

Liberia at a Crossroads:

A preliminary look at the United Nations Mission in Liberia (UNMIL) and the protection of civilians

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"As human beings, we cannot be neutral, or at least have no right to be, when other human beings are suffering. Each of us ... must do what he or she can to help those in need, even though it would be much safer and more comfortable to do nothing."

Kofi Annan, UN Secretary-General

INTRODUCTION

This paper is a preliminary attempt to look at the role of the United Nations Mission in Liberia (UNMIL) in the protection of civilians.¹ In this vein, the paper will briefly explore the political and diplomatic developments leading to the deployment of the Economic Community of West African States (ECOWAS) Mission in Liberia (ECOMIL), its mandate and its impact on the Liberian peace process. The paper then focuses on the UNMIL, particularly its broad mandate, deployment and the implementation of critical peacekeeping and peace-building tasks, notably disarmament, demobilisation, rehabilitation and reintegration (DDRR), reform of the security sector, issues of human rights as well as the rule of law and transitional justice. These issues will be analysed with the aim of highlighting their crucial importance to the overall peace process in general and the protection of civilians in particular. The paper does not make policy recommendations or draw doctrinal principles and statements, as these would be undertaken in the final book/monograph.

BACKGROUND

On 24 December 1989, the National Patriotic Front of Liberia (NPFL), comprising Libyan-trained Liberian dissidents, led by Charles Taylor,² invaded Liberia's north-eastern Nimba County from Côte d'Ivoire. Taylor declared that it was his binding duty, in 90 days, to rid Liberia of the despotism of President Samuel Doe, a

former master sergeant in the Armed Forces of Liberia (AFL), who had himself overthrown the last Americo-Liberian government of William R Tolbert on 12 April 1980. Charles Taylor further promised to restore full constitutional democracy through free and fair elections, to rebuild the economy based on free enterprise and to unify all Liberians irrespective of class, social status, ethnic origin, religion or political affiliation. The anti-Doe dissidents exploited strained relations between the people of Nimba and President Doe to gain a foothold on Liberian territory. It should be remembered that the people of Nimba had suffered reprisals by troops loyal to President Doe after the 1985 abortive coup attempt by General Thomas Quiwompa, who hailed from Nimba.

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Under President Doe, Liberia benefited from the Cold War by aligning itself with the United States (US). However, by the time the NPFL launched its attack, the international political landscape was undergoing significant changes in the wake of the demise of the Soviet Union. Consequently, the US was ready to leave Doe – who for all intents and purposes had become a liability – to his own fate and devices.

This pre-dawn invasion marked the beginning of one of the most brutal conflicts in West Africa's post-colonial history and in the Mano River Union area.³ As the invading NPFL rebels blitzed through the north-east of Liberia, it left in its wake massive destruction and humanitarian crisis, as both the rebels and government forces deliberately targeted civilians on ethnic grounds or perceptions of suspected political affiliations. Entire populations of towns and villages fled in the face of advancing forces towards Monrovia, the capital. Besides the tens of thousands of Liberians evacuated by the ECOWAS Ceasefire Monitoring and Observer Group (ECOMOG) in October 1990, it was estimated that by 1991, between a third and one-half of the population (2 to 2.5 million people) were displaced, while between 15,000 and 20,000 were killed.⁴

Given the unprecedented scale of the humanitarian catastrophe coupled with the indifference of the international community, ECOWAS undertook efforts to deploy expeditiously a military intervention force (ECOMOG) to Liberia in August 1990. The ECOMOG force of about 2,600 troops was led by Nigeria, with contingents from the Gambia, Ghana, Guinea (Conakry) and Sierra Leone. ECOMOG was mandated to assist the Standing Mediation Committee (SMC), which had been set up in May 1990, to supervise the ceasefire and ensure compliance by all parties to the conflict. However, by the time ECOMOG deployed in Liberia there was virtually no peace to keep, and given the lack of good faith on the part of the various warring factions, ECOMOG had to take enforcement action to establish the peace before it could keep it.

In the face of relentless NPFL pressure on Monrovia and in rather bizarre circumstances, President Doe was captured at the ECOMOG headquarters on 9 September 1990 and was brutally murdered on 10 September 1990 by the splinter group, the Independent National Patriotic Front of Liberia (INPFL) under Lieutenant Prince Johnson.⁵ The event immediately led to a change of command from Ghana's General Arnold Quainoo to Nigeria's Major General Joshua N Dogonyaro.⁶ Under General Dogonyaro, the strength of ECOMOG was augmented from 2,600 to 6,000 in October 1990 to undertake the evacuation of some 30,000 Liberians. Subsequently, between 1990 and 1997, several ECOWAS ceasefires were brokered and broken,⁷ while ECOMOG incrementally augmented its size for a number of counter operations and disarmament exercises with limited results.⁸ Meanwhile, in 1991, the war spilled over into Sierra Leone and compounded the security dynamics of the region.

United Nations (UN) intervention in the conflict in 1993 following the Cotonou Accord was too little too late, when it established a Joint Ceasefire Monitoring Committee (JCMC). This was followed by the (co)deployment of the 300-strong UN Observer Mission in Liberia (UNOMIL) and, between 1994 and 1995, the establishment of the UN 'Expanded ECOMOG'.⁹ This deployment brought the strength of ECOMOG up to about 13,500, but this force level dropped significantly with the departure of the Expanded ECOMOG, until the electoral process in 1997 when additional West African troop contributions increased the force level to about 11,000.

After seven years of often bloody engagement, Charles Taylor won the elections of July 1997. In his inaugural address on 19 August, Taylor pledged a government of inclusion, but no sooner was this over than key flag-bearers of the political opposition were threatened into exile. Furthermore, President Taylor – arguing that it was his sovereign prerogative to restructure and retrain the AFL – made it difficult for Major General Victor Malu (Nigeria), the eighth ECOMOG force commander, to carry out the restructuring and retraining of the AFL

in accordance with the relevant instruments. Under the circumstance and in the wake of the upsurge of the conflict in Sierra Leone, ECOMOG was in 1998 withdrawn and redeployed for pacification operations against Foday Sankoh's Revolutionary United Front (RUF): this was just before Taylor signed the Status of Forces Agreement (SOFA) in June 1998.

With the whole theatre to himself and determined to consolidate his hold on power, President Taylor saturated the AFL – and the Liberian National Police (LNP) – with his loyalists, thereby undermining national consensus and confidence in the country's faltering peace process. This situation effectively paved the way for the continuation of the conflict and its resurgence in 2002 and upsurge in early 2003.

In 2002, a group of exiled Liberians under the banner of Liberians United for Reconciliation and Democracy (LURD) invaded Liberia from neighbouring Guinea and Sierra Leone. It did not take long for the coalition of anti-Taylor forces in the guise of LURD to split, when the Movement for Democracy in Liberia (MODEL) – a coalition of former Doe loyalists and of Khran ethnic extraction – broke away. The split, however, enabled the coalition of anti-Taylor forces to open two fronts against Taylor's forces: LURD in the west and MODEL in the east. Under military pressure from significant rebel military advances in the north-west and south-east of the country respectively, Taylor agreed to participate in ECOWAS-mediated peace talks in the Ghanaian capital, Accra.

Taylor's position became increasingly untenable as the arms embargo imposed on Liberia by the UN Security Council for Liberia's support to the RUF was beginning to have a serious impact on Taylor's war machine. Consequently, the combination of LURD and MODEL military pressure on Monrovia, the arms embargo and pressure from ECOWAS and the international community, coupled with soured relations with his former mentors and backers – Côte d'Ivoire and Burkina Faso – forced Charles Taylor to resign and go into exile in Nigeria. In his own words, Taylor made a "soft landing" in exile in Nigeria, and made the ominous promise: "I will be back." The brutal civil war waged by former President Taylor fell far short of his 1989 promise to return the country to constitutional democracy, economic reconstruction and nation building.

As in the 1990s, the upsurge in the conflict in Liberia created yet another cycle of serious humanitarian crises that trapped several thousands of civilians who had returned to Liberia following the 1997 electoral process, halted the return of more returnees and sent a fresh wave of refugees across the borders. Except for more media coverage this time, the humanitarian crisis in Liberia failed to generate a robust international response and compelled ECOWAS once again to intervene expeditiously to restore peace to Liberia. While negotiating with the UN for the deployment of a

larger multinational force, ECOWAS deployed the 3,660-strong ECOMIL with the mandate to stabilise the situation, pending the deployment of a larger multinational force under the command of the UN.

FROM ECOMOG TO ECOMIL

The first regional intervention in 1990 was itself unprecedented in several respects. It was the first time that a regional organisation set up for economic integration purposes had intervened in a domestic conflict. The invocation of the humanitarian rationale for the intervention was also unprecedented, thereby resulting in a re-conceptualisation of security policy and discourse in West Africa.

The preamble setting up the ECOWAS Standing Mediation Committee to deal with the Liberian crisis referred to the following as the reason for the intervention:

the wanton destruction of human life and property and the displacement of persons ... the massive damage in various forms being caused by the armed conflict to the stability and survival of the entire Liberian nation; and concern ... about the plight of foreign nationals, particularly citizens of the Community who are seriously affected by the conflict; and considering that law and order in Liberia had broken down ... to find a peaceful and lasting solution to the conflict and to put an end to the situation which is seriously disrupting the normal life of innocent citizens in Liberia.¹⁰

In spite of the humanitarian rationale, the ECOWAS intervention was beset by acrimony and controversy as some ECOWAS member states, notably Côte d'Ivoire and Burkina Faso, contested the political and legal basis of the intervention, arguing instead that the Liberian crisis was an internal problem that did not require regional military intervention.

This position was tenuous at best because both countries were known to have provided support to the Liberian insurgents. Responding to critics of the intervention, President Dauda Jawara of the Gambia, then Chair of ECOWAS noted that: "the wanton killings going on in Liberia have made that country a slaughterhouse and the situation could no longer be treated as an internal matter."¹¹

If the appeal to military humanitarianism by the intervening states was meant to build regional consensus, it failed as the region was effectively polarised over the legality and procedure of the intervention. The regional divide therefore served as a

catalyst and an impetus for prolongation of the civil conflict, with dire consequences for the civilian population, Liberian national cohesion and regional peace and stability.

Following Liberia's relapse into violent conflict in early 2003, ECOWAS undertook to broker peace in the troubled West African state. As ECOWAS Chair, Ghana's President John Kufour hosted the peace talks in close collaboration with the ECOWAS Secretariat in Abuja, Nigeria. The former Nigerian Head of State, retired General Abdulsalami Abubakar, was appointed by ECOWAS as its chief mediator. After protracted peace negotiations in the Ghanaian capital, Accra, an Agreement on Ceasefire and Cessation of Hostilities (ACCH) was signed between the Government of Liberia (GoL), LURD, and MODEL – the main parties to the conflict – on 17 June 2003. Under the ACCH, the parties agreed to:

declare and observe a ceasefire ...; refrain from committing any acts that might constitute or facilitate a violation of the ceasefire ...; establish an ECOWAS-led Joint Verification Team (JVT), comprising two representatives from each of the parties, plus representatives of the UN, AU and the International Contact Group on Liberia (ICGL);¹² establish a Joint Monitoring Committee to supervise and monitor the ceasefire ...; the need for the creation and deployment of an international stabilisation force and committed themselves to cooperate with it.¹³

The agreement also dealt with a wide range of issues that were subsequently addressed in the negotiations leading to the signing of the Comprehensive Peace Agreement (CPA) on 18 August 2003.

The first regional intervention in 1990 was [the] first time that a regional organisation set up for economic integration purposes had intervened in a domestic conflict.

For a moment during the negotiations, the Accra Peace talks were thrown into chaos when the Special Court for Sierra Leone (SCSL) unexpectedly unsealed an indictment and a warrant of arrest for President Taylor, who was attending the Accra peace talks. The Special Court accused President Taylor of committing crimes against humanity, war crimes and other serious violations of international humanitarian law, and indicted him on 17 counts ranging from "terrorising the civilian population and collective punishments, sexual violence, use of child soldiers, abductions and forced labour, to attacks on UNAMSIL [the UN Mission in Sierra Leone] personnel".¹⁴

Embarrassed and infuriated by the unexpected announcement, the Ghanaian authorities hurriedly flew President Taylor back to Monrovia on the Ghanaian presidential jet. The announcement affected the ongoing peace talks in several ways. First, it bolstered the determination of LURD and MODEL to pursue a military option. This was clearly manifested when both

groups hardened their positions at the negotiations, insisting that they would not negotiate with an indicted war criminal. Second, with the prospect of spending time in a jail house in Sierra Leone, President Taylor was determined to dig in and fight to the last – a scenario that did not bode well for the civilian population trapped in Monrovia. Third, the SCSL's inadequate consultation with ECOWAS and the Ghanaian government before unsealing the indictment had a negative impact on the relationship between the SCSL and the regional leadership. This strained relationship perhaps partially explains Nigerian President Olusegun Obasanjo's refusal to hand over Charles Taylor to the court.

Moreover, the timing of the announcement showed either a clear lack of understanding of the regional political dynamics or a terrible oversight, with the potential of robbing the victims of the brutal civil wars in Liberia and Sierra Leone of their main culprit – Charles Taylor.¹⁵ For the court to have expected the government of Ghana to arrest Taylor, who was its guest, was not only unreasonable but showed a lack of understanding or disregard of the conflict dynamics in the region.

It should be recalled that the late President Doe was snatched and subsequently murdered by his arch-enemy Prince Johnson, from the hands of the first ECOMOG Field Commander, General Arnold Quainoo. Certainly, the late President Doe's murder caused the Ghanaian authorities a great deal of embarrassment, and history could not be allowed to repeat itself; as indeed it had in the now-forgotten circumstances surrounding the death of Patrice Lumumba in the then Congo Leopoldville.¹⁶ In addition, the embarrassment that this would have caused to the leaders of two of Africa's power houses, President Obasanjo of Nigeria and President Thabo Mbeki of South Africa, should have been enough signal to the court that the timing was wrong.

In as much as Taylor, for all intents and purposes, contradicts the principles espoused by the champions of the African Union (AU) and the New Partnership for Africa's Development (NEPAD), it was inconceivable to see how the arrest would have been effected in the presence of these leaders. Although arresting Taylor and handing him over to the court would have been the desirable and right thing for the Ghanaian government to do, it would have been viewed in many quarters as a breach of the norms of diplomacy and as a betrayal of traditional hospitality.

The indictment of Taylor – the first time a sitting African head of state has ever been called on to answer for his actions against innocent civilians – was, however, a major milestone in the quest to protect civilians in conflict zones. The indictment constitutes a serious blow to the culture of impunity, which had been condoned in the past. Taylor's indictment sent a strong message that no one is above the law and that warlords

would be held accountable for their actions. Nevertheless, it remains to be seen whether President Obasanjo will bow to domestic and international pressure and do the right thing; that is, handover Taylor to the court in Freetown.

ESTABLISHMENT OF ECOMIL

The CPA of 18 August 2003 called for the "deployment of an International Stabilisation Force (ISF) in Liberia ... the parties request the UN in collaboration with ECOWAS, the AU and the ICGL to facilitate, constitute, and deploy a UN Chapter VII force ... to support the transitional government and to assist in the implementation of this Agreement."¹⁷

The CPA addressed itself to a broad spectrum of peace-building challenges and outlined specific areas of focus, such as the DDRR, the restructuring of the AFL, the LNP and other security services, as well as human rights and humanitarian issues, transitional justice programmes, the distribution of power within the National Transitional Government of Liberia (NTGL) and the crucial question of amnesty.

Following the signing of the Cease Fire Agreement (CFA), the UN Security Council adopted Resolution 1497, authorising (ECOWAS) to:

establish a Multinational Force in Liberia to support the implementation of the 17 June 2003, ceasefire agreement, including establishing conditions for initial stages of disarmament, demobilisation and reintegration activities, to help establish and maintain security in the period after the departure of the current President and the installation of a successor authority, taking into account the agreements to be reached by the Liberian parties and to secure the environment for the delivery of humanitarian assistance, and to prepare for the introduction of a longer-term UN stabilisation force to relieve the Multinational Force.¹⁸

In a nutshell, ECOMIL's mandate was to:

- establish zones of separation;
- secure the ceasefire line; and
- create conditions for the deployment of the ISF.

The deployment of ECOMIL, however, started with the establishment of the ECOWAS-led JVT, pursuant to paragraphs 3 and 4 of the ACCH, to verify the locations of the parties at the time of the ceasefire. The JVT and its variant teams were mandated to undertake three separate missions. Depending on the prevailing situation, these involved the verification of the ceasefire and two reconnaissance missions, aiming to facilitate the deployment of an ECOWAS Monitoring Mission in Liberia (ECOMIL), as well as to assess the situation in Monrovia and gather information leading to the insertion of a Vanguard Force into Monrovia. It

comprised two representatives from each of the parties, plus representatives from the UN, AU and the ICGL.

The ACCH also provided for the establishment of a Joint Monitoring Committee (JMC) to supervise and monitor the ceasefire. The JMC was to be composed of equal representation from the parties, as well as representatives from the UN, AU and the ICGL. The ISF was later changed to a 3,500-strong Inter-Positional Force (IPF), whose vanguard force was to deploy to Monrovia to provide security. It was then to be followed by the deployment of a US force and the main ECOWAS force, to jointly prepare conditions for the deployment of a larger UN force estimated at between 10,000 and 15,000.

Following its assembly in Accra, 15 members of the JVT, accompanied by Ghana's Ambassador to Liberia HE Mr Amoah Awuah, flew to Freetown on 2 July 2003. One UNAMSIL staff officer joined the team in Freetown. Eventually, owing to persistent violations of the ACCH and its total collapse following the resumption of hostilities and the escalation of fighting from mid-July 2003, as well as the attenuation of the peace talks, the mission was gradually withdrawn to Accra to be replaced later by the JMC.

Almost five years after ECOMOG's withdrawal from Liberia, ECOWAS troops returned to the streets of Monrovia to cheering crowds of civilians. The arrival of the ECOMIL troops saw hundreds of desperate civilians who had been trapped by weeks of intense fighting in Monrovia, line the streets to welcome the ECOMIL troops as they made their way from Roberts International Airfield. The 3,566 ECOMIL troops were drawn from eight ECOWAS member states: Nigeria, Ghana, the Gambia, Guinea-Bissau, Mali, Senegal, Togo and Benin.¹⁹

From its inception ECOMIL, unlike ECOMOG, received diplomatic, political and logistical support from the UN and the international community. At the diplomatic level UN Security Council Resolution 1497 (2003) authorising the establishment of a multinational force gave ECOMIL the political legitimacy that is needed under international law. In addition, the force received military and logistical support from the US Joint Task Force.²⁰ Other forms of logistical support also came from UNAMSIL, which provided aerial helicopter and reconnaissance support, while the Pacific Architects and Engineers (PAE) provided logistical support with funding from the US through the framework of the UN Trust Fund.²¹

The division of labour between ECOWAS, the UN and other international players such as the US is a clear acceptance of the pivotal role of regional organisations, such as ECOWAS, in keeping the peace in their backyards. This division of labour, elsewhere referred to

as the 'blood-treasure' dynamic,²² involves African countries providing military manpower, while the international community provides the necessary financial and logistical resources to complement it. To the contrary, it also reflects an abdication of responsibility for the maintenance of global peace and security that leads to the hybridisation of peace operations in Africa, whereby external countries selectively choose not to place their forces under UN mandates but to deploy them alongside UN and/or regional peace operations.

A striking feature of ECOMIL's deployment was the relative ease with which ECOWAS achieved broad and sufficient consensus, in contrast with the spoiling diplomatic tactics of the 1990s. The composition of the force, eight out of the 15 ECOWAS member states – excluding Guinea, Côte d'Ivoire and Sierra Leone, which could not send troops because of their alleged affiliations with one party or another and/or for being in conflict – points to greater consensus within ECOWAS. In part, this owed to agreement on the Protocol Relating to the ECOWAS Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security of 1999. In the absence of the Allied Armed Forces of the Community (AAFC) that was provided for in its revised Charter of 1975, ECOWAS was caught unprepared by the conflicts that erupted in the 1990s.²³

Unlike the previous ECOMOG operations which were characterised by diplomatic, legal and political problems, ECOMIL deployed without any of these challenges. Moreover, the eight-troop contributing states were drawn from the three linguistic zones in the region: English, French and Portuguese. It should be remembered that the divisions over ECOMOG were largely played out in the

anglophone and francophone dichotomy in the region. In addition, both Côte d'Ivoire and Burkina Faso – the staunch opponents of ECOMOG, with close links to Libya and Taylor in the 1990s – were not inclined to oppose the intervention this time around.

In terms of mandate, ECOMIL's mandate was clear, credible and supported by a rational exit strategy. However, it obviously lacked adequate military and organic logistical capacity and would have ran into difficulties but for the adherence of the warring parties to the CFA and CPA.

The speed of deployment of the follow-on, the UNMIL, was a far cry from the thumb-sucking arguments of the Security Council in the 1990s. Nonetheless, while progress was made in this regard in West Africa, including the mandating and deployment of the UN Mission in Côte d'Ivoire (MINUCI) in 2003 and its subsequent replacement by the UN Operation in Côte d'Ivoire (UNOCI) from April 2004,²⁴ it is pertinent to

[T]he 'blood-treasure' dynamic, involves African countries providing military manpower, while the international community provides the ... financial and logistical resources to complement it.

Figure 1: UNMIL Deployment (Courtesy UNDPKO)



point out the tardiness of UN intervention in Burundi, more than one year after the deployment of the African Mission in Burundi (AMIB).²⁵

ENTER THE UNMIL

In fulfilment of the provisions of Resolution 1497 (2003) which called for the establishment of an International Stabilisation Force (ISF) to take over from ECOMIL, the UN Security Council adopted Resolution 1509, authorising the establishment of UNMIL for an initial 12-month period commencing 1 October 2003. The resolution directed the secretary general to transfer authority from ECOMIL forces to UNMIL by 1 October 2003. It stipulated that UNMIL will consist of “15,000 UN military personnel, including up to 250 military observers and 160 staff officers, and up to 1,115 civilian police officers, including formed units, to assist in the maintenance of law and order throughout Liberia, and the appropriate civilian component.”²⁶

UNMIL was established with a Chapter VII mandate and, in its broadest sense, was charged with carrying out two major responsibilities: to support and to protect.

In its supporting role, UNMIL was given the following responsibilities:

- Support for implementation of the CFA.
- Support for humanitarian and human rights assistance.
- Support for security sector reform.

In terms of protection, the force was mandated to:

- protect UN personnel, facilities, installations and equipment;
- ensure the security and freedom of movement of its personnel and, without prejudice to the efforts of the government; and
- protect civilians under imminent threat of physical violence, within their capabilities.

In order to fully accomplish its mandate, UNMIL has identified eight implementation goals, namely:

- peace and security;
- disarmament and demobilisation;
- rehabilitation and reintegration of ex-combatants;
- establishment of the rule of law, including judiciary and corrections;
- establishment of safeguards for human rights;
- restoration of state authority;
- provision of factual information through public media campaigns; and
- coordination of UN agencies for humanitarian assistance.

As at the time of writing, UNMIL's strength on the ground consisted of: 607 international civilian staff; 768 local civilian staff; 14,131 military personnel from 47 countries; and 750 civilian police (CIVPOLs) from 30 countries.²⁷ In terms of mobility and firepower, the force has 284 combat and 14 helicopters, besides one level-three hospital, three level-two hospitals, and engineering, transport, road and airfield maintenance assets.

That the mission (force) became operationally effective on 1 October 2003 was commendable, as was also the deployment of ECOMIL, as rapid deployment aiming to dominate the mission area achieves a security umbrella that contributes to the protection of civilians. The deployment of the force (see Figure 1) was, however, made tenuous by the withdrawal of the Moroccan contingent and the time it took to source for replacements from Ethiopia, Ghana and Senegal, already heavily committed in the mission area and elsewhere. Thus, even though the task brigades were operational in the four sectors, the mission was thin on the ground in the Maryland, Grand Kru and Grand Gedeh counties, where the insecurity had implications for the safety and protection of civilians. In spite of its robust mandate, UNMIL is yet to use force to achieve its mandate and may not have the occasion to, except for a couple of incidents to dismantle unauthorised checkpoints by armed elements.

For the purpose of this paper, attention will be focused on analysing the first six goals, with the aim of highlighting their relationship with and impact on the protection of civilians. The analysis will also highlight some of the thorny issues and challenges, as well as the general prospects for peace in Liberia and the Mano River basin.

DISARMAMENT AND DEMOBILISATION

Article VI of the CPA calls for the cantonment, disarmament, demobilisation and reintegration (CDDRR) of all former combatants, with "the AFL confined to their barracks, their arms placed in armouries and their ammunition in storage bunkers".²⁸ To coordinate the activities of the DD component of the CDDRR, the CPA further called for the establishment of an inter-disciplinary and inter-departmental National Commission for Disarmament, Demobilisation, Rehabilitation and Reintegration (NCDDRR). Membership of the NCDDRR should be drawn from all the national and international stakeholders in Liberia: that is, the relevant agencies of the NTGL, namely GoL, LURD, MODEL, ECOWAS, the UN, AU and the ICGL.

The primary responsibility of the NCDDRR is to

"oversee and coordinate the disarmament, demobilisation, rehabilitation and reintegration of combatants, and work closely with the ISF and all relevant international and Liberian institutions and agencies". Following the deployment of UNMIL, a Joint Implementation Unit (JIU) was established to implement all aspects of the DDDR and to coordinate with traditional leaders, civil society organisations and other stakeholders.

So far, the DDDR programme, which was formally launched on 3 December 2003, had been voluntary. This means that the combatants were encouraged to voluntarily register and join the DDDR process at cantonment sites established by UNMIL in collaboration with the NCDDRR. The voluntary DD process has been conducted in three phases, each targeting specific geographic regions of the country.

Monrovia and its immediate surrounding areas were covered in the first two phases in order to maintain and restore security in the capital as a secure base for UNMIL operations. After handover to UNMIL, phase I of the DD started on 7 December 2003 at Camp Scheffelin on the outskirts of Monrovia, focusing mainly on former GoL soldiers, who controlled the area around the camp. However, the overwhelming response, partly owing to lack of coordination with all stakeholders, exceeded the capacity of the cantonment sites and the UNMIL personnel. Even so, during this brief period, a total of 13,490 GoL combatants were disarmed, while some 8,679 weapons, 2,650 unexploded ordnance and 2,217,668 rounds of small arms ammunition were collected. It is significant though that the heavy weapons that were used with devastating effect before the ceasefire and the deployment of ECOMIL, have not been

accounted for. This gap, coupled with the wide ratio of 4:1 between disarmed combatants and collected weapons, raises serious concerns as any weapons at large in the society pose a potential danger to national and regional peace and stability.

The lack of adequate facilities and personnel to process the large number of GoL combatants that turned up at Camp Scheffelin pointed to the unsuitable timing of the start of the DD programme and the lack of preparedness of UNMIL and other stakeholders. Criticism of the move centred on lack of adequate consultation with all stakeholders, among others. Questions were also asked as to whether the DD was in fact driving the political process, instead of the other way round. For instance, some of the concerns centred on the fact that the DD programme commenced before the instalment of the NTGL. However, this perceived shortfall had at least two advantages. First, it provided a pilot project that brought out key requirements for a smooth implementation of the DD programme, with

It is significant though that the heavy weapons that were used with devastating effect before the ceasefire and the deployment of ECOMIL have not been accounted for.

minimal factional infighting. Second, it expedited the inflow of and access to pledged resources.

As a result of the experience at Camp Scheffelin, the whole DD programme was suspended to allow for proper consultation and joint planning with the various stakeholders. It was also realised that UNMIL's military and civilian personnel on the ground were not sufficient to deal with a huge influx of ex-combatants. Consequently, besides the need for more military and civilian personnel, the daily rate of disarmament was carefully regulated to about 250 ex-combatants per cantonment site.

The DD programme restarted on 15 April 2004; almost four months after its suspension. The second phase concentrated on Monrovia and the surrounding areas and devolved on four demobilisation (D2) cantonment sites at Gbarnga (GoL), Buchanan (MODEL), Tubmanburg (LURD) and VOA (GoL). Thus, unlike phase 1 which focused mainly on former GoL combatants, the second phase covered combatants from all the three major warring factions and achieved the disarmament of a total of 51,970 former combatants, made up of 6,888 from the AFL, 19,742 from LURD, 2,863 from MODEL, 5,231 GoL/Militia, including paramilitary, and 17,246 from other groups. In addition, a total of 27,000 weapons and 6,153,631 small arms ammunition were collected, besides a total of 29,794 types of other categories and natures of ammunition.

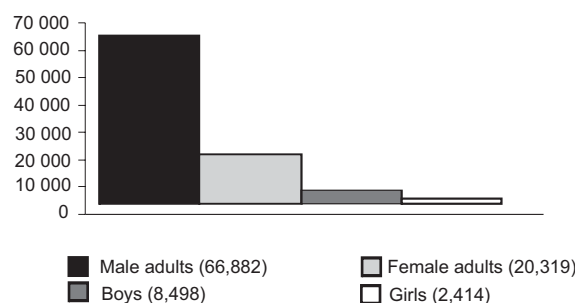
Phase III of the DD programme, which commenced in early July 2004, was concentrated largely in the Zwedru area, targeting mostly the MODEL caseload in Grand Gedeh, Nimba, River Cess and Sinoe Counties. In addition, D1 and D2 camps were opened in Kpein and Ganta in Nimba County, targeting the GoL caseload in that area, while similar sites were built in Voinjama in Lofa County, to deal with the LURD case load in that area. The poor state of infrastructure in these counties was cited as the major obstacle to the establishment and commencement of a comprehensive DD programme. This was exacerbated by the arrival of the rainy season, which rendered the road network in these areas impassable. The figures in Table 1 present the consolidated voluntary disarmament through all three phases, totalling a massive 98,113 ex-combatants.

Table 1: Consolidated disarmament of ex-combatants by factions

Faction	Phase I	Phase II	Phase III	Total	Relative %
AFL	4,164	6,888	1,188	12,240	12.28
LURD	48	19,742	9,686	29,476	30.04
MODEL	11	2,863	10,254	13,128	13.38
GoL (including paramilitary)	11	5,231	10,344	15,586	15.89
Others	8,889	17,246	1,548	27,683	28.22
Total	13,123	51,970	33,020	98,113	

Overall, out of the 98,113 former combatants that went through the DD process during the three phases, 66,882 (68%) were adult males, 20,319 (21%) adult females, 8,498 (9%) boy-children and 2,414 (2%) girl-children.²⁹ Figure 2 presents the distribution of the disarmed combatants by gender.

Figure 2: Gender percentage of UNMIL DDDR



Out of the total number of former combatants that had gone through the three phases of the voluntary DD, only 597 (0.608%) foreign fighters registered with the programme. They included: 305 Guineans (Conakry), 236 Sierra Leoneans, 47 Ivorians, six Nigerians, two Malians and one Ghanaian.³⁰ After going through the formal DD programme, these foreign fighters have two options, they can either be assisted to return to their home country and complete the RR from there or apply for refugee status and remain in Liberia to take part in the RR phase. The close affinity of ethnic groups across the Mano River basin, perhaps, explains the relatively low number of foreign fighters registered in the DD programme. Without proper documentation, it is very difficult to establish a former combatant's true national identity.

Although foreign fighters have the option of returning to their home countries, there is no clear indication of mechanisms for their return and of their reintegration into their respective societies. Returning these former combatants raises some fundamental questions about whether their communities and societies are willing to accept them and how their presence will affect the modest gains in post-conflict countries, such as Sierra Leone. Under the circumstance, their lingering presence continues to provide potential 'spoilers' with a ready source of manpower for recruitment if they decide to derail peace processes in the region.

From the DD figures, the relative strengths of the factions present an interesting and informative picture. Between them, the LURD and MODEL alliance totalling over 42,600 combatants were far superior in numbers – by a factor of 1.5 – than the AFL-GoL alliance totalling about 27,800 combatants, unless a sizeable number of the 'other group' were affiliated to Taylor's forces. Even so, it is also pertinent to note that given the political and operational circumstances of the conflict, the intangible factor of morale was in favour of the

LURD–MODEL alliance. Whether Taylor would have been defeated as a result of these factors alone, and whether the benefit of the doubt justified a regional intervention beyond the question of state sovereignty, is a subject of further debate.

REHABILITATION AND REINTEGRATION

The DD programme has made significant strides in disarming former combatants, as shown by the above data, but progress in the DD aspects is not matched by commensurate progress in the RR aspects. In practice, the core RR programmes cover:

- transitional support programme, including start-up allowance and repatriation of ex-combatants to their local communities;
- transitional payments to assist foreign ex-combatants to return to their home countries; and
- social services programme, which includes macro and micro infrastructure development, education, vocational training and outreach. Specific aspects of the social services programme cover the establishment of specific social service requirements for male, female and child ex-combatants.³¹

The RR programme gives ex-combatants the opportunity to decide on a career of their choice. Of the 85,629 ex-combatants who are expected to go through the RR programme, about 41% (35,287) opted for formal education, 4% (2,986) for agriculture and 0.65% (562) for employment, while slightly over 47% opted for various vocational training programmes ranging from auto mechanics to tie-and-dye.³² The majority of female ex-combatants opted for vocational training programmes – 11,271, as opposed to 7,051 for formal education and 744 for agriculture. A high percentage of male ex-combatants, however, opted for formal education (28,236), with only 2,742 opting for agriculture and 515 for employment. What informed the decisions of the ex-combatants in their preferred skills is not clear, especially when one looks at the breakdown between males and females in the various skills categories.

In terms of resettlement, 39.19% of ex-combatants – 33,719 males and females – expressed their preference to be resettled in Montserrado County and obviously in Monrovia. The other preferred resettlement areas of significance are Nimba County with 12.48% (10,740), Lofa County with 10.93% (9,405) and Bong County with 10.53% (9,051).

Based on the skills preference identified by former combatants, there is a tendency for a massive influx of civilians to urban areas. The fact that 41% (35,287) of former combatants opted for formal education, with

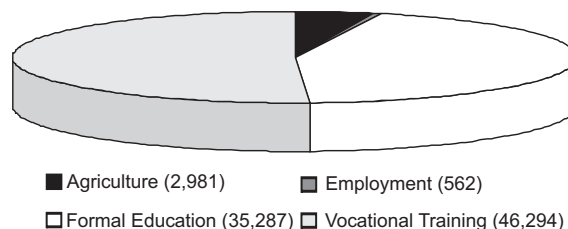
over 39% (33,719) opting to be resettled in Montserrado County is a pointer in this direction. To deal with the rural–urban migration syndrome, the RR programme needs to focus its resources on rebuilding schools, artisan and vocational institutions, as well as health delivery facilities in the rural areas. Even though this is easier said than done, such an action plan would not only encourage people to move back to the countryside, but would ensure a fair distribution of national resources between the rural and urban areas. In the past, the concentration of resources in Monrovia and other urban centres created a great deal of resentment by rural folks who felt marginalised by the urban elites. In addition, it would facilitate the revamping of the neglected agricultural sector, an area of tremendous potential for Liberia, especially as many of the returning refugees would have acquired new skills, including agricultural techniques.

Of the estimated 80,000 maximum total universe for reintegration by 1 October 2004, only a small number had been enrolled in the RR programme. For instance, of the 35,287 who prefer formal education, only about a third (11,869) had been registered for that purpose.

Again, only 18,560 targeted former combatants were in approved projects, while another 14,402 have been targeted in approved projects. These gaps point to a clear disconnect between the DD and the RR components in Liberia. One of the underlying reasons for the apparent DD–RR disconnect is the slow inflow of pledged funds. For instance, out of a budget of \$13.5 million for the United Nations Development Programme (UNDP) DDDR Trust Fund, as of July 2004 \$10.2 million had been allocated to phases I and II DD aspects. This left only \$3.2 million for phase III of the DD programme and the entire RR programme covering the more than

85,629 former combatants who have been projected to go through the RR programme. Figure 3 shows the relevant skills preferences of this group.

Figure 3: UNMIL RR ex-combatant skills preferences



As a result of the lack of financial resources, the JIU had only been able to identify five RR projects targeting a total of 11,869, with only 3,258 beneficiaries in ongoing projects. While the status of the DD-RR budget is unclear at the end of the voluntary disarmament, it is pertinent to note that in July, only \$2,615,436 had been

These gaps point to a clear disconnect between the DD and the RR components in Liberia. One of the underlying reasons for the apparent DD–RR disconnect is the slow inflow of pledged funds.

received against the estimated total Trust Fund budget of \$20,359,140 needed for reintegration activities. At about that time, with \$1,409,935 already committed to reintegration activities, and another \$1,205,501 projected for reintegration activities, there was a funding shortfall of \$17,743,704 for future reintegration programmes.³³ This projected shortfall in the Trust Fund now stands at about \$44 million.

In the absence of relevant infrastructure to absorb the output of the DD programme, over 500,000 ex-combatants, internally displaced persons (IDPs) and returned refugees have been encamped in and around Monrovia in about 23 huge camps, the largest of which at one stage contained over 30,000 'residents'. Under the circumstances, the collateral devastation that such camps cause to the already deprived villages and farms is not immediately clear. It is also not clear whether these villagers are adequately and appropriately compensated for their loss by the aid agencies and implementing partners responsible for siting such camps.

Undoubtedly, unless the funding gap is speedily plugged, in order to set the whole chain in motion, there is bound to be a setback in the DDRR programme, with dire consequences not only for Liberia's peace process, but for the stability of the entire Mano River basin and for the safety and protection of the civilian population in the region. In this respect, it is pertinent to recall the disturbances in October that threatened the peace and exposed how fragile the process was, unless the affected population was properly and effectively reintegrated to minimise their propensity towards such disturbances. Thus, with the conclusion of the formal voluntary DD programme, more attention and resources should be directed at the RR programme, which is a vital component of long-term and sustainable peace-building in Liberia.

POLICE AND JUDICIAL REFORM³⁴

The Liberian judicial system and the LNP were some of the hardest hit during the country's 14-year brutal civil conflict. The collapse of state authority engendered by the conflict heralded a period of massive human rights violations and complete disregard for the rule of law. Although some might argue that human rights violations in Liberia date back to the 1980s or even earlier, the paper focuses on the civil conflict that gripped that country from 1989 to 2003. The conflict period was notorious for the rampant massive human rights violations involving all the warring parties. In spite of the 1997 elections which saw rebel leader Charles Taylor assume the reigns of power as an elected president, human rights violations continued, including anecdotal suggestions of jungle justice for the notorious Sierra Leonean rebel fighter Sam Bockarie alias 'Masquita' and the putschist Major Johnny Paul Koromah.

These stark realities informed UNMIL's mandate,

among others, to assist in reforming the country's judicial and police institutions in order to ensure respect for human rights, the rule of law and for the safety and protection of the civilian population.

Reform of the police

Article VIII of the CPA called for the restructuring of the LNP and other security services. It states thus:

There shall be an immediate restructuring of the National Police Force, the Immigration Force, Special Security Services (SSS), custom security guards and such other statutory security units. These restructured security forces shall adopt a professional orientation that emphasises democratic values and the respect for human rights, a non-partisan approach to duty and the avoidance of corrupt practices.³⁵

Consequently, UN Security Council Resolution 1509 authorised the deployment of 1,115 CIVPOLs, including formed units, to assist in the maintenance of law and order throughout Liberia. The overall CIVPOL mandate in Liberia is to assist the NTGL in restructuring the Liberian National Police (LNP). In this respect, the responsibility of CIVPOL is divided into three major areas: operations, restructuring and training.

By July 2004 a total of 750 CIVPOLs from 30 countries had been deployed in Liberia. UNMIL's CIVPOL includes 350 formed units from Jordan, Nepal and Nigeria. Although the CIVPOL in Liberia has a purely advisory role, the formed units have the authority to detain persons, in collaboration with the LNP. Unlike the executive mandate of CIVPOL in Kosovo and East Timor which covered day-to-day law enforcement activities, the CIVPOLs in Liberia are limited to an advisory role. In spite of its limited mandate, UNMIL's CIVPOL had registered some successes, especially in the area of training and operations.

The first major task of the CIVPOL in Liberia was to attempt to restore public confidence in the LNP following years of neglect and politicisation, especially during Taylor's reign. As stated already, former President Taylor's first move when he came to power was to infuse the LNP with his loyalists, thereby compromising their neutrality and professionalism. In addition, the LNP was often accused of corrupt practices and human right violations as its officers, with meager remunerations falling into arrears for many months on end, tried to make ends meet. Consequently, by the end of the civil war public confidence in the LNP was at its lowest.

As part of the restructuring programme, the CIVPOL embarked on retraining the LNP with the aim of bringing it up to internationally recognised policing standards. To start with, all LNP officers who entered the service after the 1997 elections are not eligible for

the new training programme. This is meant to cut down the large number of police officers who entered the service under Taylor's patronage. It is hoped that this would go a long way in restoring public confidence in the newly constituted LNP.

The recruitment process also factors in ethno-geographic balance, aiming to minimise suspicion of domination of the LNP by members of one ethnic group or geographic area of the country. In addition, in order for serving police officers to be retained in the LNP, they would have to go through a screening process to make sure that they do not have a tainted human rights record. To this end, the first batch of 646 police officers who received training as part of the interim police training programme were vetted to ensure they met the basic criteria. A number of police officers were dropped from the programme due to their poor record from the past. The vetting process is also geared towards increasing the public's confidence in the newly reconstituted LNP.

Working closely with civil society organisations, such as the Law Association of Liberia and other stakeholders, the CIVPOL developed a training package for the LNP. This includes aspects of human rights law, issues of gender and the protection of vulnerable groups such as women and children.

With funding from the UN and the US, the CIVPOL reopened the Liberian National Police Training College (LNPTC). As of July, 2004, a total number of 646 LNPs had been retrained by the CIVPOLs. By October 2005 – the date for holding presidential and parliamentary elections – it is estimated that a total of 1,800 police officers would have been trained, even though it is uncertain whether a 1,800-strong LNP would be adequate for the law enforcement needs of the entire country.

In the operational area, the CIVPOLs concluded an agreement with the NTGL allowing for the co-deployment of CIVPOL officers at all levels with their LNP counterparts. This co-location will not only allow CIVPOLs to mentor the LNP, but will also allow them to augment the LNP and to monitor their performance. Through this arrangement, CIVPOL and LNP carry out joint patrols and joint criminal investigations. Using the media and other public information mechanisms such as billboards, they are involved in promoting community policing practices. The LNP and the CIVPOL have also set up a data bank to record incidents of human rights abuses in the past. Although the CPA does not make provision for the establishment of a special court for Liberia, such as the one for Sierra Leone, it is anticipated that the body of evidence gathered could be used to prosecute persons accused of human rights violations during the country's civil war.

Corrections reform

As part of reforming the correctional services, UNMIL's Integrated Mandate Implementation Plan focuses on three major areas, namely, to:

- review and revise penal legislation, improve policies and procedures to reflect international guidelines and the application of human rights standards for prison administration;
- raise prison personnel standards to international standards, including observance of human rights; and
- rationalise organisational structure and size.³⁶

Reform of the correctional service is handled by the Corrections Advisory Unit, which comprises two sub-units: the Correctional Service Advisory and Mentoring Group and the Correctional Service Training and Development Group. In spite of the identification of these areas as being crucial for reforming the correctional service, the implementation of these programmes is lagging behind police reforms.

The apparent disconnect between the reforming of the police and the correctional service was manifested in the acute lack of prisons in all the counties in Liberia. Indeed, it was reported during the research that there were no prisons or holding facilities outside of the capital, Monrovia, while there were only two functional prisons in Monrovia, which were overcrowded. The limited capacity of prison services compels holding women, men and juveniles in the same prison. This raises serious human rights issues, as women and the under age are liable to abuse by the adult prison mates. The fact that prison reform is the sole responsibility of national governments and the weakness of the NTGL is cited as one of the reasons for the slow progress in the reform process.

The first major task of the CIVPOL in Liberia was to attempt to restore public confidence in the LNP following years of neglect and politicisation ...

In addition to overcrowding and the lumping together of men, women and children, accused persons were often held in detention for an indefinite period, owing to the lack of prosecutors and defence lawyers. It was reported that as a result of the conflict, most legal professionals had either fled the country or had moved into private practice, which is considered more lucrative. Thus, while the LNP was dutifully arresting criminals there was an acute shortage of judges, prosecutors and lawyers to bring them to trial. Accused persons were therefore denied the right of a speedy trial.

In order to deal with these related problems of overcrowding and the delay and denial of justice, a panel was established and mandated to review the cases of all detained persons. This panel can then recommend to the Minister of Justice, the release of prisoners who had been detained for unduly long

periods without trial. Furthermore, a separate panel was established to address all issues related to juveniles. At the time of the research there were no juvenile courts or detention centres.

The NTGL, which is supposed to be reforming the prison system, is dogged by interfactional rivalries and lacks human expertise and financial resources. In the main, lack of financial resources and trained manpower is seen as the most significant handicap in reforming the correctional service.

HUMAN RIGHTS, RULE OF LAW AND TRANSITIONAL JUSTICE

As part of its mandate, UNMIL is authorised by UN Resolution 1509 to:

facilitate the provision of humanitarian assistance, by helping to establish the necessary security conditions; to contribute towards international efforts to protect and promote human rights in Liberia, with particular attention to vulnerable groups including refugees, returning refugees, and internally displaced persons, women, children, and demobilised child soldiers ... and to ensure an adequate human rights presence, capacity and expertise within UNMIL to carry out human rights promotion, protection and monitoring activities.³⁷

In addition, Article XII of the CPA called on all the parties to the Liberian conflict to respect the “basic civil and political rights as enunciated in the ... Universal Declaration of Human Rights, the African Charter on Human and People’s Rights amongst others ... shall be fully guaranteed and respected within Liberia”.³⁸ In furtherance of these principles, the CPA also called for the establishment of an Independent National Commission on Human Rights (INCHR).

The Human Rights and Protection Unit of UNMIL is charged with the responsibility of ensuring the protection of the civil and political liberties of Liberians, as provided for by the CPA and UN Security Council Resolution 1509. The unit consists of a child protection advisor, rule of law advisor, transitional justice advisor, gender advisor, and a trafficking advisor. Functionally, the unit has a purely advisory role and, among others, seeks to provide “a platform for international advocacy on human rights in Liberia; monitoring and reporting on the human rights situation nationwide; supporting the establishment and operations of human rights institutions provided for in the CPA namely, the Truth and Reconciliation Commission (TRC) and the Independent National Commission on Human Rights”.

A major focus of the unit in the area of rule of law is to assess the implementation and application of the law. The rule of law advisory group focuses on:

- the legal framework: examining legal gaps in the laws

governing detention, trials and other human rights issues;

- justice delivery: looking into procedural aspects, access to justice and traditional practices that might need to be reformed;
- law enforcement: working closely with the LNP College to include a strong component of human rights in its training programmes;
- helping to build the capacity of civil society organisations from a human rights perspective. This is done through the involvement of the media, a legal resource base and the active involvement of civil society organisations in the implementation of the law;
- working closely with the NTGL and other national institutions such as the INCHR to ratify international agreements, especially in the area of human rights.

The CPA called for the establishment of a TRC to “provide a forum that will address issues of impunity, as well as an opportunity for both the victims and perpetrators of human rights violations to share their experiences, in order to get a clear picture of the past to facilitate genuine healing and reconciliation”.³⁹ In line with this provision, the Human Rights Unit of UNMIL, in collaboration with the NTGL and civil society organisations, was in the process of working out a framework for the operationalisation of the TRC.⁴⁰

Unlike the TRC in neighbouring Sierra Leone and that of South Africa, which were established by national legislation, the Liberian TRC was provided for by the CPA. This has led many observers to question the motive of the signatories to the CPA, especially the warring factions that stand accused of having committed gross violations of human rights. The question that is often asked is: why did the parties not make provision for the establishment of a court that could try persons who are believed to have committed war crimes and other serious violations of international humanitarian law? In other words, to what extent will the TRC address issues of human rights violations, especially in the context of Liberia where the conflict was characterised by gross violations of the laws of warfare?

The fact that the CPA did not provide for any legal mechanism to deal with violators of human rights has raised serious questions about the danger of promoting or condoning a culture of impunity in Liberia. Although there was no clear consensus on what should be given priority – that is, truth versus justice or peace versus justice – it was evident that the Liberian populace were not in favour of promoting impunity. It is, however, not clear how the dilemma of whether to pursue peace before justice, or whether telling the truth would serve as an effective closure for the thousands of Liberians who endured gross human rights violation at the hands of the various factions, would be resolved. As in most post-conflict societies, this dilemma poses a serious challenge to the country’s fragile peace process and the future of the rule of law.⁴¹

Although there is no direct mention of a criminal tribunal such as the one for Rwanda and the Special Court for Sierra Leone, the UN has made it clear that it does not support the idea of a blanket amnesty. In the preamble to Resolution 1509, the UN “deplored the violations of human rights, particularly atrocities against civilian populations, including widespread sexual violence against women and children ...”, adding that it is “mindful of the need for accountability for violations of international humanitarian law”.⁴² In this vein, one cannot rule out the possibility of bringing those deemed to be responsible for the violation of international humanitarian law to justice. The UN does not subscribe to Article XXXIV of the CPA, which states that “the NTGL shall give consideration to a recommendation for general amnesty to all persons and parties engaged or involved in military activities during the Liberian civil conflict ...”.⁴³

The inclusion of the amnesty clause raises fundamental questions regarding impunity and the sustainability of the peace process. The central question that arises relates to how to maintain the delicate balance between achieving peace without promoting impunity. It is debatable whether the issue of peace versus justice or truth versus justice should be treated as mutually exclusive.

In spite of the complexities of the transitional justice programmes in Sierra Leone, where the Special Court is running concurrently with the TRC, it is viewed in some quarters as a middle ground to deal with the dilemma mentioned above. It should be remembered that the 1999 Lomé Peace Agreement, signed between the Government of Sierra Leone and the RUF, was criticised for granting a blanket amnesty to the warring parties. However, the amnesty was revoked following persistent breaches, which culminated in the abduction of hundreds of UN peacekeepers by the RUF in May 2000.⁴⁴ Subsequently, the government of Sierra Leone working with the UN established the Special Court, with a mandate to try those deemed to be the most responsible for war crimes and other violations of international humanitarian law.

As another alternative, there is a growing feeling among Liberians that the mandate of the Special Court for Sierra Leone could be extended to deal with cases in Liberia. Indeed, the precedent for this alternative has been in the indictment of Taylor. However, in order to gain more legitimacy and jurisdiction over potential suspects in the Liberian civil war, the SCSL will have to incorporate relevant aspects of Liberian law and, possibly, be relocated to a neutral venue. Due to the close-knit nature of the two conflicts, this arrangement might also allow for the use of evidence gathered in either of the countries. Practically, such an arrangement will be more cost-effective and might minimise the

financial implications involved in running two separate courts as well as to avoid having a cottage industry of Special Courts in the sub-region.

What then about the Taylor factor? Nigeria’s asylum to former President Taylor had contributed to fuelling a feeling among Liberians that, unlike the UN, there was a tendency on the part of ECOWAS to condone impunity. In spite of this view, however, there was also a growing appreciation among Liberians of ECOWAS’ role in finding solutions to the crisis in that country. In this context, Liberians prefer to see the regional organisation play a stronger role in the on-going peace process; however, Nigeria’s asylum to Taylor threatens to compromise its role in the Liberian peace process and that of ECOWAS. ECOWAS’ central role in the peace process is underscored in both Resolution 1509 (2003) and the CPA. To the contrary, following the handover from ECOMIL to UNMIL, ECOWAS seems to have been relegated to a junior partner’s role. Thus, in order for ECOWAS to play its rightful role in the peace process, other member states need to use their good offices to convince the Nigerian authorities on the implications of its continued asylum facility for Taylor, to the Liberian peace process in particular and the region as a whole.

There are also issues of gender that need to be addressed. Resolution 1509 (2003): reaffirms the importance of a gender perspective in peacekeeping operations and post-conflict peace-building in accordance with Resolution 1325 (2000) ... recalls the need to address violence against women and girls as a tool of warfare, and encourages UNMIL as well as the Liberian parties to actively address these issues.⁴⁵

As part of its broad mandate to protect, UNMIL pays special attention to the protection of vulnerable groups, such as women and children. Consequently, the Gender Unit in UNMIL is mandated to ensure that issues of gender are mainstreamed into all programmes and activities of UNMIL. Among others, the unit is responsible to:

design and develop a strategy for gender mainstreaming to ensure that gender issues are adequately addressed in the implementation of the mission’s mandate, ensure that the process of DDRR takes into account the different needs of female and male ex-combatants, encourage national institutions to incorporate gender concerns in their programmes and activities and ensure the involvement of women as participants and beneficiaries of these activities ...⁴⁶

In this vein, the unit works closely with the NTGL, especially the Ministry of Gender and Development, other UN agencies and members of civil society organisations. Within UNMIL the unit works with other

Although there was no clear consensus on what should be given priority – truth vs justice or peace vs justice – it was evident that the Liberian populace were not in favour of promoting impunity.

relevant components of the mission, such as human rights, legal, civil affairs and military. In order to achieve closer interaction within the mission, a Gender Task Force was established with representatives from the different programmes in UNMIL.

The unit is involved in efforts geared towards the involvement of women in the restructuring of the AFL, LNP and other national institutions. As part of its engagement, the unit sensitises women on the need for a more proactive role in the on-going peace process. This sensitisation is seen as crucial because women are under-represented in almost all the national institutions in Liberia. For instance, out of a total of 150 recruits for the LNP, only nine were women. Issues of gender have also been mainstreamed into the training programmes of the LNP. To deal with the under-representation of women in national institutions, the unit was proposing the adoption of a policy of affirmative action to redress the imbalance. Thus, efforts towards redressing the under-representation of women in national institutions constitute a major step in the protection of women as a vulnerable group.

The unit also carries out an induction programme for all UNMIL personnel; however, this is deemed to be inadequate because of its length and other factors, such as language and cultural barriers. In addition to the UN code of conduct for peacekeepers, the induction programme addresses a wide range of issues such as sexual exploitation of adults and minors. Furthermore, workshops involving military and civilian personnel were held to address issues of sexual exploitation and other related violations of women and minors. However, there was a strong feeling that issues of gender should be included in all national pre-deployment training programmes and, preferably, be taught in the national language of the troop-contributing country. This would expose both military and civilians peacekeepers to issues of gender before they are deployed to a mission area.

In terms of capacity building, as of April 2004, a total of 498 interim LNPs, including 30 women, had been trained in gender, and sexual- and gender-based violence (SGBV), gender and culture, and gender issues in policing, while 36 prison staff, including six women, received training on issues of gender. In addition, 78 CIVPOL officers, 12 of them women, and 20 military observers received induction training on gender.⁴⁷

The limited number of female military observers was one of the major challenges to the implementation of the mandate of the Gender Unit. At the time of the research, there were no gender officers outside of the Monrovia area, making it impossible for the unit to monitor violations against women in the rural areas. The fact that civil authority had not been restored across the entire country contributes to hindering the activities of the Gender Unit. In addition, financial constraints and lack of manpower were also cited as reasons for the lack of gender officials outside the Monrovia area.

Since children constitute one of the most vulnerable groups in all conflicts situations, their protection in the post-conflict situation is of prime importance. It should be recalled that all the warring factions in Liberia's 14-year civil war used underage boys and girls, often children sometimes as young as eight, as combatants. The ease with which children were abducted and manipulated made them targets by the various rebels groups. In addition, the availability of small arms, which can be easily handled by children, also increased their vulnerability and accounts for the nearly 10% – about 8% boys and 2% girls – of child combatants during the disarmament.⁴⁸ Alarmed about the use of children as combatants, Resolution 1509 expressed grave concern over "... the use of child soldiers by armed militias, government forces and other militias". The resolution therefore demanded that "... all parties cease all use of child soldiers ...".⁴⁹

Consequently, a Child Protection Unit was established within UNMIL to provide advice and guidance on all issues affecting children in the mission area. The Child Protection Unit has a purely advisory role but also does advocacy for the protection of children. Due to the large number of child ex-combatants, the unit has focused its activities on the DDDR programme to ensure that the interests of the children are protected. A working group headed by the UN Children Emergency Fund (UNICEF), is overseeing the DDDR programme, with a special focus on the children associated with the fighting forces. Among others, the working group provides psycho-social counselling and family reunification of all child ex-combatants. The working group was represented at all the stages of the DD process, starting from the pick-up point to the demobilisation centres. Efforts were also made to ensure that the RR programmes were designed in such a way that the interests of child ex-combatants were protected.

Although there are no clear indications of the causes, there are reported incidents of an increase in the sexual abuse of minors, some of the cases involving infants as young as 15 months old. Most of the abuse is done by close relatives and takes place largely in the IDP camps. As in most cases of abuse involving close family members, it is extremely difficult to establish the magnitude of the problem because the majority go unreported. The situation is further compounded by a clear lack of Liberian national institutional capacity to deal with persons who abuse children, even when they are arrested. The collapse of the country's judicial system undermines all efforts in this direction. The unit, in collaboration with civil society organisations, is undertaking awareness campaigns to sensitise the public about the problem of child abuse.

RESTORATION OF CIVIL AUTHORITY

By the time the CPA was signed on 18 August 2003, the Liberian state was carved between the various warring

factions and the government of former President Taylor. The authority of the central government hardly extended beyond the capital Monrovia, the control of which was contested at various stages during the upsurge in fighting in July 2003. Vast territories in the interior of the country were either under the control of one of the warring factions or waiting to be overrun by one of the feuding armed groups. The provision of basic social services, especially education, health, sanitation and potable water, ground to a halt as the country's infrastructure was either destroyed, looted or decayed, as most technical personnel had fled to the capital Monrovia or to neighbouring countries.

The lack of central governmental control resulted in the complete breakdown of law and order, which engendered a situation of lawlessness. Cognisant of the need to re-establish national authority in order to achieve sustainable peace and security, the signatories of the CPA called for the establishment of "an all inclusive Transitional Government to be called the National Transitional Government of Liberia ...". They stressed that "the authority of the NTGL shall be established and recognised throughout the territory of Liberia ... and have control over the entire territory of Liberia".⁵⁰

In addition to carrying out its normal state functions, the NTGL was mandated to undertake the following:

- a) Implementation of the provisions of the Ceasefire Agreement;
- b) Overseeing and coordinating implementation of the political and rehabilitation programme enunciated in the CPA;
- c) Promotion of reconciliation to ensure the restoration of peace and stability to the country and its people;
- d) Contribution to the preparation and conduct of internationally supervised elections in October 2005 ...⁵¹

To support these significant efforts towards the re-establishment of national authority to the peace process, UN Security Council Resolution 1509 mandated UNMIL:

to assist the transitional Government, in conjunction with ECOWAS and other international partners, in the reestablishment of national authority throughout the country, including the establishment of a functioning administrative structure at both the national and local levels.⁵²

The civil affairs office within UNMIL is charged with the primary responsibility of assisting the NTGL in its bid to re-establish control across Liberia. Like most other specialised offices within UNMIL, the civil affairs office has a purely advisory role. Among others, the office assists the NTGL in:

- extending and consolidating state authority throughout Liberia;
- building the capacity of civil society and government organisations in the formulation of programmes;
- reintegrating and reconciling the victims and perpetrators of war;
- assisting in resolving war-induced disputes;
- assisting CIVPOL in reforming and restructuring the local police and auditing its performance;
- assisting in the implementation of recovery programmes and subsequent development programmes;
- promoting the participation of women in government services;
- advising and assisting the NTGL in the control of the natural resources of the country; and
- assisting in the preliminary planning for elections.⁵³

In addition, it provides political and socio-economic advice to UNMIL regional commanders, military observer (MILOB) and CIVPOL teams, as well as other representatives of international organisations in the area. A Task Force on Restoration of State Authority, comprising officials of the NTGL, UNMIL and civil society organisations was established to assist in the re-establishment of state authority throughout Liberia. The task force, which is chaired by the Minister of Internal Affairs, meets on a weekly basis to assess and advise the NTGL on the re-establishment of state authority. To this end, it uses the following variables as benchmarks: the absence of hostilities; progress in the disarmament and demobilisation programme; presence of the LNP; unhindered access to humanitarian agencies; the return of IDPs; and the presence of UNMIL forces. On the basis of these benchmarks it provides advice to the NTGL regarding the feasibility of deploying government functionaries and UN civil affairs officers.

Although the NTGL is mandated by both the CPA and UN Security Council Resolution 1509 to work towards the restoration of state authority throughout Liberia, the transitional government itself is fractured and lacks institutional and financial capacity. The chairman of the NTGL lacks a strong political base, both within the transitional administration and the National Transitional Legislative Assembly (NTLA). The NTGL and NTLA are dominated by officials loyal to one of the warring parties. Consequently, the chairman finds it difficult to muster support for coherent policies and programmes. For instance, cabinet meetings are not held on a regular basis, raising serious questions about how the transitional government develops and coordinates its policies.

Due to his weak political base within the NTGL, the chairman is suspected of running a parallel cabinet, while it is also believed that the various warring parties

[T]he warring factions in Liberia's 14-year civil war used underage boys and girls, often children sometimes as young as eight, as combatants.

pursue narrow factional agendas in the ministries and departments that are under their control. As a result of these factors, government policies are characterised by factional feuds and unhealthy competition, thereby stifling progress.

The presence of UNMIL troops is one of the most significant benchmarks for the re-establishment of national authority. This is due to the fact that UNMIL's presence provides the necessary security umbrella for the smooth functioning of civil administration. The slow and/or incomplete deployment of UNMIL, coupled with the weak institutional and financial capacity of the NTGL, has affected the deployment of civil administrators outside of Monrovia. Thus, by July 2004 county superintendents had been deployed to only five out of the 15 counties.

However, in some instances, UNMIL's presence did not deter former combatants from harassing the civilian population. Reports of harassment of the civilian population, including reported exaction of customs duties by ex-combatants, even in places where UNMIL was deployed, were particularly rife in Maryland, Grand Kru, River Gee, Lofa, Nimba and Grand Gedeh counties, where UNMIL had not fully deployed by July 2004 owing to military manpower constraints and the extremely bad state of the roads during the rainy season. Nevertheless, it should be noted that even where UNMIL was present, the inaction of troops arising from the narrow interpretation of UNMIL's mandate regarding the use of force for the protection of civilians, compromised the readiness and willingness of the force to do so.

Moreover, there were unchecked cross-border activities in the Voinjama area, in Lofa County. These cross-border activities do not bode well for Liberia's peace process and pose a serious security risk to Guinea, whose stability has been threatened by ethnic tensions in the recent past. The fluid security situation in this area presents a perfect opportunity to Guinean dissidents who are rumoured to be operating in the area, to attempt to destabilise that country. The situation, exacerbated by the flow of weapons across the porous borders, coupled with the unfettered movement of ex-combatants trading their skills as mercenaries, threatens to undermine peace and security in the entire Mano River basin. The significance of the restoration of civil authority across Liberia therefore cannot be overemphasised.

CONCLUSION

Even though considered outside the scope of this paper, the 14-year Liberian conflict owed fundamentally to politics of exclusion since the inception of the colony of "free men of colour" in 1822, through the independence of the new Liberian state in 1847. The misuse of politically inexperienced non-commissioned military officers who seized power under Master

Sergeant Doe in the bloody coup of 1980 only made matters worse and sowed the seeds for Taylor's equally destructive rule. Thus, the advent of military rule in 1980 compounded the challenges of an already fractured polity.

In retrospect, it is obvious that ECOWAS' deployment of ECOMOG was timely as it helped to rescue tens of thousands of beleaguered civilians, the majority of whom would have fallen victim to the conflict. By deploying its military intervention force, ECOWAS plugged into the global and regional security gap that followed in the wake of the Cold War. Nevertheless, it is still regrettable that UN and international assistance which could have made a remarkable difference to the unfolding humanitarian catastrophe and regional peace and stability came too little too late. The sluggish response by the UN and the international community paved the way for an avoidable and costlier second intervention in 2003.

The cost of the conflict in Liberia, including the humanitarian bill, the devastation of Sierra Leone and the unequalled degree of violence in that country, as well as the consequent regional insecurity and economic malaise, are attributable to the regional polarisation that attended the first ECOWAS intervention in the 1990s. The spoiling political and diplomatic tactics of some ECOWAS member states sustained Taylor's unbridled thirst for power. It is also attributable to the dereliction of responsibility on the part of the UN and the international community.

The response of the UN and the international community to the Liberian crisis in 2003 showed a marked improvement over that of the 1990s. It is encouraging to see the UN and the international community invoking the peace-building instrument of timely multidimensional peacekeeping and peace-enforcement to help Liberia embark on a path of durable peace. However, the UN appears to have overlooked a number of fundamental considerations that could add synergy to the attainment of its objectives. These include, but are not limited to, gaps in its peacemaking framework that does not adequately engage the regional peacebroker, ECOWAS, within formal institutional arrangements. Rather than sidelining ECOWAS in the post-conflict peacemaking process, ECOWAS should be allowed to play a more constructive role through formal mechanisms of collaboration with the mission leadership and with the UN.

This ought to be the norm and not the exception for, given the lack of institutional, logistical and financial capacity of ECOWAS and, indeed of Africa as a whole, the UN, in conjunction with the international community, remains the only source of hope for effective and appropriate intervention in African conflicts. The UN Security Council and the international community should therefore live up to their responsibility to ensure the maintenance of global

peace and security and help to save societies that could ill afford the misery and destruction that accompany conflicts.

Another gap in the peace-building process arises from the lag between emergency humanitarian aid and development assistance that is critical to establish the infrastructure to absorb ex-combatants and create opportunities for the economic rehabilitation of IDPs and returning refugees. No matter how many gender, child and trafficking advisers are deployed to the peace operation, 'sexual exploitation and abuse' will go on as long as the symbiosis of economic and sexual needs exist between the deprivation of society and the abundance of the peace operation.

In terms of peacekeeping and peace-enforcement, there are apparent gaps in the mandate of the mission. Given the weaknesses or collapse of national institutions manifested in weak political parties and public sector corruption, coupled with the non-existent capacity of any transitional administration to govern the country effectively, political and diplomatic expediency should have given way to a form of UN Trusteeship, as was the case in Kosovo and East Timor. Had this been the case, the inter-cabinet schism and foible between the former warlords that is holding the nation building to ransom would have been obviated. Therefore, reforming the governance sector in Liberia should be an urgent and important priority for the UN and the international community, who should rethink their peace-building vision and strategy for Liberia. In this respect, it is to be emphasised that the election benchmark and exit strategy scheduled for October 2005 will not set Liberia on a course of durable peace based on good governance. The fact that the NTGL is unable to deploy officials to all the counties – a major requirement for medium- to long-term rehabilitation – is a pointer in this direction.

In addition, the fact that the mandate of the mission does not extend to enforcement of the sanctions imposed by the Security Council engenders a serious security gap that threatens the integrity of the mission as a whole. Enforcement of the sanctions, including the travel ban, constitute a key peace-building instrument that needs to be factored in the implementation of UNMIL's mandate. For instance, if UNMIL is not responsible for the enforcement of the relevant sanctions, then who else is?

Similarly, at the operational level, disparities in the DDDR processes between the contiguous missions in Liberia and Côte d'Ivoire provide a gap through which some of the deadly arsenal could fall into the hands of ex-combatants roving as regional mercenaries.

The disconnect between the DD and RR phases of the

DDRR programme discussed in the paper implies a pool of potential mercenaries who threaten to destabilise the sub-region. Although a significant number of ex-combatants have been disarmed and demobilised, the greater percentage had not been enrolled into the RR phase, which is crucial for the consolidation of the country's peace process. This in turn owes to the funding shortfall for the RR programme as a result of the failure of donors to disburse the pledged funds. Consequently, there is a significant gap in the financial resources available and those needed for the commencement of an effective RR programme. Inadequate funding for the RR programme therefore poses a serious challenge to the achievement of durable peace and security in Liberia's tortuous peace process.

The fact that small arms and light weapons constitute the largest percentage of weapons surrendered by ex-combatants raises serious concern with regard to the heavy weapons that were used by all the warring factions. Even though it is public knowledge that all sides to the conflict possessed significant amounts of heavy weaponry, most of these weapons had not been surrendered. This is a worrying development because failure to surrender these lethal arsenals raises serious questions regarding the intention of the warring parties and their commitment to the peace process. After the end of the formal DD programme – expected to be in October 2004 – it will be imperative for UNMIL to embark on cordon and search operations to recover these weapons from Liberian society and the region. Failure to do so would undermine the modest achievements in the country's peace process.

Indeed, delay in the restructuring and retraining of the AFL, coupled with disparities between police and judicial reforms, constitute a potential source of insecurity that could unwind the modest progress made in the peace process. It is the considered view that there should not be any debate about the need for a Liberian national army, for it would be naïve to think that conflict could be wished away by the goodwill of the countries in a region that has seen so much conflict and where democracy has not fully taken root. Because it takes decades to make good professional generals, the earlier the restructuring was started, the earlier the foundations of a professional AFL would have been laid.

In terms of human rights, it is troubling to think that a high premium could be placed on financial considerations in relation to the possible trial of persons deemed to be responsible for gross violations of human rights. Given the scale of the horrendous abuse of human rights in Liberia, as well as in Sierra Leone, the ends of justice and freedom from fear will best be served by bringing to justice those who perpetrated such human rights abuses, war crimes and crimes

[T]he UN appears to have overlooked a number of fundamental considerations that could add synergy to the attainment of its objectives.

against humanity. The lives and livelihoods of the millions of victims and those affected by the conflict should not be reckoned in terms of how much it costs to carry out such a process. Bringing such persons to trial will deal a serious blow to the culture of impunity and will further serve as a closure for the thousands of civilians victimised during the conflicts.

Because the NTGL consisting of former warlords is not fully representative of the civilian population and because the politics of the country has a long way to go before it is normalised, civil society groups should be given space and opportunities to inform the peace-building process. They should be given a voice in the implementation of the peace operations mandate, in the debate over transitional justice, in the establishment of the relevant electoral law, and in post-conflict reconstruction, as these would enhance national ownership of the peace-building process after the peace operation has been withdrawn.

In spite of the challenges and shortfalls of UNMIL in the areas of DDDR, the restoration of civil authority and the transitional justice programme, the fact that UNMIL's mandate clearly identifies the protection of civilians as a priority is a manifestation of the UN's realisation that the protection of civilians is a *sine qua non* for the achievement of sustainable peace and security. The inclusion of strong programmes to protect vulnerable groups such as women and children in the implementation of the peace-building programme would go a long way in enhancing human security in post-war Liberia. Although sceptics might want to question the efficacy of these programmes, they are, however, having a significant impact on the civilian population.

NOTES

- 1 The paper is based largely on the results of a field research trip undertaken by the authors to Liberia from 17–31 July 2004. The research focused on issues relating broadly to the protection of civilians. They held consultations with a wide range of civilian, military and humanitarian officials of UNMIL and civil society groups, and paid a working visit to the DD site in Tubmanburg and an IDP camp in Blamasee, Brewerville.
- 2 Charles Taylor was a former government functionary who had fled Liberia after allegations of embezzling nearly \$1 million. He fled to the US and was subsequently arrested and detained by the authorities in Boston. The mystery of how Charles Taylor 'escaped' from his detention in the US and crossed the Atlantic to wage a brutal civil war remains unresolved.
- 3 The Mano River Union was established in 1973, initially consisting of Liberia and Sierra Leone; Guinea-Conakry joined the union in 1980. The union was initially founded to promote economic integration and trade. However, at a Summit Meeting in Conakry,

Guinea in April 2000, the Heads of State signed a Security Protocol to deal with the violent conflicts that gripped the sub-sub-region in the 1990s.

- 4 F. B. Aboagye, *ECOMOG, A sub-regional experience in conflict resolution, management and peacekeeping in Liberia*, Sedco, Accra, 1999, pp 38-39; *Africa Confidential* 31(15), 27 July 1990; *West Africa*, No. 3827, 7–13 January 1991, p 3149.
- 5 Aboagye, *ECOMOG*, op cit, pp 85–90.
- 6 Following the sudden replacement of Gen. Quainoo by Gen. Dogonyaro, Nigeria provided all subsequent ECOMOG force commanders. Although Nigeria provided an estimated 70% of the manpower and financial resources for ECOMOG, its monopoly of the force commanders position provided ammunition to detractors who cited it as a case of Nigerian unilateralism or bullying.
- 7 The respective ceasefires included Banjul (1990), Bamako (1990), Lomé (1991), Yamoussoukro I-IV (1991), Cotonou (1993), Akosombo (1994), Accra Clarification (1994), Abuja Accord (1995) and Abuja Supplement (1997).
- 8 The major disarmament exercises by ECOMOG took place in 1993–94 and 1995–96 and continued into 1997.
- 9 The 'Expanded ECOMOG' consisted of a Tanzanian contingent (747) and a Ugandan contingent (760); a pledged contingent from Zimbabwean was eventually not provided.
- 10 See ECOWAS Decision A/DEC. 1/8/90.
- 11 *West Africa*, op cit, pp 1085–1087. Scholars of international relations at the time questioned the legality of the ECOWAS intervention in Liberia, since it ventured beyond general peacekeeping and attempted to influence the outcome of the civil war in Liberia. For details see C. Ofodile, The legality of ECOWAS intervention in Liberia, 32 *Columbia Journal of Transnational Law*, 381, 1994.
- 12 The ICGL comprises Ghana, Morocco, Nigeria, Senegal, ECOWAS, the AU, France, the UK, the US, the EU and the UN.
- 13 For details see Agreement on Ceasefire and Cessation of Hostilities between the Government of Liberia (GoL) and the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL), Accra, Ghana, 17 June 2003.
- 14 See The Special Court for Sierra Leone, Case No. SCSL-03-1 Against Charles Ghankay Taylor also known as Charles Ghankay Macarthur Dapkpama Taylor. The full text of the indictment can be found at <http://www.scs-l.org/taylor_indictment.html> (accessed 11 August 2004).
- 15 Following the death of Foday Sankoh, the infamous leader of the RUF who was in the custody of the Special Court and Sam Bockarie (alias 'Masquita'), the notorious RUF self-styled general, there is a growing feeling that Charles Taylor is the only remaining culprit of significance. At the moment the most high profile detainee of the court is Sam Hinga Norman, former leader of the Kamajors and a government minister at the time of his arrest. Norman's arrest has created a great deal of controversy within Sierra Leone and some observers see it as a key to the consolidation of the country's peace process. At the moment, most Sierra Leoneans will evaluate the success or failure of the court on its ability to bring former President Taylor to answer the charges against him.
- 16 F. B. Aboagye, *The Ghana army, A concise contemporary guide to its centennial regimental history (1897–1999)*,

- Sedco, Accra, 1999, pp 270-271; K. Nkrumah (President), *Challenge of the Congo, A case study of foreign pressures in an independent state*, Panaf Books, London, 1974, p 66. Prime Minister Lumumba was arrested on the orders of the Army Chief of Staff, Colonel Joseph Mobutu, on 12 September 1960, but was kept under close watch by Ghanaian troops at Lumumba's own request. Lumumba escaped from detention under mysterious circumstances and was not found until his arrest by Mobutu elements in November 1960; he was subsequently assassinated in January 1961.
- 17 See the Comprehensive Peace Agreement between the Government of Liberia and the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) and political parties, Accra, Ghana, 18 August 2003.
 - 18 See UN Security Council Resolution 1497 (2003), S/RES/1497(2003), 1 August 2003.
 - 19 Troop contributions from the eight ECOWAS member states were as follows: ECOMIL HQ (80), NIBATT 1 (770); NIBATT 2 (776); the Gambia (150); Ghana (231); Guinea-Bissau (650); Mali (249); Senegal (262); Togo (150); and Benin (249).
 - 20 The US force was provided by the Fleet Anti-Terror Support Team (FAST) – returning from Iraq – that landed between 150–200 marines in Monrovia for a limited time in August 2003.
 - 21 The PAE started its operations in Liberia in 1996 as part of the international community's support for the implementation of the Cotonou Accord (1993), to support UNOMIL and ECOMOG. In 1998, it relocated to Sierra Leone with ECOMOG.
 - 22 For more on the 'blood-treasure' dynamics see A. M. S. Bah, 'ECOWAS and the dynamics of constructing a regional security regime in West Africa', Ph.D. dissertation, Department of Political Studies, Queen's University, Kingston, Ontario, Canada, 2004.
 - 23 The charter also provided for the Non Aggression Protocol (1978) and the Protocol Relating to Mutual Assistance on Defence (1981), but these were ineffectual in dealing with fratricidal conflicts.
 - 24 In respect of Côte d'Ivoire, ECOWAS deployed the 1,430-strong ECOWAS Mission in Côte d'Ivoire (ECOMICI) in 2002 after the rapid deployment of the 3,900-strong French Operation LICORNE – already based in the country – following the Linas Marcoussis Agreement of January 2003.
 - 25 The deployment of the African Mission in Burundi (AMIB) was mandated by the AU Peace and Security Council in April 2003. It anticipated that the "African Mission in Burundi would have fulfilled its mandate after it has facilitated the implementation of the Ceasefire Agreements and the defence and security of the situation in Burundi is stable and well-managed by newly created national defence and security structures".
 - 26 For more information see UN Security Council Resolution 1509 (2003) S/RES/1509(2003), 19 September 2003.
 - 27 Refer to UNMIL Mission Brief, Monrovia, Liberia, 23 July 2004.
 - 28 See Comprehensive Peace Agreement, op cit, p 8.
 - 29 For a breakdown of the types of weapons surrendered see the, NCDDRR Joint Implementation Unit – DDDR Consolidated Report – Phases 1, 2 and 3, Monrovia, Liberia, November 2003. Under Liberia's DDDR programme, any person above the age of 17 years is considered an adult. However, one of the major challenges confronting officials of the DDDR programme is how to establish the age of former combatants, in the absence of birth certificates.
 - 30 However, 'The Liberian DDDR programmes – An outline description', Monrovia, Liberia, July 2003, indicated that one Burkinabe and one Libyan were involved in the Liberian DDDR.
 - 31 For details see Integrated Mandate Implementation Plan, UNMIL, Monrovia, Liberia, 21 April 2004.
 - 32 For a breakdown of the preferred careers see DDDR Consolidated Report Phase 1, 2 and 3, op cit.
 - 33 For details see Joint Implementation Unit – DDDR Consolidated Report Phase 1 and 2, op cit.
 - 34 Unless otherwise stated, material relating to this section was received by the research team during interviews with CIVPOL officers in Monrovia, Liberia, 21 July 2004.
 - 35 See Comprehensive Peace Agreement, op cit, p 10.
 - 36 Integrated Mandate Implementation Plan, op cit, p 5.
 - 37 See UNSC Resolution 1509, op cit, p 4.
 - 38 CPA, op cit, p 11.
 - 39 For details on the Truth and Reconciliation Commission see CPA, op cit, p 12.
 - 40 On 28 July 2004 the first meeting to work out the framework for the Truth and Reconciliation Commission was held in Monrovia. The meeting brought together a wide range of stakeholders in Liberia.
 - 41 Personal interviews with members of civil society organisations, Monrovia, Liberia, 23 July 2004.
 - 42 See UNSC Resolution 1509, op cit, p 1.
 - 43 See CPA, op cit, p 23.
 - 44 See A. M. S. Bah, The Sierra Leone imbroglio – Peacekeeping at a crossroads, *The Canadian Institute for Strategic Studies Bulletin* 13(2), Summer 2000, pp 4–5.
 - 45 UNSC Resolution 1509, op cit, p5.
 - 46 For details see, Mandate of the Gender Unit, UNMIL, Monrovia, Liberia.
 - 47 Ibid, p 1.
 - 48 DDDR Consolidated Report, op cit, p 1.
 - 49 UNSC Resolution 1509, op cit, pp 2;5.
 - 50 See Comprehensive Peace Agreement, op cit, p 16.
 - 51 Ibid, p 17.
 - 52 See UNSC Resolution 1509, op cit, p 4.
 - 53 For more information on the mandate of the Civil Affairs Office see, Civil Affairs Tasks, and the Integrated Mandate Implementation Plan, UNMIL, Monrovia, Liberia, 21 March, 2004, pp 6–7.

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About this paper

The deliberate targeting of civilians in violent intra-state conflicts since the end of the Cold War violated the norms of warfare and contravened all international legal instruments governing warfare. This ominous development generated a compelling need to revisit two basic principles, namely: sovereignty and non-interference in the internal affairs of states, which regulated international relations following the adoption of the UN Charter at the end of the Second World War. The fact that civilians are deliberately targeted by various warring factions, often also involving state security forces, underscores the need to reconceptualise peacekeeping from its traditional approach based on consent, among others, to a more multidimensional approach involving peace enforcement, especially in cases of gross human rights abuses and crimes against humanity.

As civilians were the major victims of Liberia's 14-year violent civil war, this paper investigates the role of the UN Mission in Liberia (UNMIL) in the protection of civilians. It starts by examining the role of the regional organisation, the Economic Community of West African States (ECOWAS), in resolving the conflict that gripped Liberia in the 1990s. ECOWAS invoked a strong humanitarian rationale for the unprecedented deployment of its military force, the ECOWAS Monitoring Group (ECOMOG). The paper further looks at the role of the ECOWAS Mission in Liberia (ECOMIL), which was deployed following the upsurge of fighting in 2003 and the massive humanitarian crisis that followed. The rest of the paper then focuses on UNMIL, particularly its broad mandate, deployment and the implementation of mission critical peacekeeping and peace-building tasks, notably DDDR, reform of the security sector, issues of human rights and rule of law, and transitional justice. The analysis covers a broad range of programmes instituted by UNMIL as part of its wider peace-building mandate, and highlights the role of UNMIL in protecting the civilian population through its operations.

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