

**LIBERIA AND SIERRA LEONE:
REBUILDING FAILED STATES**

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LIBERIA AND SIERRA LEONE: REBUILDING FAILED STATES

EXECUTIVE SUMMARY AND RECOMMENDATIONS

The interventions in Liberia and Sierra Leone are failing to produce states that will be stable and capable of exercising the full range of sovereign responsibilities on behalf of their long-suffering populations. This is essentially because they treat peacebuilding as implementing an operational checklist, involving fixes to various institutions and processes, without tackling underlying political dynamics. At best, Liberia is on the path Sierra Leone entered upon several years earlier. A fresh strategy is needed if both are not to remain shadow states, vulnerable to new fighting and state failure. The international community needs to make genuinely long-term commitments -- not two to five years, as at present, but on the order of fifteen to 25 years -- to enable new political forces to develop.

In both countries the operational checklist includes deployment of peacekeepers; disarmament, demobilisation and reintegration (DDR) of fighters; repatriation of refugees; and judicial and security sector reform; with elections as virtually the final step. The time frame -- two to five years -- is too short. Individuals with criminal pasts are treated as viable political interlocutors. The judicial and law enforcement institutions never functioned effectively, and thus their repair without reform is no solution. New national militaries are untested, and their adherence to constitutional order uncertain. Voices from civil society who could catalyse real change tend to be marginalised, while the economy is left vulnerable to criminal capture.

A more radical strategy is needed. After restoring security, the international community should more quickly give greater political responsibility, while simultaneously targeting its interventions to help build non-political and professional law enforcement and judicial institutions to establish the rule of law, protect civil rights and foster a public space within which citizens can hammer out their own solutions. In

Liberia it should also assume responsibility for revenue collection from ports, airports, customs, the maritime registry and export of timber and diamonds: because the collection of revenues is presently obscured from the beginning, it is easy to engineer corruption. But once funds begin entering the treasury transparently, it should be up to Liberians to decide how to use them, though international monitors, as part of independent and public oversight of procurement, should still be available to help civil society prevent gross abuse.

The same problem exists in Sierra Leone, but this prescription probably cannot be applied because its elected government is already in place and unlikely to give up so much control. Stop-gap measures there focus on trying to insert accounting mechanisms at the final stages of the revenue process, by which time much has already disappeared. However, the long-term security sector commitment has already been promised by the UK. Other steps needed are to protect freedom of press and expression better, to give the Anti-Corruption Commission prosecutorial powers, and to establish a public complaint mechanism applicable to newly-elected district governments.

The proposed approaches can only have a chance of succeeding within a much longer time frame than the international community has hitherto been willing to envisage. Liberia and Sierra Leone took decades to decay, and it will take decades to restore sustainable security and political and economic structures. The new Peacebuilding Commission proposed by the High-Level Panel on Threats, Challenges and Change, which reported to the UN Secretary-General on 2 December 2004, could be the institutional vehicle needed to implement the long-term commitments required in these countries, and many others around the world.

RECOMMENDATIONS

With Respect to Liberia:

To International Donors:

1. Pay quickly outstanding pledges for reconstruction (\$276 million), especially the \$42 million UNMIL needs to jump-start reintegration of ex-combatants who have been disarmed and demobilised.
2. Shift the focus of reintegration programs toward education and agriculture, including infrastructure (roads, processing equipment) that will support agricultural production.
3. Give greater political and operational support to civil society.
4. Fund independent oversight of government procurement as domestic professional auditing capacity is built.
5. Provide long-term funds based on implementation of a national strategy for law enforcement and justice sector reform.

To the International Contact Group on the Mano River Basin:

6. Convene a working group to prepare the political, technical and administrative modalities of a mechanism to assume responsibility for revenue collection for a projected fifteen to 25-year period, including an oversight board with mixed international and Liberian composition but controlled by the former and supported by a team of experts (forensic accountants) and international customs officers.
7. Work with Liberian civil society leaders to organise a national roundtable conference to develop consensus on a national strategy to be pursued after the October 2005 elections.

To Liberian Civil Society:

8. Promote discussion between Gios and Mandingos to reduce the threat of ethnic violence.

To the National Transitional Government of Liberia:

9. Enact legislation to guarantee all citizens (including youths and women) equal access to land use and to prevent rights to such use

acquired by working and improving land from being revoked by traditional authorities.

To the United Nations Security Council:

10. Maintain timber and diamond sanctions until after the 2005 elections, then subordinate these sectors to the new revenue collection mechanism.

To the UN Department of Peacekeeping Operations (DPKO):

11. Extend military observers' tours to one year, the entire period to be spent at a single site, so as to increase their ability to gather useful information.

To UNMIL:

12. Take more coercive measures to collect weapons now that the official DDR deadline for turning them in has passed.
13. Develop a program of targeted disarmament/development projects for ex-combatants and the communities into which they are reintegrated based on the "StopGaps" program in Sierra Leone.

To the Government of the United States:

14. Give a long-term (fifteen to 25-year) "over the horizon" security guarantee to Liberia similar to that given by the UK to Sierra Leone.
15. Provide incentives for Liberians resident in the U.S. to participate in rebuilding their home country, for example by not interrupting green card or citizenship application processes if they leave the U.S. to participate in rebuilding, investment, and governance initiatives.
16. Target financial crimes committed by members of the U.S.-based Liberian diaspora, and block U.S. bank accounts in such cases.

With Respect to Sierra Leone

To International Donors:

17. Shift the focus of development funding to programs directed toward education and agriculture, including infrastructure (roads, agricultural processing equipment) and increase funding to security sector reform, especially in order to build barracks for army and police.

18. Give greater political and operational support to civil society and train district councillors in basic accounting and administrative skills to facilitate their ability to work transparently.
19. Provide long-term funds based on implementation of a national strategy for law enforcement and justice sector reform.

To the UN Department of Peacekeeping Operations (DPKO):

20. Extend military observers' tours to one year, the entire period to be spent at a single site, so as to increase their ability to gather useful information.

To the Government of Sierra Leone:

21. Give prosecutorial powers to the Anti-Corruption Commission on a temporary basis (five to ten years), provide it adequate financial and human resources, and move quickly to implement a comprehensive reform of the judicial system.
22. Publish all budgets from ministry level downward, using the model of the Local Government Act of March 2004, require candidates for public office to declare their assets both before and after assuming office, and assure freedom of the press, speech and association.
23. Work with donors to promote agriculture, first assuring self-sufficiency in rice production, and then shifting toward greater diversification, higher productivity, and local value-added processing.
24. Enact legislation to guarantee all citizens (including youths and women) equal access to land use and to prevent rights to such use acquired by working and improving land from being revoked by traditional authorities.
25. Establish effective control over diamond resources, applying Kimberly process procedures.

To the Government of the UK:

26. Confirm the long-term "over the horizon" security guarantee to Sierra Leone for a 25-year period.

Dakar/Brussels, 8 December 2004

LIBERIA AND SIERRA LEONE: REBUILDING FAILED STATES

I. INTRODUCTION

In 1997, Liberia experienced a flawed disarmament, demobilisation and reintegration (DDR) program followed by refugee resettlement and elections. The result was Charles Taylor's presidency, continued pillage and abuse of the population, and ultimately a resumption of civil war. This failed attempt at peacebuilding needs to be kept firmly in mind as the UN, the Economic Community of West African States (ECOWAS), donors and non-governmental organisations attempt what is in most respects a comparable strategy for setting the failed state back on the road to self-sufficient and responsible governance.¹

Liberia's "operational checklist" began with the deployment of peacekeeping troops, continues with DDR, and is to climax in national elections late in October 2005. But this approach does not sufficiently address the underlying political and economic causes of the preceding war.² Jacques Paul Klein, the Special

Representative of the UN Secretary General (SRSG) to Liberia, reported on 15 September 2004 to the Security Council that "there is still a deficit of political commitment on the part of some factions and members of the transitional government". He added that "corruption appears to be very much alive, and there is still lack of transparency by the transitional government in the management of public funds".³

The implicit assumption has been that the international community, led by the UN, could enter a war-torn country where the state provides few if any services, and by introducing a package of interlinked reforms culminating in transparent elections, leave in two or three years with some confidence that the newly-chosen government would be able to address the types of problems described by Klein. That those assumptions are unlikely to be satisfied, however, is strongly suggested by experience in neighbouring Sierra Leone, whose own war was intimately linked to Liberia's. The UN Mission there (UNAMSIL) began on 22 October, 1999.⁴ All of what were once 17,500 troops were slated to leave by the end of 2004, but fears that the peace would not hold have prompted a decision to maintain a residual force of 3,500 soldiers and military observers until at least the end of June, 2005.⁵

¹ The various governmental shareholders in the Liberian peace building and reconstruction process come together in the International Contact Group. This group, formerly known as the International Contact Group on Liberia, was renamed the International Contact Group on the Mano River Basin at a 17 September 2004 meeting in Washington that acknowledged regional complexities and the fact that Liberia's neighbours are also vulnerable. Its members are the UN, the African Union (AU), ECOWAS, the EU, the US, the UK, Nigeria, and Ghana.

² Jacques Paul Klein, the Special Representative of the UN Secretary General (SRSG), points out that the deployment of peacekeepers and DDR "are all [an] indispensable prerequisite to the demilitarisation of the country and the creation of a stable security environment, without which peacebuilding efforts cannot begin. Similarly, the repatriation of refugees and the resettlement of IDPs are essential steps toward rebuilding broken communities. They constitute crucial aspects of the peacebuilding process, as do elections, and they can hardly be described as 'superficial' processes. They do constitute a traditional approach [emphasis in original], but they remain indispensable". Letter to Crisis Group, 3 December 2004. Crisis Group accepts the need for each of these measures but argues that the traditional approach to state building within a

very compressed time frame is unlikely to reach the roots of the country's problems. To patch up a wounded body without thoroughly cleaning the deepest wounds will mean any apparent return to health is likely to be of relatively short duration.

³ Briefing to the Security Council on the Fourth Progress Report of the Secretary General on UNMIL, New York, 15 September 2004. See also "Liberian Government Priorities Are Up-Side Down, Says Governance Reform Commission", *The Perspective*, 13 October 2004, and "Liberia: IMF and World Bank demand more transparency in public finances", IRIN 26 October 2004.

⁴ UNAMSIL's mandate came from Security Council Resolution 1270 and was extended and revised by resolutions 1289 (7 February 2000) and 1346 (30 March 2001).

⁵ This decision was also linked to worries about the situation in Liberia.

Many in Sierra Leone object to the suggestion that it also is a failed state, but the UN maintains a monopoly of legitimate force within its territory, and its citizens have little faith that their own security forces can assume this role.⁶ To provide basic services to its population, the government (despite the country's impressive mineral and agricultural wealth) is dependent on donors, who contribute more than half the national budget. Only 26 per cent of rural births are even registered by the state.⁷ Most inhabitants blame the absence of state services on corruption. As just one example, a recent World Bank Study estimated that 90 to 95 per cent of pharmaceuticals do not make it from the central state pharmacy to their intended destinations.⁸

The argument, however, is not really about definitions. Sierra Leone had its chance to escape from what was certainly failed state status when the main fighting in its conflict began to end in 1999. It is, in other words, some four years ahead of Liberia. This report evaluates attempts to set both countries on a course toward good governance and responsiveness to the needs of their people and makes use of the Sierra Leone experience in developing recommendations for what is needed to help Liberia do better faster. It is crucial to understand the process by which both deteriorated from situations as very weak "shadow" states into full-fledged state failure. Sierra Leone has now perhaps regained shadow state status but it still is in danger of sliding backwards as it did disastrously in the early 1990s.⁹

The Liberian state, presently an uneasy partnership between a UN mission with broad powers (UNMIL) and a transitional government composed primarily of ex-warlords and their proxies, is barely a year along this path; its present most realistic hope appears to be to reach shadow state status, like its neighbour, after its elections. It still has a chance to do better than that but if so, the root causes of its state failure and of the war that has migrated back and forth across the region since 1989 must be attacked in a more robust and

comprehensive way. This requires the international community to focus its interventions on four objectives.

First, in the short term, donors must make good a \$276 million¹⁰ deficit in money promised for reconstruction, especially the \$42 million needed immediately for the reintegration and rehabilitation of ex-combatants as well as the civilian communities in which they will resettle. As noted, DDR failure was an important part of the lost chance in 1997, facilitating the re-recruitment of fighters for the armed groups that tore the country apart between 1999 and 2003. This process is already recurring in Monrovia and northern and eastern Liberia, with prospect of destabilising Guinea, Côte d'Ivoire and possibly Liberia itself. Especially the reintegration component of DDR must be more realistic this time, addressing the sectors of potential economic growth, which are primarily agricultural.

Secondly, there needs to be a long-term international commitment to assure minimal security in both Liberia and Sierra Leone. This means an engagement not of two to five years, but of fifteen to 25, and the reconstruction not only of the armed forces but also of efficient and trusted police forces and honest and respected courts that can deliver rule of law. Such security assurances would most likely consist of a relatively lengthy period of security sector training and reform, like that to which British International Military Advisory and Assistance Team (IMATT) trainers have committed in Sierra Leone until 2010; a limited residual rapid deployment force that would probably not need to exceed one company in either country; and an "over-the-horizon" guarantee such as that made by the British government to Sierra Leone to intervene within 48 to 72 hours should serious trouble break out. The combination of these commitments should dissuade both internal and regional spoilers from pursuing their ends through armed attack.

Thirdly, international actors should more quickly return political control and responsibility to local actors. UNMIL officials have stated that many of their problems stem from a weak mandate; the implication is that only a full international protectorate could solve Liberia's deep-seated governance problems.¹¹ This report argues the opposite: that for Liberia and Sierra Leone to reach sustainable political solutions, changes

⁶ The UN has handed over nominal security responsibility to the Sierra Leone Army, as noted below, but still exercises effective control.

⁷ R. Fanthorpe, A. Jay, V. Kamara, "Sierra Leone: A Review of the Chiefdom Governance Reform Program, Incorporating an Analysis of Chiefdom Administration in Sierra Leone", UK Department for International Development (DfID) internal paper, November 2002.

⁸ Public Expenditure Tracking Survey Report, 2004.

⁹ See Truth and Reconciliation Commission Report, October 2004.

¹⁰ Figures denoted in dollars (\$) in this report refer to U.S. dollars.

¹¹ Crisis Group interviews, Monrovia, September 2004.

must and can be generated from within, not imposed from without.

Some diplomats say Western countries need to remain engaged with Sierra Leone and Liberia in order to continue to be able to influence developments. Some Liberian and Sierra Leonean intellectuals argue that as this engagement is presently implemented, it too often amounts to turning a blind eye to local corruption and exercising influence through coalitions with old power elites while marginalising those truly more interested in reform. Ordinary Liberian and Sierra Leone citizens are more direct: they complain that they see rich politicians and expatriates driving expensive four-wheel drive vehicles but few benefits for themselves, except a peace that may dissolve soon after peacekeepers leave.

Now that Sierra Leone has an elected government and once Liberia does too, the primary political role of the international community should be to support and encourage rule of law and civil rights such as freedom of speech, press and association that will allow government, civil society and the population at large to argue their way to solutions without fear of reprisal. The leverage it will retain for many years will come from the donor aid it controls and its ability to speak out forcefully in public forums when abuses are spotted. This is especially imperative in Sierra Leone, where antiquated laws have been used to stifle the press, but it is also essential in Liberia, where civil society leaders have been even more harshly attacked since 1980 under both the Doe and Taylor governments. Of course, the international community will still need to make many compromises with and often work through the older and more traditional power elites in both countries but it should be trying harder to identify and build up new and alternative forces.

Fourthly, this fairly radical retreat from much of the political sphere should be accompanied by an equally radical intrusion into the economic one. Along with assuring long-term security and a public space where Liberian and Sierra Leone citizens can pursue new types of politics, the international community should itself manage revenue collection for a considerable period. Ports, airports, customs, and other sectors (such as the Liberian shipping registry) have long served as "cash cows" for those who control the state. Because revenues are pillaged before they reach the national coffers, lack of transparency in revenue collection is compounded by lack of transparency in expenditure.

Through technical accounting expertise and administrative/policing work at key sites like ports and borders, an international mechanism could collect far greater sums, deposit them transparently into the national budget and encourage the government in turn to transfer funds more transparently to ministries and local government. At least if it were known how much went into the system, it would be easier to identify where it went missing. This mechanism should probably last for about as many years as the security sector guarantees.

This suggestion is meant to stir debate. Some will say it strips Liberia of sovereignty, others that it merely extends the structural adjustment and privatisation policies now considered by many to have been disastrous for African economies. It is not a prescription for poor countries in general, but for Liberia, a failed state so incapacitated by warfare and bad governance that it cannot raise the funds necessary for its operation (including to pay state employees). Sierra Leone might benefit from a similar scheme but it is less likely that the restrictions would be acceptable to its government, which is already an elected one and feels itself well on the way to escaping international tutelage. However, if it worked well in Liberia, public pressure might cause some variation to be considered seriously also in Freetown.

The above approach promises three advantages over the present superficial repair of institutions. By substantially removing both insurgency and economic pillage as incentives, and over a relatively long period, it should reduce the attraction of the political sphere for "vampires" and so allow a new class of more service-oriented politicians to enter the scene. Secondly, the transparent deposit of more revenue into the national coffers would facilitate potentially sustainable budgets, with which government -- and voters -- could set their own priorities rather than undertaking programs because donors will fund them.¹² Thirdly, in light of donor hesitancy even to cover existing commitments, using a percentage of collected revenue may be the only realistic way to pay for the long-term engagement needed.

Because of the obvious risks of abuse, an international revenue collection mechanism would need to be accountable to a governing body -- presumably a hybrid with both international and Liberian

¹² The latter complaint is heard among both officials and donors in Sierra Leone and is likely to develop also in Liberia. Crisis Group interviews, August-September 2004.

participation -- that would ensure the smallest possible fraction was spent on maintaining the international mission and the greatest amount possible was deposited into the national budget. Revenue expenditures would also need a control mechanism but at that stage responsibility should be invested in the party with most at stake -- the Liberians -- with enough residual international presence to raise a public warning flag immediately if large-scale corruption was being attempted. Ultimately, professional and independent national auditing mechanisms need to be in place, and international oversight should aim at its own replacement by those indigenous institutions.

The stakes in Liberia and Sierra Leone are high. The international community has invested billions of dollars in these countries but the decision to extend the mandate of 3,500 UNAMSIL peacekeepers is an implicit admission that five years of intervention in Sierra Leone have failed to ensure sustainable security. Senior UN officials already express similar fears about Liberia.¹³ If these peacekeeping missions fail to achieve durable solutions, West Africa could well return to deadly chaos but there likely would not be another attempt at rescue.

II. "SAME CAR, DIFFERENT DRIVER"

A. DEFINING FAILURE

Though there has been slight improvement since 2003, it is estimated that the Sierra Leone government for years collected customs duties on only 5 per cent of diamonds exported from its territory.¹⁴ Meanwhile, the World Bank estimates that in 2003, only 5 per cent of pharmaceuticals within the state health system reached their intended destination. These are symptoms of the same problem of state inadequacy.

In both cases, networks uncontrolled by the bureaucratic apparatus have distributed these goods. Medications have been sold at a cost too high for most citizens, contributing to life expectancy at birth of 34 and the death of a quarter of the country's children before they reach the age of five.¹⁵ Neither young artisanal diamond diggers (many of them ex-combatants) nor the government have seen much of the nation's diamond wealth. Whether the cause is corrupt politicians who take the spoils or the state's lack of capacity to control important activity within its borders becomes irrelevant when failure is this profound.

It is well known that failed states not only condemn their citizens to misery but can also become breeding grounds for organised crime and terrorism.¹⁶ Because the political and economic systems are non-transparent and lack accountability, terrorists and their financiers can infiltrate and use them for making and laundering money that is impossible to trace.¹⁷ The extent to which Sierra Leone and Liberia have in the past been implicated in an apparent al-Qaeda network came to light initially through journalistic activity in 2001.¹⁸

¹⁴ Crisis Group interviews, August 2004. Many in Freetown have heralded the new efficiency of the government in collecting duties on perhaps 15 to 30 per cent of exported diamonds. The government recently stated that since the beginning of 2004, it has collected duties on more than \$100 million in diamond sales for the first time ever.

¹⁵ This is the UN Development Program (UNDP) figure for 2002 life expectancy as published in its 2003 Human Development Index Report. See also "Sierra Leone Tops World Child Mortality", *Concord Times*, 11 October 2004.

¹⁶ Afghanistan under the Taliban is the archetype.

¹⁷ See "On the Brink: Weak States and US National Security", The Center for Global Development, May 2004.

¹⁸ A series of investigative newspaper reports broke the story. Douglas Farah, "Rebels in Sierra Leone Mine Diamonds in Defiance of UN: Captured Children and Conscripts Used as

¹³ Crisis Group interviews, New York, Monrovia, Dakar, July-September 2004.

Liberians and Sierra Leoneans did business with the operatives of the notorious terrorist movement not out of ideological sympathy but because the business was lucrative, and no effective state controls were in place. They have similarly worked with economic exploiters, such as timber companies that have devastated Liberia's forest reserves, supporting Charles Taylor and protecting their interests with private militias,¹⁹ and Nigerian and Ghanaian drug cartels, who reportedly use Sierra Leone today for transshipments.²⁰

The failed state attains its most spectacular incarnations under the aegis of a ruthless warlord like Charles Taylor. Yet, even during times of relative peace, the syndrome cripples the chances Sierra Leone and Liberia have to escape the cycles of poverty and violence in which they have been trapped. After his election, Taylor was asked when he would bring electricity to Monrovia. He replied that Liberians should buy generators. Today, there are still no electricity mains, no land line telephone system, and no sewage system anywhere in the country.²¹

In both countries, many normal state functions are carried out at least in part by NGOs. Especially

larger and better-funded international ones (INGOs), may end up, against their wishes, deciding policy initiatives and doing the work of government.²² In Liberia, this dynamic is especially acute in the health sector, which since 1990 has been essentially paid for and organised by INGOs, not the nominally responsible Ministry of Health.

Health workers in hospitals supported by INGOs are paid largely through a system of incentives. Government salaries often go unpaid and are at best not living wages. For instance, registered nurses are entitled to \$25-\$30 state salary each month. The incentives paid by INGOs to health sector workers until mid-2003 were approximately five times that. INGO administrators say they want to work within the Ministry of Health, both to support the ministry and to reach more people.²³ However, incentives have taken pressure off the government to provide realistic salaries, and health care workers have come to see the INGOs as their real employers. Some 80 per cent to 100 per cent of health workers' real pay comes from the INGOs, which have also built numerous hospitals throughout the country and provide most of their drugs and generator fuel.

A decision by one INGO to pay Liberian health workers a double-incentive salary for the heroic and dangerous work they did during the July-August 2003 battle for control of Monrovia complicated this situation. The bonus was specified as temporary but wrangling began immediately to have it made permanent. INGOs involved in the health sector negotiated with the ministry, saying they could not afford this.²⁴ During the ensuing six months, the INGO continued to pay the double incentive, effectively turning it into the new standard,²⁵ but the ministry imposed incentives that were far higher still, stating that, "all partners in the health sector are advised to abide by this regulation....Failure to respect

Labourers", *The Washington Post* 19 August 2001, and Farah, "Report says Africans Harboured al-Qaeda; Terror Assets Hidden in Gem-Buying Spree", *The Washington Post* 29 December 2002. See also Global Witness, "For a Few Dollars More: How al-Qaeda moved into the diamond trade", April 2003. The Special Court for Sierra Leone has confirmed Farah's findings through its own investigations. See "UN Ties Al-Qaeda Figure to Diamonds", G. Simpson, *Wall Street Journal* 28 June 2004. From March through November, 2001, two African al-Qaeda operatives working from Monrovia reportedly bought diamonds provided by the Revolutionary United Front (RUF), the Sierra Leone insurgency headed by Foday Sankoh and supported by Charles Taylor. The operatives, both of whom have been indicted in absentia for the 1998 bombings of U.S. embassies in East Africa, acquired the diamonds in RUF-held sections of Sierra Leone beyond the reach of state institutions and paid roughly 30 per cent above the market rate in order to convert al-Qaeda cash into a more portable, less easily traced medium.

¹⁹ See "Logging Off: How the Liberian Timber Industry Fuels Liberia's Humanitarian Disaster and Threatens Sierra Leone", Global Witness, September 2002.

²⁰ Crisis Group interviews, Dakar, Abidjan and Freetown, May-September 2004.

²¹ The capital remains a zone of cellular telephones and generator-provided electricity, or none at all. Wealthier residents get potable water via tanker trucks that fill cisterns on top of individual houses, while the poor buy it by the twenty-litre jerry can, hauled into central Monrovia from neighbouring Bushrod Island by young men who push wooden carts with some ten containers at a time.

²² It is explicitly the intention of the INGOs Crisis Group has interviewed not to set policy but it still happens de facto due to the virtual absence of government investment.

²³ Crisis Group interviews, September-October 2004.

²⁴ They also noted that \$300 monthly salaries for health workers would produce demands that could not be met in sectors like education, where pay is \$30, and there is no comparable INGO investment. There is a similar debate in Sierra Leone, where INGOs have been told to raise employees' salaries across the board by 40 per cent.

²⁵ The INGOs continued to insist that these double incentives -- now 90 per cent of their employees' pay -- were temporary but eventually what had been a bonus began to be perceived as an entitlement.

these regulations will leave the Ministry of Health and Social Welfare with no option but to take the appropriate actions against such partner(s)".

The following table compares what the government pays health workers monthly, the government demanded and the INGO proposed as an incentive. For comparison, it also lists the salaries of a police officer, and a primary school teacher.²⁶

| Qualification | Govt. salary | Incentive demanded by Govt. | INGO incentive |
|--------------------------------|--------------|-----------------------------|----------------|
| Doctor, five+ years experience | N/A | \$500-\$650 | \$450 |
| Registered Nurse, five+ years | \$25-\$30 | \$250-\$350 | \$160 |
| Certified Midwife | N/A | \$150-\$350 | \$100 |
| Lab Technician, five+ years | N/A | \$150-\$350 | \$95-\$110 |
| Police Officer | c. \$30 | | |
| Primary School Teacher | c. \$30 | | |

The INGOs told to pay these incentives sought to agree with the ministry on an affordable level all parties could accept as fair. In the meantime, however, a group calling itself the Montserrado County Health Workers Association initiated a strike during which it verbally assaulted and intimidated INGO expatriate staff trying to ensure the continued care of emergency patients.²⁷ In essence, it treated the INGOs (who paid its members some 90 per cent of their take-home pay) as if they were the state and thus the rightful target of their demands.

Although this drama has been temporarily resolved, it exemplifies the tense relations in Monrovia among INGOs, government and other elements of society. The stakes were the lives of ordinary, hospitalised

Liberians. The wager was that INGOs, adhering to their Hippocratic oaths, would pay so they could continue to provide care.²⁸ The case is illustrative of a larger problem that plagues both Liberia and Sierra Leone. Rather than the government collecting maximum revenues, using them to pay for basic services, and then developing a plan to seek specific, targeted assistance where funds are insufficient, it is outside actors (donors, INGOs or UN) that set policy and perform other state functions. Moreover, because the process operates in a context of general denial - government pretends to be in charge, NGOs pretend not to be setting policies -- it is uncoordinated. The result is incoherent, piecemeal policy and resentment on all sides.

Such swapping of responsibilities means that the state does not build meaningful capacities. Its institutions are focused on finding new sources of donor revenue, rather than managing money at hand in a way that would develop autonomy and self-sufficiency. Policy is driven by what donors will fund. When the donors who have been assuring security, health care and many other functions move away to more pressing crises, as they are now already doing in Sierra Leone, they leave behind institutional vacuums.

B. THE SHADOW STATE/FAILED STATE CYCLE

At least three elements contributed to state failure in Sierra Leone and Liberia: the introduction of one or several malignant actors; foreign partners with economic interests in the spoils of civil war; and institutions too weak to resist assaults.²⁹

While everyone familiar with the regional crisis knows the nefarious roles played by such individuals as Charles Taylor, Johnny Paul Koroma, Foday Sankoh, and Sam "Maskita" Bockarie, they have been only part of the problem. Taylor -- the most dangerous -- is now in exile.³⁰ Koroma is in hiding and does not

²⁶ Although figures were not available, it is probable that on average, midwives and lab technicians are paid approximately two thirds of a registered nurse's salary.

²⁷ The strike was partly the result of complex political manoeuvring above and beyond this case, perhaps with the intent to discredit Minister of Health Coleman. The Montserrado County group has ambiguous relations to the National Health Workers Association. Crisis Group interviews with human rights researchers, 14 September 2004.

²⁸ An INGO worker asked, "why would they demand a living wage from the government, when they knew they would not get it? They might as well try to get something from us." Crisis Group interview, 28 October 2004.

²⁹ The definitive description of this convergence in Liberia is Stephen Ellis, *The Mask of Anarchy: The Destruction of Liberia and the Religious Dimension of an African Civil War* (New York, 1999).

³⁰ SRSK Klein argues that, "Charles Taylor's shadow still looms over Liberia. Unless he is brought before the Special

pose an immediate threat,³¹ and Sankoh and Bockarie are dead. Some assumed that with Taylor out of the country, Liberia would quickly spring back to its feet; but a saying in vogue in Monrovia today is that he was replaced by "100 small Taylors".

The downward slope followed by institutionally weak Liberia and Sierra Leone has led to a better understanding of how shadow states can mutate into failed states during war.³² Equally true is that under circumstances like a UN-monitored peace, failed states can, often deceptively, appear to recover somewhat. This describes Sierra Leone today and where Liberia seems to be headed over the next several years. However, the recovered shadow state remains vulnerable to relapse. According to the logic of the system, it makes sense to weaken institutional capacities to produce individual gain.

The shadow state is a particularly ripe target for corruption. In 2000, a national corruption perception survey administered in Sierra Leone found that 94 per cent of respondents considered it was widespread, 95 per cent that it was rampant in most government departments.³³ Sierra Leoneans explicitly link corruption to their precarious security situation. A recent survey indicates that it is seen as the country's number two security threat and a major cause of the war.³⁴ As stated by Sierra Leone's Anti-Corruption Commission (ACC):

Court for Sierra Leone, many ordinary Liberians will not be persuaded that the peace process is sustainable". Klein, "Briefing to the Security Council on the Fourth Progress Report", 15 September 2004. Nigeria has warned Taylor to stop meddling in Liberian politics. Liberia and Sierra Leone will remain fragile for some time, and Taylor is the most likely candidate to attempt to destabilise them, either himself or by proxy.

³¹ He had been assumed dead, but those following his case have become convinced he is still alive. Crisis Group interview with intelligence source, Freetown, 18 August 2004.

³² The concept of Sierra Leone as a shadow state has been treated most explicitly by William Reno, *Corruption and State Politics in Sierra Leone* (Cambridge, 1995) and *Warlord Politics and African States* (Boulder, 1998).

³³ J. Lappia, E. Gamia, F. Konteh and A. Jalloh, "Survey Report National Perception and Attitudes Towards Corruption in Sierra Leone", August 2000, an internal document of the Anti-Corruption Commission. See also F. Konteh, A. Jalloh and A. Alieu, "Governance and Corruption Study 2002", likewise an internal document of that body.

³⁴ The study was done in preparation for the Security Sector Review of the Poverty Reduction Strategy Paper (PSRP), a major overview and blueprint for development that the Bretton

The undermining of the state's ability to utilise resources, collect taxes and exercise a monopoly of violence in the country is a result of the "personalisation" of the government and its services. The emergence of a shadow state that uses the apparatus of the formal state for informal or personal uses is a key factor in the collapse of the state in Sierra Leone.³⁵

In the shadow state, seemingly functioning bureaucracies in which workers come to ministries, and legislatures continue to pass laws can actually be hollowing themselves out, sabotaging their institutional capacities in order to pave the way more efficiently for a flow of goods through and to individuals. Such systems are often described as being driven by greed. This is only partially true. The other driving force behind them is the attempt to amass power by reshaping decision-making pathways so that they pass through individuals rather than institutions. The favoured individuals become gatekeepers, access to power and goods becomes personalised, and the system becomes increasingly arbitrary.

The Sierra Leone and Liberian shadow states were cultivated throughout the Cold War as both East and West sought advantage.³⁶ When that contest abruptly ended, local politicians were under great pressure to continue providing favours for their networks of clients, despite the fact that the most lucrative sources of these favours had not only dried up but had begun to call for transparent governance.

A gradual weakening of the system took place in Sierra Leone alongside attempts to monopolise resource wealth, with diamonds the priority.³⁷ In 1991, when the war began, rutile was bringing \$69.1 million into the national budget, diamonds only \$20.6 million. The same year, foreign aid was \$105 million, nearly equivalent to the total internal revenue the government generated itself. Despite its mineral and agricultural wealth, Sierra Leone was already classed as the world's second poorest country by the UN Development Program.

Woods institutions required of Sierra Leone, as of other very poor borrower countries.

³⁵ D. Bowser, Prevention Adviser, Sierra Leone Anti-Corruption Commission, "The Need for a Public Complaint Mechanism in Sierra Leone", September 2004.

³⁶ See Reno, *Corruption and State Politics*, op. cit.

³⁷ See P. Richards, *Fighting for the Rainforest: War, Youth and Resources in Sierra Leone* (Oxford, 1996).

Today, people in Sierra Leone often describe the political evolution since 1991 as, "same car, different driver." A diplomat in Freetown commented that since the war, "all our resources have gone toward recreating the conditions that caused the conflict". An earlier Crisis Group report made much the same point: "the overarching difficulty appears to be that the government lacks the will to address the problem, and the donor community lacks the will to apply serious pressure."³⁸ Several Western diplomats in Freetown complained of the donor mentality that emphasises the necessity of "pushing money out the door" over that of insisting that it be spent in a transparent manner.³⁹

A case widely believed to demonstrate the lack of commitment by the government to address the corruption problem involved a former minister for transport and communication, Momoh Pujeh, who was found guilty of unlawful possession of precious minerals (638.81 carats of diamonds with an estimated value of 73,000,000 Leones, about \$26,000) and sentenced to two years in prison.⁴⁰ Pujeh successfully appealed, claiming he acted as the authorised agent of a license holder who had transferred him the rights despite the fact that on the front of each artisanal/small scale mining license it is clearly stated that "this licence is not transferable".⁴¹ He was the highest politician charged with corruption since the end of the war, and his case was seen by many as a litmus test for the government's sincerity. Independent legal opinions on the appeal state that it should not have been successful based on the materials presented,⁴² and the judgement on 24 December 2003 raised questions of interference with the judiciary.

Other cases that have eroded public confidence and given the appearance of business as usual include:

- A scandal surrounding purchase, for the inflated price of \$50,000, of a forklift (that did not work) by the Sierra Leone Ports Authority;

- The case of High Court Justice Taju-Deen, convicted of accepting a bribe contrary to Section 8 (1) (a-c) of the Anti-Corruption Act of 2000; and
- The case of Ms. Avril Cummings, a tax commissioner accused of accepting a bribe from a businessman who refused to testify.

The situation in Liberia is even more troubling, in that many members of the transitional government are known warlords and/or have benefited from the pillage of the country over the past fourteen years. This creates special problems but the logic is largely the same. Many observers' fear that the presidential election in October 2005 will be seen as an all-or-nothing affair, with the losers thoroughly excluded from power and thus left contemplating resumption of war. A European observer put it this way: "These are people who aim to make the state work for them, rather than working for the state. For them, systems are there to be fleeced as completely as possible. The goal is to capture power so as to be the one doing the fleecing".

It is crucial to understand the potential for oscillation between shadow state and failed state in both countries. The question is whether this alternation can be stopped, or whether a cyclical dynamic will inexorably push them back toward war. If the international community does not take the relationship between shadow states and failed states into account, the result may be that a brief peace will have been imposed, only to dissolve shortly after the last peacekeepers depart. The newly-released report of the Sierra Leone Truth and Reconciliation Commission states:

[T]he Commission came to the conclusion that it was years of bad governance, endemic corruption and the denial of basic human rights that created the deplorable conditions that made conflict inevitable. Successive regimes became increasingly impervious to the wishes and needs of the majority. Instead of implementing positive and progressive policies, each regime perpetuated the ills and self-serving machinations left behind by its predecessor. By the start of the conflict, the nation had been stripped of its dignity. Institutional collapse reduced the vast majority of people into a state of deprivation. Government accountability was non-existent. Political expression and dissent had been crushed. Democracy and the rule of law were dead. By

³⁸ See Crisis Group Africa Report N°67, *Sierra Leone: The State of Security and Governance*, 2 September 2003.

³⁹ Crisis Group interviews, Freetown, August 2004.

⁴⁰ Pujeh was charged under Section 118B (1) of the Mines and Mineral Act 1994 as amended by the Mines Minerals (Amendment) Act no 1 of 1999.

⁴¹ "M. Pujeh's Appeal, Judge Ademosu's Judgement", *The Christian Monitor Newspaper*, Monday 22 December 2003 p. 2

⁴² "Comments on M. Pujeh's Appeal, Judge Ademosu's Judgement", Internal document of the DfID Diamond Sector Project, February 2004.

1991, Sierra Leone was a deeply divided society and full of the potential for violence.⁴³

More worrying still is the commission's finding that, "many of the causes of conflict that prompted thousands of young people to join the war have still not been adequately addressed".⁴⁴ The international community will need to work with the government and civil society to address the political as well as the more technical problems included in peacebuilding. As UNAMSIL winds down, much of its responsibility is being passed to such donors as the UK's Department for International Development (DfID), the EU and the U.S. Agency for International Development (USAID), as well as to the UN country team --UNDP, UNICEF, and the Food and Agriculture Organisation (FAO).

In Liberia, where responsibility will continue to rest primarily with UNMIL until the October 2005 elections, the situation is even worse, which is not surprising given that it is only one year into the post-war and post-Taylor era. The same dynamics, however, apply. UNMIL officials have publicly expressed their concern that members of the transitional government are not interested in the elections because many would likely lose their comfortable positions. Offices in the transitional government require little work but create, in the words of a diplomat, "passive income streams," by which they live well by acting as gatekeepers.⁴⁵ The Transitional Legislature, with the approval of Chairman Bryant, voted to buy a new \$35,000 Jeep Cherokee for each member -- at a cost of \$2.3 million. An observer noted:

there is a certain amount of arrogance in any political class. In my country, this is also true, but the political class sees its destiny as linked to that of the people. They don't see themselves living beyond the means of the government. The political class here see themselves as entirely different from the population; they are totally de-linked from them.⁴⁶

III. THE OPERATIONAL CHECKLIST

The international community has approached the challenge of stabilising first Sierra Leone, then Liberia with the notion that the primary requirement is to implement a series of processes, after which its responsibility ends and it can safely withdraw. The tools used are those that have become virtually standardised through application in other international rescue attempts. The first is deployment of peacekeeping troops, which is followed by disarmament, demobilisation and reintegration of ex-combatants (DDR), the repatriation and return of refugees and Internally Displaced Persons (IDPs), security sector and judicial reform (unified under the "rule of law" rubric in Liberia), and finally elections. At some point, institutions of transitional justice are expected to play a role in the national reconstruction process: Sierra Leone has both a Truth and Reconciliation Commission (TRC) and a Special Court,⁴⁷ while at least a TRC is envisioned for Liberia.

The argument in this report is that it is important to avoid a one-approach-fits-all strategy, that the special characteristics of the individual national situations must be factored in carefully, but also that there is need to dig much deeper into the root causes of why public institutions collapsed in the first place. There is no simple and quick nation-building conveyor belt. If the cycle of collapse, partial recovery, new collapse is to be avoided, the international community needs to stay patiently involved with both countries for a generation, not for a brief post-conflict transition capped off by a first election.

A. DDR: PUTTING WEAPONS BEYOND USE

Despite these achievements and the irreversibility of the peace process, there are still many challenges and we are facing continuing threats to the peace process, which could adversely affect the progress made so far.

Souren Seraydarian

This ambivalent statement by the deputy to SRSG Klein⁴⁸ on 15 September 2004 when UNMIL's

⁴³ "Overview of the Sierra Leone Truth and Reconciliation Report", International Centre for Transitional Justice, 5 October 2004.

⁴⁴ Ibid.

⁴⁵ Crisis Group interview, Monrovia, 14 September 2004.

⁴⁶ Crisis Group interview, humanitarian source, Monrovia, 13 September 2004. See section IV C below for discussion of what ensued when a member of the legislature criticised the purchase.

⁴⁷ For discussion of these institutions, See Crisis Group Africa Briefing, *Sierra Leone's Truth and Reconciliation Commission: A Fresh Start?*, 20 December, 2002, and Crisis Group Africa Briefing, *The Special Court for Sierra Leone: Promises and Pitfalls of a "New Model"*, 4 August 2003.

⁴⁸ DSRSG Seraydarian left UNMIL on 29 September 2004.

mandate in Liberia was renewed, goes to the heart of a problem that has become even more evident in Freetown: even a competent and formally successful implementation of the operational checklist may fail in the medium term, precisely because it did not deal with the challenges of the politics of the shadow state. Assertion of "the irreversibility of the peace process" has the ring of wishful thinking. To evaluate where the process stands, it is necessary to look at what is happening on the ground in both countries.

Liberian DDR has disarmed more than 100,000 people, though UNMIL has collected fewer than one weapon for every three combatants.⁴⁹ SRSK Klein estimated before the process began that each combatant probably had three weapons.⁵⁰ However, it is unproductive to treat DDR as a numbers game. More is not necessarily better. Entering a DDR process, with or without a weapon, is in effect a statement by the individual that "I am tired of fighting, and I am willing to give this a try. Show me what you have to offer". So far, the answer has been very little. Demobilisation, such as it is, has consisted of three days of completing questionnaires, sleeping in large tents on a mat on the damp earth, and waiting for an initial \$150 payment. Originally envisioned as a three-week process addressing ex-combatants' psychological, social, and health needs, it has become little more than a pro forma waiting period between turn in of weapons or ammunition and turn over of money.

⁴⁹ UNMIL reports in its "Mission Overview", 1 December 2004 that "since December 2003, [it] has disarmed a total of 101, 962 combatants, including 21,945 women, 7,226 boys and 2,330 girls". In the same document, UNMIL reports that, "so far, 27,892 weapons have been collected, of which around 24,000 have been destroyed. Destruction of weapons continues on a daily basis at UNMIL Force Headquarters. A total of 32,818 pieces of heavy munitions, as well as over 7 million rounds of small arms ammunition have been collected and destroyed". DSRSG Seraydarian told Crisis Group at a slightly earlier stage that UNMIL had a 1.09:1 ratio of arms to disarmed persons. This figure amalgamates weapons and ammunition. Given that only 150 AK-47 rounds qualify a person for disarmament, this method may not provide an accurate indication of how significantly the process is diminishing the potential for resumed fighting. UNMIL Military Observers enter each recovered weapon's serial number into the national DDR database. The Panel of Experts reports on Liberian sanctions have identified specific shipments of Eastern European AK-47s, with serial numbers. It will be interesting to learn eventually how many of those weapons have been collected by the DDR process.

⁵⁰ IRIN, "Where Are the Weapons? Is Disarmament Really Working?", 28 July 2004.

UNMIL officials are adamant that theirs is not a "weapons buy-back" program,⁵¹ but ultimately the interpretation that matters is that of ex-combatants, several of whom, interviewed by Crisis Group after they went through the process, called it a "cash for arms" deal.⁵² This perception, whether right or wrong, can be disastrous inasmuch as it undercuts the understanding that offering a weapon -- perhaps one of several the ex-combatant holds -- is a symbolic expression of willingness to seek a new livelihood. The key goal is "putting weapons beyond use",⁵³ with an approach oriented toward promoting security and sustainable economic growth for ex-combatants, the women, children and men who were "camp followers", and the communities into which they are reintegrating.

The claim by many in Monrovia that a substantial number of those participating in the Liberian process may not have been actual fighters is not problematic in itself.⁵⁴ Neither women nor children have been particularly well-served by DDR or the more general peacebuilding process in Sierra Leone.⁵⁵ Having learned from that experience, UNMIL loosened entry criteria in order to include more women and children. While the percentage of children (9.8 per cent) in the Liberian process is about the same as in Sierra Leone, that of women -- whose roles were often difficult to define (cooks, spies, fighters, porters, and "bush wives") -- is 17.4 per cent compared to 6.5 per cent.⁵⁶

⁵¹ Crisis Group interviews, May-September 2004.

⁵² Crisis Group interviews, Monrovia, Voinjama, September 2004.

⁵³ The phrase is one used by UNAMSIL DDR specialists in Sierra Leone.

⁵⁴ Although UNMIL officials insist that all those in the DDR process were either fighters or "camp followers", many humanitarian workers and diplomats question this. One curious aspect of UNMIL's own figures supports their uncertainty: the biggest group disarmed by the end of phase three (4 September, 2004) consisted of 26,251 persons listed as belonging to "Other" combatant groups, who did not indicate an affiliation with a LURD, MODEL or GOL commander. LURD (Liberians United for Reconciliation and Democracy) and MODEL (Movement for Democracy in Liberia) were the two insurgent groups; the GOL (Government of Liberia) were forces loyal to Charles Taylor.

⁵⁵ Desmond Molloy, "The Gender Perspective as a Deterrent to Spoilers: The Sierra Leone Experience", *Conflict Trends*, Accord, Durban, Special Issue on Peace-keeping, vol. 2, 2004, pp. 16-19. See also D. Mazurana and K. Carlson "From Combat to Community: Women and Girls of Sierra Leone", Women Waging Peace Report, January 2004.

⁵⁶ In Sierra Leone, it was particularly difficult to identify women attached to the Civilian Defence Forces (CDFs). Because these groups typically recruited and organised organically out of local communities, few women entered the

Taking women and child combatants, who were not required to give up weapons, out of the equation, the ratio of adult men demobilised to weapons is 2.43:1. However, the notion that even civilians who were never part of a fighting group might benefit from DDR is not in itself worrying given that the Sierra Leone experience showed the importance of benefiting civilian communities into which ex-combatants would settle as well as the ex-combatants themselves.

What is troubling, however, is the possibility that such non-fighters are being "disarmed" and "demobilised" instead of rather than with the most hardened combatants, some of whom have been under arms for ten years or more. The evident bad faith of some rebel groups is clear when one considers the numbers. Although all three primary fighting groups (LURD, MODEL and Taylor's forces) used heavy weapons, especially in the final push toward Monrovia in mid-2003, only 3.3 per cent of the weapons UNMIL had collected by the end of phase three of disarmament (4 September, 2004) were mortars, anti-aircraft guns, or large-calibre machine guns.

Most mortars and other heavy weapons returned to Guinea (in the case of the LURD) and Côte d'Ivoire (in the case of MODEL) between November 2003 and February 2004, before UNMIL was fully deployed, especially in the border areas.⁵⁷ Multiple sources cited thriving cross-border business between Liberia and Guinea in which, for example, three AK-47s were valued at one motorcycle. There were similar reports of trade with Côte d'Ivoire.⁵⁸

The two mainstay weapons of West African fighters - AK-47 assault rifles and Rocket Propelled Grenade launchers -- account for 88.4 per cent of weapons turned in. However, the percentage of fighters from each group giving them up is disturbingly low. Only 21 per cent of LURD-affiliated fighters and 24 per cent of former government-affiliated fighters have turned in weapons. Many diplomats and security experts agree that each force is keeping some

hardcore fighters and weaponry in reserve, possibly for the run-up to the October 2005 elections.⁵⁹

While DDR is widely considered a success in Sierra Leone, the numbers there, too, raise questions. UNAMSIL had estimated there were between 300,000 and 1.5 million weapons in country at war's end, but it collected only 2 to 10 per cent, fewer than 30,000 from 76,200 ex-combatants. Many weapons leaked over the borders into Guinea and Liberia. Discussing the discrepancy, a DDR specialist said, "The best disarmament initiative in Sierra Leone has been [continued fighting in] Liberia and Ivory Coast - for me that's without any doubt".⁶⁰

Disarmament experts agree no DDR program ever collects all the weapons, which is why it must include an effective reintegration component.⁶¹ As it was conducted in Sierra Leone, however, it had little to do with reintegrating ex-combatants into communities:

The choice of name, Reintegration Opportunity Program, was accurate as not properly addressing reintegration from the perspective of community strengthening and involvement but solely focusing on the immediate needs of the ex-combatants, without contributing to the rehabilitation or creation of sustainable institutions. It was more of a time buying concept.⁶²

There is nothing wrong with time-buying per se. Given the volatility of post-conflict environments, some sleight of hand and damage control is to be expected. What is disastrous is when stopgap tactics become a substitute for an overarching DDR strategy. The UN mission in Monrovia is increasingly being forced into such an untenable position, partly because the funds necessary for a meaningful reintegration program are lacking. Unfortunately, while disarmament and demobilisation components of DDR were assessed lines of the regular UNMIL budget,

process as CDF members or camp-followers. The implicit explanation is that all women in the community participated in supporting the CDFs, though this point is contested. See Mazurana and Carlson, "From Combat to Community", op. cit.⁵⁷ Crisis Group interviews, Liberia, Guinea, Côte d'Ivoire, April-September 2004.

⁵⁸ Crisis Group interviews, diplomatic and intelligence sources, May-September 2004. See also IRIN, "Where are the Weapons? Is Disarmament Really Working?", 28 July 2004.

⁵⁹ Crisis Group interviews, Monrovia, September 2004.

⁶⁰ Crisis Group interview, 21 October, 2004.

⁶¹ As a Sierra Leone DDR veteran noted, successful DDR is not only about the number of weapons collected: "since January 2001, when Pa Kabbah declared the war 'done done' there has not been one coordinated armed incident. This suggests that weapons have been 'put beyond use', which is the objective of DDR". Crisis Group interview, 20 October 2004.

⁶² "Some Lessons in DDR: The Sierra Leone Experience", B. Ljunggren and D. Molloy, June 2004, UN DPKO internal document.

reintegration was not.⁶³ Donors who promised money in February 2004 must disburse it immediately if Liberian ex-combatants are not to be let down again. A DDR specialist said, "Liberian combatants still talk about the failed process in 1997, when they were given vouchers for reintegration that were never honoured. They remind us that promises were not kept in 1997, and that we have seen what results".⁶⁴

Liberian DDR officially finished at the end of October 2004, with weapons still in the country.⁶⁵ UNMIL needs a coherent policy for "mopping up" as many of these as possible. This will sometimes require coercing ex-combatant groups that have resisted disarmament.⁶⁶ A valuable approach was developed in Sierra Leone, where UNAMSIL's "StopGaps" program brought together the national DDR Commission, development funders, and military observers. When the latter sent information indicating that tensions were rising or trouble fermenting in a town or village, funders disbursed money from Quick Impact Project funds for a community development program employing ex-combatants and civilians.

These projects sometimes included a "development for arms" component, in which community members were obliged to give up a certain number of weapons. More importantly, potential spoilers were given work, a way to burn off potentially destructive energy and together with civilians to invest in the long-term reconstruction of their communities by building schools and health centres and clearing roadways. Everyone (including ex-combatants from different factions) took meals together and typically ended the day with a late-afternoon football match.

The essential components of a successful start to reintegration are in that model: keeping young men busy, rebuilding communities in a way that involves both ex-combatants and civilians, and using development funds tactically on the basis of good intelligence. UNMIL and the UN Department of

Peacekeeping Operations (DPKO) should discuss revising military observer (MILOBS) rotations. Under the present system, they serve six months in Liberia, divided between two sites. MILOBS officers would be much more effective if they spent a full year in the same place, developing networks that would allow them to predict problems before they happened.

B. COMMUNITY SECURITY: EMPLOYMENT AND AGRICULTURE

"Young men will remain dangerous as long as they do not have a project".⁶⁷

The StopGaps program gives a sense of what it will take to make DDR succeed in Liberia. As disarmament ends, reintegration should begin and extend beyond the October 2005 elections. If reintegration goes wrong again, war is almost certain to break out sooner or later. Three things are needed: promised funds must be paid in order to close the \$42 million gap in the reintegration budget; programming must target both ex-combatants and the communities into which they settle; and the National DDR Commission, UNMIL, and donors must all reconsider some of the dynamics in the current reintegration program.

If the end goal is providing both ex-combatants and the communities in which they live viable alternatives to making a living with a gun, the present program is not sufficient. Worse, much of it actually perpetuates notions of future lives and livelihoods that contradict reality. Some ex-combatants may be fooled for a short time but the resentment and frustration from broken promises create a greater likelihood that violence will break out later.

About 40 per cent of those demobilised so far in Liberia have expressed their preference for formal education. This is not surprising, given what is known about the demographics of combatants in the region.⁶⁸ If Liberia is to meet their expectations, it is

⁶³ SRSK Klein requested this in his 15 September presentation to the UN Security Council.

⁶⁴ Crisis Group interview with security source, Monrovia, 17 September 2004.

⁶⁵ However, it unofficially continued through most of November 2004 in Phase four sites in Lofa and Maryland Counties. See IRIN, "Disarmament Ends Nearly a Month Behind Schedule", 24 November 2004.

⁶⁶ SRSK Klein has said, "I'm sure weapons are in the ground -- but we'll find the caches in time, as we'll find those hidden in Monrovia". "Where Are the Weapons? Is Disarmament Really Working?", IRIN, 28 July 2004.

⁶⁷ Crisis Group interview with humanitarian source, 9 August 2004.

⁶⁸ According to a recent, comprehensive survey of ex-combatants, 35 per cent of Sierra Leone fighters were students immediately before joining a fighting force, and 27 per cent were farmers. The numbers by faction were even more pronounced: 42 per cent of RUF insurgents were students, and almost 40 per cent of the CDF fighters were farmers. Over 80 per cent of ex-combatants in Sierra Leone participated in a

imperative to build schools and recruit qualified teachers immediately. The most promising source from which to recruit those qualified to teach in the country is the large population of university-educated Liberians living in the U.S. The UN and/or the U.S. government may have to find incentives to encourage these Liberians to return home and help rebuild their country.

It is difficult to understand why the reintegration program's emphasis has not been placed more solidly also on agriculture.⁶⁹ This is not an area amenable to easy solutions. While only 3.7 per cent of demobilised Liberian fighters have expressed a preference for agriculture as the focus of their reintegration package, UNMIL officials say they have planned a public information campaign emphasising the value of agriculture. This is necessary, but addressing the problem seriously requires attention from the agriculture ministry, the FAO, UNDP, NGOs and the UN country mission as well.

A number of researchers have addressed why agriculture has not been a popular option for ex-combatants. The picture that emerges is a complex one steeped in the micropolitics of village life.⁷⁰ Some elements may seem esoteric but could make the difference between long-term economic growth and non-violent prospects for ex-fighters, or a brief hiatus between wars. They have to do mostly with intergenerational tensions that centre on access to land and marriageable women, and the local legal and political system.

In much of Liberia and Sierra Leone, access to land is traditionally organised around strict lineage hierarchies. The descendants of the man considered to have been the original settler of a village usually own all the land around it. Rather than selling or giving land to others, they grant rights to use parts of it. Over time, use rights harden into de facto ownership, and later generations often have considerable security in laying claim to large swathes for cultivation. Use rights for relative newcomers, young men, and women, however, are insecure. While all local land is

theoretically revocable by the descendants of the original settler, legitimate long-term rights to use a plot in the traditional system derive from the amount of work put into improving it. Felling trees, clearing brush, and in the case of swamp rice, preparing a plot for cultivation all give a farmer priority for using the same land again.

This traditional system was variously "modernised" throughout West Africa. In Guinea and Côte d'Ivoire, national governments applied the law of *mise en valeur*, which provided that any person who put land to good use became its de facto owner (regardless of whether he or she was a landowner or newcomer, man or woman, elder or youth). This encouraged a form of internal colonisation as groups moved into more fertile parts of the country, as well as a bias toward plantation agriculture over subsistence crops, and has led to interethnic tensions in both countries.⁷¹

In Liberia and Sierra Leone, traditional land tenure laws like those described above were strengthened by the state, giving elder men strong control over land and creating considerable insecurity for women and young people. Moreover, these laws invested traditional landowners with inordinate power. This region has experienced major migrations, wars and population movements. The hierarchy at any given moment was often being renegotiated, with the group that held political and frequently military pre-eminence turning itself, for example through strategic marriages, into landowners.⁷² Alternately, they might become the number two "nephews" of landowning groups. The imposition of chieftaincies by the Liberian and colonial Sierra Leone governments in the early to mid-twentieth century froze these processes, fixing some as powerful "chiefly" landowner groups and others as relatively powerless "newcomers".

This dynamic has had three major social effects. In some cases, it has fuelled ethnic tensions, particularly between Loma, Mano and Gio "landowners" and Mandingo "newcomers" in northern Liberia.⁷³ Within each village and chiefdom, hierarchical relations have been hardened between groups, creating a kind of class distinction. Finally, it made life precarious for

vocational or skills training program, while 7 per cent opted for agriculture training and 9 percent for formal education.

⁶⁹ As noted in the preceding footnote, 27 per cent of ex-combatants in Sierra Leone were farmers. It is probably reasonable to assume that demographics in Liberia are similar.

⁷⁰ See P. Richards, K. Bah and J. Vincent, "Social Capital and Survival: Prospects for Community-Driven Development in Post-Conflict Sierra Leone", World Bank Social Development Paper No. 12, April 2004.

⁷¹ See Crisis Group Africa Report No 82, *Côte d'Ivoire: No Peace in Sight*, 12 July 2004.

⁷² See W. Murphy and C. Bledsoe, "Kinship and Territory in the History of a Kpelle Chiefdom (Liberia)", in I. Kopytoff, ed. *The African Frontier* (Bloomington, 1987).

⁷³ See section IV C below for discussion of this problem.

young men and all women, as neither group had guaranteed access to land.

These disadvantages were often compounded by the fact that elder men were able to monopolise young women, marrying multiple wives, frequently through alliances with other elders who could "give" their daughters, granddaughters, and nieces in marriage in order to get political advantages. Young men caught in a liaison with a junior wife of an old man could be fined so heavily in traditional courts run by paramount chiefs that they became de facto indentured servants, cultivating rice, cocoa, coffee and cassava for the old man to pay the debt.⁷⁴ Such abuses have always been most exaggerated in Sierra Leone, where paramount chiefs had almost unchecked power in rural areas and were named by the central government for life.

In Liberia, several women lawyers have taken advantage of the transitional period since Taylor's departure to advance laws that banned many of these practices, doing away with a husband's ability to reclaim bride payments from his ex-wife's family in case of divorce, giving women inheritance rights, and explicitly barring elder men's use of young wives to lure in lovers who would then become indentured servants. In Sierra Leone, however, as discussed in greater detail below, DfID in 1999-2000 poured millions of pounds into reinstating the often despotic system of paramount chieftaincy as a means of encouraging return to villages. According to its own internal evaluations,⁷⁵ the result was disastrous and helped to recreate the conditions of injustice that contributed to the war in the first place.

What is now needed is not an attempt at social engineering in Liberia or Sierra Leone, but to understand what constrains young men from pursuing productive activities that would lead toward macroeconomic growth. That they can invest tremendous labour into preparing a field only to have it reclaimed by a paramount chief, is a serious disincentive to pursuing agriculture, as is the fact that in a village they may not be able to marry and raise a family until they are 35 or 40, because elder men monopolise young women through polygamy.

Development specialists and urban Liberian and Sierra Leone elites take it as an article of faith that village life can not be interesting to young people who have lived in cities.⁷⁶ In the age of electric generators and satellite television, however, young people can as easily watch international football matches and Brazilian soap operas in their villages as in town, if that is the sticking point. If two or three trunk roads in each country were properly repaired, young people in the vast majority of villages could go to the capital inexpensively in a few hours to sample more cosmopolitan pleasures.⁷⁷

Roads are also important for advancing the agricultural sector beyond subsistence production. Sierra Leone has very fertile soil, abundant rainfall, and a population of (mostly) rice farmers, but is a net rice importer. If farmers are to sell surpluses to the city and even abroad, decent roads, rice hulling machines and increased cultivation of swamp rice, which is more productive and requires less land than upland rice, should all be part of the planning.

The government's draft Poverty Reduction Strategy Paper (PSRP) acknowledges that agriculture employs up to 75 per cent of Sierra Leoneans and produces some 45 per cent of GDP but primarily regrets that there are few large, mechanised farms using fertiliser. Such farms could eventually be important in a growing agricultural sector, but they would not benefit peasant farmers, at least now. While many recommendations seem to be oriented toward keeping donor aid money pouring in,⁷⁸ there is no mention that the import of cheap Asian rice, uncertain land tenure, and the lack of viable infrastructure discourage local rice farmers from growing and selling surpluses. Such surpluses would start a process that could lead to resumption of cash crop production and later to some

⁷⁴ K Peters and P. Richards, "Why We Fight: Voices of Youth Combatants in Sierra Leone", *Africa* 68(2) 1998. See also G. Schwab, *Tribes of the Liberian Hinterland* (Cambridge, 1947).

⁷⁵ R. Fanthorpe, et. al., "Sierra Leone: A Review of the Chiefdom Governance Reform Program", op. cit.

⁷⁶ The Sierra Leonean Draft Poverty Reduction Strategy Paper (PSRP) says: "The war has made it difficult to keep young men who have combat experience in the villages". However, very little of the war took place in Freetown. Most of these men spent the war in the bush. Although they may not be experienced farmers, they are not long-time city dwellers, either.

⁷⁷ The dire condition of the roads means the trip from Bo to Freetown, formerly under two hours, is a five to eight-hour ordeal. Travel from Voinjama or Zwedru to Monrovia is similarly daunting.

⁷⁸ For example, "provide incentives to attract private sector participation"; "foster and maintain viable partnership among sectoral ministries, the private sector, donor agencies and NGOs"; "rehabilitate and equip research and extension delivery systems"; and "conduct detailed studies". Draft PSRP September 2004, p. 98.

of the agricultural diversification discussed in the PSRP paper.

Given that Sierra Leone's government and its international partners still do not take the sector that employs some three quarters of the population seriously, it is not surprising that agriculture did not figure importantly in the DDR program. At best, that program trained many carpenters, plumbers, blacksmiths and auto mechanics, who then entered an economy where only a few people could afford to pay for their services. At worst, some citizens and UN employees describe a situation in which combatants chose training on the basis of which "toolkits" could be resold for the highest prices. The agricultural package -- a hoe, a machete and some seeds -- was unattractive. Moreover, ex-combatants in vocational training received a six-month stipend; farmers were simply sent on their way because it was assumed they already knew how to farm.

This problem has yet another aspect, one that will not easily be solved in the short term. It might be described as a crisis of expectation. A government official said: "the war projected Sierra Leoneans to a very high consciousness of their rights, but maybe not of their responsibilities".⁷⁹ One reason ex-combatants who were farmers might not choose further agricultural training is that they hope for something "more". The desire is diffuse and ill-defined but probably relates to the logic of development.

A humanitarian worker in Sierra Leone described how RUF ex-fighters around Kailahun claimed to have succeeded in "bringing development" to the country through their war.⁸⁰ While this may be an ex post facto justification for their systematic abuse of civilians, it points to the diffuse dissatisfaction that underlay the political appeal of the insurgency.⁸¹

⁷⁹ Crisis Group interview, 22 September 2004.

⁸⁰ See also D. Hoffman, "The Civilian Target in Sierra Leone and Liberia: Political Power, Military Strategy, and Humanitarian Intervention", *African Affairs* (2004) 103.

⁸¹ This is a point of considerable debate. In his 1996 book, *Fighting for the Rainforest: War, Youth and Resources in Sierra Leone*, anthropologist Paul Richards argued that the RUF had a political project, and an important minority of its members were "excluded intellectuals". He was criticised for legitimising the RUF by scholars who argued the RUF was made up primarily of street thugs. More recently, Richards has added rich empirical evidence to support his claim that many young men joined the RUF out of resentments like those described above. P. Richards, K. Bah and J. Vincent, "Social Capital and Survival: Prospects for Community-Driven Development in Post-Conflict Sierra Leone", op. cit.

After years in the bush, it is understandable that a fighter does not want to end up exactly where he or she began. Sierra Leone is now the world's poorest country, according to the UNDP's Human Development Index, but it was only one place higher before the war.

It would be irresponsible for UN officials, NGOs or donors to foster the illusion that there are easy ways to satisfy these desires, and that young Sierra Leoneans and Liberians can get what they want quickly or simply. They are handicapped by lack of education, infrastructure, and transparency in governance and the fact that there will be no significant foreign investment until security is solidified and economic growth has begun locally.

Neither Liberia nor Sierra Leone will experience major growth any time soon in services, tourism or high tech. Where it is possible is in agriculture. If agricultural production increases while more citizens go to school, gain access to decent health care, and live in countries where the security forces are protectors not predators, the other sectors will certainly follow. However, this is a process that will take several decades.

There is a non-agricultural sector, not yet mentioned, that is viable. It involves exploitation of such natural resources as gold, diamonds, and timber. These resources can boost the economies of both countries critically if well managed. However, they are not good candidates to provide a foundation for sustainable growth. They have historically benefited a small number of Liberians and Sierra Leoneans and a small number of foreigners, while adding little to the welfare of average citizens. Recent requests by the chairman of Liberia's transitional government have suggested an end to timber and diamond sanctions would be a magic bullet capable of changing the economic landscape.⁸² It would not be, even aside from the transparency and control issues the UN Panel of Experts have raised. Such income should always be considered as an add-on to other areas of

⁸² See "Bryant Pleads for End to Timber and Diamonds Ban", IRIN, 7 June 2004. SRSK Klein notes that the issue "poses a serious dilemma" in that the sector has potential to generate important employment opportunities, while "the government has only partially met the requirements for the lifting of the sanctions". He argues that, "a possible way out could be to suspend the embargo for a limited period of time, say six months, and set benchmarks which the government has to meet in order to obtain a further extension..." Letter to Crisis Group, 3 December 2004.

economic development, not the prospective motor of such development.

A second problem is that these resources have always been exploited in ways that are "economically profitable but socially destructive".⁸³ Artisanal diamond and gold mining often uses children and young people in near-slavery conditions. In places like Tongo Fields, former Sierra Leone rebel commanders lead teams of their ex-fighters, who dig diamonds and give them a substantial cut of what they find. Former MODEL commanders conduct similar operations to recover gold in eastern Liberia.⁸⁴ Because extraction of these resources lends itself to other forms of criminal activity,⁸⁵ it would be risky to base plans for economic growth on it. Yet, in interviews with government and UN officials as well as donors in both countries, Crisis Group found that agriculture is paid lip service but real planning seems to focus on resource extraction.⁸⁶

The governments of Liberia and Sierra Leone, the UN, civil society and donors should begin thinking seriously and creatively about agriculture and the development of new, viable communities in rural areas. Numerous African and European elites have told Crisis Group confidently that young people who have been combatants or refugees will not return to villages. Yet, now that security has been reinstated, subsistence agricultural production in Sierra Leone has exploded. Not a single ex-combatant or ex-refugee interviewed by Crisis Group in either country expressed unwillingness to return to farming. In the absence of incentives, young men and women may prefer dire poverty in the cities to dire poverty in the hinterland. If they see others prospering through

agriculture and have reason to believe they too will have a fair chance at that prosperity, however, they will go back to rural areas.

C. SECURITY SECTOR AND JUDICIAL REFORM

The first half of August 2004 witnessed as many armed robberies in Freetown as in the entire first half of the year. On 29 October, the scattered demonstrations, lynchings and criminality that had increased in Monrovia for two months exploded into full-fledged rioting, including the burning of mosques and churches.⁸⁷ While UNAMSIL has turned over nominal control of the Eastern District (4 August 2004) and the Freetown Peninsula (23 September 2004) to the Sierra Leone government, the UN has decided it would be unwise for all peacekeeping troops to leave by the end of the year. Security sector reform in both countries is handicapped by the absence of public trust in national forces. In Sierra Leone, many soldiers participated in the worst abuses of the war.⁸⁸ In Liberia, predatory militias that supplanted the army preserved Charles Taylor's power and were the main threat to civilians.

Security begins with restoring the state's ability to defend its territorial integrity and is a precondition for sustainable peace and development. Security sector reform must restore law and order and return the monopoly of legitimate coercion to the state. Because Liberia and Sierra Leone have been unable to protect their populations and defend their territorial integrity, they have relied on the UN and specific nations. The British military is committed to rebuilding a functional national security system in Sierra Leone, while the U.S. is to train the new Liberian army through DynCorp, a private security company.

The ultimate goal is establishment of law-abiding security forces, adequately equipped and serving the public as non-partisan institutions, not a praetorian guard for the president. International presence was central to stopping violence in both countries and reassuring civilians in the short term. However, lasting security requires complete restructuring of

⁸³ Crisis Group interview, diplomat, Freetown, 12 August 2004.

⁸⁴ Crisis Group interviews, Zwedru and Monrovia, May-September 2004, also Crisis Group Report, *Côte d'Ivoire*, op. cit.

⁸⁵ In Sierra Leone, diamond-mining areas like Kono and Tongo Fields are centres for prostitution, drug sales, and theft. In Liberia, artisanal diamond and gold mining is said to have a similar social atmosphere, while timber exploitation has led to the development of armed militias.

⁸⁶ Fishing is another important sector. U.S. Coast Guard plans to give Sierra Leone three boats for patrolling its territorial waters are a welcome initiative to help the country reclaim an estimated \$10 million each year in revenue from the sector. The patrols could likewise protect coastal fisheries as a renewable resource. As in other areas, giving the boats will not be enough. Training in policing coastal waters is also needed. See also BBC News, "Sierra Leone Nabs S Korean Boats", 14 October 2004.

⁸⁷ UNMIL reported that nineteen died and 208 were wounded. UNMIL, "Mission Overview", 1 December 2004.

⁸⁸ Some were part of the Armed Forces Revolutionary Council that took power in a 1997 coup, others allegedly acted as "sobels" -- soldiers by day, rebels by night.

the police and armed forces given their histories of widespread atrocities against civilians.

There are serious questions about the capacity of Sierra Leone's police to manage internal security and its military to secure borders in a context of potential regional conflict.⁸⁹ Though the country is making progress, many problems remain, especially in the realm of security. The army still lacks the logistical, communication, accommodation and transport capacities necessary to work effectively across the whole of the country. The Security Council was prudent to maintain a residual UNAMSIL presence for at least the first half of 2005.⁹⁰

Nor have the security forces yet earned civilian confidence. The relationship between the army and the police has been a concern.⁹¹ Despite the deployment of 1,777 trained police recruits and the ongoing training of 397 additional recruits at the Police Training School in Hastings, the strength of the force was 7,903 on 1 September 2004, well short of the target of 9,500 to be attained by mid-2005. Finding and attracting good candidates is difficult given the low pay. The only major donor for police reform is DfID.

The army's situation is worse. The last UN report admits that "the operational effectiveness of the RSLAF [armed forces] remains insufficient" and "the shortfalls in equipment have been further exacerbated by the serious deterioration of the already dilapidated vehicle fleet and a paucity of spare parts".⁹² Downsizing from the post-war level of 13,500 toward a target of 10,500 by 2007 is on course with a reduction of 1,000 to begin on 1 January 2005.

Lack of financial resources for the army and public mistrust are sabotaging morale and provoking widespread frustration. Housing conditions for the troops are appalling.⁹³ While Operation Pebu, the military barracks building program, might solve this problem, funding shortfalls are causing delays, and

the completion date for all projects has been revised to 2009.

The army is still far from meeting minimum requirements for a credible and efficient force. Little has been achieved to encourage trust. The popular perception is that the army is violent and enjoys impunity. The latest UN report identified three main areas for special donor attention: speeding-up Pebu projects, acquisition of "sorely-needed" communications and mobility assets, and completion of the first IMATT training cycle by November 2005. If these conditions are not met, UNAMSIL will remain necessary.

The numerous difficulties encountered in reforming the security sector -- actually creating a new security sector -- in Sierra Leone are likely to recur in Liberia, and a commitment of human and financial resources over an extended period will be needed.⁹⁴ As stated in the latest UNMIL report,⁹⁵ some initiatives have been undertaken regarding the police. The National Police Academy was reopened on 12 July 2004, and five classes are being trained, the first already in the field. The three-month program involves classroom work, followed by six months in the field. Recruits are vetted several times to ensure they are not war criminals. This process, important to build trust, has published recruit names in Monrovia newspapers, with requests for citizens to come forward with information on any who committed crimes during the wars.⁹⁶ The Academy still needs to be expanded if the target of 1,800 trained officers before the October 2005 national elections is to be reached.

In both countries, the issues are not merely the existence of police forces which will protect rather than threaten public order. Those forces must be agents of a legal system fashioned to treat all citizens

⁸⁹ See Crisis Group Report, *Sierra Leone*, op. cit.

⁹⁰ UN Security Council Resolution 1537 (30 March 2004).

⁹¹ The Inspector General of Police and the Chief of the Defence Staff reaffirmed their commitment to greater cooperation in a joint communiqué on 9 August 2004. "Twenty-third report of the Secretary-General on the United Nations Mission in Sierra Leone", op. cit.

⁹² Ibid.

⁹³ A Crisis Group researcher who asked why the "refugee camp" outside Kenema was so dilapidated was told it was an army contingent's housing.

⁹⁴ SRSK Klein says that "the security sector reform program in Liberia has just begun, and we believe it would be premature" to judge it. He adds, "Our approach for both the armed forces [U.S. responsibility] and the law enforcement agencies [UN responsibility] is certainly not just to repair them, but to restructure and reform them to ensure that they adhere to constitutional order". Letter to Crisis Group, 3 December 2004.

⁹⁵ "Fourth progress report of the Secretary-General on the United Nations Mission in Liberia", S/2004/725, 10 September 2004. See also UNMIL, "Mission Overview", 1 December 2004.

⁹⁶ As part of efforts to verify that Liberian National Police recruits do not have criminal records, UNMIL has established an "integrity bank", which compiles background information on candidates for use in screening by the Liberian National Law Enforcement Association.

equally and to ensure that those who violate the law are brought to justice. But the justice system also must function based on a non-partisan assessment of the law and the actual facts at hand rather than pursue outcomes based on personal or party interest. For that to occur, both Sierra Leone and Liberia have a hard climb ahead of them. UNMIL and UNAMSIL have a crucial task to assure security under the law in each country not merely because much was destroyed by the conflict but because before the conflicts the justice sectors operated all too often with impunity for those in power and penalties for those who challenged those in power.

The U.S. boosted donor funding for judicial reform in Liberia significantly on 14 September 2004 by providing the transitional government \$1 million for development of the judiciary. However, UNMIL notes, "significant additional resources are required".⁹⁷ Indeed, massive foreign resources and long-term commitment are imperatives if a credible police and justice sector and a truly national and accountable army are to be built out of virtually nothing.

The greatest risk is that the reforms will not address the underlying problems in the security sectors of both countries. Unless security forces are paid a liveable wage, it is unrealistic to expect they will cease shaking down civilians for money and serve the national good. The monthly pension of a retired senior warrant officer with 30 years service in Sierra Leone's army is only 32,000 Leones (about \$11).⁹⁸ Active soldiers are paid just 40,000 to 50,000 Leones each month with small in-kind housing and rice provisions.

D. ELECTIONS: NOT A PANACEA

There is a school of thought that holds elections resolve underlying political divisions and structural problems. At times, this is expressed less as an article of faith and more as *realpolitik*. As a diplomat said to Crisis Group about Côte d'Ivoire, "we will try to hold the situation together until ... elections, then they will have a legitimate president, and then I don't give a damn -- it's his problem".⁹⁹

Many count upon Liberia's presidential election in October 2005 to usher in a new era in which responsibility shifts from the international community

to the national government. Sierra Leone is several years ahead of Liberia in the peacebuilding process. Its experience gives reason for both optimism and pessimism. Its recent elections for district council seats took place with little outright fraud and no violence on voting day but they also showed how adept the government has become at presenting the appearance of what the international community seeks without much of the substance.

The ruling Sierra Leone People's Party (SLPP) evidently felt rather secure in the Western District, dominated by Freetown, where it expended relatively little effort and lost badly to the All People's Congress (APC). In the Northern District, historically most favourable to the APC, it sought and got an overwhelming majority. In its historical base, the largely Mende-speaking Southern and Eastern Districts, the pre-election period revealed fault lines within the party.

Several sources have indicated there was significant pressure on soldiers to vote for SLPP candidates.¹⁰⁰ More disturbing, however, was the situation of independent candidates. In many communities, party members felt the official candidates chosen in Freetown did not have the best interests of their constituencies at heart and decided to run as independents. Crisis Group was told in Freetown, Bo, Kenema and other parts of the Eastern District, that many residents were shocked at the level of coercion used to force out these independents. Techniques allegedly included refusing them an icon for ballots (essential in rural areas where literacy rates are below 20 per cent), as well as threatening communities that they would receive no government funds if they voted for independents, and culminating in last minute negotiations between government representatives and the independents in which almost all the latter were either coerced or convinced into dropping out of the race a day or two before the elections.¹⁰¹

The public face of the elections was relatively clean but coercive manoeuvres in effect turned those in the Eastern and Southern Districts into a rubber stamp exercise that produced considerable local resentment.

⁹⁷ UNMIL, "Mission Overview", 1 December 2004.

⁹⁸ Crisis Group interview, Freetown, 18 August 2004.

⁹⁹ Crisis Group interview, Abidjan, 21 April 2004.

¹⁰⁰ Crisis Group interviews, Dakar and Freetown, July-August 2004.

¹⁰¹ Crisis Group interviews with diplomatic and journalistic sources, July-September 2004, interview with excluded candidate, 13 August 2004.

The chosen councillors have become the lowest level of the newly-decentralised government. A Freetown official said:

Everyone is focused on Ministers and the President, and they don't know how hard it is to run a government. Decentralisation does not just move money to the local level, it will also move the responsibilities and problems. I think the focus on government will be reduced as a result.¹⁰²

Crisis Group interviews in Freetown uncovered much enthusiasm, within the government, NGOs and funding agencies alike, about the possibilities inherent in devolving power. Only a few mentioned that in the absence of follow-up, the lack of transparency commonly attributed to central government could easily reproduce itself at the local level, especially in light of the SLPP's insistence on essentially pre-selecting many councillors.

However, the representatives have not been trained for their responsibilities. They have not, for instance, learned basic accounting skills. Even if they work with the best intentions, they are unlikely to be able to make their accounts balance. Training is needed, and quickly. Moreover, it is essential that the government apply the Local Government Act of March 2004, which specifies that all local budgets be published and locally disseminated.¹⁰³ The same procedure would be helpful at all levels of government in order to assist citizens and civil society groups to ascertain where money has gone missing.

At stake is the possibility citizens may lose what little faith they have that participation in the democratic process is in their interest because it can bring positive change. As one interviewee put it, "If decentralisation doesn't work, democracy in Sierra Leone will be discredited, and no part of government will have the respect of the people".¹⁰⁴ The Anti-Corruption Commission (ACC) has called for a public complaint mechanism, which would simultaneously educate citizens about good governance and give them a means of reporting corruption and other forms of governmental misuse. Such an institution would only be as credible as its enforcement, of course. The ACC

should be given the temporary ability to prosecute those it investigates, preferably in a forum separate from the judicial system, which has shown itself unwilling or unable to go after corrupt officials. At the same time, comprehensive reform of the judicial system is needed¹⁰⁵ so that over five to ten years it can recover a monopoly of prosecution on all corruption cases.

The situation in Liberia is somewhat different. UNMIL and the transitional government (NTGL) should hold the elections on schedule in October 2005 despite multiple reasons why they will not be perfect.¹⁰⁶ Arguments for delay begin with the fact that although UNMIL has deployed throughout the country, it has little control over what happens outside major towns. It is uncertain whether the legal requirement to complete a full census before elections will be met.¹⁰⁷ It is also not clear that all refugees and IDPs will be resettled by that date, although UNMIL hopes so. However, the transitional government does not appear to be working hard or effectively to reduce these shortcomings, and there is little reason to believe delay would allow the elections to take place in an ideal environment.

In any event, these elections should be considered only a beginning, not an endpoint. To advance Liberia much beyond the "same car, different driver" stage, the international community will need to commit to maintaining security, striving to keep a space open for political discussion, and working against the shadow state for a much longer period.

¹⁰⁵ See Crisis Group Report, *Sierra Leone*, op. cit. for further details on the judicial system. Reform of that system should build upon the detailed DfID/World Bank studies on the governance reform program.

¹⁰⁶ Former Interim President Amos Sawyer has called for elections to be postponed, but the majority of Liberians interviewed by Crisis Group said they should go forward.

¹⁰⁷ T. Gongloe, "Elections in Liberia without Census Would Be Unconstitutional", draft manuscript. On 19 November 2004, the transitional legislative assembly (NTLA) passed an electoral reform bill strongly criticised by UNMIL as calculated to delay the election unjustifiably. UNMIL, "Mission Overview", 1 December 2004. The U.S. ambassador has been equally forthright: "It is time to stop playing politics and delaying the process, and instead, start meeting international election standards and the terms of the CPA. It is time to stop calling for a census that would take three years to implement, and instead, start the ball rolling to return Liberia to democratically-elected government on schedule". Press statement by U.S. Ambassador John W. Blaney III, 3 December 2004.

¹⁰² Crisis Group interview, Freetown, 22 September 2004.

¹⁰³ See sections 103-108, on transparency, accountability and participation.

¹⁰⁴ Crisis Group interview with humanitarian source, 18 August 2004.

IV. ALTERNATIVE APPROACHES

The clock is ticking for Liberia. After the October 2005 elections it will be much more difficult to take innovative approaches, as it already is in Sierra Leone. This section proposes desired outcomes to the systemic problems detailed above and interlinked suggestions for new ways to achieve them. It seeks to stimulate discussion and consultations first, followed by action on those ideas that achieve relative consensus.¹⁰⁸

A. THE TIME FRAME

The first recommendation for an alternative approach to peace and state building is that direct international interventions must last significantly longer than is currently envisioned. Sierra Leone had a five-year horizon for the main international security engagement, though this has now been extended slightly due to the realisation that if UNAMSIL left entirely at the end of 2004, the situation might fall apart. UNMIL's mandate is even shorter -- two years -- though it is generally expected there will need to be an extension.

Both UN operations have shown they can maintain peace as long as they are present in force. However, a security sector engagement of fifteen to 25 years with a smaller financial and operational footprint is more likely to build a durable peace. Indeed, there has been implicit recognition of this in Sierra Leone, where beyond the UNAMSIL extension, several other elements of long-term commitment to the security sector have come together. Unfortunately it is not yet clear that the U.S. is prepared to make as serious a commitment to Liberia as the UK has made to Sierra Leone. Even in Sierra Leone, however, little has been done to match the security commitments with other commitments, equally important, in the economic and political spheres, where root problems remain unchanged.

Funding is an essential problem with long-term interventions. Crises are not in short supply globally, and the attention focused on the newest conflict is often enough to cause donors to lose interest in last year's. Liberia is already in the shadow of Darfur, and, as noted, a radical drop-off threatens between funding for disarmament and

follow-up funding for reintegration, to say nothing of the unglamorous process of retraining and backstopping security forces.

As the chart in Appendix D shows, funding for key elements of peacekeeping operations often starts late, as information, advocacy, and political pressure build toward a donors conference and then drops precipitously just before or at elections. This is frequently when reintegration programs are just hitting their stride, and the long-term work of solidifying the peacebuilding and state building processes is only beginning. As argued below, a revenue collection trusteeship or other special management mechanism could help make these processes self-funding, but even if the money is there, the planning has to carry through after elections so that there is a seamless transition between peacekeeping and peacebuilding.

B. THE SECURITY SECTOR

A fifteen to 25-year security sector engagement in Liberia would see a gradual draw down of UNMIL peacekeepers, as has been happening in Sierra Leone, leaving a residual group of military observers and one or two companies of well-trained and equipped rapid reaction forces that could deal with small situations. The command structure and rules of engagement of such a force would have to be carefully crafted so that it would support the Liberian security forces without either working at cross-purposes to them or taking over their responsibilities. Such a force might also usefully maintain and run several attack helicopters, feared but very costly weapons in West Africa. The UN Department of Peacekeeping Operations (DPKO) could organise meetings with stakeholders in both Liberia and Sierra Leone to develop the fifteen to 25-year support strategy, though in the former case this might have to wait for a clearer sense of the officer hierarchy to emerge in the new armed forces.

In addition to the small number of observers and battle-ready soldiers on the ground, partner countries should plan for a relatively long-term period of training and mentoring. A program is already in place for multinational CIVPOL teams to train Liberian and Sierra Leonean police but the U.S. needs to extend its commitment to train the new Liberian army, through the California-based private security company DynCorp,¹⁰⁹

¹⁰⁸ Some parties to consultations will be the spoilers themselves, so it is unrealistic to anticipate unanimity behind changes that may seriously curtail their ability to use state institutions for pillage.

¹⁰⁹ "New Model Army", *Africa Confidential* Vol. 45 No. 21, 22 October 2004.

at least for the six years that UK IMATT trainers are to maintain their relationship with Sierra Leone's army.

Retraining militaries is a tricky process. If done on the cheap and too briefly, foreign trainers may merely turn abusive security forces into more efficiently abusive security forces, without improving how they relate to government or civilians. That is one reason why thorough vetting of all military personnel (such as that taking place in Liberia) is a crucial component of security sector reform.

The final element of the long-term security engagement Liberia needs is an equivalent of the "over-the-horizon" guarantee the British have made in Sierra Leone, to provide the kind of military reaction to a crisis within 48 to 72 hours that the UN cannot muster. The political will to intervene early in nascent conflicts is an indispensable element in deterring potential spoilers. The effective way in which British SAS troops dealt with the West Side Boys in Sierra Leone in 2000 still has a strong psychological deterrent effect there.¹¹⁰ The primary candidate to offer Liberia such a guarantee, at least during the first crucial years, is the U.S. given the long relationship between the two countries.¹¹¹ Eventually Nigeria, or a standing ECOWAS or African Union (AU) rapid reaction force, might take on the responsibility.¹¹²

The greatest advantage Liberia, like Sierra Leone, has today is that the vast majority of the population - - many ex-combatants included -- are tired of war. Most rank-and-file rebels are no better off than when they began fighting. Nevertheless, problems remain that will require close attention for years. Ex-combatants have not only killed, raped, and robbed; many have drug addictions and are losing patience waiting for peace dividends. A small but important hardcore has migrated across West Africa for more than a decade looking for the next conflict and will probably continue fighting indefinitely.

The crumbling dictatorship in Guinea is ripe for an insurgency, and Crisis Group has heard of ex-

combatants who have been recruited in Monrovia's Paynesville and Red Light districts since June 2004 to fight there.¹¹³ The violence that broke out in Monrovia on 29 October 2004 between Christians and Muslims further illustrated the volatility of the situation. The deteriorating situation in Côte d'Ivoire may also act as a magnet for regional fighters. Recruitment in Liberia to fight in Côte d'Ivoire is said to be ongoing.¹¹⁴

Finally, until they are addressed, the poverty and injustice that contributed to these wars in the first place will continue to pose challenges, especially from within the security forces, who are paid less than a living wage, have sub-human living conditions and represent a coup threat. As a Sierra Leone citizen sceptical of the benefits of the IMATT training put it: "Because someone says 'Yes sir, yes sir', it doesn't mean he accepts what you say; he's just waiting for you to go".¹¹⁵

C. THE POLITICAL SPHERE

1. A deal with the devil?

A major difficulty with peacebuilding in Liberia, as has been true elsewhere in the region, is that it requires compromise with fundamentally problematic political interlocutors. The Accra accords, which ended the civil war in 2003, like Sierra Leone's Lomé agreement, placed war criminals on the same level as elected governments and international mediators.¹¹⁶ What some have called the "Linac-Marcoussis effect"¹¹⁷ provides incentives to rebels to attack mostly civilian targets in order to gain a place at the

¹¹⁰ "Bloody End to Sierra Leone Hostage Drama", BBC News, 11 September 2000.

¹¹¹ Liberia was never formally a U.S. colony but the relationship is comparable in many respects to that between Sierra Leone and the UK.

¹¹² UK Prime Minister Blair has suggested that EU rapid deployment forces, presently in the development stage, might also eventually be available for African peacekeeping tasks. See "Blair back after Africa troop vow", BBC News, 8 October 2004.

¹¹³ Crisis Group interviews with ex-combatant and human rights expert, Monrovia, 16 September 2004, Dakar, 21 August 2004. See also "Taylor loyalist denies recruiting fighters to destabilise Guinea", IRIN, 29 September 2004. Indications are that Aisha Conneh is recruiting a pro-Conté group, while those opposed to the present government appear to be aligned primarily with ex-Taylor associates.

¹¹⁴ Crisis Group interviews with diplomats, New York, Dakar, November 2004.

¹¹⁵ Crisis Group interview with journalistic source, 11 August 2004.

¹¹⁶ Of course, elected governments can also include alleged war criminals, as was the case with Charles Taylor's. The Special Court for Sierra Leone has indicted Sam Hinga Norman, who orchestrated the Sierra Leone government's CDF militias.

¹¹⁷ Linac-Marcoussis refers to the agreement reached in January 2003 at a meeting outside Paris that established a government of national reconciliation in an attempt to end Côte d'Ivoire's civil war.

negotiating table, where they can claim a portion of the nation's political and economic spoils. If they inflict enough suffering, they have reasonable assurance that the international community will step in on behalf of the civilian population and force a new distribution of political power. Like the situation of the INGOs providing health care cited above, mediators are caught in a moral and political conundrum, forced to treat murderers, rapists and their proxies as their political peers in order to save civilians whose lives are held hostage.

While politics may inherently be a morally ambiguous undertaking and the ending of a war justifies much, thugs are thugs. Over the medium-to-long-term, the international community should work to create conditions in which they can be moved out of the political sphere, opening space for the majority of citizens, who are not thugs, to take control of their destiny. In Liberia, the "100 small Taylors" have shown they will not give up power voluntarily and will use the most appalling forms of real and symbolic violence (from gang rape to abduction of children and torture) to impose themselves on the civilian population.

This is essentially the problematic SRSK Klein aptly described as leading a "coalition of the unwilling, that is a government that is quite often not interested in what we are".¹¹⁸ Although the international community must do business with a transitional government that necessarily involves unappetising compromises, it should cultivate a wider constituency, including those elements of the political class, civil society, and diaspora who want to change how Monrovia politics works. As security solidifies, UNMIL and other international actors should distance themselves from the potential spoilers who want to continue robbing the national wealth.

Among the places where such robbery has taken place is Guthrie rubber plantation. In August 2004 still armed LURD combatants of the Sekou Conneh faction were reportedly forcing local civilians to tap rubber illegally, in a relationship described as a form of "slavery".¹¹⁹

Although UNMIL sent a rapid deployment force and declared the area disarmed in September, when the plantation's owners returned, LURD fighters shot at them, wounding one. Former MODEL commanders have been accused of the same sort of illegal economic activity.¹²⁰ Sources have pointed to illegal exploitation of wood as well as artisanal gold mining in the eastern part of Liberia, including Sapo National Forest. MODEL General Yahn is said to be organising mining operations there, selling gold in Guinea, and bringing consumer goods back to Liberia for sale.¹²¹ UNMIL officials said that in response to requests from environmental groups and members of Liberian civil society, they went to the edge of Sapo National Park but not inside.¹²²

It is essential for UNMIL to follow up all credible accusations of militia profiteering. There are numerous operational constraints, including the poor condition of roads, difficulties in patrolling while also running DDR programs, and the unreliable nature of much information offered by parties who may have their own agendas. Nevertheless, because daily cooperation with a variety of unsavoury characters is unavoidable, all the more care needs to be taken about any perception the international community is lenient with them. The overwhelming majority of Liberians and expatriates Crisis Group consulted expressed the view, well founded or not, that UNMIL is too "soft" on the transitional government and especially Chairman Gyude Bryant.¹²³

The international community has several potential partners in working to develop a cleaner political environment. First, there are people in the transitional government who are not involved out of self-interest alone. Chairman Bryant himself is not a member of one of the three main factions,¹²⁴ and there are individuals like Rufus Neufville, the youth

¹²⁰ See Crisis Group Report, *Côte d'Ivoire*, op. cit., pp. 21-22.

¹²¹ Crisis Group interview, Monrovia, 21 September 2004.

¹²² Crisis Group interview, Monrovia, 14 September 2004.

These practices are especially plausible in light of past illegal exploitation of the Sapo National Park. See "Logging Off: How the Liberian Timber Industry Fuels Liberia's Humanitarian Disaster and Threatens Sierra Leone," *Global Witness*, September 2002, p. 17.

¹²³ Crisis Group interviews, Monrovia, Zwedru, Voinjama, May-September 2004.

¹²⁴ Some suggest, however, that he has constituted himself and those close to him as a "fourth party", in order to prepare the way for the presidential campaign of his close associate, Varney Sherman. Crisis Group interviews, Monrovia, September 2004.

¹¹⁸ "Where are the Weapons? Is Disarmament Really Working?", IRIN, 28 July 2004.

¹¹⁹ Crisis Group interviews, Monrovia, Lofa Country, September 2004. See also "Liberia: Rebels Dig in at Rubber Plantation", IRIN, 10 August 2004.

representative in the National Transitional Legislative Assembly (NTLA), who recently parked his new \$35,000 Jeep and called on the other members of the NTLA to do the same until 25 buses the Assembly promised Monrovia's citizens were delivered. When residents attacked several NTLA members after his call was ignored, the Assembly suspended him for three months for "inciting" the public against it.¹²⁵ Figures like Neufville have few allies in the political class but with more international support, civic-minded Liberians might come to the fore.

There are at least two other closely connected groups whose help is essential to the rebuilding of the country: civil society and the diaspora. Many figures in Liberian civil society move in and out of the diaspora, estimated at 450,000 by UNMIL, mostly in the U.S. Many are university educated, and they are employed in all sectors of the American economy. They could bring essential skills to their homeland. It would be unrealistic to believe all these Liberians are necessarily dissociated from the country's dirty politics. Indeed, a characteristic of Liberian politics since the war began in December 1989 is that it has sucked in even those not obviously involved with one faction or another. Nevertheless, there are figures in the diaspora who could become central players in building a new type of politics in Monrovia.

This is an area where Washington could do much to help because of the key role emigration to and asylum in the U.S. has played since 1989. The U.S. could offer incentives to highly qualified people to return to Liberia and help rebuild the country, for instance by allowing the U.S. naturalisation process to continue while they were in Liberia. At the same time, it should be made clear that those who become involved in pillage risk losing their precious Green Cards¹²⁶ and prospects for citizenship. A single desk officer at the U.S. Immigration and Naturalisation Service entrusted with such a dossier could have a huge impact on the development of a new political culture in Liberia over the next ten to twenty years.

Overall, the objective should be to open space for citizens of both Liberia and Sierra Leone to argue, debate, and reach their own solutions to the difficult issues surrounding governance, accountability, and representation in their societies. One area where the

international community can play a crucial role is to apply maximum pressure on both governments to protect freedom of speech, association, and the press. The recent sentencing of journalist Paul Kamara to two years in prison for "seditious language" belies the Sierra Leone government's stated commitment to democracy and good governance.¹²⁷

In Liberia, civil society activists complain they have been distanced from participating in the state building process. Many are quite cosmopolitan. They will still be in Liberia long after the UN has left and are among those who will have to play an important part if indeed a new political culture is to develop. Although they may make life uncomfortable for those in power, their right to speak out -- even in ways that may sometimes be irresponsible or insufficiently backed by evidence -- must continue to be protected.¹²⁸

The international community's ability to apply pressure effectively for such objectives is reduced in Sierra Leone now that the Freetown authorities have largely regained control of governmental responsibilities, and it will be reduced in Liberia after an elected government assumes power in Monrovia. Nevertheless, there will still be a wide range of measures available, from aid conditionality to use of international human rights agreements and mechanisms to political suasion. They will likely need to be used imaginatively and firmly for many years.

2. Unintended consequences: the paramount chiefs

State building in post-war Liberia and Sierra Leone is difficult, and many in the international community feel it is only viable by means of deep intervention

¹²⁷ Kamara had written a series of articles in October 2003 about a 1967 Commission of Inquiry into fraud allegations at the Sierra Leone Produce Marketing Board, an organisation overseen by Ahmad Kabbah, who was then finance minister and is now president. Kamara's newspaper, *Fo Di People*, has been suspended from publishing for six months.

¹²⁸ SRSK Klein says that, "with regard to voices from civil society who could catalyse change, we have been talking to many of them, who have come up with excellent ideas. Of particular interest to us is a proposal spearheaded by former IGNU President Dr. Amos Sawyer, to organise a national conference prior to the 2005 elections, which would draw up a reform agenda to guide the newly elected government. We are encouraging civil society groups to pursue this proposal". Letter to Crisis Group, 3 December 2004. For further discussion of the complexities of civil society, see Section IV C 4 below.

¹²⁵ See "Legislative 'Axe' Falls on Youth Rep", *The News*, 8 October 2004.

¹²⁶ "Green Card" refers to the document authorising a non-citizen to reside permanently and work in the U.S.

in the political realm. Many Westerners even talk of a protectorate, though perhaps by other names. Any true protectorate would still face all the problems of working with ex-combatants and warlords, however, and could end by strengthening the very dynamics and actors responsible for the problems in the first place. Even with the best intentions, Western attempts to intervene in local politics risk creating unintended consequences.

Perhaps the best example is the British intervention to restore and reinforce Sierra Leone's 149 paramount chiefs. In April 2000, as described above in connection with agriculture, DfID funded a program designed with the Freetown government to encourage a return to villages. It spent \$2,277,442 over two years on the Paramount Chiefs Restoration Program (PCRP), consulting with local populations, supporting elections of new chiefs for vacant seats, developing a code of practice for chiefs, and building chiefs' houses. This latter measure was necessary because combatants had systematically pillaged those houses throughout the country, not least because, in the words of the review DfID solicited:

In general, it emerged that the formal tax system had long ceased to function effectively, and salaries of chiefdom staff had not been paid in years. As a result, chiefs were in the habit of imposing any number of fines and levies on a resentful populace. The local courts had been reduced to revenue-gathering instruments in which "justice" went to the highest bidder.¹²⁹

In short, the project was not only unsuccessful on its own terms, it was also a missed opportunity to encourage citizens to reconsider the modes of domination and governance that had been among the causes of the war. This is a particularly clear cautionary tale that a consensus between donors and the political elite may entirely miss the realities of ordinary people. Indeed, this became clear early in the process of consultative meetings. Villagers in one chiefdom told the rapporteur that:

They are fully aware that most of the problems in the chiefdoms are created by the chiefs or exacerbated by the chiefs. They know the functions and roles of all the leaders from town chiefs, through section chiefs, the chiefdom

committee, etc. However, in the gap between reality and the theory lies war.¹³⁰

If the international community wants the citizens of Liberia and Sierra Leone to take responsibility for their lives, they cannot engineer solutions for them, no matter how smart these may seem. Conversely, citizens have to be allowed the space to make bad decisions along with the good. One reason why long-term engagement is necessary is to ensure that these fragile societies are not destabilised as a result of their first few bad political decisions.

3. Interethnic tensions

While it is important for the international community to open a space within which Liberian and Sierra Leone citizens can thrash out solutions to their own problems, there are numerous obstacles. This is all the more reason why a generation of engagement is needed. Two of the primary hurdles in Liberia are nascent interethnic conflict and the internal complexities of civil society itself.¹³¹

The issue of ethnicity in Liberia revolves around the status of Mandingoes. At the national level, calls to exclude them from the political sphere as "foreigners" are closely linked with attempts to marginalise LURD members. Such attempts are counterbalanced by the fact that LURD is the strongest of the rebel groups, whose representatives control key portfolios, including the justice and finance ministries and the port. This tension is likely to remain central to Liberian politics for decades. There are no easy answers to these questions of citizenship and political participation, which resemble the situations in Guinea's forest region and Côte d'Ivoire.

At the village level, the tensions are reproduced between Mandingoes and the local first-settler groups, especially Mano and Gio people in Nimba County, and Loma in Lofa County. They are related to the fact that LURD, like the ULIMO-K group from which it emerged, was predominantly Mandingo. Its abuses of civilians are often attributed to Mandingoes as a generalised group.

As the overall security situation improves, refugees and IDPs return to their villages. These otherwise positive signs have become a source of growing concern particularly in Nimba County, where the

¹²⁹ R. Fanthorpe et al., "Sierra Leone: A Review of the Chiefdom Governance Reform Program", op cit.

¹³⁰ Ibid, p. 16.

¹³¹ Interethnic conflict is generally absent in Sierra Leone.

Gios and Manos consider themselves the "landowners". Frustrated Mandingoes are said to be "running out of patience" and threatening to use any means to recover land and property seized during their absence.¹³²

On 17 September, a delegation of Mandingoes filed a petition asking the Nimba Legislative Caucus to intervene in order to avoid violence. A spokesperson said Mandingo mosques had been ravaged. The superintendent (county administrator) promised "to do everything within his power to create a peaceful environment for all citizens of the county", but asked for patience.¹³³ In a separate incident, General Philip Kamara of LURD, a senior coordinator of the national DDR commission, criticised the Liberian Immigration Authority, saying it was "disheartening for Mandingoes who are citizens of Liberia and a member of the sixteen ethnic groups in the country to be classed as foreigners, and subsequently deported to Guinea".¹³⁴ One of the LURD rebellion's stated objectives was to end harassment of Mandingoes by Charles Taylor's regime. A LURD commander said, "we fought because of discrimination and tribalism".¹³⁵ He described a former "Mandingo empire" within Lofa County that included Voinjama, Nikabuzu, and other mixed Loma-Mandingo towns.

Many Liberians speak of a somewhat similar dynamic in Zorzor, Lofa County's second biggest town. LURD commanders, who established military and political control during the war, are said to be inviting relatives from Guinea to claim land and houses before Loma refugees and IDPs return. There have already been fights with the small number of returnees, and discord may rise rapidly as repatriation changes the demographic balance in favour of the Loma.

It is still uncertain whether the 29 October 2004 disturbances in Monrovia were an isolated event or

the shape of things to come. The ostensibly religious nature of some of the violence is worrying,¹³⁶ though anti-Mandingo and anti-Muslim sentiments are difficult to distinguish in Liberia. Either way, Mandingoes are significant in the political landscape, and they are not going to disappear, especially now that their position in the transitional government has been solidified. Civil society should take the lead in trying to find ways to defuse interethnic tensions through discussion in both the countryside and Monrovia.

4. The complexities of civil society

There is much pressure on Liberian and Sierra Leone civil society to do the work that government has not done or will not do. Civil society has great potential internal strength. The very fact that activists are visible today, after decades of systematic suppression, is probably the best proof. Nevertheless, civil society activism is not a panacea.¹³⁷

Both civil society representatives and donors sometimes complain there are too many civil society groups and local NGOs. A complicating factor is that some subjects donors consider should transcend politics (like human rights) may be attached to groups with frankly political agendas that often have very different interpretations of political violence.¹³⁸ In resource-strapped Liberia and Sierra Leone, all but the most successful civil society leaders are constantly looking for funds, with inevitable effect on their agendas.

More complex still, most of those who live in Monrovia and Freetown and speak the familiar language of civil society have been educated in Western-style educational systems. It is not always clear that what they (and their Western funders/interlocutors) call civil society has the same meaning outside the capitals. This is not to say there are no civil society movements in the hinterland. There are, and in many ways, their presence is a continuation of a decades-old process of intermingling and urban-rural exchange. However, it

¹³² "Mandingoes want properties back - Trouble looms in Nimba", *The Analyst* (Monrovia), 20 September 2004.

¹³³ "Nimba Mandingos Complain to Superintendent", *The Analyst* (Monrovia), 1 October 2004.

¹³⁴ Cholo Brooks, "Deportation of Mandingoes in Liberia -- Gen. Kamara predicts trouble -- wants disarmament deadline changed", 29 September 2004, available at www.limany.org.

¹³⁵ Crisis Group interview, Voinjama, 19 September 2004. He asserted discrimination by the Loma, Mano, Gio and Kpelle peoples. Alhaji Kromah, former leader of the ULIMO-K rebels, whose fighters became the LURD core in 1999-2000, wrote in "Geo-Political Tracks of a Controversial Tribe", *Liberian Orbit*, 17 November 2002, that Mandingoes have been in Liberia for hundreds of years.

¹³⁶ In the course of the violence, a number of churches and mosques were destroyed.

¹³⁷ Reacting to a certain euphoria that developed around civil society due to developments in formerly communist Eastern Europe in the 1990's, anthropologists began to look more critically at the concept, stressing its variety in different circumstances. See C. Hann, ed. *Civil Society, Challenging Western Models* (London, 1992).

¹³⁸ This is also the case in Côte d'Ivoire, which has both government and rebel-affiliated human rights groups.

is not often acknowledged that rural people in this part of Africa have institutions of their own that mediate between local communities and formal politics. The Poro and Sande societies, and the constellation of other power associations that surround them in most Liberian and Sierra Leonean villages and towns, are a case in point.

Usually called secret societies, these associations are sometimes denigrated as purveyors of various forms of barbarism, including the (indeed indefensible) clitoridectomy practised during girls' initiations. Much urban attention gravitates toward issues of secrecy and exoticism surrounding the power associations. However, these institutions have for hundreds of years helped people to manage their relations with an outside world that has been predatory since the period of the Atlantic Slave Trade and the warfare it introduced along the West African coast. Most important decisions in villages are taken in secret, in the Poro bush, then presented as *faits accomplis* through the chief, who is often a mouthpiece. Elder women usually exercise veto power in important decisions and are consulted by elder men during the process.

This system is closely related to that of the paramount chiefs. However, it was not imposed by colonial rulers as the latter were. Although women have a surprising amount of authority -- in a way mostly invisible to the uninitiated -- power on both the male and female sides is monopolised by elders, heads of families usually between their 40s and 70s.

Urban civil society and the power associations have a number of shared concerns and values, although in some areas they may not agree at all. For instance, while both systematically push for devolution and decentralisation of power to the local level (undercutting centralised state authority), urban civil society activists want this process to be transparent, something leaders of the power associations oppose on principle. Every important action in the world of the power associations takes place within exclusive spaces, where some are included and others not. That dynamic is why there is reason to be sceptical about how effectively local elections can change the way politics work at the local level, especially in Sierra Leone.

Youths have a privileged position in urban civil society. They are often the driving force behind civil society movements, and many civil society leaders in both countries began their careers as "gadflies" at

university. However, youths are still systematically handicapped in the system of the power associations. Many villages in Liberia and Sierra Leone sorely need young people's productive capacities in agriculture and in rebuilding decimated villages. Now would be a good time to negotiate new forms of compromise that could ultimately benefit all. Possible compromises would be for youth-oriented politics in the countryside to focus on young people's rights to use land and young women's marriage rights.¹³⁹

There are enormous obstacles in the way of both countries' efforts to create functional democracies, which only Liberian and Sierra Leone citizens can overcome. The talent, energy, and desire for change are great within civil society, some in government, and the diaspora. The best role the international community can play is to clear the way for them to work, while denying economic incentives to the spoilers who currently impede progress.¹⁴⁰

D. REVENUE COLLECTION TRUSTEESHIP/ MANAGEMENT IN LIBERIA

At least as important as strengthening the political sphere -- and all the security and other measures that are critical in building commitment to the rule of law -- must be the international community's focus on the economic sphere. The primary target here should be revenue collection. The reasons are threefold. First, it would make politics less attractive for the ex-warlords. Secondly, it would allow the long-term security and revenue-collection presence to pay for itself, thus making commitment to lengthy engagement more credible and feasible.

¹³⁹ Gender equality is another area of difference between the two civil societies. It is supported, in principle at least, in the city but not by the power associations, whose systems rest on notions of gender complementarity.

¹⁴⁰ An example of a civil society organisation that is already making important contributions in both Liberia and Sierra Leone is the Mano River Union Women's Peace Network (Marwopnet), which women in both countries as well as Guinea joined together to form in 1999. Its trademarks are lobbying regional security organisations, training women in communities, issuing public declarations, organising protests, and meeting directly leaders across the region. In recognition of its important role in helping bring the warring parties to the table, it was a signatory to the August 2003 peace agreement in Liberia. The UN recognised its efforts in December 2003, awarding it the annual United Nations Prize for Human Rights. See, "Engendering the Peace Process in West Africa: The Mano River Women's Peace Network", Femmes Africa Solidarité (FAS), Geneva, www.fasngo.org.

Thirdly, it would stimulate better governance because the transparent deposit of money into the national coffers would put pressure on officials to account for what they received and then spent. The effect would be neither immediate nor perfect but it would greatly aid civil society actors who want to call politicians and state functionaries to account and thus play a crucial role in the long-term process described above.

SRSK Klein has expressed interest in such a program though he is sceptical it could be implemented.¹⁴¹ Executive Order number two, issued by Chairman Bryant, provided that all revenue of the transitional government should be deposited into a central account. However, according to Klein, "despite the decree issued by Chairman Bryant last year, which requires all revenues to be centralised, the transitional government is still unable to properly account for revenues being collected from such strategic facilities as the sea and airports in Monrovia".¹⁴² This cripples the transitional government's ability to provide services and facilitates return of the shadow state. In other words, Liberia is following the same path as Sierra Leone, in which a failed state mutates into a shadow state, which then presents serious risk of disintegrating into a failed state again.

Taking over collection of revenue via a trusteeship or other management mechanism would involve removing responsibility from the transitional government and retaining that responsibility for a considerable period under its elected successor. The key income sources that would need to be covered include the port of Monrovia, Roberts Field Airport, the maritime registry, the customs service at major

border crossings, and natural resources such as timber, diamonds, gold and iron. Coordinated policing and accounting would be needed.

The notion is radical and certainly needs to be subjected to thorough discussion by all parties, but some form of radical change is necessary. If the present situation is allowed to continue on course, the question is not if war will break out again, but when.

One possible objection might be that a sovereign country should control collection of revenues earned on its national territory. However, in Liberia today little if any of these monies reach non-elites. Grand-scale theft is not a component of sovereignty. Liberia's sovereignty at present is largely nominal in many ways. The UN and the major donors are paying for much of the governance that exists and so already exercise great control. The issue is whether Liberia can and should make a sovereign decision to vest this particular element of state responsibility in another pair of hands for a specific, albeit extensive, period.

Indeed, the model proposed here for detailed discussion and refinement might amount on balance to less international interference with the exercise of normal sovereign functions. It would include a retreat from governance, including the distribution of government money. Once revenue was collected and turned over to the treasury, the international community would have no further control over it.¹⁴³ It would be up to citizens to call their politicians to account in the event of abuse or poor use. The examples of Rufus Neufville and those who attacked his colleagues and their \$35,000 jeeps on the street show there are Liberians ready to do so.

Another serious objection is that an international revenue collection trusteeship or management mechanism would not be able to outwit all of the criminal business interests that would try to evade paying customs fees and taxes. It is true that criminal ingenuity will find ways of evading any system to some degree. The question is whether such a system could do significantly better than the present one involving massive pillage, where almost nothing reaches the treasury. Once more money does get into the system, of course, it could help reinforce those government sectors (police, Forestry Development

¹⁴¹ Crisis Group interview, Monrovia, 3 October 2003. SRSK Klein says, "in our view, the ideal solution would have been to give UNMIL, from its inception, a mandate akin to that of the Mission in East Timor. This would have allowed the United Nations to fix Liberia before handing it back to the Liberians. Since that did not happen, those Liberians who are obsessed about 'sovereignty' are determined to use it as a cover to restore the *status quo ante*. Giving the UN the mandate proposed ... at this stage would meet fierce resistance from a number of quarters, not all of them in Liberia, and may not work. To achieve some of the intended aims in another way, a good option would be to assign international experts to key government ministries and agencies, such as the ministry of finance, the seaports and airports, the FDA, etc., to provide training, technical assistance and help eradicate corruption". Letter to Crisis Group, 3 December 2004.

¹⁴² SRSK Jacques Paul Klein, Briefing to the Security Council on the Fourth Progress Report of the Secretary General on UNMIL, New York, 15 September 2004.

¹⁴³ Though, as suggested in the model discussed below, an international observer should sit on an otherwise Liberian board overseeing expenditures in order to help call attention to serious abuses should they develop.

Authority, Ministry of Mines) that are presently too under-funded to oversee the areas being pillaged. As presently constituted, the system is self-perpetuating, while insulating itself from outside actors who might disturb government-business collusion. Even a notoriously difficult sector like diamonds could benefit if collected revenues allowed more robust application of the Kimberly Process.¹⁴⁴

Finally, it is fair to ask whether outside actors would necessarily behave more responsibly than the local parasites they replaced. There are enough cases to the contrary to justify caution.¹⁴⁵ Three aspects of the system's modalities would be crucial. First, it would have to be equipped with a mandate sufficiently long for parasitic actors to drift away from the current political system. Secondly, it would have to show that it could simultaneously pay for itself and for the affiliated small security sector and still meaningfully increase government revenue.¹⁴⁶ Lastly, it would have to operate with the greatest possible transparency, subject to an oversight board and annual audits.

The International Contact Group on the Mano River Basin¹⁴⁷ could usefully convene a panel to consider such a system, including a range of possible models for implementation. It should consult with UNMIL, the UN Panel of Experts for Liberia, the transitional government and representatives of civil society. Time is of the essence, so findings should be made available before the middle of 2005 in order to facilitate putting the identified best version in place immediately after the October 2005 elections, when the transitional government is dissolved.

A model that is worthy of particular study would seek to build a team around the expertise developed by the UN Panels of Experts that have investigated "sanctions busters" in Liberia and the Democratic Republic of Congo. These specialists are experienced at following obscure money trails and reconstructing economic networks through a combination of forensic accounting and on-site research. The other essential element of

the team would perform functions typical of customs officers. It would be based at the Port of Monrovia, Liberia's two major airports, and major border crossings. The two groups together would be charged with investigating illegal economic exploitation and bringing such activities into line with Liberian law.

The full team -- perhaps ten professional investigators, recruited according to the same criteria as the Panels of Experts, and 200 to 400 international customs officers -- could operate under UN auspices and benefit from UNMIL logistics when starting up. A modest budget would be needed for the first two or three years but it would be required to become self-funding within that period. As UNMIL gradually scaled down, it might be able to turn over some infrastructure (housing, vehicles, computers) to reduce operating costs. This team would have to remain in control of revenue collection for at least ten years, possibly more, so as to take away incentives from those inclined to see politics as a vehicle for enrichment and who would likely wait out a shorter period, and to allow time for a more benign political class to develop.

An oversight board is essential to the concept. The members of the International Contact Group on the Mano River Basin plus figures from the executive, judicial, and legislative branches of the Liberian government as well as the Liberian press, clergy, women's groups and human rights and democracy movements could form a representative body charged with supervising the operations of the revenue collection team and ensuring the transparency of the process.

While this board could also monitor how the funds collected and turned over to the treasury were spent, it would be preferable to charge a Liberian entity with this responsibility, as part of the political maturation process. Some or all the Liberian members could, of course, serve on both boards. One observer should represent the International Contact Group so as to be in position to alert donor governments and others able to encourage corrective measures in the event serious abuse was uncovered beyond the capacity of Liberian political processes to correct. As a witness to a somewhat similar exercise of international oversight in Chad has said:

Success will require keeping the project in the spotlight of public attention as well as under constant scrutiny and monitoring by outside groups: NGOs, human rights and

¹⁴⁴ See "Déjà Vu: Diamond Industry Still Failing to Deliver on Promises", Global Witness and Amnesty International, October 2004. Observers in Liberia commented on the failure of Chairman Bryant to accept an invitation to an October 2004 conference in Monrovia on the Kimberly Process.

¹⁴⁵ The case of twelve French soldiers currently being prosecuted in France for robbing the bank they were to guard in Man, Côte d'Ivoire, is one among many possible examples.

¹⁴⁶ The program would have a start-up budget for two to three years, after which it would have to pay for itself.

¹⁴⁷ For members of the Contact Group, see fn. 1 above.

environmental organizations and the media. Scrutiny is the key to transparency.¹⁴⁸

While in principle such a revenue collection system would also seem appropriate and useful in Sierra Leone, it is probably not a practical issue at this point given the extensive powers the elected government has already recovered. Should the system be implemented and prove itself in Liberia, however, Freetown might wish to consider adopting some variant.

V. CONCLUSION

"The war ... started because some people felt they would never have access to resources. They still don't."¹⁴⁹

The approach to peacebuilding in Liberia and Sierra Leone has been based upon the negotiation of peace, followed by the introduction of transitional peacebuilding and state building mechanisms emerging from the compromises between erstwhile rebel groups and the international community. Through daily contact, the pressure to "push money through the door", and exhaustion, these compromises have facilitated the recreation of a shadow state in Sierra Leone and are facilitating the same thing in Liberia.

The dynamic has two phases: first, civilian populations are held hostage by warlords and their proxies; secondly, the international community pays -- over \$5 billion to date -- to bring the violence down to a level it can live with. "There is a fundamental legal and moral problem with agreements like Liberia's Accra Accords", said a Liberian civil society leader, "based as they are on traditional assumptions that two parties are coming to the table with clearly-defined ideological positions and visions for the future of the country. Our case is different, in that our wars have been led by the criminal element of society".

Five years after UNAMSIL began, Sierra Leone is the poorest country on earth -- except, perhaps, for Liberia, which does not even have data. The situation is untenable, and new thinking is needed. One way to approach the problem is simply to ask about the incentives and the means at the disposal of the spoilers. The incentives have been and continue to be economic pillage. The means have been violence during wartime and the creation of parallel shadow systems of hierarchy and patronage during peacetime. Peacekeeping operations more or less effectively diminish the belligerents' fighting capacities but they have done little to put the spoils of the state beyond reach.

After investing billions of dollars, the international community has the right to expect more. Roads in both countries are close to impassable. Liberia has no electrical, sewage, or land line telephone systems, and

¹⁴⁸ Former U.S. Ambassador to Chad Donald Norland, Congressional testimony, 18 April 2003. By agreement, Chad's oil revenues are placed in an escrow account. Recent activity by the committee charged with monitoring that account, including calls for a full audit, show the importance of oversight. Disagreements expressed in N'Djamena over use of the funds illustrate internal debate as part of a developing democratic process such as that sought for Liberia. See "Pétrole : Coup de gueule à la pompe", *Alwihda*, 23 October 2004.

¹⁴⁹ Crisis Group interview with diplomat, Freetown, 18 August 2004.

Sierra Leone is barely better off. Education and health services in both countries are minimal, rule of law is inadequate. After ten and fourteen years respectively of on-and-off warfare, Sierra Leone and Liberian citizens certainly have the right to ask more. Long-term security guarantees, such as Sierra Leone has, should be the first step in a more promising process.

Placing the revenue collection system under a long-term trusteeship or international management mechanism could be the second step (at least in Liberia), accompanied by support for an open local dialogue about governance. Such a dialogue would need international help to guarantee that basic civic rights, such as freedom of speech and the press, will be respected. Local civil society, intellectuals, and returnees from the diaspora should be given more encouragement to take the lead in negotiating new relations between rulers and ruled.

All these elements need to be assured for much longer than has been customary in state rescue operations. While it would be unrealistic to call for a generation of continued generous donor financing, part of the justification for a radical revenue collection scheme is that it could quickly pay for itself while meaningfully increasing state revenue, depriving spoilers of their usual incentives and opening the way for more transparent governance.

The new Peacebuilding Commission proposed by the High-Level Panel on Threats, Challenges and Change, which reported to the UN Secretary-General on 2 December 2004, could be the institutional vehicle needed to implement the long-term commitments required in these countries, and many others around the world. Proposed to be established by and with the authority of the Security Council, comprising representatives of all relevant stakeholders, focusing on particular country situations as well as general policy issues, and with a mandate, *inter alia*, "to marshal and sustain the efforts of the international community in post-conflict peacebuilding over whatever period may be necessary", the new Commission would fill a clear institutional gap in the present international system -- one pointed up more clearly by the experience of Liberia and Sierra Leone than almost anywhere else.¹⁵⁰

Dakar/Brussels, 8 December 2004

¹⁵⁰ "A More Secure World: Our Shared Responsibility", Report of the Secretary General's Panel on Threats, Challenges and Change, December 2004, paras 261-269. See www.un.org/secureworld/report2.pdf.

APPENDIX A

MAP OF LIBERIA



APPENDIX B

MAP OF SIERRA LEONE



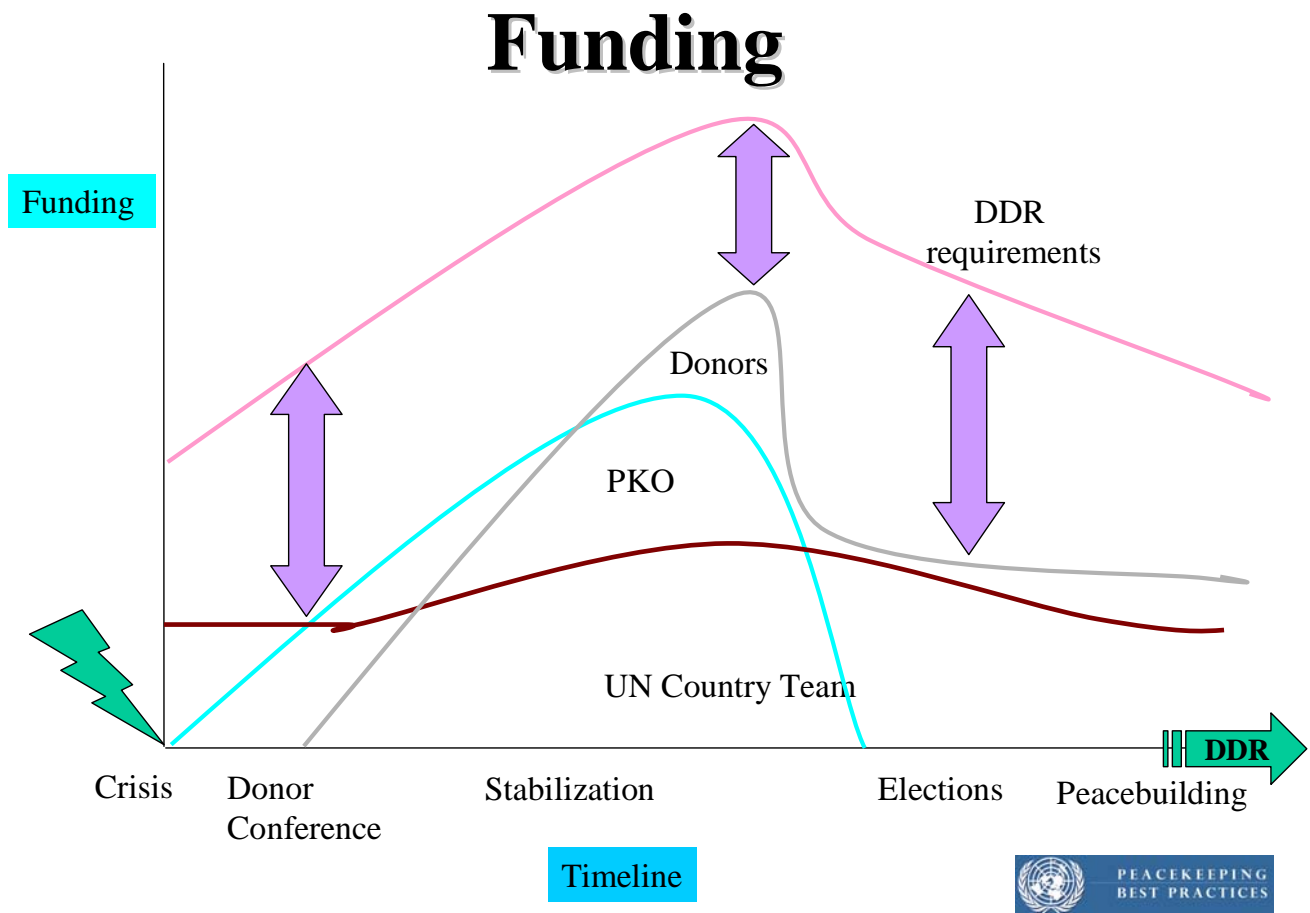
APPENDIX C

LIST OF ACRONYMS

| | |
|---------|--|
| ACC | Anti-Corruption Commission |
| AFL | Armed Forces of Liberia, the official national army of Liberia under former President Samuel Doe. Charles Taylor supplanted the AFL with his own loyalists when he came to power in 1997. Those forces are usually referred to as GOL. |
| APC | All People's Congress |
| CDF | Civil Defence Forces |
| CIVPOL | Civilian Police unit of UNAMSIL and UNMIL |
| CPA | Comprehensive Peace Accord of August 2003 |
| DDR | Disarmament, Demobilisation and Reintegration program. |
| DfID | Department for International Development (UK) |
| ECOWAS | Economic Community of West African States |
| FAO | United Nations Food and Agriculture Organisation. |
| GOL | Government of Liberia, but in this report specifically one of the three warring factions in the recent civil war, namely the troops loyal, or previously loyal, to former President Charles Taylor |
| IMATT | International Military Advisory and Assistance Team |
| IMF | International Monetary Fund |
| LURD | Liberians United for Reconciliation and Democracy |
| MILOBS | Military Observers |
| MODEL | Movement for Democracy in Liberia |
| NACSA | National Commission for Social Action |
| NPFL | National Patriotic Front of Liberia, Charles Taylor's rebel group in the first Liberian civil war |
| NTGL | National Transitional Government of Liberia |
| PCRP | Paramount Chiefs Restoration Programme |
| PSRP | Poverty Reduction Strategy Paper |
| RSLAF | Republic of Sierra Leone Armed Forces (name readopted in 2002). |
| RUF | Revolutionary United Front |
| RUF-P | Revolutionary United Front Party |
| SCSL | Special Court for Sierra Leone |
| SLP | Sierra Leone Police |
| SLPP | Sierra Leone People's Party |
| TRC | Truth and Reconciliation Commission |
| ULIMO | United Liberation Movement for Democracy in Liberia |
| UNAMSIL | United Nations Mission in Sierra Leone |
| UNDP | United Nations Development Program |
| UNDPKO | United Nations Department of Peacekeeping Operations |
| UNHCR | United Nations High Commissioner for Refugees |
| UNICEF | United Nations Children's Fund |
| UNMIL | United Nations Mission in Liberia |
| USAID | United States Agency for International Development |

APPENDIX D

DDR FUNDING CHART



APPENDIX E

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