tactical balance between forces, which were often poorly trained, lacking in discipline, and frequently prone to arbitrary behavior. All of the armed groups recruited large numbers of children and adolescents, and heavy use of drugs, alcohol, and other intoxicants was, and likely remains, common among Liberian combatants.<sup>10</sup>

**Rebel Gains.** In early 2003, MODEL moved into eastern Liberia from the areas in Cote d'Ivoire near the Liberian border. It soon made significant military inroads there, and over the next few months expanded its area of operations, successfully seizing territory and many towns in Liberia's eastern counties and along the coast.<sup>11</sup> In April 2003, an ECOWAS assessment team reported that LURD and MODEL together controlled about 60% of Liberian territory. Rebel gains continued. LURD launched three intense assaults on the capital, two in June and one in late July. Monrovia's dubbed these "World War" "I," "II," and "III" because of the indiscriminate use of mortars and other projectiles during the fighting, and due to the high civilian casualty rate that resulted.

**Decline of Conflict.** Periodic fighting continued following the deployment of ECOMIL, and persisted after the signing of the CPA and the subsequent deployment of UNMIL in early October 2004. It gradually decreased in scope and frequency, however, as peacekeepers expanded their areas of deployment. Fighting

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<sup>10</sup> Agence France Presse, "Liberian Ex-fighters Given Little Help to Kick Drugs Habit," Oct. 27, 2004, among others.

<sup>11</sup> In late May 2003, a small anti-MODEL militia, the Grebo Defense Force, reportedly emerged in southeastern Liberia. It has since been inactive, and may no longer exist.

following the CPA appeared to have been motivated by looting opportunities — particularly in contested zones — and by the belligerents' attempts to consolidate or extend control over territory and weaken their foes prior to the further deployment of peacekeepers.<sup>12</sup> Another factor motivating the continued use of arms was the apparent reticence of the armed groups' leaders to participate in disarmament before their political demands, primarily relating to the allocation of government positions, were met — despite having signed and repeatedly publicly endorsed the peace accord.

## Effects of Conflict

**Political Conditions.** As the LURD insurgency burgeoned, political conditions deteriorated, and the Taylor government began to curtail political activities. In early 2002, it imposed a state of emergency and, separately, a ban on political activities and gatherings.<sup>13</sup> These actions, which remained in effect until September 2002, reflected Taylor's persistent intolerance of political opposition. Under his leadership, foreign observers and many Liberians assert, opposition parties were harassed and their activities curtailed. U.S. Ambassador to Liberia John W. Blaney, like many Liberian and foreign observers, charged that opposition parties were harassed, their activities curtailed, and that presidential candidate eligibility restrictions, including lengthy domestic residency requirements, were likely to limit electoral competition in general elections then slated to be held in October 2003.<sup>14</sup> Opposition parties charged that the Electoral Commission, which regulated elections law and administration, was controlled by partisans of Taylor's ruling National Patriotic Party (NPP), and that a range of proposed electoral code reforms were likely create outcomes favorable to the NPP. Such concerns prompted repeated domestic and international calls for elections to be postponed, but the government insisted until early May 2003 that credible elections could and would be held in mid-October 2003, as scheduled. In May 2003, as rebels gains continued, the Taylor government indicated that it might accept a 12 to 18 month election deferral, if a constitutionally valid term extension "framework" could be crafted.<sup>15</sup>

**Human Rights Conditions.** As restrictions on political activities increased, a rising number of security operations and attendant human rights abuses were

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<sup>12</sup> The north-central county of Nimba, Charles Taylor's base of operations during the first civil war, and the central county of Bong were focal points for continuing clashes.

<sup>13</sup> Associated Press, "Liberia declares state of emergency, says fighting neared capital," Feb. 8, 2002; Associated Press, "Liberian President Suspends Political Activity," Apr. 30, 2002; and BBC News, "Liberia ends state of emergency," Sept. 14, 2002, among others.

<sup>14</sup> U.N. Integrated Regional Information Networks [IRIN], "US Will Not Recognise 'Fraudulent Elections'," Jan. 6, 2003; Jonathan Paye-Layleh, "Liberia Sets Oct. 14 General Elections," Associated Press, Jan. 2, 2003; and Terence Sesay, "Liberia Announces October Elections, Rules out Foreign 'Supervision'," Agence France-Presse, Jan. 2, 2003.

<sup>15</sup> Matthew Tostevin, "War-ruined Liberia May Postpone October Elections," Reuters, May 1, 2003. In February 2003, the Liberian Supreme Court dismissed a case requesting an election delay filed by IDPs from three war-affected counties. They alleged that the conflict would undermine election rules and deprive citizens of their right to register and vote in their home districts. See IRIN, "Liberia: Court Dismisses Elections Case," Feb. 22, 2003.

reported. Persons viewed by state security forces as dissidents or rebel supporters, particularly ex-fighters and members of certain ethnic groups, were detained and harassed, often violently, during raids in urban areas and camps for internally displaced persons (IDPs). Many detainees were released relatively quickly, sometimes after beatings and or bribing of arresting agents; a smaller number were held for longer periods. Theft and extortion by security forces, frequently linked to lack of combatant pay, reportedly became frequent, as did the impressment of youths into military service.

In war-affected areas, reports of more numerous and severe abuses against civilians were common. Human rights and other groups assert that both government and rebel forces have carried out executions, beatings, torture, and other abuses against civilians, including rape, and abduction for purposes of forced labor. The same actors were accused of looting and burning towns and IDP camps, causing further internal dislocation. Both rebel and state forces periodically issued summary judgments and sanctions, often violent, against those within their own ranks accused of looting and other crimes. During the LURD assaults on Monrovia in June and July 2003, government military forces were reportedly particularly abusive and violently exploitative. Widespread abuses continued in combat zones after the signing of the CPA, notably in September 2003, and following the deployment of UNMIL, though at a gradually decreasing rate.

**Humanitarian Conditions.** The spread of hostilities caused already poor humanitarian and economic conditions in much of Liberia to deteriorate sharply, particularly in late 2002 and 2003. Even where relief aid could be delivered, needs often outstripped available supplies. IDP camps in Liberia were typically overcrowded and affected by severe resource constraints. The U.N. Office for the Coordination of Humanitarian Affairs (OCHA) reported in May 2003 that in camps “minimum standards of assistance are not met, and there are major gaps with regard to the provision of food, safe water and sanitation, health and education services as well as protection.” Humanitarian assistance increasingly became the target of raids by the armed groups. IDP camps were violently assaulted and their residents forced to flee, abandoning food allocations that combatants then seized.

By April/May 2003 humanitarian relief agencies were unable to provide emergency assistance in 11 of Liberia’s 15 counties due to combat and related insecurity. Subsequently, such organizations lost access to nearly all of Liberia; all but a few withdrew entirely from Liberia for extended periods from June through August 2003. Three major attacks on Monrovia in June and July caused IDPs to flee to central Monrovia, causing a dramatic and extensive worsening of humanitarian conditions. By August, over 300,000 displaced persons were living in or near Monrovia. Food stocks ran extremely low, and food price inflation rose sharply, as did cases of malnutrition, notably among children. Access to potable water decreased due to contamination and overcrowding, and outbreaks of respiratory and stomach disease, including cholera, occurred. Such conditions were aggravated by the extensive violence that characterized the fighting in Monrovia. Civilians were robbed and abused by combatants, hundreds of victims of gunshot and shrapnel were admitted to hospitals, and several hundred bodies were collected from streets during and after each major military assault. The belligerents also stole numerous vehicles from relief groups and looted humanitarian supply warehouses. As of

mid-September 2003, fighting had internally displaced about 500,000 Liberians, and about 311,000 were refugees to neighboring countries as of October/November.<sup>16</sup> Thousands of IDPs and refugees from other countries remained in areas of Liberia that continued to be largely inaccessible to relief agencies until several months after the peace accord.

## International Dimensions of Liberia's Conflict

### Regional Effects

**Persistent Regional Threat.** For nearly a decade and a half prior to the August 2003 peace accord, cycles of conflict in Liberia generated a range of effects that undermined the national security, political stability, and economic prosperity of its neighbors, and brought about negative repercussions in the wider sub-region. Among the most serious of such effects — which continue to threaten Liberia's neighbors — include the spread of small arms; the diffusion of violence-based social norms, often with commercial underpinnings; an increasing amount of mercenary activity in the region; the deployment of diverse, often state-assisted rebel groups along regional borders; a rise in human rights abuses; and the creation of aggrieved refugee and internally displaced populations. A variety of fighters allied with Taylor's 1989-1997 civil war faction or, after his election, with the Liberian government, participated in the Sierra Leonean civil war (1991-2002);<sup>17</sup> in fighting in southern Guinea in 2000-2001; and in Cote d'Ivoire in late 2002 and 2003.

**Guinea and Liberia.** Taylor's government and that of Lansana Conté, Guinea's president, maintained poor, highly antagonistic relations. Conté bitterly opposed Taylor, and each government regularly accused the other of sponsoring aggression against it. During and after the first Liberian civil war, many factional opponents of Taylor and civilians — many from ethnic groups, notably the Mandingo, who feared mistreatment by the Taylor government — sought refuge in Guinea. LURD, which grew out of this exile milieu, allegedly received support from the government of Guinea, beginning around the time of its inception. LURD fighters later assisted the Guinean government to defeat a series of attacks on towns and villages in southern Guinea carried out between September 2000 and early 2001 by a mix of forces made up of RUF fighters from Sierra Leone, Liberian militias, a small number of Guinean rebels, and mercenaries from the region. In addition to allowing LURD to maintain rear bases in southern Guinea, the Guinean government reportedly supported LURD by supplying it with arms, and periodically provided tactical military assistance, such as cross-border mortar and helicopter air fire support. Such reports were routinely been denied by Guinea's government.<sup>18</sup>

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<sup>16</sup> U.S. Agency for International Development, "Liberia — Complex Emergency," *Situation Report #11, [FY] 2003*, Sept. 17, 2003; and *Situation Report #10, [FY] 2004*, Jan. 9, 2004.

<sup>17</sup> See CRS Report RL31062, *Sierra Leone: Transition to Peace*.

<sup>18</sup> On alleged Guinean support for LURD, see, *inter alia*, Human Rights Watch, "Weapons Sanctions, Military Supplies, and Human Suffering: Illegal Arms Flows to Liberia and the (continued...)"

The influence of Guinea with respect to developments in Liberia was underlined by a series of visits to Conakry during and after the peace negotiations by officials, including U.S. and ECOWAS diplomats; the interim Liberian President, Moses Blah; UNMIL head Jacques Klein; and Chairman Bryant. LURD leaders also appeared to have received continuing logistical and security support from Guinea in the period after the signing of the peace accord. In late September 2003, Conneh traveled to Liberia from Guinea to announce LURD's intention to end combat. His convoy was guarded by Guinean government soldiers and included Guinean government vehicles, and he paid tribute to Guinea's role in backing LURD's objectives.<sup>19</sup> Similarly, when Aisha Keita-Conneh traveled to Monrovia in January 2004, she was accompanied by Guinean military bodyguards.<sup>20</sup>

**Cote d'Ivoire and Liberia.** In late 2002, a mix of factional fighters, mercenaries, and refugee recruits from Liberia became involved in clashes, human rights abuses, and looting in western Cote d'Ivoire. Violence there burgeoned in the wake of a September 2002 rebellion centered in northern Cote d'Ivoire. The Liberians joined diverse armed groups that were active in the Ivorian west, some fighting in support of the Ivorian government, and some against it; others were involved in banditry. The Taylor government asserted that it was unaffiliated with any of these groups, but there were repeated reports to the contrary. Fighters and looted goods reportedly traversed the Liberia-Cote d'Ivoire border frequently, and the two country's governments accused one another of sponsoring armed rebel groups against the other. Such charges were the product of Cote d'Ivoire's current political crisis, but had roots in direct and indirect, long-standing, Ivorian involvement in Liberia's two conflicts. Numerous press and analytical reports charged that the Ivorian government provided backing for MODEL. Though violence in western Cote d'Ivoire has generally subsided, there have been periodic reports of tensions between local Ivorian citizens and foreign immigrants and refugees in the area.

Peace efforts in both Liberia and Cote d'Ivoire have taken heed of the cross-border dynamics of conflict along the Liberian-Ivorian frontier. Many of the same actors mediating in Cote d'Ivoire were involved in congruous efforts to end Liberia's conflict, and UNMIL and the U.N. Operation in Cote d'Ivoire (UNOCI) share intelligence information. In November 2003, UNMIL head Jacques Klein appealed for French-speaking peacekeepers, in light of cross-border flows between Liberia,

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<sup>18</sup> (...continued)

June-July 2003 Shelling of Monrovia," Briefing Paper, Nov. 3, 2003; —, *Liberian Refugees In Guinea: Refoulement, Militarization of Camps, and Other Protection Concerns*, Nov. 2002; —, *Back to the Brink: War Crimes by Liberian Government and Rebels: A Call for Greater International Attention to Liberia and the Sub Region*, May 2002; International Crisis Group (ICG), *Tackling Liberia*; —, *Liberia: The Key...*; *Report of the Panel of Experts appointed pursuant to paragraph 4 of Security Council resolution 1458 (2003), concerning Liberia* in United Nations Security Council document S/2003/498, Apr. 24, 2003; and Global Witness, *The Usual Suspects: Liberia's Weapons and Mercenaries in Côte d'Ivoire and Sierra Leone*, Mar. 2003.

<sup>19</sup> See U.N. IRIN, "Liberia: Main rebel group declares end of hostilities in Liberia," Sept. 24, 2003, *inter alia*.

<sup>20</sup> IRIN, "Liberia: Conneh's Estranged Wife Emerges..."



Cote d'Ivoire, and Guinea of refugees and armed groups. Similarly, former President Taylor and his Ivorian counterpart, Laurence Gbagbo, met in Togo in early May 2003. They later announced plans, which were never implemented, to deploy along their shared border a joint military monitoring force.

## International Responses

Poor economic conditions and persistent conflict-related humanitarian needs have long motivated a continuous flow of international relief assistance to Liberia and its neighbors. Similarly, the region has been the focus of repeated international conflict resolution efforts centered around mediation attempts and, in the case of Liberia, the imposition of proscriptive sanctions on its government. Some policy makers also have expressed concern over reports alleging that the Taylor government hosted Al Qaeda agents and facilitated their purchase of West African diamonds.<sup>21</sup>

## United Nations

**U.N. Security Council Sanctions.** Liberia is subject to international sanctions first imposed, though since modified, by the U.N. Security Council in March 2001 (S/RES/1343) after it found that the Taylor government had repeatedly violated earlier U.N. resolutions by providing military support and safe haven for the rebel Sierra Leone Revolutionary United Front (RUF), in part in exchange for Sierra Leonean diamonds. S/RES/1343 demanded that the Taylor government end such support, seize RUF assets and expel all RUF members in Liberia, and end its trafficking in arms for diamonds. It banned the direct or indirect import of rough diamonds from or through Liberia; flights of Liberian-registered aircraft; the shipment of arms and related matériel to Liberia; and foreign travel by senior Liberian officials.

The sanctions were extended for a year in May 2002 (S/RES/1408), after the Security Council found that Liberia had not fully complied with S/RES/1343, as Liberia later formally admitted, claiming the right to do so for reasons of self defense under Article 51 of U.N. Charter. Some Taylor critics advocated widening the sanctions to include measures to decrease the Taylor government's access to national timber, rubber, and maritime revenues, which they alleged it was diverting for private purposes and uses to fund regional conflict. On May 6, 2003, the Security Council extended sanctions on Liberia for a year (S/RES/1478) and added a ten-month ban on the import of Liberian timber, which began July 7, 2003, though it also decided to assess and mitigate possible negative humanitarian or socio-economic effects of its sanctions.

On December 22, 2003, the Security Council terminated the sanctions and replaced them with new ones (S/RES/1521). In doing so, it cited concerns that the cease-fire and CPA were "not yet being universally implemented throughout Liberia"; that much of its territory remained outside the authority of the NTGL, particularly where UNMIL had yet to deploy; that there continued to be linkages between the illegal exploitation and trade of natural resources like diamonds and

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<sup>21</sup> See CRS Report RL30751, *Diamonds and Conflict: Background, Policy, and Legislation*.

timber, leading to a the proliferation and trafficking of illegal arms, and the fueling and exacerbation of conflicts in Liberia and other areas of West Africa; and that the situation in Liberia, the proliferation of arms and armed non-state actors and mercenaries in the subregion continued to constitute a threat to international peace and security in Liberia and the region. S/RES/1521 banned for one year:

- The export to Liberia for any recipient of all arms, military matériel, and technical support relating to such items, with certain exceptions for UNMIL and other U.N.-approved purposes, such as security sector reform programs, and humanitarian/protective purposes;
- Foreign travel or transit of “individuals... who constitute a threat” to Liberia’s peace process or regional security, specifically including senior members of the former Taylor government and their spouses, members of the Liberian armed forces with links to Taylor, and individuals affected by travel restrictions under S/RES/1343;
- The direct or indirect import of rough diamonds from or through Liberia; and
- The import of Liberian logs and timber products. It also urged the NTGL to establish full control over timber harvesting areas and timber-based revenues

S/RES/1521 also

- Called upon NTGL to establish an “effective Certificate of Origin regime” for Liberian rough diamonds that would potentially allow Liberia to join the Kimberley Process and lead to a lifting of the diamond trade sanctions;
- Urged the NTGL to establish full control and oversight of all public revenues, specifically including those generated by the Liberian International Ship and Corporate Registry, and to use such funds for national development; and
- Mandated the formation of a sanctions monitoring Committee and an investigatory panel of experts.

On June 17, 2004, the Security Council reviewed the sanctions under S/RES/1521, but declined to lift them (S/RES/1549). Instead, having taken note of a NTGL request that sanctions on Liberia’s timber and diamonds be lifted, the Security Council decided to re-establish a panel of experts and mandated that it assess general compliance with the sanctions and progress toward the goals underlying their imposition, which the NTGL had also requested. The passage of S/RES/1549 was preceded by the Security Council’s decision on March 12, 2004 (S/RES/1532), to freeze the assets of the former president, Charles Taylor, as well as those of his family and close allies, and to trace and freeze funds and other economic assets owned or controlled by the same parties. President Bush’s Executive Order 13348, of July 22, 2004, implements this ban in the United States. The transitional government of Liberia implemented the ban in Liberia in mid-October 2004, though the Supreme Court subsequently halted the action with reference to two reputed Taylor associates.

**U.N. and ECOWAS.** The establishment and deployment of UNMIL was preceded by the Security Council's authorization, before the CPA was signed, of a Multinational Force (MNF) in Liberia. Its purpose was to support the implementation of the much-violated June 17, 2003 cease-fire agreement and to establish a secure environment for the delivery of humanitarian relief. On August 1, 2003, the Security Council adopted a resolution 1497. It authorized an MNF and labeled as "critical" President Taylor's departure from power, to be followed by the installation of a transitional government in Liberia and the subsequent deployment of a U.N. stabilization successor force to the country by October 1, 2003. It provided the MNF with a waiver of U.N. sanctions banning the import of military matériel into Liberia and authorized the MNF to act under Chapter VII of the U.N. Charter (i.e., gave it authority to use military force to ensure international peace and security). It also provided that all personnel of "a contributing state" would be subject to the "exclusive jurisdiction" of that state, unless jurisdiction is waived by a state. The provision was seen as exempting participating troops from potential prosecution in the International Criminal Court (ICC).<sup>22</sup>

While S/RES/1497 did not explicitly equate the MNF with the ECOWAS intervention force that was then preparing to deploy to Liberia, it did authorize UNAMSIL to provide logistical support for 30 days to ECOWAS for the purpose of fielding the force that subsequently became known as ECOMIL. The term MNF was used in the resolution, in part, because in the weeks preceding the authorization of the MNF, ECOWAS leaders had conditioned their contribution of troops to the MNF on the expectation they would be joined in this effort by other nations. In the end, however, no other nations contributed troops to the MNF; it was ultimately comprised solely of ECOMIL, which deployed days after S/RES/1497 was passed, as described previously.

**U.N. Mission in Liberia (UNMIL).** UNMIL, authorized on September 19, 2003, by the U.N. Security Council, acting under Chapter VII of the U.N. Charter (S/RES/1509), commenced operations on October 1, 2003. The formal deployment of UNMIL, which at the time lacked the bulk of its troop strength, had the legal effect of dissolving ECOMIL and transferring its authority to UNMIL. Simultaneously, the troops that had comprised ECOMIL were inducted into UNMIL, and became its initial core force.

UNMIL was authorized a force of up to 15,000 U.N. military personnel, including as many as 250 military observers, 160 staff officers, and up to 1,115 civilian police officers, and "appropriate" civilian components. Upon the establishment of UNMIL, the small, previously existing U.N. Office in Liberia

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<sup>22</sup> The resolution was passed by a vote of 12-0, but three Security Council members (France, Germany and Mexico) abstained because the measure included a provision exempting members of the multi-national force from the jurisdiction of the International Criminal Court (ICC). They asserted that this provision would nullify measures of their sovereign legal codes, and might prevent their home governments from prosecuting foreign nationals who commit crimes against their own citizens. Colum Lynch, "Security Council Backs Nigerian-Led Force in Liberia," *Washington Post*, Aug. 2, 2003, *inter alia*. On the ICC, see CRS Report RL31495, *U.S. Policy Regarding the International Criminal Court*, and CRS Report RL31437, *International Criminal Court: Overview and Selected Legal Issues*.

(UNOL) was dissolved, and certain of its assets folded into UNMIL. The Security Council gave UNMIL a multi-faceted, 12-month initial mandate. Key duties include monitoring and implementation of the CPA and June cease-fire accord, and creation of an action plan for implementing a comprehensive DDR program, in cooperation with other international actors. S/RES/1509 also mandated that UNMIL:

- Disengage and canton at secure sites the Liberian armed parties' military forces;
- Support the work of the Joint Monitoring Committee (JMC), a body created under the June 17 cease-fire accord;
- Implement a voluntary disarmament program;
- Provide security for key government installations, and other vital infrastructure, such as transport hubs;
- Protect and enable the free operation of U.N. staff and facilities;
- Facilitate the provision of humanitarian aid;
- Assist in the protection and promotion of human rights in Liberia; and
- Protect civilians under imminent threat of violence, under certain conditions.

The resolution further mandated that UNMIL assist the NTGL to:

- Monitor, restructure, and retrain Liberia's police and military forces;
- Re-establish national authority and administrative capacities nation-wide;
- Develop a "strategy to consolidate governmental institutions, including a national legal framework and judicial and correctional institutions";
- Restore proper administration and regulation of natural resources; and
- Prepare for national elections scheduled for no later than the end of 2005;

UNMIL is headed by Jacques Paul Klein, who had been appointed Special Representative of the Secretary-General for Liberia on July 9, 2003. Klein is a retired U.S. Air Force General and senior U.S. diplomat, and former head of the U.N. Mission in Bosnia and Herzegovina (UNMIBH). Other top UNMIL officials include its Force Commander, Lieutenant-General Daniel Ishmael Opande of Kenya, the former commander of UNAMSIL; Souren Seraydarian of Syria, the Deputy Special Representative of the Secretary-General for Operations and Rule of Law; Abou Moussa of Chad, the Deputy Special Representative of the Secretary-General for Relief, Recovery and Rehabilitation and U.N. Humanitarian Coordinator for Liberia; and UNMIL Police Commissioner Mark A. Kroeker, the former police chief of Portland, Oregon.

## Current Situation

Numerous medium to long-term challenges face Liberia and its donors. These include:

- Achieving a transition from a situation of humanitarian crisis requiring emergency assistance to one characterized by resettlement and economic recovery.
- The re-establishment of state authority throughout Liberia's national territory.
- The rebuilding and reform of government institutions, facilities, and capacities, notably those of the functional ministries, revenue-earning and regulatory independent agencies, the police, and the justice system.
- General socio-economic recovery and rehabilitation of national physical infrastructure.

Other current peace and security-related operational issues that face the NTGL, UNMIL, and Liberia's international donors include continued implementation of the CPA, particularly with regard to maintenance of security; completion of DDRR; progress in preparing for elections; and resolution of the status of Charles Taylor, both as an exile in Nigeria and as a war crimes indictee.

## National Recovery

**Current Humanitarian Situation.** Humanitarian conditions remain difficult in much of Liberia, but are continuing to improve, particularly in Monrovia and other urban areas. Relief organizations have progressively expanded their areas of operation nationwide since August 2003, when humanitarian emergency operations were reinitiated after the deployment of ECOMIL and the signing of the peace accord. The socio-economic situation also began to slowly stabilize at that time due to the arrival of renewed food and fuel imports and the reopening of businesses and key transport corridors. During the past year, U.N. agencies, in concert with non-governmental organizations (NGOs) and NTGL ministries, in a forum called the Humanitarian Action Committee, have implemented a wide range of projects. These target needs relating to nutrition, water and sanitation, primary healthcare services and transportation infrastructure rebuilding, and the continuing assessment of socio-economic conditions in local areas throughout Liberia. Many initial efforts have taken the form of "quick-impact projects" meant to provide immediate basic outputs. Several disease immunization campaigns have also been undertaken.

Despite considerable progress, there remain high levels of basic humanitarian need in Liberia. In August 2004, according to USAID, quoting U.N. High Commissioner for Refugees (UNHCR) data, there were 300,000 internally displaced persons (IDPs) living in camps in Liberia. Additionally, there were 350,000 Liberian refugees living in Guinea, Sierra Leone, Côte d'Ivoire, and Ghana, as well as 4,000

Sierra Leoneans living in Liberia. As of early June, about 80,000 Liberian refugees had independently repatriated to Liberia following the end of the conflict. Access to relief supplies and, in some cases, limited public services are most readily available in IDP camps and informal settlements in urban areas, but these are also characterized by overcrowding.

**Nutrition.** Over 418,000 individuals currently depend on monthly food distributions from the World Food Program (WFP), though the number of beneficiaries has varied widely, to almost double that number in some months. In early August 2004, the WFP announced that it would decrease rations due to shortages of pulses, effectively reducing the daily caloric nutrition levels of rations by about 27%, though corn-soya supplements were added. Further food aid supply shortages were forecast by the WFP due to lapses in donor funding. As of late August, according to a September 2004 WFP report, severe malnutrition — attributable, in part, to illnesses, such as malaria, diarrhea, and cholera that tend to rise during the current rainy season — was being reported in some areas. Such reporting, and associated relief responses, are in part due to the continuing extension of relief agency activities and increasingly regular assessments of medical and humanitarian needs throughout the country. Provision of adequate potable water is a key component of both emergency relief delivery and resettlement programs.

**Resettlement.** While increasing numbers of IDPs are spontaneously resettling (i.e., autonomously moving to permanent places of settlement with little, if any, assistance from relief agencies), the bulk of displaced populations have yet to move to their permanent areas of residence. U.N. and NGO agencies that will support resettlement operations are currently planning these activities, and stockpiling and procuring resources that will be required to carry them out. Such resources include seed, tool, and basic transitional non-food item packages, as well as follow-up programs aimed at rehabilitating and providing basic social service facilities for newly resettled communities. Formal resettlement programs will not begin until areas targeted for return have been declared safe by an organ called the Security Assessment Committee for Resettlement (SACR), made up of NTGL, U.N., and NGOs representatives. Such declarations will require that in each targeted area, UNMIL peacekeepers be deployed; disarmament programs be completed; social and local police services be functioning; that the area be freely accessible to humanitarian agencies; and that spontaneous resettlements in the area be assessed, as a means of determining the likely success of formal return activities. The UNHCR began to assist in the repatriation and resettlement of refugees from surrounding countries in early October 2004.

**Education.** In late 2003, the NTGL Education Ministry of the began efforts to reinstate education activities, which had declined dramatically as the conflict grew. Most Liberian young adults and school-aged children have had limited access to schooling and are largely illiterate, in contrast to older generations, which are generally well-educated by regional standards. The NTGL's efforts have been assisted by the U.N. Children's Fund (UNICEF), through its Back to School Campaign. UNICEF helped coordinate educational facility assessments, delivered "school in a box" emergency school supply kits, and implemented a rapid master teacher "train the trainers" program. According to UNMIL, most primary and secondary schools in urban areas are operational, and UNICEF has delivered over

10,000 school supply kits adequate for the needs of 800,000 pupils; has trained 12,000 primary school teachers; and is supplying schools with access to clean water. Nationwide, current core activities aimed at rebuilding the education sector include facilities and manpower assessments; creation of teacher training, vocational/skills-building, and education promotion programs; efforts to support girls' education; school rehabilitation, construction, and provisioning; and school-based delivery of healthcare and supplementary nutrition. WFP programs currently reach over 395,000 pupils, and plans call for the expansion of such aid to about 65,000 additional children by late 2004<sup>23</sup>. Compared to progress in reopening schools, progress toward reinitiating activities at the university level has been halting. The University of Liberia (UL) has opened, but only about 20% of enrolled students are reportedly fully registered, and in August 2004, students and faculty launched a boycott in protest against the nomination of the NTGL of a new UL president.<sup>24</sup>

**General Economic Recovery.** Nation-wide, commerce is growing, in part because key transport routes are free of factional checkpoints. In core urban areas, a wide variety of imported goods are reportedly available from major trading companies, many Lebanese-run, which in turn supply small-scale retailers and street merchants. Public infrastructure remains devastated. Monrovia, with a population of about 1 million, lacks piped water and public electricity mains; most electricity is produced by private generators. These sectors are targeted for donor-aided rehabilitation. In July 2004, a Spanish firm was awarded a licence to explore for offshore oil.

Despite a normalizing economic situation, some observers are concerned that the upswing in economic activity in Liberia is driven by donor-financed expenditures, and may not reflect fundamental economic recovery. As of mid-October 2004, \$354 million of \$520 million in donor pledges made in February 2004 had been received. About half of these receipts were earmarked for humanitarian activities and about half for reconstruction projects. Some observers worry that humanitarian crises in other world regions, such as Sudan, may undermine donors' actual contribution of assistance they have previously pledged.

**Re-establishment of State Institutions.** A phased extension of state authority continues to be undertaken by the NTGL and the National Transitional Legislative Assembly (NTLA) with the assistance of UNMIL, particularly its civil affairs elements. It has been hampered, however, due to a paucity of basic facilities and resources to rehabilitate them; by insecurity, notably in rural areas; and by friction among local authorities<sup>25</sup>. The latter include a mix of those affiliated with the armed factions, who in some cases were appointed prior to the establishment of

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<sup>23</sup> UNICEF submitted a funding appeal for \$31 million as part of the U.N.'s Liberia Inter-Agency Consolidated Appeal for 2004; see U.N. Security Council, *Fourth progress report of the Secretary-General on the United Nations Mission in Liberia*, S/2004/725, Sept. 10, 2004.

<sup>24</sup> *The Analyst*, "Only 2,500 of 12,000 Students Fully Registered at UL," Aug. 26, 2004.

<sup>25</sup> See, e.g., IRIN, "Liberia: UN Probes Cross-border Arms Smuggling," Jul. 21, 2004; —, "Liberia: Rebels dig in at rubber plantation," Aug. 10, 2004; and —, "Liberia: A Shattered Nation on a Long Road to Recovery," Aug. 17, 2004.

the NTGL and in others in coordination with the NTGL; traditional leaders; and those still in place from previous regimes. NTLA and local objections to unilateral nominations of local officials by the NTGL executive have reportedly led to deeper cooperation between these branches of the transitional government, principally through a process by which a county-level committee vets and recommends a pool of candidates from which NTGL nominees are selected by the NTGL chair.

Generally, in areas outside the capital, the dispatch of government officials has centered on key population centers and areas where UNMIL has deployed troops and where the demobilization of ex-combatants has been initiated. Key tasks of local officials include coordination with the NTGL, U.N., and NGO agencies of programs to reintegrate and resettle ex-combatants and internally displaced persons in their communities of residence; the initiation of local infrastructure and public facilities needs-assessments; and, in a few cases, the initiation of reconstruction projects. Another key goal of the NTGL is to restore state control, in concert with local officials where appropriate, over the exploitation and regulation of natural resources, notably forests and diamonds, in part in order to comply with the conditions required for U.N. sanctions on Liberia to be lifted. The government recently deployed revenue collectors to Liberia's main towns. Throughout much of 2004, protection of borders had been an on-going area of concern with regard to the reassertion of central state authority, because in many instances, factional fighters remained in control of frontiers. In early September, however, the UNSG reported that UNMIL had worked with the NTGL to deploy immigration and customs officials to key border crossings, and was engaged in negotiations with armed faction elements aimed at ensuring they relinquish to the NTGL public facilities that have controlled or occupied. UNMIL is also assisting ad-hoc committees to mediate housing and property disputes, particularly those pertaining to families resettling or returning to their home areas.

In Monrovia, many NTGL ministry headquarters lack basic equipment, provisions, and the logistical capacity or resources to obtain them, though donor-funded ministerial rehabilitation projects, including U.S.-funded programs, are attempting to remedy this situation. Despite such challenges, the NTGL has taken a number of steps to re-establish basic government processes. It has directed that all state revenues be submitted to the central bank, though some critics claim that not all funds have been subjected to this requirement, and replaced the former Taylor-era head of the Central Bank, who critics had accused of aiding corrupt practices under the former government.

In late March 2004, the NTGL submitted a \$23.5 million interim budget, derived from maritime and customs receipts among other domestic revenues, covering the period from February to June 2004, which the legislature passed weeks later, with minor increases. The budget covered only government current wage bills, but did not address massive civil servant salary arrears, a central grievance of public sector workers, a key political constituency. In mid-May 2004, in response to such concerns and following talks with public sector labor leaders, the NTGL stated that it would begin bi-monthly payments of such arrears through mid-2005, beginning in late July 2004, after completion of a general public audit aimed at removing ghost workers from the state payrolls and preventing future salaries fraud. Despite this commitment, in late May government workers undertook a labor strike, viewed by the NTGL as illegal, to demand immediate payment of salary arrears. The



government worker strike began during a separate, multi-week wage arrears strike by Liberia Telecommunications Corporation workers. In late July, NTGL Chairman Bryant reiterated the NTGL's commitment to beginning arrears payments. The NTGL subsequently proposed a regular \$80 million 2004/2005 budget.

**Transparency.** While the NTGL has made progress toward re-initiating government functions, some observers worry that it may lack the capacity to ensure that all state operations are conducted in a transparent and accountable manner. Some claim that government office holders are acting for their own benefit or are engaging in nepotism. Critics claim that in a post-conflict country with an average 2003 income of \$130 per capita, the issuance of new vehicles to numerous public office holders, including most of the parliament, is an indication of these office holders' self enrichment. They also cite concerns about repeated overseas trips by NTLA officials, some accompanied by retinues of associates; the sale of Liberian state overseas properties, such as embassies, and of a \$10 million stockpile of iron ore, and disposition of revenues thereof; the taxation of former monopoly firms; the disposition of revenues from certain shipping-related state agencies; and lack of progress toward auditing and regulating natural resource concessions and proceeds<sup>26</sup>. UNMIL head Jacques Klein has criticized the NTGL for making making slow progress in many areas, notably with regard to elections. In late July, reportedly noting that "each of the warring factions got ministries ... staffed top to bottom with their people," he attributed such lack of progress to the assertion that "some people are thinking, 'Why next year? I like being in my government job - what's the rush?'"<sup>27</sup>

In late October 2004, a joint World Bank/International Monetary Fund (IMF) fiscal management assessment team in Liberia called for increased transparency, reform, and accountability in NTGL fiscal management and budgeting. The team stated that they viewed such an outcome as a pre-condition for the removal of U.N. sanctions on Liberia, and as a signal to donors considering the provision of increased aid to Liberia. The team also stated that donors are concerned about the NTGL's purchase of 76 Grand Cherokee jeeps for the parliament, though they expressed optimism that donors would likely eventually grant Liberia foreign debt relief.<sup>28</sup>

Despite some criticisms of its performance, the NTGL has received plaudits from many observers for undertaking incipient reforms of the Central Bank of Liberia

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<sup>26</sup> U.N. Security Council document S/2004/752, Sept. 24, 2004; H. Boima Fahnbulleh, Jr., "Liberia: Matters Arising," *The Analyst*, Aug. 6 2004; *The Analyst*, "Corruption Widespread in Liberia - U.N. Panel Observed," Oct. 1, 2004; communication from a Liberian parliamentarian; Christopher Melville, "Liberia's Government Chairman Buries Hatchet With Parliamentary Speaker," *WMRC Daily Analysis*, Aug. 19, 2004.

<sup>27</sup> IRIN, "Liberia: Where Are the Weapons? Is Disarmament Really Working?," July 29, 2004.

<sup>28</sup> Radio Veritas, "World Bank and IMF Want Transparency in Fiscal Budget," *UNMIL Daily Radio Summary*, Oct. 27 2004; IRIN, "Liberia: IMF and World Bank demand more transparency in public finances," Oct. 26, 2004; and "World Bank and IMF Concerned about Liberia's Budget (The Inquirer, The News, The Analyst and The Forum)," *UNMIL Daily Newspaper Summary*, Oct. 26, 2004.

(CBL), including an order that all state revenues be placed in a CBL account. The NTGL has also announced that several government agencies are to be audited, with foreign technical assistance. The replacement of the former CBL governor has generated similar praise. In May 2004, the then-CBL governor, Elias Saleeby, resigned under pressure from the NTLA and, reportedly, from the IMF. Saleeby, a former IMF staff who had served as Central Bank governor during the Taylor regime, had been re-appointed to the post in October 2003. He had, however, become the focus of increasing criticism from parliamentarians who challenged his authority to print about \$12.3 million worth of Liberian currency, without parliamentary approval, during Taylor's final months in power. Saleeby reportedly had claimed that a 1999 law gave the Bank the authority to do so. He was also the target of criticism from diverse Liberian and foreign observers because of his close association with Taylor and the high level of public sector corruption and fiscal chaos that characterized the Liberian government under Taylor and Saleeby's tenure. In May 2004, a visiting IMF delegation reportedly threatened to refuse to work with the Central Bank until Saleeby's resignation.<sup>29</sup>

**Reforms in the Security and Legal Sectors.** A Rule of Law Implementation Committee, made up of NTGL and UNMIL representatives, has been formed to coordinate police, judicial, and prison reforms. Liberia's National Police Academy re-opened in mid-July, and training of screened and vetted cadets, drawn from a mix of internal police and external candidates, began in at the end of the month. The Academy's capacity remains limited, however, due to rehabilitation requirements, for which funds were lacking as of early September 2004. Further police recruitments, aided by UNMIL CIVPOL, are continuing, and all existing law enforcement personnel are being enrolled in a nation-wide registry.

A limited number of courts at various levels, including the Supreme Court, are now functioning, though with limited resources, and UNMIL-aided training and vetting of judges at all levels below the Supreme Court has begun. UNMIL and experts from various donor countries are working with the NTGL to reform and rehabilitate the national justice system through implementation of monitoring, advisory and training programs in diverse rule-of-law institutions, through limited, quick-impact rehabilitation projects targeting key institutions' facilities.

Plans for the reform of Liberia's armed forces, as provided for under the Comprehensive Peace Agreement (CPA), are not complete. U.S. Defense and State Department officials are in the process of assessing and recommending a potential program for military restructuring. Of the \$200 million in IDFA funds under P.L. 108-106, \$35 million was dedicated to U.S. assistance to support Liberian military reform. U.S. defense officials, however, estimate that a total of between \$118 million and \$200 million will ultimately be required to achieve the goal of rebuilding a 3,000- 4,000 person military. Other U.S. planning projects a possible need for a

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<sup>29</sup> PANA, "Liberian Central Bank Governor Resigns," May 11, 2004; Liberian private DC 101.1 FM radio, "Liberia: Bryant Clarifies Cause for Central Bank Governor's Resignation," *BBC Monitoring Africa*, August 7, 2004; *The Analyst* (Monrovia), "Prosecute Saleeby, Others - LWHR Suggest to Bryant," May 19, 2004; *The Analyst* (Monrovia), "Under IMF's Pressure: Saleeby Booted Out of CBL," May 12, 2004.

4,000-6,000 person military. Officials have provisionally identified within the Administration's FY2005 and FY2006 requests \$118 million in regional peacekeeping, Foreign Military Financing, and supplemental funds that, if appropriated and sanctioned for this purpose, might be used to substantially begin such restructuring. They are also seeking the assistance of other donor nations in accomplishing this goal.

## Security Issues

**UNMIL Deployment.** UNMIL troops have deployed throughout Liberia, including at key border sites, and its civilian police (CIVPOL) elements are present at 25 main locations nationwide, and are expected to undertake further deployments. As of the end of September 2004, UNMIL, which has an authorized troop ceiling of 15,000 personnel, had a total strength of 14,363 troops; 201 military observers; and 1,089 CIVPOL; and over 423 international civilian personnel. The deployment of a communications group then under formation was expected to bring UNMIL up to its fully authorized troop level. UNMIL had experienced 23 fatalities, none as a result of a hostile act. As of the same date, UNMIL personnel were drawn from 60 countries; the largest combined military/CIVPOL contingents were from Bangladesh, Pakistan, Ethiopia, and Nigeria. The United States had contributed six troops; five military observers; and 72 civilian police. UNMIL had earlier faced challenges in recruiting personnel from troop contributing countries.<sup>30</sup>

**Security Situation.** The nation-wide deployment of UNMIL, together with the continuing success of disarmament and demobilization programs for ex-combatants (see below), has contributed to a generally calm and improving security situation in Liberia, though the country remains subject to periodic unrest and volatility. In addition to carrying out disarmament activities, UNMIL troops routinely monitor roads and borders, the latter by land and air, and carry out search and seizure operations aimed at intercepting and halting trafficking in illicit arms and ammunition. No significant cease-fire violations between the three armed factions were recorded to date in 2004. Intra-factional rivalries have on several occasions, however, turned violent and threatened public security, as have periodic civil unrest and criminal activities, including sporadic looting and assaults, theft, or extortion of civilians by ex-combatants. Such threats have primarily affected Monrovia and other population centers, where many disarmed ex-combatants are present, and localities awaiting the start of disarmament programs.

**Intra-Factional Tensions.** Limited discord within MODEL and among former government force elements, most commonly involving disputes between field level fighters and their immediate commanders, has periodically been reported. More serious intra-factional tensions, however, have occurred within LURD. Throughout late 2003 and 2004, there were persistent reports of rivalries between one group of LURD members, including several key political leaders said to be allied primarily with Sekou Conneh, and a second LURD faction. The latter includes several key military commanders who reportedly back Conneh's wife, Aisha Keita-Conneh, and Kabineh Janneh, a former LURD peace accord negotiator and the current NTGL

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<sup>30</sup> United Nations, "UN Mission's Contributions by Country," Sept. 30, 2004

Minister of Justice. While Keita-Conneh, who like her husband is a founding leader of LURD, holds no formal position within the organization, she has long wielded extensive influence over large segments of LURD.

LURD has long been subject to internal discord; both during the conflict and during the peace talks that ended it, disagreements among the group's leaders were reported. Tensions grew in January 2004, however, when a group of LURD military leaders, disenchanted with Sekou Conneh for not backing their candidacies for positions in the NTGL, alleged that he was engaging in favoritism and accepting bribes in exchange for positions allocated to LURD in the NTGL. Some called on Keita-Conneh, who claims to be the "founder and main leader" of LURD, to take over its chairmanship from Conneh. These tensions also appear to have been aggravated by an on-going marital dispute between Conneh and Keita-Conneh that reportedly relates, in part, to Conneh's nomination of a relative of his former wife to be NTGL Finance Minister.<sup>31</sup>

Such tensions persisted throughout 2004. In early April, LURD fighters, claiming that they were not receiving adequate disarmament assistance and that their leaders were neglecting their needs, looted and rioted in the central city of Gbargna. In early June, a group of LURD leaders, claiming status as LURD's "National Executive Council," suspended Conneh "indefinitely" as chairman of LURD, and days later appointed Chayee Doe as the new LURD chair. Doe, however, died in mid-June while undergoing brain surgery in the United States. Subsequently, in June, Janneh was chosen by the Council as Acting and then permanent LURD Chairman. In early August, the two opposed LURD factions targeted one another in a series of actions involving vehicle theft, abductions, fistfights and shootings. These incidents, which threatened to escalate and pose a general threat to public security, were halted by UNMIL through a combination of police and troop force deployments and mediation.

Conneh immediately dismissed the legitimacy of his alleged replacement in June 2004, and continues to claim his position as chairman — though for much of the period after the CPA's signing, he resided abroad, and only periodically visited Liberia<sup>32</sup>. His absence from Liberia during key events — such as an April 2004 opening of a disarmament camp in Tubmanburg, LURD's wartime headquarters, and during peace negotiations — has led some observers to hypothesize that he may initially have been chosen as a figurehead leader who could later be replaced.

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<sup>31</sup> IRIN, "Liberia: Bryant to Intervene in Rebel Rift," Jan. 21, 2004; BBC News, "Family Feud Rocks Liberia rebels, Jan. 20, 2004; Jonathan Paye-Layleh, "Liberian rebel leader's wife claims leadership of insurgency," Associated Press, Jan. 20, 2004; and IRIN, "Liberia: Conneh's Estranged Wife Emerges as Power Broker in LURD," Jan. 14, 2004; IRIN, "Liberia: Leadership Battle in LURD Leads to Fighting on Streets of Monrovia," Aug. 4, 2004; Mike Jabateh and Ora Garway, "Dweh Threatens War - Gen. Opande Wheeled Sekou Away - Duala Residents Run Helter-Skelter -What Is Afoot," *The Analyst* (Monrovia), Aug. 5, 2004, among others.

<sup>32</sup> Conneh's poor relations with Keita-Conneh may have undermined his relations with the authorities in Guinea. In mid-2004, he reportedly moved his primary place of residence from Conakry to Dakar, Senegal.

According to such views, he was selected because he had access to funding and links to the Guinean government, but held little direct sway over LURD's military elements. During the post accord period, in this view, Conneh has continually had to struggle to assert his authority within the group, and has attempted to form alliances with politicians who possess political connections and aspirations independent of those of the core military LURD leadership. Such factors may underlie the spate of intra-LURD violence in early August; it appears, in large part, to have been spurred by Conneh's return to Monrovia and the prospect that he might attempt to re-assert control over LURD's Monrovia-based leadership. Since that time, Conneh's position appears to have strengthened, as some military leaders formerly allied with Keita-Conneh have begun to distance themselves from her.

The on-going tensions within LURD are worrying to many observers because of LURD's key position within the NTGL, and its history of using the force of arms to achieve political ends. Were LURD to permanently split into mutually opposed factions, some believe, the threat of significant renewed armed conflict could re-emerge, and could again destabilize Liberia and endanger the viability of the peace accord. However, in accordance with the CPA, LURD has announced that will officially dissolve as an armed force on October 31. Observers anticipate that the group will transform itself into a political party.

## Peace Accord Implementation

Substantial progress toward two key challenges to implementation of the CPA — resolution of persistent disagreements about appointments to posts in the National Transitional Government of Liberia (NTGL), and completion of the disarmament and demobilization process — has been made, though neither goal has been completely met. Other key peace accord-related tasks facing the NTGL include the need to improve its functional capacity; ensuring progress toward security sector reform; and establishing the legal and operational conditions and capacities necessary for the conduct of free and fair elections in October 2005.

**NTGL Posts.** Job-related political demands by the armed actors, notably LURD, repeatedly threatened to prevent the initiation of demobilization and to undermine the accord and the formation of the NTGL. In mid-September 2003, LURD asserted that the Bryant Administration was planning to deny LURD assistant minister posts, in contravention of the peace accord, and threatened not to join the NTGL. In mid-October, LURD again requested that job allocations be clarified prior to the inauguration of the National Transitional Legislative Assembly (NTLA)<sup>33</sup>. In mid-December 2003, the three armed factions issued a formal declaration, which they dubbed *The Monrovia Clarification on the 18 August 2003 Comprehensive Peace Agreement*, demanding control over virtually all top government posts, including six ministries and 16 independent government agencies allocated to the unarmed political parties and civil society under the CPA. Their demand, if upheld, would

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<sup>33</sup> IRIN, "Liberia: Lurd Threatens to Quit Government over Jobs Row," Sept. 12, 2003; IRIN, "New Parliament to Meet Before Tuesday," Oct. 10, 2003; IRIN, "County Nominees Rejected As New Parliamentarians Meet," Oct. 13, 2003; and IRIN, "Liberia: Warring Parties Formalise Demands for More Jobs in Government," Dec. 19, 2003.

reportedly have caused civilian groups to lose as many as 33 positions, and spurred the civilians, including the Deputy Chairman of the NTGL, Wesley Johnson, to threaten to resign from the NTGL in protest. While most such disagreements have been resolved, in early September 2004, the UNSG reported that “there are still ongoing disputes over government posts which have made it difficult for the Transitional Government to function as a cohesive administration.”<sup>34</sup> Similar disputes, mostly pitting the former armed factions against unarmed political parties and civil society groups, had earlier arisen over the manner in which National Transitional Legislative Assembly (NTLA) seats had been selected. Disagreements over disputed NTLA seats have since been resolved, apart those affecting one seat, for which a special election was slated to be held.

**Disarmament, Demobilization, Rehabilitation and Reintegration (DDRR).** Liberia’s peace accord requires the cantonment and “disarmament, demobilization, rehabilitation and reintegration” (DDRR) of the armed parties to the conflict. An UNMIL-supervised disarmament process began in December 2003, but faced immediate and substantial problems related to the operational and logistical challenges of rapidly initiating a nationwide DDRR program. A key point of the initial failure related to misinformation about the protocol for paying disarming combatants when the program began in mid-December. Plans called for a two-stage payment of \$300 to disarming combatants, the first \$150 installment to be paid after initial induction into the DDRR process. When disarming combatants learned that they would not receive on-the spot payments upon surrendering their weapons, they rioted and looted in and near the capital. Although the unrest was successfully suppressed, and UNMIL announced that it would pay each disarming fighter \$75 in exchange for their weapon upon entrance into the cantonment site, the DDRR process was halted, pending further planning. Other factors that contributed to this outcome included a series of public criticisms of DDRR plans; LURD’s initial opposition to the establishment of a DDRR camp in its territory; and the publicly announced need for more extensive preparations of DDRR camps, further deployments of UNMIL troops, and public education about the disarmament process.

After repeated postponements, the DDRR process began anew in mid April 2004, and has since recorded significant success, despite a few localized violent incidents associated with some ex-combatants’ dissatisfaction over the DDRR process and the mishandling of military materiel. Over 95,000 combatants, more than double the initial UNMIL projection of 38,000, have been demobilized to date. The total includes over 12,600 women and 10,000 children, about 22% of them girls, and at least 530 foreign combatants. Over 21,000 weapons, predominantly light weapons, have been turned in, as well as substantial amounts of ammunition and unexploded ordnance. Disarmament has occurred in most areas of the country, including some remote border zones.<sup>35</sup>

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<sup>34</sup> Paragraph 14, U.N. Security Council, S/2004/725.

<sup>35</sup> U.N. Security Council, S/2004/725; IRIN, “Liberia: UN opens last disarmament site in Harper,” Sept. 30, 2004; UN News Service, “Liberia: UN-run disarmament tops expectations but aid needed to help ex-fighters,” Oct. 20, 2004.

**Disarmament Challenges.** Not all ex-combatants inducted into the DDRR program have surrendered a weapon. This has led to two criticisms of the DDRR process. First, some critics allege that non-combatants are taking advantage of the process to gain demobilization payments, a claim denied by UNMIL, which asserts that it vets all DDRR inductees. Second, some observers fear that the former armed factions may be sequestering significant caches of weapons, which might facilitate a return to armed conflict if Liberia's weak political institutions fail to mediate competing interests. They point to UNMIL's seizure of multiple weapons, on several occasions, as possible evidence for such claims. Similar concerns have been expressed with regard to the lower-than-anticipated number of heavy weapons being surrendered. There have been periodic though unconfirmed reports that former Taylor loyalists may be attempting to recruit and train fighters in southern Guinea, possibly in order to incite a rebellion against that country's government, which opposed that of Taylor.

There have also been reports that some weapons from Liberia have been smuggled out of Liberia into neighboring countries. Some worry, in particular, that weapons and/or ex-combatants may cross into neighboring Cote d'Ivoire, where the political situation remains unsettled, and where DDRR plans call for the payment of demobilization stipends nearly three times as large as those being offered in Liberia. A related matter of contention arises because, although not all disarmed ex-combatants surrendered weapons during the much of the DDRR process to date, in August 2004, UNMIL officials reportedly began to reject prospective inductees into disarmament camps who lacked a weapon. While the hand-over of arms is not presently official policy, UNMIL is reportedly considering requiring male combatants to turn in a weapon, while exempting disarming female and child combatants from such an obligation. The alleged rejection of prospective inductees has caused consternation among those affected. In mid-September 2004, the National Commission on DDRR (NCDDRR) received a complaint from a former government commander claiming that 2,000 of his men had been rejected for DDRR.

The completion date for disarmament has also been a matter of contention. In late August 2004, the deputy UNMIL force commander announced that the disarmament program would be extended to December. This would mean that disarmament would continue after refugee repatriation programs, which began in October, had commenced. The head of UNMIL, Jacques Klein, subsequently announced that the previously-planned disarmament end-date of October 30 would be followed. On September 7, however, the NCDDRR rejected the October 30 date, calling it "unrealistic and unilateral." It asserted that several disarmament sites had yet to be opened and that further time for disarmament in remote, seasonally inaccessible areas was required. A NCDDRR spokesman also stated that none of the three former armed factions or the NTGL had been officially notified of the date announced by Klein, a claim later denied by the deputy head of UNMIL. Chairman Bryant, however, subsequently accepted the October 30 date, and in late September, UNMIL opened its last disarmament site.<sup>36</sup>

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<sup>36</sup> IRIN, "Liberia: DDR Commission Rejects October Deadline for Completing Disarmament," Sept. 7, 2004; —, "Liberia: Disarmament Finally Begins in Lofa county," (continued...)

A related challenge facing the disarmament process is a reportedly inadequate level of funding for ex-combatant reintegration programs, due in part to donor concerns. Some donors reportedly will not release pledges for reintegration support until the disarmament process has formally ended. While several large reintegration programs are operating, United Nations and NTGL officials maintain that given current levels of funding, not all ex-combatants will receive reintegration assistance, which these officials see as threatening to the sustainability of the DDR program as a whole.

**Child Soldiers.** U.N. agencies have estimated that there are over 15,000 child soldiers in Liberia, many forcibly recruited by the belligerent forces for use as soldiers, domestic workers, involuntary sexual companions, and porters. Disarmament plans include special provisions for addressing the special needs of child ex-combatants, and a Child Protection Working Group (CPWG) chaired by UNICEF has been created. In late August 2004, however, UNICEF Carol Bellamy made press statements indicating that only about half of the UNICEF's appeal for reintegration projects for child ex-combatants had been funded by donors.<sup>37</sup>

## Elections

In January 2004, an independent National Elections Commission (NEC) was appointed by the NTGL, as required under Liberia's CPA; its members include two former Supreme Court justices and two former Taylor-era members of the NEC. Its mandate is to ensure the conduct of elections "in a manner that is acceptable to all" no later than October 2005<sup>38</sup>. As called for under the CPA, the United Nations, in cooperation with other members of the ICGL (see above), is designing a prospective U.N. elections assistance program, and possible legal and operational reforms of the electoral system, as well as a potential elections time line. Such an aid program would have two key goals: the conduct of "credible" and expertly administered elections, and the creation of a sustainable national electoral administration capacity in future elections.

A report of an assessment undertaken in April 2004 by the elections technical assistance group IFES stated that any eventual electoral framework should address the following tasks or issues:

- Establishment of electoral system (constituency, number of representatives, electoral formula);
- Creation of electoral boundaries;
- Determination of type of elections to be held (national, general);
- Eligibility to vote and process for becoming a voter (including provisions for refugees and IDPs);

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<sup>36</sup> (...continued)  
Sept. 8, 2004.

<sup>37</sup> IRIN, "Liberia: Too little money for rehabilitation of former combatants, UNICEF says," Aug. 26, 2004.

<sup>38</sup> Article XVIII, Electoral Reform, CPA.



- Eligibility and process for political candidacy;
- Political party registration and the electoral campaign processes;
- Elections administration (procedures of operations, appointments);
- Voting, vote-counting, and the announcement of results procedures;
- Sanctions for specific electoral offences;
- Consultative mechanisms;
- Elections observation and guarantees for the rights of political party representatives; and
- Election dispute resolution.<sup>39</sup>

An assessment mission by the U.N. Department of Political Affairs Electoral Assistance Division in April 2004 found that the NEC had “very little material and staff capacity to carry out civic and voter education, voter registration, constituency delimitation and polling.” It asserted that these activities could not be carried out in timely manner without “extensive international assistance.” The United Nations projects that administration of the elections will require a one year deployment to the UNMIL electoral unit of 32 international experts, 11 national experts, 49 national General Service staff; a five-month deployment of an additional 92 national General Service staff to support the Unit’s data center; a six to nine month deployment of 220 U.N. Volunteers; and the hiring for six months of 4,080 temporary registration staff. The UNSG has proposed that the cost of these workers, as well as funding for registration materials and partial funding for voter education materials, be included in UNMIL’s 2005-2006 budget submission. Under this proposal, however, all direct NEC Commission funding would have to come from other sources. In addition to electoral conduct work, the UNMIL CIVPOL unit is preparing for the elections by supporting the training of about 1,800 Liberian Police Service personnel. UNMIL projects that a five-week nationwide voter registration exercise will begin in April 2005 and to proceed for around five weeks.<sup>40</sup>

In July 2004, the NEC chair announced that an estimated \$12.4 million would be required to conduct the election, and that about one third of this cost would likely be represented by the in-kind support being provided by UNMIL. By comparison, a rough estimate by IFES in April 2004 totaled “\$16 million for an elections and operational budget for the period of July 2004 - January 2006,” but IFES warned that “this figure would not include local elections, a costly constituency delimitation exercise, out-of country refugee registration/voting, and the necessary logistical support.”<sup>41</sup>

The NEC has also begun to prepare for the 2005 election. In July 2004, it hosted a consultative meeting with Liberian political parties. This process reportedly generated a consensus that Liberians generally favor a direct, constituency-based elections, the traditional electoral method in Liberia, rather than proportional party

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<sup>39</sup> IFES, “Report of an Electoral Assessment and Planning Mission to Liberia, April 4-25, 2004.”

<sup>40</sup> U.N. Security Council, S/2004/725; and — , *Third progress report of the Secretary-General on the United Nations Mission in Liberia*, S/2004/430, May 26, 2004.

<sup>41</sup> IFES, “Report...”

elections, which were employed in the 1997 post-war special election. Following this consultative process, in late August, the NEC submitted to the NTLA for ratification a draft electoral law, the Electoral Reform Bill, which is currently under parliamentary consideration.<sup>42</sup> It proposes the following measures, which include proposed suspensions of articles of the current constitution and a variety of related legal reforms:

- Suspension of Article 83(b), which requires elections on the basis of an absolute majority for all public offices. Instead, the president and vice president would be chosen by a first round absolute majority (over 50%) vote, to be followed by a simple majority run-off vote between the two highest vote earners if no candidate received an absolute majority in the first round vote. County-based simple majority votes would be used to elect House representatives and senators.
- Due to the “unlikely” probability of a national census before the 2005 elections, suspension of Article 80(d) of the constitution, which requires a census to demarcate constituencies totaling no more than 100. Instead, the number of House seats would be fixed at sixty four, representing multi-member constituencies for each county. Each winning candidate would be elected by “an approximately equal number” of voters, though means for accomplishing this end are not entirely provided for in the bill.
- Due to the increase of counties from nine to fifteen since the adoption of the current constitution, suspension of Article 78, requiring political parties to be defined as associations of at least 500 members in each of at least six counties. Instead the same requirements would apply, but with applicability to at least 12 counties. Currently registered parties would not be subject to this amendment, and inter-party electoral coalitions would be permitted.
- Funding of the NEC by the public treasury, provided that a formal finance and audit process overseen by special committees be established to oversee NEC spending and ensure the accountability of NEC activities.
- The enactment, for diverse reasons, of a number of technical amendments to the New Elections Law of 1986, including several provisions aimed at preventing electoral malfeasance and setting campaign spending limits.

Due to widespread population displacements, the bill would also:

- Suspend Article 52(c), which requires that presidential and vice presidential candidates reside Liberia 10 years prior to an election, but would add a provision requiring that the two incumbents not come from the same county;

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<sup>42</sup> Christopher Melville, “Election Commission Seeks Revision of Liberian Electoral Law,” *WMRC Daily Analysis*, Sept. 2, 2004, among others.

- Suspend Article 30(b), which requires one year of residence and status as taxpayers of all legislative candidates within the constituencies that they propose to represent; and
- Amend the New Elections Law of 1986 to allow the NEC to administratively and operationally facilitate the registration and voting of displaced persons and refugees, and to provide assistance to illiterate and disabled persons.

## Status of Charles Taylor

**Taylor Indictment.** A key factor that appears to have motivated Taylor's departure from power was the unsealing of an indictment against him by the Special Court for Sierra Leone (SCSL) a hybrid U.N.-Sierra Leonean body established to try those most responsible for war crimes and human rights abuses during Sierra Leone's civil war<sup>43</sup>. The indictment, issued on March 7, 2003, was publicly unsealed on June 4, 2003, as Taylor addressed opening remarks to the Ghana peace talks. Simultaneously, an arrest warrant for Taylor was issued, and the SCSL requested that the Ghanaian government detain and transfer him to Sierra Leone for prosecution. Ghana claimed non-receipt of SCSL's request, and Taylor abruptly returned to Liberia, reportedly on a Ghanaian state aircraft. The indictment was seen as weakening Taylor's stature and bargaining power; the following day, LURD mounted a fierce assault on Monrovia, in an apparent bid to gain pre-negotiation military superiority. The attack, and the initial failure of MODEL to send a delegation to Ghana, temporarily postponed the talks. LURD threatened to withdraw from the talks if Taylor, who LURD labeled a war criminal, did not resign. Taylor then threatened to pull out of talks unless the indictment was lifted. The talks continued, however, leading to the June 17 cease-fire accord.

**Indictment: Implications and Asylum Offer.** Taylor's indictment was controversial. It was seen by many analysts as a potential impediment to a rapid political settlement leading to Taylor's departure from power and from Liberia. In late June 2003, Abdulsalami Abubakar, the former Nigerian head of state and the ECOWAS peace negotiations mediator, called the indictment counter-productive to mediation efforts. Nigeria subsequently offered asylum to Taylor, reportedly with strong U.S. encouragement. He initially rejected the offer because Nigeria would not guarantee his safety from extradition to face trial, but later accepted it, after meeting with Nigerian President Olusegun Obasanjo on July 6, and departed Liberia on August 11. The exact terms of his asylum were not publicly stated, but the offer reportedly was made in exchange for Taylor's agreeing to resign, withdraw from Liberian politics, and not talk to the press. News reports alleged, however, that he continued to directly communicate from Nigeria with political allies in Liberia, in an attempt to exert continuing control over economic, political, and military events in Liberia<sup>44</sup>. In mid-September 2003, the Nigerian government rebuked Taylor for his

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<sup>43</sup> The Special Court is supported, in part, by the United States, which has pledged \$20 million over the first three years of its operation.

<sup>44</sup> Edward Harris, "Ousted Liberian Leader Controlled a Financial Empire — and Isn't (continued...)"

actions, warning that it would “not tolerate any breach of this condition and others which forbid him from engaging in active communication with anyone engaged in political, illegal or governmental activities in Liberia.”<sup>45</sup> Reports of such activities by Taylor have since declined, and his influence appears to be slowly waning, although periodically such allegations continue to appear in the media. Some observers of Liberian affairs believe his influence — as projected through a variety of allies, such as top former Taylor administration officials who hold high offices in the NTGL — remains significant.

**Nigeria.** Taylor’s asylum has caused considerable controversy within Nigeria. Many Nigerians find the presence in their country of a war crimes indictee repugnant. Others see Taylor as a long-time enemy of Nigeria, in part because his forces reportedly murdered and abused Nigerians during and after the first Liberian civil war. Several Nigerian legislators have called for Nigeria to surrender Taylor to the International Police Organization (Interpol), which in December 2003 issued a Red Notice for Taylor in response to a request from the Special Court, but not all legislators support such a move<sup>46</sup>. On December 10, 2003, a coalition of Nigerian, Liberian, and Nigerian NGOs, in collaboration with Open Society, a political reform and advocacy organization, called on the Nigerian government to revoke Taylor’s asylum and surrender him to the Special Court<sup>47</sup>. More recently, in July 2004, a working quorum of Liberia’s transitional parliament rejected a petition from a coalition of 80 human rights and pro-democracy groups calling for the parliament to urge Chairman Bryant to demand that Nigeria extradite Taylor to face trial before the SCSL.

Taylor’s asylum is also the object of a court case by two Nigerian plaintiffs seeking transfer of Taylor to the SCSL. The plaintiffs, former businessmen whose limbs were amputated by Sierra Leonean RUF rebels in 1999, are pursuing a consolidated court case that seeks to have the Nigerian government reconsider, and ultimately rescind, its provision of asylum to Taylor. They contend that Taylor’s

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<sup>44</sup> (...continued)

Giving it Up, Diplomats Say,” Associated Press, Sept. 7, 2003; Tim Weiner “Liberian Ex-Leader Stole \$3 Million as He Left, U.N. Aide Says,” *New York Times*, Sept. 6, 2003 and Terence Sesay, “UN’s Liberia Envoy Says Taylor Stole 3 Million Dollars Meant for Soldiers,” Agence France Presse, Sept. 5, 2003; and Emily Wax, “In Exile, Taylor Exerts Control,” *Washington Post*, Sept. 17, 2003.

<sup>45</sup> Associated Press, “Nigeria Warns Guest-in-exile Taylor to Stay out of Liberia’s Affairs,” Sept. 16, 2003, *inter alia*.

<sup>46</sup> See Chinwe Maduagwu and Cosmas Ekpunobi, “Reps’ Panel Wants Taylor Sent to Interpol,” *Daily Champion* (Lagos), Dec. 11, 2003 and Stephen Oladidupo and Adeyemi Adebajo, “Reps Member Wants FG to Handover Charles Taylor,” *P.M. News* (Lagos), Dec. 11, 2003. Emeka Mamah, “Why Nigeria Won’t Hand Over Taylor for Trial, By Speaker,” *Vanguard* (Lagos), Dec. 16, 2003. An Interpol Red Notice is a criminal “wanted” document used to seek a subject’s arrest and extradition from a third country based upon the issue of a legal arrest warrant. Some countries regard such notices as the legal basis for a provisional arrest, while others view them merely as informational communications.

<sup>47</sup> Open Society Justice Initiative, et al., “NGOs Demand Nigeria Revoke Charles Taylor’s Asylum,” Dec. 10, 2003.

asylum is illegitimate because it was granted by the Nigerian executive branch, rather than the National Refugee Commission, which they contend has sole legal authority to decide asylum claims. They claim that the executive's actions breached their rights under the Nigerian constitution and international law, and assert that the Nigerian government's provision of asylum is obstructing Taylor's trial before the SCSL. The government contends that the Nigerian Federal High Court, which is hearing the case, lacks jurisdiction to entertain a suit filed by the two plaintiffs because they lack standing in the case, since they are not parties to the SCSL. It also contends that the plaintiffs' case was filed after relevant statutes of limitation had expired.<sup>48</sup>

In September 2004, the human rights advocacy group Amnesty International applied to the Federal High Court for leave to submit an *amicus curiae* (friend of the court) brief in the case. The brief focuses on two issues: whether war crimes indictees of the SCSL are entitled under international law to have or retain refugee status, which the brief concludes is not permitted; and whether under international law Nigeria must surrender such an indictee if it does not investigate and, if evidentially warranted, prosecute such a case. The brief concludes Nigeria must investigate the case against Taylor or surrender him to the SCSL for prosecution.<sup>49</sup>

**Status of SCSL Case Against Taylor.** Taylor is pursuing efforts to have the SCSL indictment lifted. In August 2003, his representatives filed a complaint before the International Court of Justice (ICJ) challenging the jurisdiction of the Special Court to prosecute him. However, according to an ICJ press release, "no action will be taken in the proceedings ... unless and until Sierra Leone consents to the Court's jurisdiction in the case" — an unlikely prospect, given the Sierra Leone government's support for the case against Taylor. The ICJ finding followed a similar motion first filed before the Special Court itself in July 2003. In late October and November 2003, the Special Court heard arguments by lawyers for Taylor asserting that his indictment is invalid because he was head of state, and therefore was immune from prosecution, when it was issued. His then-legal counsel also maintained that the Special Court has no power to enforce an arrest warrant outside the borders of Sierra Leone.

Taylor's efforts to quash the indictment have failed. In late May 2004, the SCSL Appeals Chamber rejected Taylor's claim of immunity from prosecution. The prosecution team is now awaiting Taylor's appearance before the SCSL. In addition, in March 2004, SCSL prosecution agents, acting under a Liberian court warrant, carried out a search of Taylor's former residences in Liberia, as well as those of his key associates. Taylor could also potentially face additional legal charges before the sub-regional ECOWAS court. The court's president stated in mid-September 2004

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<sup>48</sup> Lilian Okenwa , "How Taylor Can Appear in Court," *This Day* (Nigeria), September 16, 2004; Iseoluwa Ige, "Legal Moves to Extradite Taylor by Nigerians Invalid," *Vanguard* (Nigeria), September 16, 2004; Nigeria Coalition on the International Criminal Court, et al., "Nigerian High Court Agrees to Review Charles Taylor Asylum," June 3, 2004.

<sup>49</sup> Amnesty International, "Nigeria: Amicus Curiae Brief Submitted to the Federal High Court Reviewing Refugee Status Granted to Charles Taylor," *AI Index*, AFR 44/030/2004, Sept. 23, 2004.

that the court has the authority to hear cases filed by a national of any member state, including cases pertaining to Taylor's role in the Liberian conflict or those in other ECOWAS states.<sup>50</sup>

**Asylum: Debate and Implications.** The possibility that asylum might provide Taylor with *de facto* indemnity from prosecution prompted considerable debate over the implication that the conditions pertaining to his departure from Liberia gave primacy to goals related to political negotiations, rather than those related to justice and the rule of law. Some policy makers and observers, viewing the need for peace as paramount, saw Taylor's extradition to Sierra Leone as a less pressing objective than a resolution of the war in Liberia and the formation of a transitional government there. Many advocates of this view — reportedly including the Bush Administration — do not necessarily support indefinite asylum for Taylor, but rather may see it as a temporary expedient, and implicitly leave the future disposition of his case subject to legal decisions by the Special Court and decisions by the Nigerian government.<sup>51</sup> Other observers, including some Members of Congress, maintain that Taylor must face the serious charges against him, and that his asylum substantially undermines the deterrent effect on other human rights abusers, including the armed parties in Liberia, of the prospect of being subjected to criminal sanctions.<sup>52</sup>

**Pressure on Nigeria.** Some advocate bringing pressure on Nigeria, which asserts that it “will not be harassed” over its asylum offer, to extradite Taylor, and several provisions of U.S. law support that goal, in part by conditioning some U.S. aid to Nigeria on its transfer of Taylor to the SCSL.<sup>53</sup> Some observers worry, however, that such legislation unfairly targets Nigeria, and could damage U.S.-Nigerian relations or be perceived as unjustifiably punishing Nigeria, and thereby potentially undercut its extensive efforts to bring peace to Liberia. They argue that the transfer of Taylor to Nigeria was undertaken with full U.S. cognizance and reportedly was urged by Secretary of State Colin Powell. In addition, they stress that Nigerian ECOWAS officials were central in the mediation of the CPA and note that Nigeria spearheaded the ECOMIL intervention and is a leading UNMIL troop contributing country.

**U.S. Law and Taylor.** Several U.S. legislative provisions pertain to Taylor's asylum. P.L. 108-106 includes \$2 million for “for rewards for an indictee of the

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<sup>50</sup> PANA Daily Newswire, “ECOWAS Court May Try Charles Taylor,” September 16, 2004.

<sup>51</sup> See “Daily Press Briefing,” Adam Ereli, Deputy Spokesman, State Department, Dec. 4, 2003, among other official remarks on Taylor's asylum in Nigeria.

<sup>52</sup> House International Relations Committee, “Hyde, Lantos Urge Powell to Release Funds for Sierra Leone Court Facing Security Threats,” June 13, 2003. See also Human Rights Watch, “Letter to President Obasanjo on Bringing Charles Taylor to Justice,” Nov. 17, 2003; Amnesty International, “Nigeria: No impunity for Charles Taylor,” AFR 44/024/2003, Aug. 12, 2003; and U.N. IRIN, “Liberia-Nigeria: Questions raised over Taylor's exile in Nigeria,” Aug. 21, 2003.

<sup>53</sup> Amnesty International, “Nigeria: Amnesty International Seeks to Intervene in Case Reviewing Asylum Granted to Former Liberian President Charles Taylor,” *AI Index*, AFR 44/029/2004, Sept. 22, 2004.

Special Court for Sierra Leone.” Though it does not mention Taylor by name, this provision is widely assumed to be targeted at and applicable to him. After the enactment of P.L. 108-106, the Nigerian government, which called the reward provision “an incitement to terrorism,” increased security for Taylor, and asserted that the provision might prompt violations of its sovereignty<sup>54</sup>.

State Department officials oppose such infringements of sovereignty or associated illegal actions and assert that the apprehension of indictees for which there are U.S. rewards should be undertaken by appropriate government authorities. They also contend that such rewards are not fugitive bounties; rather, according to the State Department, when offered, they are given in exchange for credible information leading to a fugitive’s apprehension and transfer to the appropriate court of jurisdiction, on a case-by-case basis. In Taylor’s case, they maintain, no reward is necessary because Taylor is under the control of the Nigerian government. The offer of a reward for his apprehension would be potentially offered only if he becomes a fugitive. S. 2809, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005, would provide funding for emergencies in the diplomatic and consular service, providing that funds previously appropriated “for rewards for an indictee of the Special Court for Sierra Leone” be transferred to the SCSL<sup>55</sup>. Other U.S. legislation has concerned the Nigerian government. P.L. 108-199 which contains FY2004 foreign operations appropriations, incorporated some provisions similar to those in H.R. 2800 (Kolbe). These include measures that could deny some forms of U.S. assistance to Nigeria, including funds for debt restructuring, if it fails to surrender and transfer Taylor to the Special Court.

## U.S. Policy

For much of 2002 until June 2003, Bush Administration policy toward Liberia centered on three activities: urging the Taylor Administration and its armed opponents to uphold human rights norms, cease armed hostilities, and engage in direct negotiations; providing emergency humanitarian assistance; and providing relatively small amounts of development assistance (DA). DA, administered by the U.S. Agency for International Development (USAID), supported international and local NGO projects. These sought to increase access to basic health care; bolster food security by improving food crop production, processing and marketing capacities and small-scale community-level income generation and infrastructure

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<sup>54</sup> Such concerns followed reports that Northbridge Services Group, a U.K.-based military services firm, had in mid-2003 attempted to procure a \$4 million deal to forcibly apprehend Taylor, and turn him over to the Special Court. In mid-December 2003, the group floated a similar plan, this time in exchange for the \$2 million reward, a proposition that was sharply attacked by Nigeria. See Thomas Catan, James Harding And Michael Peel, “FBI investigates offer by private military company to arrest Liberian president,” *Financial Times*, Aug. 7, 2003; and Anton La Guardia, “Mercenaries told they can seize Taylor,” *The Daily Telegraph*, July 25, 2003; and BBC News, “Firm seeks Charles Taylor bounty,” Dec. 11, 2003, and —, “Nigeria warns off bounty hunters,” Dec. 12, 2003.

<sup>55</sup> State Department, “Daily Press Briefing for Nov. 10,” Nov. 10, 2003; and —, “Daily Press Briefing for Nov. 25,” Nov. 25, 2003.

building capacities; and support adult literacy and providing civic education and public information. USAID also focused on improving prospects for successful electoral change, primarily through capacity building efforts targeted at civil society groups and local independent media.

**Responses to Increasing Conflict.** Beginning in late May and early June 2003, Administration activities relating to Liberia shifted toward ensuring the protection of Americans and U.S. government personnel and assets in Liberia, and facilitating the Liberian cease-fire and peace negotiations in Accra, Ghana (June-August 2003). Several U.S. military teams were dispatched to the region to bolster security for the U.S. embassy, which was hit by mortar fire and stray bullets during heavy fighting in Monrovia, and to evacuate Americans. The French military also evacuated Americans from Liberia.

**Embassy Attacks.** On June 25, 2003 Greystone, a U.S. embassy storage compound occupied by thousands of civilians fleeing fighting and mortar fire, was hit by two explosions during a second major assault by LURD on Monrovia. Three persons were killed, including two local embassy workers, and 16 were injured. The State Department issued a sharp condemnation of the attack, after earlier labeling the LURD assault a “serious violation of the cease-fire” and stated that the attack might remove “any international credibility or recognition” retained by LURD<sup>56</sup>. On June 26, Liberian crowds piled eleven bodies, including children, in front of the U.S. embassy, in a demonstration calling for immediate U.S. intervention to halt the fighting. On July 20, a team of 21 U.S. Marines, part of a 41 member Fleet Anti-Terrorism Security Team (FAST) trained to guard U.S. diplomatic installations, was deployed to Monrovia. Upon its arrival, the FAST faced a hail of mortar fire falling in the vicinity of the embassy. Its deployment was backed by U.S. air transport teams based in Senegal and Sierra Leone; the latter carried out several evacuations from Monrovia. In late July 2003, all of these U.S. military elements became part of a larger U.S. military effort, dubbed Joint Task Force Liberia.

**Conflict Resolution Efforts.** The United States, a key member of the ICGL, actively participated in the peace negotiations in Ghana. These efforts sought to improve the security environment in Monrovia; enable then-suspended or otherwise interrupted emergency relief operations to resume; and to further resolve the conflict and a transition of state power. After a cease-fire agreement was signed on June 17, the United States repeatedly and strongly urged the Liberian belligerents to adhere to it, and to prevent civilian casualties. In late July, Deputy Assistant Secretary of State Pamela Bridgewater traveled to Guinea, where she reportedly met with LURD Chairman Sekou Conneh and Guinean government officials to emphasize the need for an end to the conflict and for Guinean support of LURD. Her visit was quickly followed by a visit to Guinea by Walter Kansteiner, Assistant Secretary of State for Africa, who reiterated Bridgewater’s message to Guinean officials.

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<sup>56</sup> Associated Press, “Fighting Engulfs Liberia’s Capital, Explosives Wound Refugees in U.S. Compound,” June 25, 2003; MSNBC News Services, “3 Killed in Blasts at U.S. Compound,” June 25, 2003.



In July and August 2003, the United States assisted the deployment of ECOMIL to Liberia (see “Overview and Recent Developments,” above) — a course of action that was preceded by extensive public debate about the potential and relative merit of a direct U.S. military intervention. Once ECOMIL had deployed, U.S. policy makers pushed for the creation of a U.N. peacekeeping mission in Liberia. The United States also acted to protect the interests of some Liberians living in the United States by granting to those who qualified for Temporary Protected Status (TPS).<sup>57</sup>

## U.S. Intervention in Liberia: Debate and Policy Responses

Many Liberians and a number of foreign policy advocates had for several years called for direct international intervention in Liberia — preferably, in their view, a U.S. led intervention — to stop the civil war and assist in resolving the political issues underlying it. As fighting in and around Monrovia grew, such calls, including several from world leaders, increased, contributing to a growing debate in the press and among U.S. policy makers about a potential U.S. intervention in Liberia.

**Perspectives on Intervention.** Proponents of a potential U.S. intervention in Liberia argued that the United States had long been involved in Liberia — beginning by founding it — and benefitted from substantial and enduring Liberian support for the United States during the Cold War. Opponents argued that bilateral ties had weakened considerably since the 1980s, and that Liberia was peripheral to U.S. interests; that its conflict was essentially an internal political contest for state power; that potential dangers to U.S. troops, if deployed to Liberia, were not warranted; and that the United States was already over-extended militarily across the globe. Some warned that U.S. troops in Liberia would face dangers akin to those faced by the U.S. intervention in Somalia in 1992, in which 29 Americans died. Proponents asserted that Liberia’s political and military situation was qualitatively different from that of Somalia, and that its citizens welcomed Americans. They also argued that Liberia had become a lynchpin for persistent political and economic instability; had engendered increasingly porous border zones beset by cross-border crime, arms flows, and smuggling; and was the source of severe regional humanitarian crises. Liberia had become a failed state, they asserted, that undermined regional U.S. democracy and governance policy goals and constituted a direct threat to the United States by providing operational space for international criminal actors and international terrorists. They cited reports that the Taylor government had directly aided international terrorist financing by allegedly facilitating the purchase by Al Qaeda operatives of Sierra Leonean diamonds.<sup>58</sup>

**Initial U.S. Responses.** U.S. officials responded to mounting calls for U.S. military intervention by stating that they were assessing the situation in Liberia. They offered no firm commitments or pledges to deploy U.S. troops, however, and suggested that African militaries could mount an effective intervention force. Secretary of Defense Donald Rumsfeld noted that African troops had “been

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<sup>57</sup> TPS is a temporary “safe harbor” immigration status granted to qualified nationals of some countries affected by ongoing armed conflict, natural disaster, or other difficulties. See CRS Report RS20844, *Temporary Protected Status: Current Immigration Policy and Issues*.

<sup>58</sup> See CRS Report RL30751, *Diamonds and Conflict: Background, Policy, and Legislation*.

well-trained” and equipped for peacekeeping by the United States<sup>59</sup>. On June 30, 2003 James Cunningham, the U.S. Deputy Ambassador to the U.N., said that prior to the establishment of an intervention force, the United States would require that Taylor give up power; that a political agreement among the Liberian parties be finalized; and that there be international support for a continued peace process.<sup>60</sup>

**Humanitarian Assessment and Security Team.** In early July 2003, a U.S. Humanitarian Assessment and Security Team (HAST) was dispatched from U.S. European Command (EUCOM) to Monrovia. The 32-member team included experts with medical, contracting, civil engineering, logistics, water purification and other technical expertise, and a security component. Initial plans called for the HAST to undertake an assessment over a week, but the mission was extended<sup>61</sup>. Some observers supportive of a U.S. intervention, but skeptical that one would take place, viewed the HAST as a stop-gap measure undertaken to demonstrate U.S. engagement with Liberia and counter growing international pressure for a U.S.-led intervention on the eve of President Bush’s July 7-12 state visit to Africa.<sup>62</sup>

**Military Assistance and Monitoring.** A second U.S. military team was dispatched to ECOWAS member states to assess the force readiness and military logistical and equipment needs of these countries prior to their anticipated deployment of a joint intervention force to Liberia, and to assess a possible U.S. role in supporting such a force<sup>63</sup>. The United States also deployed a private contractor as a member of the Joint Verification Team, a monitoring body that was to be created under the June 2003 cease-fire accord. The contractor performed liaison functions

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<sup>59</sup> Jonathan Paye Layleh, “Liberia’s Chief Rebel Group Urges Americans to Lead International Peace Force,” Associated, June 30, 2003 and “U.S. Resist Pressure to Intervene in Liberia,” Reuters, June 30, 2003.

<sup>60</sup> Scott Lindlaw, “White House Considering U.S. Role in Liberia, amid Calls for Military Action,” Associated Press, June 30, 2003.

<sup>61</sup> Voice of America, “Pentagon Sources: US Assessment Team’s Stay in Liberia Open-Ended,” July 15, 2003. On August 17, 2003, the Los Angeles Times reported that the HAST team had completed a report during President Bush’s Africa trip that reportedly recommended that a 2,300-strong U.S. Marine Expeditionary Unit be deployed to Liberia to stabilize the country and protect civilians. The recommendations were reportedly reviewed by top Administration policy makers, and the HAST was ordered to revise the report because its conclusions were said to be at odds with policy makers’ preferences. A revised report, submitted a week later, reportedly described a need for “security” to “be established so that humanitarian organizations can undertake an appropriate emergency response,” but contained no specific recommendations for a U.S. military intervention. Defense Department officials reportedly maintained that the HAST report had addressed matters outside the scope of its assessment mandate. See Maggie Farley, Ann Simmons and Paul Richter, “Team in Liberia Sought Fast Aid,” Los Angeles Times, August 17, 2003.

<sup>62</sup> Howard Witt, “U.S.: No Decision Yet on Liberia; Advisers Arrive in Monrovia; Bush En Route to Africa,” *Chicago Tribune*, July 8, 2003.

<sup>63</sup> Vicky O’Hara, “Analysis: Pros and Cons of Sending US Troops to Help Enforce a Cease-fire in Liberia’s Long-running Civil War,” National Public Radio, July 11, 2003; and Dow Jones/Associated Press, “US Military Experts, W African Officials Discuss Liberia,” July 11, 2003.

on behalf of the United States and the ICGL. The same delegate later assisted ECOWAS to undertake a pre-deployment assessment mission, and subsequently acted as a liaison between ECOMIL and the Joint Task Force Liberia, and helped ECOMIL form the Joint Monitoring Committee (JMC), as provided for under the CPA.

**Joint Task Force Liberia.** In late July 2003, just prior to the arrival a U.S. Amphibious Ready Group (ARG) off the Liberian coast, U.S. military elements in the region responding to events in Liberia were integrated into an ad-hoc operational unit dubbed Joint Task Force Liberia. The ARG, which arrived in early August, was deployed in anticipation of possible contingencies requiring a military role, most notably the provision of U.S. assistance to the ECOMIL. It complemented the air support and embassy security teams already in the region. Personnel from the ARG, part of Joint Task Force Liberia, provided coordination support for PAE's delivery of goods and logistics services to ECOMIL (see "Overview and Recent Developments," above), and undertook various other security, flight, and infrastructure/logistical assessment duties in Liberia.<sup>64</sup>

## U.S. Assistance: Development Assistance

Three types of U.S. assistance is provided to Liberia: long-term development aid (DA); emergency humanitarian assistance; and post-conflict-focused International Disaster and Famine Assistance (IDFA) aid. Budget figures for these accounts are presented in Appendix 1. The USAID DA program during the latter years of the Taylor presidency exclusively aided NGOs, notably those engaged in primary health care, agriculture, and peace-building activities. It was inactive, however, for much of FY2003 due to insecurity associated with the war. The bulk of USAID's FY2004 programs in Liberia are being funded under IDFA. FY2004 DA assistance is limited to \$2.4 million in Child Survival and Health (CSH) programs that support capacity-building for community-based basic health services delivery organizations, and \$100,000 in Nonproliferation, Anti-terrorism, Demining, and Related/Small Arms and Light Weapons Destruction (NADR-SALW) funds. In addition, a three-year, \$1.5 million Displaced Children and Orphans Fund program targeting vulnerable children has been initiated, and some Patrick J. Leahy War Victims Fund monies are being used to aid disabled children. USAID's West Africa Regional Program supports a small HIV/AIDS information project.

Programs under the Bush Administration's FY2005 request for Liberia would complement and extend core IDFA program goals. Under the USAID request, an integrated set of CSH programs (\$1.997 million) would improve access, quality and demand for health services through various capacity-building initiatives. Under USAID's Community Revitalization and Reintegration program (\$.545 million in DA and \$25 million in ESF), USAID would resettle and reintegrate refugees, IDPs and ex-combatants in their permanent post-war communities of residence, as well as promote good governance, reconstruction, and economic development. In addition, \$5 million in State Department International Narcotics Control and Law Enforcement

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<sup>64</sup> Reuters, "Handful of US Marines ordered into Liberia," August 6, 2003; and Voice of America, "US Troops to Arrive in Liberia Wednesday," August 6, 2003.

(INCLE) funds would be used to continue to extend IDFA programs aimed at creating a “credible and competent” national Liberian police force and competent judicial institutions, and promoting various anti-corruption measures.

## U.S. Emergency and Post-War Assistance

The delivery of U.S. emergency humanitarian assistance to Liberia, provided by USAID’s Offices of U.S. Foreign Disaster Assistance (OFDA) and Food for Peace (FFP), flowed to Liberia as the conflict grew, beginning with aid provided after a Complex Emergency for the Mano River countries (Guinea, Liberia, and Sierra Leone) was declared in FY2002. In FY2003, a Liberia-specific Complex Emergency was declared. As of August 27, 2004, total U.S. humanitarian assistance to Liberia in FY2004 totaled \$72.96 million.<sup>65</sup> Such aid has supported:

- Shelter and camp management activities for internally displaced persons (IDPs) and returning refugees, and IDP abuse protection initiatives, including those targeting sexual/gender-based violence;
- Targeted emergency food assistance, which includes staple food commodities, provided through direct distribution and food for work programs, and targeted therapeutic and supplementary feeding programs delivered to vulnerable individuals and through emergency school feeding, maternal/child health programs;
- Measles immunization and other health programs, including in IDP camps;
- Access to water and sanitation;
- Support for the coordination, logistics, and information activities of the U.N. and other humanitarian organizations; and
- Reintegration of Liberian returnees and IDPs.

USAID also helped create the Humanitarian Information Center (HIC) for Liberia, an information clearing house for humanitarian aid agencies in Liberia managed by the U.N. Office for the Coordination of Humanitarian Affairs (OCHA). OFDA disaster assessment teams carried out multiple evaluation missions in the months after the peace accord. Their findings helped shape preparations for both continuing USAID emergency aid programs and post-conflict recovery assistance. These preparations also draw from assessment missions undertaken by USAID’s Africa Bureau and Office of Transition Initiatives (OTI), and information from the U.S. diplomatic mission in Monrovia.

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<sup>65</sup> USAID, “Liberia,” *Complex Emergency Situation Report #14*, FY2004, August 27, 2004. Such aid totaled \$6.25 million in FY2002 and \$35.5 million in FY2003.

## Current U.S. Assistance Programs

In addition to supporting the operation of UNMIL, current U.S. Liberia-related assistance funds a variety of programs meant to consolidate Liberia's transition to peace. USAID and the departments of State, the Treasury, and Defense, both individually and in ad-hoc inter-agency working groups, are implementing this integrated package of post-war assistance, which is being predominantly funded by approximately \$200 million in IDFA funds appropriated under P.L. 108-106.

**Key Issues.** Key considerations guiding the pace of delivery and the organization of this aid include:

- The potentially limited capacity of the NTGL, Liberian non-governmental organizations (NGOs), and other local organizations to efficiently use or absorb large quantities of external resources;
- The need to ensure that programs of assistance and capacity-building produce sustainable and durable results; and
- The need to incorporate audit functions and a monitoring role for the USAID Inspector General for all USAID-provided assistance to Liberia, and for Treasury Department efforts and general U.S. assistance programs to stress the need for public accountability in Liberia, given the relatively large size of the IDFA aid package, and given Liberia's long history of public sector corruption.

The IDFA aid has been programed for delivery in two "phases," the first worth a total of \$144 million, and the second \$86 million, as reflected in tables 1 and 2:

**Table 1. U.S. Assistance for Liberia: IDFA, Phase I**  
(\$ millions)

Program Areas	Amount	Program Summaries	Implementing Agencies
<b>Relief and Resettlement for Returnees and Remaines I</b>	19.5	<ul style="list-style-type: none"> <li>•International Committee of the Red Cross (ICRC): Hospital services, water/sanitation programs, family tracing/reunification, and provision of non-food items for IDPs and refugees (\$4.5 million).</li> <li>•U.N. High Commissioner for Refugees (UNHCR): Refugee and related IDP protection and assistance, repatriation and reintegration (\$11 million).</li> <li>•International Organization for Migration (IOM): Various resettlement assistance functions, in coordination with UNHCR and ICRC (\$1 million).</li> <li>•Other International Organizations: Water/sanitation programs in IDP camps; resettlement transit assistance; and community-based reintegration/recovery support in targeted; UNICEF and UNDP, in cooperation with UNHCR (\$3 million).</li> </ul>	State/PRM (a)
<b>Relief and Resettlement for Returnees and Remaines II</b>	24.5	<ul style="list-style-type: none"> <li>•Agriculture for work/seeds and tools programs and community-based food for work repair of social infrastructure (\$8 million).</li> <li>•Community-based school and various specially-targeted feeding programs (\$4 million).</li> <li>•Health and water/sanitation infrastructure rehabilitation and upgrades. and staff training/assistance (\$10 million).</li> <li>•Aid coordination and logistical support (\$1.5 million).</li> <li>•Abuse prevention among IDPs and returnees populations (\$1 million).</li> </ul>	USAID/OFDA (b)
<b>Reintegration, Resettlement and Community Revitalization</b>	4	<ul style="list-style-type: none"> <li>•Targeted quick impact reintegration support.</li> </ul>	USAID/OTI (c)
<b>Reintegration, Resettlement and Community Revitalization and Basic Social Services</b>	45	<ul style="list-style-type: none"> <li>•Rehabilitation by community-based labor brigades of public services infrastructure; vocational training, technical assistance, and micro-credit programming; and psycho-social counseling for female and child ex-combatants and armed faction associates (\$40 million).</li> <li>•Condensed remedial primary school education (Advanced Learning Program, or ALP) targeting ex-combatants and war-affected youth. (\$5 million).</li> </ul>	USAID/AFR (d)
<b>Civil Police and Related Judicial Structures</b>	10	<ul style="list-style-type: none"> <li>•Liberian police force training programs and support, in coordination with UNMIL, including basic police skills and human rights components; and judicial system assistance and reform, including training focusing on ethics and anti-corruption, and on legal and procedural knowledge, and provision of law books and basic supplies required for basic court functions.</li> </ul>	State/INL (e)

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Program Areas	Amount	Program Summaries	Implementing Agencies
<b>Governance and Independent Media</b>	7	<ul style="list-style-type: none"> <li>•Provision of targeted technical assistance and “Ministries in a Box” packages to core NTGL components, such as the Chairman’s office, and key ministries and offices, and support of citizen participation in governance (\$5 million).</li> <li>•Media capacity-building assistance, including the creation of community radio stations, to increase the substantially illiterate public’s access to basic information, in local languages, about the peace process and government; help build an enduring free and balanced press; increase human rights awareness and abuse prevention; promote conflict mediation and reconciliation capacity-building, particularly in relation to resettlement processes (\$2 million).</li> </ul>	USAID/OTI
<b>Military Reform (SSR)</b>	1 <small>32243</small>	<ul style="list-style-type: none"> <li>•Program of State Department/DoD assessment of DDRR, military facilities and camps, and consultations with Liberian citizens and officials, and U.N. agencies, prior to formulating proposals for possible U.S. military restructuring and reform assistance.</li> </ul>	State/RSA (f); and Defense Department (DoD)
<b>Forest Sector Rehabilitation</b>	<small>http://www.kileaks.org/wiki/CRS-132243</small>	<ul style="list-style-type: none"> <li>•Assessment of Liberia’s forestry sector, seen as a key environmental and public revenue source for Liberia, focusing on Liberia’s institutional capacity to formulate and enforce laws, regulations, policies; transparently allocate and regulate forestry concessions; and track and manage forestry revenues (\$.5 million).</li> <li>•Immediate rebuilding of the capacities of the Liberian Forest Development Authority (FDA) with respect to issues under assessment, with a focus on the training, operational, and facilities needs of its administrative and law enforcement staff (\$.5 million).</li> </ul>	State/OES (g)
<b>Support to the Central Bank</b>	<small>http://www.kileaks.org/wiki/CRS-132243</small>	<ul style="list-style-type: none"> <li>•Provision of resident advisors in Liberia, slated, in coordination with international financial institutions and “predicated upon a thorough audit of the [Liberian] Central Bank,” to assist Liberia’s government to re-establish core revenue/taxation, debt, and budgeting functions and institutions. Focal areas of assistance may include helping the Central Bank to formulate and implement credible fiduciary controls and monetary policies and reduce its operating expenses. Programing may also provide other economic policy formulation support to the NTGL.</li> </ul>	Treasury Department
<b>TOTAL</b>	114		

Sources: Information from USAID and the State Department.

Notes

- a. PRM: Bureau for Population, Refugees, and Migration, State Department
- b. OFDA: Office of U.S. Foreign Disaster Assistance, USAID
- c. OTI: Office of Transition Initiatives, USAID
- d. AFR: Africa Bureau, USAID

- e. International Narcotics Control and Law Enforcement, State Department
- f. Regional Security Affairs-Africa Bureau State Department
- g. Bureau of Oceans and International Environmental Scientific Affairs (OES), State Department

**Table 2. U.S. Assistance for Liberia: IDFA, Phase II**  
(\$ millions)

Program Areas	Amount	Program Summaries	Implementing Agencies
<b>Military Reform (SSR)</b>	34	•Establishment of a new military, likely of 5,000-6000 personnel, to meet core national security needs under a democratic system. Programming is anticipated to take two-three to years; require additional funding from unspecified sources, possibly including support from other donor governments.	State; DoD; Contractors
<b>Debt Arrearages</b>	15	•Reduction of Liberia's debt arrearages to multilateral development banks (MDBs) to enable MDB fiscal support, in part aimed at leveraging additional resources, possibly including arrearage payment aid from other donors.	Treasury
<b>Police</b>	3	•Continued support for police retraining.	State/INL
<b>Elections</b>	10	•Elections preparation assistance focusing on electoral commission capacity building; political party and polling place worker training; civil society election observation; and election materials, equipment and other polling day requirements.	USAID
<b>Treasury Advisors for Fiscal and Financial Management</b>	2.5	•Deployment of resident advisers on budgeting, banking, tax, and debt issues. A separate, additional \$2.5 million aid package may be provided in support of second year of costs for resident advisers and a resident macro-economic advisor. Treasury may deploy an attaché to Monrovia to assist in advisory coordination, regular bilateral functions, and provision of support to Liberian customs.	Treasury
<b>Reintegration</b>	10	•Support for socio-economic reintegration of ex-combatants, IDPs, and war-affected populations into communities, and for general social and economic growth in Liberia; focus on employment creation, income generation, and work skills-building.	USAID
<b>Forestry</b>	3	•Continued forest sector rehabilitation and natural resources management capacity-building programming	State/OES; USAID; USFS (a)
<b>Rule of Law/ Judicial Reform</b>	6	•Re-development of judicial institutions, including criminal courts and democratic institutions, and the capacities of civil society and protect human rights institutions, in support of a sustainable transition to a market-oriented, democratic political system.	USAID; State/INL; and Justice Department
<b>HIV/AIDS</b>	1.5	•HIV/AIDS testing and epidemiological surveillance of ex-combatants and other high risk groups, and provision of voluntary counseling and preventive services in resettled communities; program intended to prevent potentially high increase in post-war HIV infections rates as a complement to treatment assistance from the Global Fund to Fight AIDS, Tuberculosis, and Malaria.	USAID
<b>Agriculture</b>	1	•Rehabilitation of smallholder rubber sector for purposes of future income generation, particularly for women, focusing on tree re-planting and development of tree nurseries.	USAID
<b>TOTAL</b>	86		

**Sources:** Information from USAID and the State Department.

**Notes** a. USFS: U.S. Forest Service /International Programs.



**Other Aspects of U.S. Policy toward Liberia.** In December 2003, President Bush issued Presidential Determination No. 2004-11, which, on the basis of a finding that U.S. assistance to Liberia is in the U.S. national interest, waived “Brooke Amendment” requirements that would otherwise have barred or restricted such aid<sup>66</sup>. The State Department has also stated that the United States has concluded a bilateral “Article 98 agreement” with Liberia, in part to protect the safety of U.S. personnel operating in Liberia, thus allowing the United States to provide certain kinds of military assistance to Liberia<sup>67</sup>. The United States is also involved in efforts to assess Liberia’s progress toward meeting the provisions under which U.N. sanctions against it may be lifted.

**Murder of U.S. Official.** No recent progress has been reported in the investigation of the May 2004 murder in Monrovia of John Auffrey, a Defense Department civilian employee who was a member of a U.S. mission that assessed needs and prospects for Liberian military restructuring. Auffrey, a former U.S. Peace Corps volunteer in Sierra Leone, was fatally stabbed during a robbery in his hotel room. Soon after the crime, four suspects were provisionally identified, and at least three rewards were offered for information leading to their apprehension. In June 2004, three Liberian police officers were reportedly charged with aiding the suspects, and several suspects linked to the killing were later charged with murder. The main suspect, however, who was reportedly sighted in August 2004 in a country adjacent to Liberia, remains at large.<sup>68</sup>

## Congressional Role

From June 2003 through September of that year, Liberia garnered frequent Congressional attention, most notably over the issue of a potential U.S. intervention in Liberia. Reactions by some Members of Congress to potential U.S. intervention

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<sup>66</sup> The “Brooke Amendment” is the popular name for provisions of the Foreign Assistance Act (FAA) of 1961, as amended, and individual fiscal year appropriations acts, that prohibit assistance to countries that are in default to the United States for certain kinds or portion of loans owed to the United States.

<sup>67</sup> State Department, “Daily Press Briefing,” October 8, 2003. “Article 98” agreements are bilateral agreements with national governments that provide U.S. nationals in third countries with immunity from actions of the International Criminal Court (ICC). In addition to the CRS reports cited previously, see State Department, Article 98 Agreements and the International Criminal Court, [<http://www.state.gov/t/pm/art98/>]; and Coalition for the International Criminal Court, US and the ICC, available online from the ICC website at [<http://www.iccnw.org/documents/usandtheicc.html>].

<sup>68</sup> Sheriff Z. Adams, “Wanted Man ‘Spotted’ Govt Quotes Intelligent Sources,” *The News*, Aug. 18; IRIN, “Liberia: Police Identify Four Suspects Linked to US Civilian Killing,” May 28, 2004; *The Analyst*, “More Money on Boye T. Moore,” June 7, 2004; PANA, “Liberian policemen linked to murder of US military official,” June 1, 2004; Agency France-Press, “50 arrests after murder of US national in Liberia,” June 2, 2004; Anthony A. Mesas, “Service Saturday for man killed in Liberia,” *The Pueblo Chieftain*, June 11, 2004; and Mike Boater, “Memorial to Mr. John Auffrey,” International Training Management, Defense Institute of Security Assistance Management, N.D.

in Liberia varied widely. Some, notably several Members of the Congressional Black Caucus, urged that immediate and substantial U.S. resources and actions be taken to resolve the conflict in Liberia and provide its people with what these Members saw as badly-needed humanitarian assistance<sup>69</sup>. Other Members voiced considerable caution or outright opposition in relation to direct U.S. military intervention in Liberia. Representative Ron Paul, for instance, introduced H.Con.Res. 255, entitled “Expressing the sense of the Congress that the United States military should not become involved in the Liberian civil war, either alone or as part of a United Nations peacekeeping force.”<sup>70</sup> Congressional debate incorporated many of the perspectives previously outlined (see “Debate on U.S. Intervention in Liberia”). Many Members urged the Administration to confer closely with Congress and keep Members clearly informed about U.S. policy decisions on Liberia. Some called for a vote in Congress on any decision to deploy U.S. troops on the ground.

On October 2, 2003, the House Committee on International Relations Subcommittee on Africa held a hearing entitled *U.S. Policy Toward Liberia*. Liberia also featured prominently in hearings held during summer, 2003, by the House Armed Services Committee; the Senate Committee on Armed Services; the Senate Committee on Foreign Relations; and the House Committee on International Relations.

## Legislation

**Current Appropriations. H.R. 4818 (Kolbe).** Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005, introduced July 13, 2004, was reported by the House Committee on Appropriations as an original measure, H.Rept. 108-599, on July 13, 2004. It was passed by the House on July 15, 2004 and subsequently amended and passed by the Senate, along with a request for a conference, on September 23, 2004, in lieu of **S. 2812**. During Senate consideration of H.R. 4818, Senator Leahy offered S.Amdt. 3684, providing not less than \$25 million in ESF assistance for Liberia, which was agreed to by unanimous consent. In addition, the Senate version of H.R. 4818 would provide Liberia with a portion of \$5 million to address sexual and gender-based violence; and not less than \$30 million in Foreign Military Financing aid. The House version contained no similar Liberia-related provisions.

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<sup>69</sup> House, “Africa,” Congressional Record, July 8, 2003, H6324 to H6330, passim; — , “Africa,” Extensions of Remarks - July 8, 2003, E1425, — , “U.S. Can No Longer Afford to Ignore Africa,” July 9, 2003, H6434-H6435; and , inter alia, [<http://www.allafrica.com>], “Congressional Black Caucus on the ‘The State of Africa,’” July 10, 2003; Voice of America, “African-American Lawmakers Look Carefully at US Involvement in Liberia,” July 10, 2003; and Mark Kuki, “Liberia Revisited,” National Journal, July 12, 2003.

<sup>70</sup> Similarly, during House debate on the Iraq Supplemental, H.R. 3289, Rep. Goode introduced H.Amdt. 413, which would have eliminated funding for reimbursement to the United Nations for peacekeeping in Liberia and U.S. foreign assistance to Liberia, primarily because, according to Rep. Goode, the purpose of the “supplemental is Iraq, not Liberia.” Rep. Best also said that he feared such funds would “not be utilized in a way that will be to the best interest of the United States” and would “not bring the peace and the hope for a good Liberia.” See House, Congressional Record, Oct. 16, 2003, H9590-9591.

**2003 Iraq Supplemental Assistance for Liberia.** The key source of U.S. assistance for Liberia is P.L. 108-106, the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004, (H.R. 3289 [C. W. Bill Young]). P.L. 108-106 was passed by Congress and signed into law by President Bush following the deployment of UNMIL and the inauguration of the NTGL. It appropriates International Disaster and Famine Assistance (IDFA) funds for Liberia totaling approximately \$200 million to support peace and humanitarian intervention operations unrelated to natural disasters, and \$245 million for the assessed costs of U.N. peacekeeping in Liberia. During Senate debate on S. 1689 (Stevens), the Iraq Supplemental Appropriations bill (FY2004), which was incorporated into P.L. 108-106, several Liberia-related amendments were offered. These included S.Amdt. 1884 (Byrd); S.Amdt. 1885 (Brownback); and S.Amdt. 1807 (Chafee).

**Other Enacted Legislation.** Other Liberia-related bills that passed into law during the 108th Congress include:

**H.J.Res. 2 (C. W. Bill Young).** Joint Resolution making consolidated appropriations for the fiscal year ending September 30, 2003, and for other purposes. Introduced January 7, 2003; enacted as P.L. 108-007. Prohibits the appropriation of Foreign Military Financing (FMF) for Liberia; and requires special notification for any funds appropriated by the Act for Liberia.

**H.R. 2673 (Bonilla).** The Omnibus Appropriations Act, FY2004. Introduced July 9, 2003; enacted as P.L. 108-199. It prohibits the use of FMF funds for Liberia. Requires regular notification to the Committees on Appropriations about use of the funds for Liberia appropriated under the Act. Recognizes the contribution of the Nigerian government to promoting stability and reconciliation in Liberia. Includes measures that could deny some forms of U.S. assistance to Nigeria, including funds for debt restructuring. Such measures are applicable to Nigeria because it is a country in which an indictee of the Special Court for Sierra Leone (SCSL), i.e., Charles Taylor, is “credibly alleged to be living.” Under the Act, such a country can receive certain kinds of U.S. assistance only if the Secretary of State determines and reports to the Committees on Appropriations that such a government is cooperating with the SCSL, including by surrendering and transferring to the SCSL persons it has indicted. The president can waive such stipulations in the interest of U.S. national security, if certain conditions are met.

**Other Legislation Introduced.** Other Liberia-specific bills and resolutions introduced in the 108th Congress include the following:

**H.Con.Res. 233 (Fossella).** Expressing the sense of Congress regarding the dire humanitarian situation in Liberia and efforts to introduce peace and justice to that country; introduced June 26, 2003 and referred to the House Committee on International Relations.

**H.Con.Res. 240 (Payne).** Expressing the sense of Congress with respect to the urgency of providing support for the “Agreement on Ceasefire and Cessation of Hostilities Between the Government of the Republic of Liberia and Liberians United for Reconciliation and Democracy and the Movement for Democracy of Liberia” and

for other purposes; introduced July 8, 2003 and referred to the House Committee on International Relations.

**H.Con.Res. 255 (Paul).** Expressing the sense of the Congress that the United States military should not become involved in the Liberian civil war, either alone or as part of a United Nations peacekeeping force; introduced July 24, 2003 and referred to the House Committee on International Relations.

**H.R. 1930 (Patrick J. Kennedy).** Liberian Refugee Immigration Protection Act of 2003; introduced May 1, 2003; referred to the Subcommittee on Immigration, Border Security, and Claims, Committee on the Judiciary.

**S. 656 (Reed).** Liberian Refugee Immigration Fairness Act of 2003; introduced March 19, 2003, read twice, and referred to the Committee on the Judiciary.

**H.R. 3918 (Jackson-Lee).** Comprehensive Immigration Fairness Reform Act of 2004; introduced March 9, 2004; referred to the Subcommittee on Immigration, Border Security, and Claims, Committee on the Judiciary.

**H.R. 4885 (Jackson-Lee).** Comprehensive Immigration Fairness Act; introduced July 21, 2004; referred to the Committee on the Judiciary.

**H.R. 4511 (Waters).** The Justice and Understanding By IMF Loan Elimination and Equity Act of 2004; introduced June 3, 2004; referred to the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, Committee on Financial Services.

**H.R. 4793 (Waters).** Justice and Understanding By International Loan Elimination and Equity Act of 2004; introduced July 9, 2004; referred to the Committee on Financial Services.

Appropriations bills introduced in the 108th Congress that contain Liberia-specific provisions include:

**S. 1426 (McConnell).** Foreign Operations Export Financing and Related Programs Appropriations Act, 2004. FY2004 foreign operations appropriations were authorized by H.R. 2673 (P.L. 108-199, see above), which contains some provisions similar to those in S. 1426. S. 1426, as placed on the Senate Calendar on July 17, 2003, seeks to prohibit appropriation of Foreign Military Financing (FMF) for Liberia and require special notification for any funds appropriated by the Act for Liberia. H.R. 2673 included such measures. S. 1426 also would prohibit assistance to governments abetting trade or commerce in diamonds mined in Liberia. Such a provision was not contained in H.R. 2673, but it did limit the use of appropriated funds by the Overseas Private Investment Corporation and the U.S. Export-Import Bank to countries participating in the Kimberley Process regulatory regime on conflict diamonds. Currently, Liberia would be affected by this provision.

**H.R. 2800 (Kolbe).** Foreign Operations Appropriations, FY2004 bill. House and Senate conferees agreed to a conference report for H.R. 2800; their agreement was incorporated into H.R. 2673 (see above).

**H.R. 4818 (Kolbe).** Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 ; introduced July 13, 2004; reported by the House Committee on Appropriations as an original measure, H.Rept. 108-599, on July 13, 2004; passed by the House on July 15, 2004; amended and passed by the Senate, along with a request for a conference, on September 23, 2004, in lieu of **S. 2812**; message on Senate action sent to the House on September 23, 2004. During Senate consideration of H.R. 4818, Senator Leahy offered S.Amdt. 3684, providing not less than \$25 million in ESF assistance for Liberia, which was agreed to unanimous consent. In addition, the Senate version of H.R. 4818 would provide Liberia with a portion of \$5 million to address sexual and gender-based violence; and not less than \$30 million in Foreign Military Financing aid.

## Issues for Congress

In P.L. 108-106, Congress authorized a relatively large appropriation for Liberia. Oversight activities related to the expenditure of these funds may now become the focal point for congressional engagement with Liberia. Leading issues that may warrant such attention include peace consolidation, the trial of Charles Taylor for war crimes, the operation of the U.N. Mission in Liberia, progress toward rebuilding democratic and transparent governance, and U.S. assistance. Key issue in each of these areas include:

**Peace Consolidation and Reconstruction.** Progress toward implementation of the Liberian peace accord, particularly with regard to

- The disarmament, demobilization, reintegration, and resettlement process;
- Effective functioning of the Liberian transitional government, notably to include the executive's freedom to execute its legal authorities and duties;
- Re-establishment of nation-wide governmental authority;
- Socio-economic rebuilding; and
- Security sector reform and training.

**Trial of Charles Taylor.** Ensuring the trial of Charles Taylor before the Special Court for Sierra Leone, a stated goal of U.S. policy on Liberia.

**UNMIL.** Operational efficiency and effectiveness of UNMIL, possibly to include:

- The formulation and implementation of bench-marked goals for progress in its areas of competence under its mandate;
- Assurance of adequate force size and capacities during military maneuvers, to avoid the kind of military difficulties that beset U.N. peacekeepers in Sierra Leone early in their mission there; and

- Operational and logistical cooperation with other U.N. missions in the region, in order to avoid duplication of efforts, efficient use of similar resources, and to achieve economies of scale where possible.<sup>71</sup>

**Democracy and Governance.** Progress toward democratization and the rule of law, notably to include:

- The absence of the threat of force or violence to accomplish political goals, as provided for under the peace accord;
- Protection and promotion of human rights and civic freedoms, including of speech, movement, and assembly; and
- Implementation of institutional reforms to ensure fiscal and legal transparency and accountability in government operations, and with regard to the use of donor-provided assistance.

**U.S. Assistance.** Monitoring and evaluation of U.S. assistance, particularly relating to

- The sequencing of emergency, transitional and development assistance, and the relation of these to long-term institutional reforms and socio-economic development goals;
- The assistance delivery model employed, e.g., direct use of U.S. government staff and resources versus use of contractor or grantees to accomplish U.S. programmatic goals in Liberia; and
- Comparative efficiency of outcomes resulting from the use of different programming models, e.g., direct financing of small-scale non-profit, non-governmental organization projects versus use of larger for-profit contractors and consortia delivering diverse, integrated packages of deliverables, as through the use of indefinite quantity contracts.

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<sup>71</sup> These and other issues have been the subject of U.N. assessments. See *Lessons Learned Study on the Start-up Phase of the United Nations Mission in Liberia*, Peacekeeping Best Practices Unit, U.N. Department of Peacekeeping Operations (DPKO), April 2004.

## Appendix 1: U.S. Assistance Trends

After increasing briefly following Liberia's 1989-1997 war, U.S. assistance for Liberia steadily declined, reflecting the Clinton and Bush Administrations' generally critical views of the Taylor Administration. In FY2002, aid began to be channeled "only through non-governmental organizations" and was "focused narrowly on health and food security needs in rural communities, along with a modest effort to assist civil society."<sup>72</sup> The decreasing level of assistance appeared to be a response to "Liberia's negative role in regional security" and fomenting of conflict in Sierra Leone and Guinea "by supporting the [RUF] through illicit diamond and arms trafficking."<sup>73</sup> Subsequent Bush Administration Congressional Budget justifications for Liberia reflected similar concerns. The Administration's regular FY2004 request for Liberia, for instance, stated that "[t]he primary U.S. national interests in Liberia are to prevent the Government of Liberia from fomenting violence and instability in neighboring countries, and to promote comprehensive internal reform and good governance in Liberia."<sup>74</sup> While regular development assistance to Liberia gradually declined, U.S. emergency assistance to Liberia began to increase as the country's second civil war burgeoned and humanitarian conditions deteriorated.

**Table 3. U.S. Emergency and Humanitarian Assistance to Liberia, FY2002-FY2004**  
(\$ Millions)

Agency	FY2002	FY2003	FY2004 (to date)
USAID/OFDA <sup>a</sup>	.26	5.85	23.54
USAID/FFP <sup>b</sup>	2.83	16.7	21.53
STATE/PRM <sup>c</sup>	3.16	12.95	27.89
<b>Total</b>	6.25	35.5	72.96

**Source:** USAID/OFDA, "Liberia — Complex Emergency," *Situation Report[s]*, including #14, FY2004, Aug. 27, 2004 and #1, FY2004, Oct. 1, 2003; and Mano River Countries (Guinea, Liberia, and Sierra Leone), report #1, Fiscal Year (FY) 2003, Oct. 9, 2002.

a. USAID/OFDA: USAID, Office of U.S. Foreign Disaster Assistance (OFDA).

b. USAID/FFP: USAID, Food for Peace Program, P.L. 480 Title II Food Assistance.

c. State/PRM: State Department, Bureau for Population, Refugees, and Migration.

<sup>72</sup> State Department, "Liberia," *FY2002 Congressional Budget Justification for Foreign Operations*, July 2, 2001.

<sup>73</sup> *Ibid.*

<sup>74</sup> State Department, "Liberia," *FY2004 Congressional Budget Justification for Foreign Operations*, Feb. 13, 2003.

**Table 4. Recent U.S. Bilateral Development Assistance to Liberia**

(\$ Millions; totals may reflect rounding)

Accounts	FY2001 Actual	FY2002 Actual	FY2003 Actual	FY2004 Estimate	FY2005 Request
CSD/CSH (a)	1.85	2†	2.627	2.4	1.997
DA (b)	5.72	3.725	3.758	NA	.545
ESF (c)	NA	1.15	4.42	NA	25
NADR/SALW (d)	NA	NA	.2	.1	NA
INCLE(e)	NA	NA	NA	NA	5
International Disaster & Famine Assistance (f)	NA	NA	NA	200*	NA
P.L. 480 (g)	3.062	5.643**	17.684**	10.538	NA
Special Self-Help Fund	.05	.05	NA	NA	NA
DHRF (h)	.07	.075	NA	NA	NA
<b>Total</b>	<b>10.752</b>	<b>12.643</b>	<b>28.689</b>	<b>213.038</b>	<b>32.542</b>

**Sources:** Annual U.S. Agency for International Development (USAID) Congressional Budget Justifications; and State Department Congressional Budget Justifications for Foreign Operations; USAID, "USAID Assistance To Liberia," Fact Sheet, Feb. 27, 2003; USAID Complex Emergency Situation Reports for Liberia; and CRS estimates allocations.

†Includes \$.4 million for anti-polio Africa Regional account program. Actual CSH was \$1.6 million.

\* Some of these funds may fund multi-lateral programs for Liberia.

\*\*FFP/P.L. 108-106 assistance may overlap with Emergency Assistance, above.

a. CSH: Child Survival and Health Programs Fund (formerly Child Survival and Disease Fund).

b. DA: Development Assistance

c. ESF: Economic Support Fund

d. NADR/SALW: Nonproliferation, Anti-terrorism, Demining, & Related/Small and Light Weapons Programs

e. INCLE: International Narcotics Control and Law Enforcement

f. International Disaster and Famine Assistance; P.L. 108-106.

g. P.L. 480, Title II food assistance; primarily Food for Peace Program (FFP).

h. DHRF: Democracy and Human Rights Fund Program (DHRF)

**Table 5. P.L. 108-106 Supplemental U.S. Assistance for Liberia, FY2004**

(\$ Millions)

International Disaster and Famine Assistance	200
International Peacekeeping Assessments	245
<b>Total</b>	<b>445</b>



## Appendix 2: Acronyms and Terms Used in this Report

<b>AFR:</b>	Africa Bureau, USAID
<b>ARG:</b>	Amphibious Ready Group
<b>Article 98 Agreement:</b>	Bilateral agreement ensuring immunity for U.S. nationals in third countries from actions of the International Criminal Court (ICC)
<b>Brooke Amendment:</b>	Popular name for provisions of the Foreign Assistance Act (FAA) of 1961, as amended, and individual fiscal year appropriations acts, prohibiting assistance to countries in loan default to the United States
<b>CBL:</b>	Central Bank of Liberia
<b>CMC:</b>	Contracts and Monopolies Commission; created under the Liberian peace agreement
<b>CPA:</b>	Comprehensive Peace Agreement ending the war; signed on August 18, 2003.
<b>CPWG:</b>	Child Protection Working Group
<b>CSH:</b>	Child Survival and Health Programs (formerly Child Survival and Disease Programs)
<b>DA:</b>	U.S. Development Assistance
<b>DCHA:</b>	Bureau for Africa, and for Democracy, Conflict, and Humanitarian Assistance, USAID
<b>DDRR:</b>	Disarmament, demobilization, rehabilitation and reintegration
<b>DHRF:</b>	Democracy and Human Rights Fund
<b>ECOMIL:</b>	ECOWAS Mission in Liberia
<b>ECOWAS:</b>	Economic Community of West African States
<b>ESF:</b>	Economic Support Fund
<b>FAST:</b>	Fleet Anti-Terrorism Security Team
<b>FAA:</b>	Foreign Assistance Act
<b>FFP:</b>	Office of Food for Peace, USAID
<b>FMF:</b>	Foreign Military Financing
<b>GRC:</b>	Governance Reform Commission; created under the Liberian peace agreement
<b>HAST:</b>	U.S. military Humanitarian Assessment and Security Team
<b>HIC:</b>	Humanitarian Information Center
<b>ICC:</b>	International Criminal Court
<b>ICGL:</b>	International Contact Group on Liberia
<b>ICJ:</b>	International Court of Justice
<b>ICRC:</b>	International Committee of the Red Cross
<b>IDA:</b>	International Disaster Assistance account; no longer used
<b>IDFA:</b>	International Disaster and Famine Assistance
<b>IDP:</b>	Internally displaced person
<b>IMC:</b>	Implementation Monitoring Committee; created under the Liberian peace agreement.
<b>INCHR:</b>	Independent National Commission on Human Rights; created under the Liberian peace agreement
<b>INL or INCLE:</b>	International Narcotics Control and Law Enforcement, State Department
<b>ISF:</b>	International Stabilization Force
<b>JMC:</b>	Joint Monitoring Committee; body created under the June cease-fire accord
<b>Joint Task Force Liberia:</b>	Ad hoc grouping of U.S. military elements formed to ensure the security of the embassy in Monrovia and assist the deployment of ECOMIL
<b>LRRC:</b>	Liberia Refugee, Repatriation, and Resettlement Commission
<b>LURD:</b>	Liberians United for Reconciliation and Democracy
<b>MODEL:</b>	Movement for Democracy in Liberia

<b>JVT:</b>	Joint Verification Team; monitoring body provided for by the June cease-fire agreement
<b>MNF:</b>	Multinational Force in Liberia
<b>NCDDRR:</b>	National Commission for DDDR; created under the Liberian peace agreement
<b>NEC:</b>	National Electoral Commission; created under the Liberian peace agreement
<b>NGO:</b>	NGO non-governmental organization
<b>NPP:</b>	National Patriotic Party
<b>NTGL:</b>	National Transitional Government of Liberia; created under the Liberian peace agreement
<b>NTLA:</b>	National Transitional Legislative Assembly; created under the Liberian peace agreement
<b>OCHA:</b>	U.N. Office for the Coordination of Humanitarian Affairs
<b>OES:</b>	Bureau of Oceans and International Environmental Scientific Affairs, State Department
<b>OFDA:</b>	Office of U.S. Foreign Disaster Assistance, USAID
<b>OFR:</b>	Operation Focus Relief; “robust” supplementary U.S. military training for West African peacekeeping troops.
<b>OTI:</b>	Office of Transition Initiatives, USAID
<b>RI:</b>	Refugees International; a policy advocacy group
<b>PRM:</b>	Bureau for Population, Refugees, and Migration, State Department
<b>RSA:</b>	Regional Security Affairs, Africa Bureau, State Department
<b>RUF:</b>	Sierra Leone Revolutionary United Front, a now-defunct rebel group
<b>SACR:</b>	Security Assessment Committee for Resettlement
<b>SCSL:</b>	Special Court for Sierra Leone, a hybrid U.N.-Sierra Leonean body created to try those most responsible for war crimes and human rights abuses during Sierra Leone’s civil war
<b>TPS:</b>	Temporary Protected Status; temporary immigration protection
<b>TRC :</b>	Truth and Reconciliation Commission; created under the Liberian peace agreement
<b>U.N.:</b>	United Nations
<b>ULIMO:</b>	United Liberation Movement of Liberia; faction from Liberia’s first civil war (1989-1997)
<b>ULIMO-J:</b>	Krahn-dominated ULIMO breakaway faction
<b>ULIMO-K:</b>	Mandingo-dominated ULIMO breakaway faction
<b>UNAMSIL:</b>	U.N. Mission in Sierra Leone
<b>UNHCR:</b>	U.N. High Commissioner for Refugees
<b>UNICEF:</b>	U.N. Children’s Fund
<b>UNMIL :</b>	U.N. Mission in Liberia
<b>UNOL:</b>	U.N. Office in Liberia
<b>UNSG:</b>	U.N. Secretary-General Kofi Annan
<b>USAID:</b>	U.S. Agency for International Development
<b>USFS:</b>	U.S. Forest Service/International Programs.
<b>WFP:</b>	World Food Program