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**REPORT OF THE UNITED NATIONS HIGH COMMISSIONER
FOR HUMAN RIGHTS AND FOLLOW-UP TO THE WORLD
CONFERENCE ON HUMAN RIGHTS**

Situation of human rights and fundamental freedoms in Liberia

Summary

The present document is submitted in accordance with the mandate of the United Nations High Commissioner for Human Rights contained in General Assembly resolution 48/141.

Since the last session of the Commission on Human Rights the situation of human rights in Liberia has deteriorated in a shocking manner. This report provides information for the urgent consideration of the Commission on criminal violations of human rights that have taken place in the country. It also advances ideas to integrate human rights into planned efforts for peacemaking, peacekeeping and peace-building in the country.

Informed estimates indicate that over 250,000 persons have lost their lives in the conflict since December 1989. At least half of the dead were civilian non-combatants. There are several mass graves in different parts of the country, some dating back to the 1990s.

Since the conflict began more than 1.3 million people have been uprooted from their homes, including hundreds of thousands who have fled into neighbouring countries.

Since fighting resumed on 24 June in Monrovia, several hundred have been injured or lost their lives. Civilians are also being denied humanitarian access. In early June 2003, about 400 persons lost their lives during heavy fighting in the capital. In July several hundred died or sustained injuries as a result of indiscriminate mortar shelling of known civilian safe havens and shelters in Monrovia.

Torture has been widespread, with the number of victims running into the thousands. Hundreds of women and girls have been raped and subjected to other forms of sexual violence. The widespread nature of these crimes indicates that rape has been used as a weapon of war.

One out of every 10 Liberian children may have been recruited into the war effort. Liberian children have suffered all kinds of atrocities, sexual violence, disruption of schooling and forced displacement.

A humanitarian disaster has ensued as international aid agencies have been unable to reach most of the country, including the capital, with the food and medical aid that many people require. The lack of food, sufficient water and sanitation facilities has led to the outbreak of contagious diseases like diarrhoea and cholera.

No credible institution for the protection of human rights exists in Liberia. The atrocities committed against the civilian population of Liberia since 1989 - including widespread, systematic killing and rape - constitute crimes against humanity, grave breaches of the Geneva Conventions and serious violations of human rights and international humanitarian law.

It is urgent that human rights and humanitarian law violations and abuses perpetrated by all parties to the Liberian conflict be investigated and assessed. The need for such an inquiry has become more vital in the light of recent developments, including the violations of the ceasefire agreement signed by the Government of Liberia and the two rebel groups, Liberians United for Reconciliation and Democracy and Movement for Democracy in Liberia, on 17 June 2003, as well as the adoption of Security Council resolution 1497 (2000) authorizing the deployment of a multinational force.

It will be important to undertake human rights monitoring and reporting of the situation and to provide technical cooperation and assistance in order to build human rights capacities in Liberia. The proposed United Nations mission in Liberia must have a strong mandate for the protection of civilians and for the promotion and protection of human rights.

The Joint Monitoring Committee provided for under the ceasefire agreement of 17 June 2003 could monitor compliance with the standards for the protection of civilians. The Committee could also play an important role in collecting information on abuses and violations of human rights and humanitarian law.

The crimes committed against the people of Liberia must not go unpunished. Those responsible for the atrocities committed in Liberia must be brought to justice irrespective of their position or status and whether they are members of the Government or rebel forces. Those who have deliberately targeted known civilian objectives or denied humanitarian access should be brought to justice. The international community should ensure that the long-suffering people of Liberia have the same remedies now available to victims of similar crimes in other countries.

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I. INTRODUCTION

1. Apart from the two years from 1997 to 1999, Liberia has been in a state of armed conflict since December 1989. By the time elections took place in 1997 over 200,000 people had lost their lives in a guerrilla war started by the National Patriotic Front of Liberia (NPFL) to oust the then President Samuel Doe, who lost his life in the conflict.

2. The current armed conflict is part of a complicated web of conflicts that has affected Liberia and Sierra Leone for over 14 years and which spread into Guinea (from late 2000 until mid-2001) and Côte d'Ivoire (September 2002). Since January 2003, the conflict has intensified, spreading to areas hitherto unaffected by fighting as the rebel Liberians United for Reconciliation and Democracy (LURD) advanced to Monrovia and a new rebel group, Movement for Democracy in Liberia (MODEL), emerged in the east along the border with Côte d'Ivoire. Both government and rebel troops are committing human rights abuses and violating international humanitarian law. The myriad violations and abuses include denial of the right to life, arbitrary and summary executions, torture, enforced and involuntary disappearances, violence against women, violations of the rights of the child, forced recruitment, including of children as young as 12 and particularly among internally displaced persons (IDPs), displacement and denial of humanitarian access.

3. Since the conflict began, more than 1.3 million people have been uprooted from their homes, including hundreds of thousands who fled into neighbouring countries. Peace initiatives spearheaded by the Economic Community of West African States (ECOWAS) with the support of the United Nations, the European Union and the Government of Ghana led to the signing of a ceasefire agreement between the Government and the two rebel movements, LURD and MODEL, on 17 June 2003. Despite the ceasefire agreement, fighting resumed on 24 June in Monrovia. Since then, the city has been under siege, several hundred, possibly thousands, of people have been injured or lost their lives and a humanitarian disaster has ensued as civilians are denied humanitarian access and means to their livelihood. By late July, MODEL had captured the second port city of Buchanan. On 1 August, the Security Council adopted resolution 1497 (2003) authorizing the deployment of a multinational force to support the implementation of the ceasefire agreement reached by the Government and rebel groups. The resolution refers to the departure of President Taylor, who, as agreed with ECOWAS leaders, resigned on 11 August. Mr. Taylor had been indicted for war crimes and crimes against humanity by the Special Court in Sierra Leone. The Government of Liberia has requested the International Court of Justice to set aside the indictment. The multinational force which started deploying on 4 August will be succeeded in October 2003 by a United Nations stabilization force to support an eventual transitional government and assist in the implementation of the comprehensive peace agreement - currently being negotiated in Ghana.

4. Attempts to find a negotiated and comprehensive political settlement to the Liberian war have overshadowed the violations and abuses of human rights which characterized the war, yet respect for fundamental human rights remains a sine qua non for durable peace. Highlighting human rights issues relating to the conflict is important to ensure that the proposed peace settlements respect fully the human rights of all and deny impunity to perpetrators of abuses.

II. THE HUMAN RIGHTS SITUATION

5. In order to assist the Government of Liberia in addressing its long-standing human rights obligations, the Commission on Human Rights at its fifty-ninth session adopted resolution 2003/82. The resolution calls for the appointment of an independent expert “to facilitate cooperation between the Government of Liberia and the Office of the High Commissioner [for Human Rights] in the area of the promotion and protection of human rights by providing technical assistance and advisory services”. The Commission had considered in a closed meeting the report of an independent expert appointed during its fifty-eighth session under the confidential 1503 procedure. The report of the expert enumerated, among other violations, widespread impunity, deliberate and arbitrary killings, extrajudicial executions, arbitrary arrests and detention, torture, forced recruitment and use of child soldiers, violations of freedom of expression and attacks on human rights defenders and the judiciary. The expert concluded that there existed a pervasive culture of impunity and deliberate targeting of perceived political opponents, and recommended a comprehensive solution to address all aspects and root causes of the crisis in Liberia, taking into consideration the overall situation in the Mano River Union area, including a ceasefire, disarmament of the various militia, respect for human rights, rule of law and good governance.

6. Having examined the report, the Commission adopted a confidential resolution relating to the human rights situation in Liberia which, by Commission decision 2003/105, it decided to make public (*ibid.*, annex). The present report* follows upon the report of the independent expert and provides additional information on violations and abuses of human rights and humanitarian law since January 2003.

7. Owing to the war which resumed in 1999, about 70 per cent of the country has been inaccessible, some areas for almost four years. The ability of observers to monitor the situation has been further limited by the spread and intensification of fighting since January 2003 leading to the evacuation of United Nations personnel from Liberia. The evacuation eliminated an important, albeit limited, source of accurate and reliable information on the human rights situation in the country. Thus, the main sources of information have been partly locally based humanitarian workers and human rights defenders who, in turn, rely on interviews with refugees, displaced persons and returnees. Available information corroborated by various sources indicates that violations and abuses have heightened in the aftermath of the intensification of fighting since the beginning of 2003, especially during the waves of rebel attacks on government positions in Monrovia beginning in June. The current attacks threaten to create a humanitarian disaster because Monrovia served as a safe haven and magnet for civilians fleeing the war in the hinterland. The pattern of violations may be summarized as follows.

* This report is based on information gathered from United Nations departments and agencies, humanitarian organizations, reliable non-governmental organizations in consultative status with the Economic and Social Council and other reliable sources.

A. Denial of the right to life

8. It is difficult to determine with precision the number of people who have lost their lives as a result of the conflict in Liberia. However, informed estimates indicate that over 250,000 persons have died in conflict-related circumstances since 1989. Although the number of combatants from both sides either killed in battle or hors de combat has been high, it is estimated that at least half of the dead have been civilian non-combatants. Over 1,000 civilians have been killed or injured in the siege of Monrovia since June 2003. In early June about 400 persons lost their lives during days of heavy fighting in the capital. Over half of the victims perished in the western suburbs of Duala and Kru town. In early July, pictures of the bodies of several civilian victims, including women and children, deposited in front of the United States Embassy in Monrovia were beamed worldwide by satellite television. The bodies had been put there by other Liberian civilians in order to call international attention to the crisis and their plight. Most of the victims perished during indiscriminate mortar shellings of known civilian safe havens and shelters, including the Greystone Compound, a residential annex to the United States Embassy in Monrovia. Others were victims of stray bullets or indiscriminate attacks by ill-trained but well-armed government and rebel troops.

9. Eyewitness accounts also relate consistent stories of extrajudicial executions by government troops, Government-allied militias and rebels alike. The Armed Forces of Liberia (AFL), the Anti-Terrorist Unit (ATU), the Special Security Service (SSS), the Special Operations Division (SOD) and, to a lesser degree, LURD and MODEL have been implicated in these crimes. In April 2003, allegations were made of the killing by MODEL forces of civilians perceived to be government sympathizers in Grand Geddeh county. Over the years, the Office of the High Commissioner for Human Rights has received credible information on alleged mass graves located in several parts of the country, some dating back to the 1990s. There were also allegations of arbitrary executions, massacres, disappearances and extrajudicial killings relating to the incident on 18 September 1998, when a shooting incident took place in the Camp Johnson Road area of Monrovia between government security personnel and followers of Roosevelt Johnson, a veteran of the seven-year civil war (1989-1996). The incident, which led to the death and injury of several civilians, was the subject of the United Nations information-gathering mission to Liberia (7-25 May 1999).

B. Torture

10. Torture - in some cases leading to death - and arbitrary arrests of suspected members or sympathizers of LURD and other dissidents, as well as intimidation of opposition figures, have been widespread. The violations most often reported, according to multiple credible sources, were committed by the Government-allied militia, ATU, SSS and SOD. These groups have been known to raid marketplaces and internally displaced persons (IDP) camps in search of "dissidents" or their "collaborators", mostly young men of the Krahn and Mandingo ethnic groups. Those arrested and suspected to be dissidents have been beaten and flogged. There are also confirmed reports that officials of the Liberian Refugee Repatriation and Resettlement Commission (LRRRC) facilitated access to IDP camps for security operatives, and in some cases even pointed out suspected collaborators who were taken away. It is difficult to determine the precise number of victims of torture but informed estimates run into thousands. Victims have been flogged and blindfolded, and have had their arms tied so tightly behind their backs that their elbows have met - *tabied*. They have also been forced to walk on broken glass with bare feet,

forced to eat hot pepper or to look at the sun for a protracted time. Some victims are known to have died from their injuries. ATU bases in Bong county, including at Gbatala, as well as the Central Police Station in Gbarnga are, according to sources, well-known torture centres.

11. Combatants on all sides have been responsible for the perpetration of acts of torture, including of prisoners taken in combat.

12. The independent media, human rights defenders and ethnic minorities, particularly ethnic Mandingo, Krahn and Gbandi groups, have also come under sustained and virulent attacks from government agents. The ethnic minorities accused by the Government of constituting the bulk of the rebel militia face growing discrimination in the form of arbitrary and indiscriminate arrests, violence and torture.

C. Violence against women

13. Several detailed reports have been received from women and girls who have been raped and subjected to other forms of sexual violence by ATU and other Government-allied militia. Victims have often been gang-raped by soldiers after fleeing the fighting and being arrested at checkpoints. Others have been arrested in war zones on suspicion of being spies, being related to rebels or backing them. Victims have usually been held in unofficial detention centres, often threatened with death should they resist rape, or reprisals if they lodged any complaint. The widespread nature of this crime, the involvement of senior military officials and the impunity which perpetrators enjoy suggest that rape is used as a weapon of war to instil terror among the civilian population. In the wake of the recent escalation of the conflict in Monrovia, there have also been reports of the abduction and rape of women and girls particularly within IDP camps in Montserrado county by Government-allied militia. There have also been cases of abduction and rape of young girls and women at checkpoints operated by rebels.

14. Women and girls must be protected from these heinous crimes and those who have been forced into coercive relationships must be given a real chance of extricating themselves.

D. Violations of the rights of the child

15. Children have suffered immensely due to the conflict. War-related hardships have resulted in high malnutrition rates among children, lack of access to safe drinking water and adequate sanitation, and denial of access to school. Some 81 per cent of Liberian children aged between 6 and 12 are not in school and, even for the few in school, only 42 per cent attain the minimal levels of learning achievement because they are hungry and distracted. Some children abducted or enticed by government troops and rebels alike have been sent to their deaths on the frontlines. The few survivors have been socialized into a life of extreme violence with severe consequences for them and the society at large.

16. The use of child soldiers by rebels and Government-allied forces has also been a matter of serious concern to the United Nations. Although it is difficult to obtain accurate and detailed information from areas affected by the conflict, reliable humanitarian sources report that children between the ages of 14 and 17 years and some as young as 12 constitute the bulk of the fighting forces, especially in the militia. There have been allegations of forced recruitment of children and of civilians and shooting of those who resisted by Government-allied militia. The

United Nations Children's Fund (UNICEF) estimates that 1 out of every 10 Liberian children may have been recruited at some time into the war effort both in Liberia and in the neighbouring countries and that, besides forced recruitment, Liberian children have suffered all kinds of atrocities, including sexual violence, disruption of schooling and forced displacement.

17. As a result of the conflict, thousands of children have been deprived of a family environment owing to the death of, or separation from, their parents or other family. Many children, forced to fend for themselves, move to the municipal areas where they become vulnerable to exploitation and abuse. With the recent fighting in Monrovia and Buchanan, the safety provided by the cities has practically evaporated. Since the June attacks on Monrovia, many displaced and orphaned children have been arriving in the city, sometimes trekking for days to try and reach what they believe will be safety. Most of them are currently camped in public and former government buildings in the capital. On 21 July, the International Committee of the Red Cross (ICRC) reported that its delegates were registering unaccompanied children in more than 80 places of refuge in the capital and in IDP camps in the surrounding area.

18. Another problem which is affecting children as well as all vulnerable groups is the denial of humanitarian access to areas affected by the conflict. Reports suggest that thousands may be trapped behind rebel lines with little or no access to basic goods and services and extremely vulnerable to a host of human rights abuses. This issue is aggravated by the insecurity humanitarian workers confront even within Government-controlled territories. This concern was compounded earlier this year with the killing of three humanitarian workers and the abduction of many others, which resulted in the subsequent reduction and the temporary cessation of humanitarian services to many parts of the country. The issue of access and security for humanitarian workers is one that must be addressed urgently.

E. Displacement

19. The exact number of displaced persons is unknown but the 14 years of protracted war have forced the displacement of approximately 1.3 million Liberians, both within and outside Liberia. It is estimated that the resumption of conflict since April 1999 generated approximately 280,000 IDPs. In May 2003, approximately 10,000 refugees fled into Côte d'Ivoire to escape fighting around the port town of Harper, Maryland County. Most of them scattered in Ivorian villages along the Cavally River, which forms the border with Liberia. Some of the refugees who had fled the war in Côte d'Ivoire had been forced to flee back to avoid conflict in Liberia. The recent rebel attacks on Monrovia are said to have generated about 300,000 to 450,000 displaced people in the city. Some 50,000 of those are camped at the Samuel Doe Stadium in Monrovia. Another 90,000 are concentrated in four school compounds. Eyewitness accounts indicate that other empty places and buildings in Monrovia are teeming with frightened and displaced persons, including the most vulnerable groups - children, women and the elderly. The situation in Monrovia has become so desperate that many civilians are moving out of the city towards Harbel, headquarters of the Firestone rubber plantation. IDPs are also reportedly moving from Buchanan, Liberia's second city, which fell to MODEL in late July, into Harbel. A humanitarian crisis is unfolding as international aid agencies are unable to reach most of the country, including the capital, with the food and medical aid that many people require. The lack of food, sufficient water and sanitation facilities has led to an outbreak of contagious diseases. There have already been reports of the deaths of children from diarrhoea and cholera due to the dire conditions IDPs have had to endure.

20. Reports from IDPs indicate serious maltreatment of displaced persons both within Monrovia and in the counties by all sides in the conflict, but particularly by the Government-allied forces. Reports continue to be made of systematic lootings, extortion, harassment and intimidation within Monrovia and the rest of the country. IDPs are robbed and forced to labour, and oftentimes are subjected to sexual abuse.

21. Prior to the escalation of the conflict OHCHR had been assisting the United Nations Development Programme (UNDP) and the United Nations Country Team (UNCT) in implementing a protection programme aimed at improving the security situation of displaced persons in camps. At the time of the initial evacuation of United Nations personnel in June 2003 plans for the temporary deployment of a human rights officer from OHCHR were under way to support the IDP protection programme. The officer had been assisting UNCT, the Ministry of Justice and LRRRC in drafting legislation on the protection of displaced persons taking into consideration the Guiding Principles on Internal Displacement and the Declaration of the Government of Liberia on the Protection of IDPs of 26 September 2002.

22. Through its protection programme, UNDP has been able to allocate funding to enable the deployment of 20 employees from the Ministry of Justice and LRRRC, primarily to act as permanent presences within the camps and to monitor and report on abuses as they occur. This effort is complemented by the two joint monitoring teams which also fall within the protection strategy and are composed of other agencies such as UNICEF, Save the Children UK and the International Rescue Committee (IRC). These organizations make regular monitoring, investigative and reporting visits to all IDP camps. However, these laudable but limited efforts in the face of mounting challenges appear to have been seriously undermined by recent developments. Notwithstanding the evacuation of all international United Nations staff, limited protection activities were maintained despite the rebel incursion into Monrovia.

F. Abductions and forced recruitment

23. There are consistent allegations of abductions for forced labour or sexual slavery and forced recruitment by all parties to the conflict, especially Government-allied militia. Humanitarian agencies have documented many incidents of forced abduction of young men and women from displaced persons and refugee camps, some of which have implicated government officials. As of the start of the year and up to the recent escalation of the conflict, abductions from IDP and refugee camps took place on a seemingly regular basis with camp residents reporting such incidents as their major concern. Abductees were allegedly used for the purposes of portage, sexual slavery, or other forms of forced labour. Forced recruitment is also known to have taken place in several locations and even within Monrovia in broad daylight, purportedly by Government-allied forces.

G. Violations of the right to be free from hunger

24. Several thousand Liberians have been repeatedly displaced through the years, losing all their belongings in their constant search for security. The endemic war has rendered most Liberians destitute because the continuous war-related mobility and repeated displacement make impossible a settled life that could permit farming or any sustained economic activity. The economy and basic services have been ruined. The infrastructure is almost totally destroyed and

the economy lacks productive capacity outside the timber, rubber and, to a limited degree, smallholder agricultural sectors. Unemployment stands at a staggering 85 per cent. It has now been eight months since government employees have been paid. Ninety per cent of Liberians live in absolute poverty (less than \$1 per day); of these, half live on less than \$0.50 per day. This has led to a serious situation of hunger, malnutrition and lack of access to the basic necessities of life. Thus, IDPs, refugees and host populations are faced with an acute shortage of food. A nutritional screening of 1,733 children under 5 years old conducted from 1 to 10 July 2003 indicated that 10.56 per cent faced a high risk of malnutrition, 26.90 per cent were moderately malnourished and 4.85 per cent were severely malnourished. This situation has been linked to the intensification of conflict which has greatly restricted humanitarian access.

H. Violations of the right to health

25. Crippling poverty, multiple displacements and continuous war have decimated Liberia's health infrastructure which at the pre-June 2003 level included only 32 registered doctors and 185 registered nurses. The intensification of the fighting since early 2003 put further pressure on the already disabled health-care system. Prior to the recent escalation most communities did not have functional health facilities and in Monrovia the JFK and Catholic hospitals operated only with minimum staff and support from ICRC and NGOs like Médecins sans frontières (MSF). Overcrowding, deplorable sanitary conditions and limited access to safe drinking water and food have led to increased malnutrition, diarrhoea, cholera and vaccine-preventable diseases. In the aftermath of the June onslaught on Monrovia, MSF officials reported treating a weekly average of 350 cases of cholera and a significant rise in severe malnutrition. This is further complicated by the fact that at the height of the recent attacks on Monrovia there was not a single public hospital functioning in the whole of Liberia. In addition, the continuing conflict and looting of relief items have greatly reduced the capacity of the humanitarian community to respond to the current challenges in the health sector.

III. FUTURE ACTION

26. The Special Rapporteur on torture in his report to the Commission on Human Rights at its fifty-eighth session noted with respect to Liberia that since 1997, no institution for the protection and promotion of human rights had existed in the country (E/CN.4/2002/76/Add.1, para. 916). Some training on human rights issues, including protection of civilians in armed conflict, has been conducted for members of ATU and AFL as part of the UNDP protection strategy for Liberia, but no training has been conducted for SOD. There is a strong need for extensive and comprehensive training schemes to curb the pervasive culture of impunity in Liberia.

27. The foregoing illustrates the magnitude of the human rights problems in Liberia. Unless they are addressed effectively, there is little hope for a lasting resolution of the conflict there. Among the fundamental human rights challenges are the following: ending impunity, promoting the rule of law, establishing functional human rights institutions, building a culture of respect for human rights and tolerance, and monitoring the human rights situation.

A. Addressing impunity

28. The atrocities committed against the civilian population of Liberia since 1989 - including widespread, systematic killings and rape-constitute crimes against humanity, grave breaches of the Geneva Conventions and serious violations of human rights and humanitarian law. They must not be allowed to continue or go unpunished. The conflict in Liberia and the wider subregion has been exacerbated by the inability of the international community to respond to continuing violations in Liberia. This culture of impunity cannot be allowed to stand. We owe it to the people of Liberia to provide them with the same remedies now available to victims of similar crimes in other countries. The investigation and documentation of the atrocities in Liberia would be critical to the peace and reconciliation process in the country.

29. Paragraph 8 of the ceasefire agreement of 17 June (S/2003/657, annex) commits the parties to enter into negotiations for a comprehensive peace agreement including, among other elements, human rights issues/reconciliation and creation of a democratic space. These goals cannot be achieved in a vacuum, but are contingent on addressing the root causes of the current crisis and its consequences. Reconciliation and peace cannot be built on a foundation of impunity. The international community should move quickly in responding to the challenges posed by the pervasive culture of impunity in Liberia. In this regard, consideration should be given to the deployment of an interdepartmental human rights assessment mission to Liberia as soon as the security conditions permit. The mission should, inter alia, document and conduct a preliminary assessment of violations and abuses of human rights and humanitarian law perpetrated by all parties to the Liberian conflict since its beginning and recommend appropriate action. The need for such an inquiry has become even more obvious in the light of recent developments, including the violations of the ceasefire agreement. The adoption of resolution 1497 (2003) on 1 August 2003 by the Security Council authorizing the establishment of a multinational force constitutes an important step towards providing the security that would be needed for such a mission.

B. Restoration of a society based on the rule of law; developing a culture of human rights and tolerance and national capacity-building

30. In recognition of the need to build national capacity and a culture of human rights and tolerance in Liberia, the Commission on Human Rights in its resolution 2003/82 decided to appoint an independent expert to provide technical cooperation and advisory services and to assess the human rights situation in Liberia. This mandate was approved by the Economic and Social Council on 23 July 2003 and Ms. Charlotte Abaka, the erstwhile expert under the 1503 procedure was appointed. The independent expert will, it is expected, benefit from the recent deployment of the forward elements of the Multinational Force and the subsequent deployment of the United Nations force by October 2003. In this regard, OHCHR urges that all efforts be made to ensure that the planned United Nations peacekeeping mission is given a strong human rights mandate and the capacity to implement it. The human rights mandate should include technical cooperation, capacity-building, advocacy, monitoring and assistance in implementation of international standards. The deployment of human rights officers will support the building of national capacities for the promotion and protection of human rights and facilitate collaboration with civil society groups.

31. In paragraph 2 of resolution 1497 (2003) the Council requested the Secretary-General to submit to the Council recommendations for the composition of a United Nations stabilization force that would follow on from the Multinational Force in Liberia. Members of the stabilization force and/or any United Nations troops in Liberia must receive training on, and be expected to comply with, international human rights and humanitarian law. Respect by military personnel of human rights and humanitarian law is central to their effectiveness in fulfilling their peacekeeping roles.

32. With respect to the civilian component of the proposed United Nations presence, OHCHR will participate actively in the Integrated Mission Task Force (IMTF), under the leadership of the Special Representative of the Secretary-General, with the aim of ensuring appropriate attention to the human rights needs of Liberia in formulating and designing the structure of the mission. The future United Nations mission in Liberia should have sufficient human rights monitoring and reporting capacity. In order to address the specific needs of children and women, the proposed mission should fully integrate gender and child protection concerns and should be fully mandated to do so as a matter of priority. As soon as it becomes possible, OHCHR will assist the Special Representative of the Secretary-General to implement a programme aimed at building national capacities in the area of human rights, the rule of law and democracy, including training for law enforcement authorities, programmes to rehabilitate war victims, especially women and children, and support for the local human rights community. In keeping with ongoing initiatives under the UNDP protection strategy, assistance should also continually be offered to the Liberian authorities in capacity-building, to enable them to undertake human rights investigations and possibly prosecutions.

C. Monitoring the human rights situation

33. OHCHR, in collaboration with the newly appointed independent expert, will support the proposed United Nations mission to undertake human rights monitoring and reporting and provide technical cooperation and assistance in order to build human rights capacities in Liberia. This will augment the largely IDP-related monitoring and reporting mandate under the UNDP protection project.

34. The ceasefire agreement of 17 June between the Government and two rebel groups also provides in paragraph 6 for the establishment of a Joint Monitoring Committee (JMC) to supervise and monitor the ceasefire. It is imperative that this Committee be authorized also to monitor compliance with the standards for the protection of civilians. In this way the Committee could play an important role in collecting information on abuses and violations of human rights and humanitarian law which otherwise could be lost. Additionally, such a mandate for JMC at this stage will deter potential perpetrators and signal the determination of the international community to put an end to the pervasive culture of impunity in Liberia.

IV. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

35. In the conflict, particularly in the clashes between rebels and government forces, all sides have committed excesses and atrocities. The leadership of all sides bears responsibility for these crimes.

A. Human rights assessment mission

36. The poor security situation, restricted access and limited United Nations presence have made direct monitoring of the human rights situation in Liberia impossible. So far, information has been obtained predominantly through interviews with refugees and IDPs, who speak of widespread abuses and violations of human rights and humanitarian law by all parties to the conflict. As soon as the security situation permits, a human rights assessment mission should be deployed to Liberia. The mission should document violations and abuses of human rights and humanitarian law and thereby assist the international community in developing a sense of the extent and pervasiveness of the infractions. Such a mission should also recommend appropriate responses to the situation, taking into consideration the requirements of international humanitarian law and human rights.

B. Joint Monitoring Committee

37. In the immediate period, the Joint Monitoring Committee to be established under paragraph 6 of the ceasefire agreement should, in addition to supervising and monitoring the implementation of the ceasefire, also monitor the compliance of the parties with their obligations under international humanitarian law and applicable human rights standards. This will immediately signal the commitment of the international community to ensure that perpetrators of serious crimes are brought to justice.

C. The proposed peace agreement and human rights

38. The needs of Liberia call for a comprehensive programme of international support and assistance. The adoption of Security Council resolution 1497 (2003) indicates that Member States are determined that the United Nations will play a central role in bringing order to the country. An important step in that direction has already been taken. The next immediate challenge is to ensure that the ongoing peace negotiations address the fundamental issues of past human rights violations and establish an effective framework for addressing continuing human rights violations, including the establishment of functional national human rights protection systems.

D. Post-conflict transitional priorities: rehabilitation

39. Once the security situation permits the re-establishment of a United Nations presence in Liberia, the pressing human rights challenges should be the establishment of transitional justice mechanisms to address past violations and abuses of human rights and international humanitarian law, restoration of law and order, establishment of the rule of law, disarmament, demobilization and reintegration of the various militia, establishment of programmes to rehabilitate and reintegrate ex-combatants, especially children, women and youths and including skills development programmes, return of IDPs and refugees, strengthening the judiciary to play its role in a democratic society and training for law enforcement personnel. In implementing its human rights mandate, the United Nations should work hand in hand with civil society and local groups and pay adequate attention to the specific needs of vulnerable groups, especially women and children, who bore the brunt of the conflict.

E. Post-conflict transitional priorities: institution building

40. The development of effective national mechanisms and institutions for the protection of human rights is crucial to stemming and reversing the decay which Liberia has experienced in the past 14 years. In this regard, emphasis should be laid on the establishment of national institutions to address past human rights abuses and violations and to respond to current and future challenges in the promotion and protection of human rights. In order to sustain a culture of respect for human rights and fundamental freedoms a comprehensive programme of national education in the area of human rights should be developed, including for school curricula.

F. Human rights monitoring

41. In the long term, direct monitoring of the human rights situation in Liberia, through the United Nations presence and the reinforcement of the UNDP protection strategy, should be expanded as soon as possible and cover the entire territory of the country. This will enable human rights officers to determine the extent of abuses and violations, assess the scope of needs and, by their presence, deter future violations.

42. The Security Council mandate for a new United Nations mission in Liberia must include a strong mandate for the protection of civilians and for the promotion and protection of human rights. The United Nations mission must have sufficient human rights monitoring and reporting capacity. In order to respond to the particular needs of children and women, it should fully integrate gender and child protection concerns and should be fully mandated to do so as a matter of priority.
