

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Abéba, ETHIOPIE Boîte postale: 3243 Téléphone 513822 Fax: 519321
E-mail : oau-ews@telemcom.net.et

**EIGHTY-SIXTH ORDINARY SESSION OF THE
CENTRAL ORGAN OF THE MECHANISM FOR
CONFLICT PREVENTION, MANAGEMENT AND
RESOLUTION AT AMBASSADORIAL LEVEL**

**29 October 2002
Addis Ababa,**

Central Organ/MEC/AMB/5 (LXXXVI)

**REPORT OF THE INTERIM CHAIRPERSON OF THE AU COMMISSION
ON THE SITUATION ON LIBERIA**

REPORT OF THE INTERIM CHAIRPERSON
ON THE SITUATION IN LIBERIA

I. INTRODUCTION

1. The present report contains a description of the political, security, socio-economic and humanitarian situations obtaining in Liberia as a consequence of the conflict in the country. It also contains an account of the various efforts which are being expended to resolve the conflict.

II. THE POLITICAL SITUATION

2. The political situation in Liberia remains difficult. On the one hand, there are continuing sharp differences between the government and its political opponents. On the other hand, there are still unresolved differences between the government and its military opponents, in particular the LURD, which is a coalition of opposition groups whose leaders, including a number of warlords, stood as presidential candidates against President Charles Taylor in the elections in 1997.

3. The international community, including the African Union and ECOWAS, have repeatedly called on all the parties to the conflict in Liberia to engage in a process of dialogue and reconciliation. Looming increasingly large in the scheme of things is the need to create, through such a process, an atmosphere of peace and security, which will be conducive to the holding of elections next year, in which all the contending parties in Liberia can participate.

4. In its own efforts to establish such a process of dialogue and reconciliation, the government of Liberia convened a National Peace and Reconciliation Conference on 24 August 2002, which had originally been planned for July. An AU delegation led by my Special Envoy, Keli Walubita, attended the opening ceremony which was presided over by President Taylor. Also attending were representatives of the United Nations and the diplomatic corps.

5. The Conference was boycotted by the prominent exiled politicians mentioned above, including Mrs Johnson Sirleaf, a former government minister and presidential candidate, and Dr Amos Sawyer, a former president of the erstwhile Interim Government. They, and others, refused to attend the

Conference on grounds of insecurity, citing the government's refusal to lift the state of emergency, continued lawlessness on the part of government security agents and the arrests of government opponents. The LURD also refused to attend the conference. They told the AU delegation subsequently that they had not attended the Conference because of fears for their security had they gone to Monrovia. They were also unhappy at the fact that they had been invited as individuals, not as an organization.

6. It is to be recalled that the government had itself acknowledged the need for its exiled opponents abroad to attend the Conference, thus issuing them with invitations. In addition, it offered them guarantees for their safety. In a letter that President Taylor addressed to me on 22 July 2002, he said, inter-alia, "the success of the Peace and Reconciliation Conference is contingent upon the attendance and participation of eminent Liberian political and civil society leaders who reside outside the country."

7. The plenary sessions of the Conference were chaired by Archbishop Michael Francis, Chairman of the Inter-Religious Committee, a coalition of Christian and Muslim organizations. The committees were chaired by a number of political opponents of the government living in Liberia. The Civil Society Movement of Liberia, as well as the twelve registered political parties in the country, were also represented at the National Reconciliation Conference. The Civil Society Movement, in a statement issued on 31 August at the Conference, appealed to President Taylor to lift the state of emergency and withdraw the armed troops from the streets of Monrovia, in order to reduce tension and create the appropriate atmosphere for reconciliation.

8. After breaking into committees and deliberating on the issues for a few weeks, the Conference then travelled to various parts of the country, in order to gather the views of ordinary Liberians. It was due to reconvene to draw up resolutions in October. A Peace and Reconciliation Secretariat was then expected to be established to implement the resolutions thus adopted over a period of years. The government left open the possibility for those Liberians abroad not attending then to do so in the future.

9. Like the Civil Society Movement before it, the twelve registered political parties seized the opportunity of their attendance of the meeting to call for an immediate and unconditional ceasefire between the government and LURD. The political parties also proposed that a national census be conducted with the help of the International community and, further, that the Electoral Commission be expanded to seven, to allow for the representation of all the

country's political parties and civic groups. Earlier, in its discussions with the Foreign Minister of Liberia on 27 August 2002, the AU delegation had been informed that the Liberian Government had introduced an amendment to the country's election laws to enable the number of Commissioners to be increased from five to seven.

10. On 16 September 2002, President Taylor said, at the final plenary session of the National Conference, that he was obliged to conduct parliamentary and presidential elections in October 2003, in accordance with the constitution of Liberia.

III. THE SECURITY SITUATION

11. The Central Organ would recall that in my earlier reports to the Council of Ministers, I stressed the rapidly deteriorating situation in Liberia, a situation which had led President Charles Taylor to declare a state of emergency in February 2002.

12. After the meetings in Durban, the state of insecurity continued. Towards the end of July 2002, it was reported that government troops had re-taken the strategic town of Tubmanburg from rebel forces. Surrounding towns had been re-taken by government forces. In the second half of August 2002, the government reported that it had taken Voinjama, the headquarters of LURD. In a bid to re-take Voinjama, LURD then launched a counter-offensive in northern Liberia, between the end of August and the beginning of September 2002. Heavy fighting was reported at about the same time in the government-held town of Zorzor.

13. On 13 September 2002, the Liberian Government said that the army had seized the rebel base of Bopolu, a forest town in the northwest, which had been used as a springboard for attacks near Monrovia earlier in the year. Subsequently, President Taylor announced the lifting of the state of emergency, and declared an end to the ban on all public gatherings and political rallies. Since then, it has been reported that the government has also withdrawn the soldiers from the streets.

14. LURD reacted negatively to the announcement of the lifting of the state of emergency, saying that it still doubted the sincerity of the government. The hostilities thus continued and, in the third week of September 2002, there were reports of a resumption of intense fighting between government forces and the LURD.

IV. THE SOCIO-ECONOMIC AND HUMANITARIAN SITUATION

15. In a recent report, the UN Office for the Co-ordination of Humanitarian Affairs (OCHA) drew attention to the high degree of economic deterioration in the country. In the capital of Monrovia, OCHA stated that there had been no electricity or pipe-borne water for about a decade. Everywhere, there are signs of a depressed economy. For example, state employees have not been paid salaries for many months. Coupled with that is a high unemployment rate of 80%. There is also an increasing level of poverty, and relief agencies say 70% of Liberians currently live below the poverty line.

16. As regards the humanitarian aspects, OCHA has warned that the prospects of continued fighting could result in "a large-scale humanitarian and human rights crisis." Relief agencies have estimated that at least 120,000 people, mostly from Lofa County in the north, have been displaced by war since May 2001. In addition, thousands more have fled to the neighbouring countries.

17. In September 2002, the World Food Programme (WFP) said that it had been providing assistance to more than 165,000 people living in camps. The WFP added that the "major concern" was lack of access to people trapped in the conflict areas or close to the fighting lines. Worse still, the numbers of affected persons appear to be on the increase continuously.

V. THE HUMAN RIGHTS SITUATION

18. During the period under review, allegations regarding violations of human rights have continued to be made against both sides to the conflict. Critics of the government have also complained about the arrest of Mr Hassan Bility, the prominent newspaper editor of the weekly newspaper, the "Analyst", who was arrested in June 2002 on charges that he was a "central figure" in a plot with rebels to assassinate President Taylor.

19. On September 3, President Taylor requested the Ministry of Defence to set up a military tribunal to determine the status of all persons arrested and being held by the military in connection with the ongoing war. It was presumed by many that that would include Hassan Bility.

20. Regarding human rights violations committed by LURD, it is to be noted, for example, that, on 2 September 2002, five nurses abducted by the rebel organization were handed over to the UNHCR on the Guinea-Liberia

border by two representatives of LURD. Subsequently, the UNHCR was reported by the press to have said that the nurses "were visibly traumatized by their ten-week ordeal."

VI. ACTIONS AIMED AT RESOLVING THE CONFLICT

21. At the continental level, it is to be recalled that I again despatched my Special Envoy to Liberia to the region in the months of August and September. On that occasion, my Special Envoy met with the Foreign Minister of Liberia. During the meeting, the issue of dialogue between the government and the LURD came up. The Special Envoy recalled that I had written to President Taylor in July 2002, to inform him of the preparedness of the AU to facilitate dialogue between LURD and the government. He recalled, in that regard, that, on the AU delegation's previous visit to Liberia, the government had requested the AU to assist in identifying the leadership of LURD, upon which the way would be opened for dialogue. The Special Envoy recalled further that, subsequent to that, the AU delegation met representatives of LURD who requested the AU to facilitate contacts between LURD and the Government. The Foreign Minister informed the AU delegation of the fact that a LURD delegation had visited Dakar at the invitation of President Wade of Senegal. He also stated that the Liberian Government would accept a ceasefire with LURD, on condition that they abandoned violence in resolving their differences with the Government.

22. During its visit to Liberia, the AU delegation also had a meeting with Archbishop Michael Francis. He informed the AU delegation that the Inter-Religious Council had followed-up on its earlier initiatives and contacted LURD on the question of establishing a ceasefire and commencing dialogue with the Government. Earlier, the Council had sent a delegation to the ECOWAS Secretariat, at Abuja, followed by a visit of the Executive Secretary of ECOWAS and some ECOWAS parliamentarians to Monrovia.

23. During the AU delegation's meeting with representatives of the LURD rebels, on 3 September 2002, the LURD rebels said that, following the AU delegation's last visit, in which the question of facilitation of contacts with the Government had been discussed, the "national chairman" of the LURD had been informed. He had, in turn, endorsed the request put by the LURD representatives to the AU that it should facilitate contacts with the Government. The LURD representatives stated that it was the wish of their organization that the AU work hand-in-hand with the Inter-Religious Council on the matter. They further said that LURD maintained its position that either

Washington or South Africa should be the venues for the proposed dialogue with the Government. LURD also maintained its position that it was open to dialogue with the government of Liberia, but not with President Charles Taylor himself.

24. The LURD delegation informed the AU delegation that representatives of their movement had travelled to Dakar to meet President Wade, who had successfully prevailed on them to accept the concept of peace, as the AU was doing. The LURD delegation said that they wished to encourage both the ECOWAS and the AU to work together. The LURD representatives recalled, also, that the initiative of the Inter-Religious Council was intertwined with that of ECOWAS. For his part, the Special Envoy informed the LURD representatives of the AU's support for the role of ECOWAS, as well as that of the Inter-Religious Council.

25. Efforts have been made within the Mano River Union itself to bring about a solution to the conflict in Liberia. In September 2002, Security Ministers from the Mano River countries met in Freetown, with a view to furthering the peace-building initiatives agreed at the Rabat Summit of February 2002. The Ministers agreed to send a "peace caravan" to tour their common borders in December 2002, as a confidence-building measure to symbolize the formal reopening of their common borders. The meeting also addressed the deployment of cross-border security guards, the issue of dissidents operating within the borders of the three countries and the plight of refugees in the sub-region.

26. Earlier, in August, a delegation of Government Ministers and parliamentarians from Guinea and Sierra Leone visited Monrovia to discuss the region security situation. In this respect, they met President Taylor, other Liberian government officials, opposition leaders and civil society representatives.

27. ECOWAS has also made efforts of its own. In August 2002, it was reported that ECOWAS was planning to convene a meeting on Liberia, that could possibly take place in Dakar and bring together the government and other parties to the conflict, including LURD. The necessary consultations were reportedly being conducted by the ECOWAS Executive Secretary, in association with the Current Chairman of ECOWAS, President Abdoulaye Wade of Senegal, and President Olusegun Obasanjo of Nigeria.

28. In the meantime, a meeting of the Liberian Leadership Forum met in Ouagadougou, Burkina Faso, from 8 - 11 July. The meeting brought together the leaders of Liberian political parties, civil society organizations and opinion leaders, in and out of Liberia. Represented also was LURD. The Government of Liberia was not represented. In attendance also were representatives of ECOWAS. The conference purported to build on previous and ongoing initiatives launched in and out of Liberia by various groups.

29. At the end of the meeting, the following was recommended:

- (i) an immediate ceasefire between the Government of Liberia and LURD should be negotiated;
- (ii) an international security stabilization force, with the mandate of providing security throughout the country and monitoring the ceasefire, should be established, mobilized and deployed;
- (iii) a mechanism for disarming and demobilizing all armed groups should be established and put in place. The Armed Forces of Liberia and all security apparatus of the State should be restructured and retrained;
- (iv) internationally acceptable free, fair and transparent election should be conducted.

30. The conference called for the establishment of an International Contact Group on Liberia to assume international leadership in assisting Liberians attain peace. The members of the Liberian collaborating political parties attending the Ouagadougou conference appealed to fellow participants "to welcome the intent and spirit" of the then-forthcoming National Peace and Reconciliation Conference being organized by the Government of Liberia. They further exhorted the organizing bureau to reach out to all Liberians and encourage the Liberian government to create the requisite enabling environment that would allow Liberians from far and wide to attend.

31. During the AU delegation's sojourn in the region, it also consulted with the Executive Secretary of ECOWAS. The Executive Secretary of ECOWAS informed the AU delegation about the efforts the Organization was making regarding the impending establishment of an International Contact Group. Apart from ECOWAS, other participating international Organizations would include the United Nations and the African Union. The following ECOWAS

Member States would also be represented: Guinea, Liberia, Sierra Leone, Senegal, Burkina Faso, Nigeria and Ghana. The United States, the United Kingdom and France would also be members of the Contact Group. The Executive Secretary said that it was hoped that the agenda of the Contact Group would relate to the effective disarmament of all the Liberian militias, including the rebels and the non-constitutional forces. The issue of security sector reforms impinging on the army, police and other security agencies would also be hopefully addressed. In addition, a credible international process to monitor the elections would be established. Finally, there was the need to address the question of an international force that would monitor the borders.

32. In the AU delegation's discussions with the Foreign Minister of Liberia, the issue of an international force also came up. The Minister stated that the Liberian Government would accept an international peace-building force, as distinct from an interposition or peacekeeping force. Such a peace-building force would monitor the ceasefire, disarm LURD, and assist in the restructuring and retraining of Liberian Government's military and para-military forces. The Foreign Minister of Liberia proposed that, while the peace-building force could be an expanded version of ECOMOG or an extension of UNAMSIL, the retraining of the army should be done by an African country outside the region. The Foreign Minister requested me to begin consultations with Member States on this issue.

33. In the AU delegation's meeting with Mrs Johnson Sirleaf in Abidjan on 6 September, the latter appealed to the AU to assist Liberia not only in the establishment of a ceasefire, but also in the creation of "a stabilization force," as called for by the Burkina Faso meeting.

34. The Foreign Minister of Liberia, in his meeting with the AU delegation, also welcomed the establishment of the Contact Group and called on ECOWAS and the AU to play a prominent role in its functioning. I attended the inaugural session of the International Contact Group, which was held in New York on 17 September 2002, on the margins of the General Assembly. Also in attendance were representatives of ECOWAS Member States, the ECOWAS Executive Secretary, the United Nations and representatives of the three permanent members of the Security Council.

VII. THE SANCTIONS REGIME

35. The 76th Ordinary Session of the OAU Council of Ministers held at Durban, in July, called on the United Nations Security Council to lift the sanctions imposed by it on Liberia, in the light of their "grave socio-economic impact on the populace." Subsequently, I wrote to the UN Secretary-General informing him of the AU's position on the matter. In July, 2002, the UN Secretary-General re-appointed a Panel of Experts to determine whether Liberia has complied with the UN Security Council resolution imposing sanctions on it, and to consider the potential economic, humanitarian and social impact on the population of those measures and to determine whether there have been any violations of them.

36. The issue of the sanctions regime featured prominently in the AU delegation's discussions with the Foreign Minister of Liberia. The Minister drew the attention of the AU delegation to the fact that the mandate of the new Panel consisted of a new element, namely to investigate the activities of LURD in the context of violations of the arms embargo and to find out who was supporting them. The Liberian Government had told the Panel that it was also of the view that the UN Security Council was confusing the issue of "demands" (relating to its withdrawal of support for the RUF) with that of the issue of "punitive measures" (comprising the arms embargo and the ban on diamonds). The Minister recalled that the UN Security Council had taken the position that once Liberia met the demands that its relationship with the RUF be severed, the punitive measures would be lifted; and thus argued that since the RUF no longer existed, the Liberian Government could not support it. The Foreign Minister of Liberia also informed the AU delegation of the efforts that the Government was making with regard to the issue of the standardization of the certificate of origin and the difficulties it was encountering in this regard.

37. For his part, also, the Foreign Minister of Guinea, while receiving the AU delegation on 31 August, spoke on the position of Guinea regarding the imposition of sanctions on Liberia. The Guinean Foreign Minister said that the sanctions on Liberia were not economic and could not, therefore, affect the population. He pointed out that without the sanctions, there could have been no progress on Sierra Leone, and stated that sanctions had also given stability to Guinea. Guinea was of the view that the conditions which had justified the imposition of the sanctions had not been removed.

38. Just as the present report was being finalized, the Commission obtained a copy of the report of the above-mentioned Panel of Experts. The Panel

noted that, since it submitted its last report in April 2002, the internal conflict in Liberia had continued to spread. The Panel reported that, according to information at its disposal, RUF strength in Liberia was between 1,250 and 1,500 men, "operating in elite Liberian government military units." In the Panel's opinion, those were men who represented "the last coherent surviving structure of the armed RUF." They "enjoyed Liberian government patronage" and continued to play an important part in Liberia's military capability.

39. Regarding the issue of violations of the arms embargo in Liberia, the Panel reported that it had uncovered new violations, including the arrival at Roberts International Airport of six cargo aircraft in June, July, and August 2002, with weapons and ammunition supplies totalling over 200 tons. The Panel stated, further, that in order to avoid the detection of these arms transfers and to obtain clearance for the flights, a "sophisticated trail of double documentation" had been set up. The Panel observed that arms also continue to reach the LURD rebels through the neighbouring countries.

40. In the light of its findings on the issue of the arms embargo, the Panel recommended that:

- (i) the arms embargo on Liberia should continue;
- (ii) the arms embargo should be extended to all-armed non-state actors in the region, including LURD;
- (iii) arms exporting countries should abstain from supplying arms to the Mano River Union countries, in line with the Moratorium on Small Arms that is applicable to the whole of the ECOWAS region;
- (iv) a United Nations working group should be urgently established to develop the modalities for a standardized end-user certificate;
- (v) the West Africa Moratorium on the importation, exportation and manufacture of small arms should be more effectively used to monitor and combat illicit trafficking and sanctions busting.

41. As regards the issue of air transportation, the Panel said that although Liberia has changed its old prefix, it has not yet registered any aircraft on its newly opened registry. The Panel was of the view that this could result in aircraft still operating under the old prefix; and it urged the Liberian Civil Aviation Authorities to act quickly to ensure that this change is instituted. The

Panel said, further, that it had continued to try and obtain information from the Liberian authorities about the crash of an Antonov 12 cargo plane at Roberts International Airport on 15 February 2002.

42. On the question of the ban on the trade in Liberian diamonds, the Panel noted that the embargo, coupled with progress achieved in the Sierra Leone peace process, had continued to result in the disappearance of Liberian-labelled rough diamonds from official markets. In addition, the smuggling of Liberian diamonds into neighbouring states had also declined, because quality production had been disrupted by the internal conflict in Lofa. The Panel stated further that, while the Kimberly Process Certification Scheme for Trade in Rough Diamonds was due to be launched on 5 November 2002, Liberia had yet to make progress in establishing a credible certification system.

43. The Panel described as a "welcome move" the action of the Government of Liberia in signing on 27 September 2002, an agreement with the International Audit Firm Deloitte and Touche, for a System Audit and Design, aimed at capturing and tracking the revenues and expenditure of proceeds derived from maritime and forestry activities. The Panel observed that this would last for only 90 days and recommended that the government publish all the results of this system's audit, and that once it was completed, it should be followed up with an 18-months full financial audit by an international audit firm.

44. On the question of the travel ban, the Panel was of the view that it continued to be violated. The Panel stated that it had continued to receive reports of individuals named on the list, sighted in North America, Europe, the Middle East and in Africa.

45. On its conclusions about the humanitarian impact of the sanctions, the Panel was of the view that they had had a negligible impact on the humanitarian situation and that the diamond ban was confined to a traditionally small sector of the economy that had been more affected by insecurity in Lofa than by sanctions. The Panel expressed the view that, lifting the arms embargo without adequate security sector reform, would leave the civilian population even further at the mercy of unconstitutional forces, armed militia and abusive security apparatus. The Panel argued that, instead of sanctions, poor governance, economic mismanagement and armed conflict were the prime reasons for the lack of investor confidence and donor fatigue, although it admitted that the sanctions had had the effect of enhancing the image of Liberia as an "international pariah."

VIII. OBSERVATIONS AND RECOMMENDATIONS

46. In the light of the foregoing, there is clearly a need to encourage dialogue among the parties to the conflict in Liberia, to ensure that a peaceful and negotiated solution is reached. States in the region also need to be encouraged to cease support for armed groups from neighboring countries, especially in the light of decisions taking to that effect by ECOWAS, the Mano River Union and the OAU/AU.

47. I welcome the establishment of an International Contact Group on Liberia. I am confident that it will provide a forum allowing for constructive engagement between the International Community and the Liberian government. On my part, and as part of the follow-up to the decision adopted in Durban, I will spare no effort to contribute to the search for a lasting peace in Liberia and the region as a whole. In so doing, I will continue to work closely with the ECOWAS.

48. I am also deeply concerned about the grave humanitarian situation still obtaining, and indeed worsening, in Liberia and the neighbouring countries. I appeal to all AU Member states and the international community at large to provide more assistance to the affected population.

49. Finally, I would like to appeal to the conflicting parties to comply with the provisions of international humanitarian law and to refrain from actions likely to worsen the suffering of the civilian population.