

Chapter Eight



Liberia's Second Civil War 1997-2003

Chapter Eight. Liberia's Second Civil War, 1997-2003

BACKGROUND: THE ELECTION OF CHARLES TAYLOR

On July 19, 1997, Charles Taylor defeated 12 other candidates to win the presidential election. International observers declared the elections to be fair.¹ Nevertheless, some human rights groups and scholars note that the elections took place in a general climate of intimidation.² With rebel factions still largely intact, with few measures to prevent Taylor from challenging election results, and with the Economic Community of West African States (ECOWAS) having promised to leave Liberia after the elections, many Liberians saw a vote for Taylor as the only path to stability.³ Indeed, Taylor was infamously associated with the slogan, "He killed my Ma, he killed my Pa, I'll vote for him."⁴

When Taylor was inaugurated on August 2, 1997,⁵ Liberia was emerging from the seven-year conflict in a fragile state. Liberia's treasury contained only \$17,000, but the government owed some \$2 billion in foreign debt and nearly \$200 million in domestic debt, largely attributable to unpaid wages to civil servants.⁶ Economic and social rights remained deplorable after the 1997 elections. Out of a population of more than 3 million people, nearly one million Liberians, primarily women and children, remained displaced in 1997.⁷ Basic necessities, such as food and health care, were difficult for many Liberians to access. The conflict resulted in a dearth of health care facilities and personnel; it is estimated that more than 70 percent of health facilities were damaged, and only 1,806 of the 5,000 health workers remained in the country.⁸ Statement givers also reported that food was difficult to obtain.⁹ Finally, after helping oversee the elections, ECOWAS Monitoring Group (ECOMOG) forces departed Liberia in January 1998.¹⁰

In addition to these challenges, the continued pattern of human rights abuses and corruption further aggravated Liberia's precarious situation. Despite the hopes for peace, the Taylor government made few efforts toward reconciliation or the protection of human rights.¹¹ The human rights violations under the Taylor government after the 1997 elections are well documented by secondary sources. These included torture and rape of suspected opposition supporters,¹² extrajudicial executions,¹³ use of child soldiers,¹⁴ and persecution of government critics.¹⁵ Statements and testimony by Liberians in the diaspora confirmed the commission of human rights violations, as well as widespread corruption. In particular, statement givers described the discrimination against the Krahn and Mandingo groups, which was often manifested in violence and murder. One statement aptly depicted the situation under the elected Taylor regime:

Taylor won the 199[7] election but reneged on his pre-election commitments to nation-building. Taylor created his own paramilitary force, the Anti-Terrorist Unit (ATU). Taylor's son, Chuckie Taylor, ran the ATU and tortured and killed many people...Conditions deteriorated for people in Liberia. There was no functioning economy and no infrastructure, including no water and no electricity. Taylor and his men, however, plundered the

Liberian treasury and had plenty of money, luxury cars, and other excess. Taylor maintained many girlfriends and tortured or killed people who opposed him. As a result, a new rebel group arose to fight him.¹⁶

State Parties “shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.” The state or threat of war, political instability or a public emergency does not justify the use of torture. *Art. 2(1)-(2), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.*

Prime among actors responsible for these atrocities were the state security forces. In addition to the Armed Forces of Liberia (AFL)¹⁷ and the Liberian National Police,¹⁸ Taylor assumed leadership of the state security forces, the ATU and the SSS, both of which were directly accountable to him.¹⁹ The most experienced of Taylor’s rebels joined these security forces.²⁰ Many of these forces, however, were undisciplined, lacked training, and often acted unfettered by state authority.²¹ Many statements reveal the ATU’s role in perpetrating

human rights abuses.²² Led by Chuckie Taylor, the ATU was responsible for torture, assault, rape, beatings, burning civilians alive, extrajudicial killings, abduction, and the recruitment of child soldiers.²³

One statement giver’s summary of experiences describes the brutal methods employed by the ATU’s members:

The first was...the Executive Mansion Guard Commander and the second... was the Assistant Training Commander at the Gbatala base of the ATU anti-terrorist unit. During the war, two of my brothers, M. and O., got killed by these two men and our homes were set on fire and burned down...My mother’s ear was cut off because she asked the people why they killed her children...These men who killed my brothers, M. and O., beat, threatened, and dragged me and my family out of our homes. They are still in the state security in Liberia.²⁴

High-level government officials also perpetrated abuses. In some cases, they bore command responsibility for having ordered or known about the commission of atrocities. In many other cases, these officials assumed a direct role in perpetrating human rights violations or threats. For ex-

“[T]he passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples” is prohibited.* *Art. 3(1)(d), Convention (IV) relative to the Protection of Civilian Persons in Time of War (1949).*

* Protected persons include those taking no active part in the hostilities. *Id.* at Art. 3(1).

ample, one statement giver described the threats he faced from a government minister. Shortly after the 1997 elections, he published a story that detailed the minister's embezzlement from the national soccer team.²⁵ Upon meeting him on the street, the minister told the statement giver, "I can have my boys flog you for trying to tarnish my character."²⁶ The journalist responded by publishing a front-page story, "Minister threatens journalist," as well as an op-ed, "We will remain resolute."²⁷ The minister came to his office and threatened, "I still have my boys with me. You better shut up or you won't live to tell the story."²⁸ These exchanges continued for some time, and with the minister "on [his] back," the statement giver began moving from place to place living with family members.²⁹

"Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice." *Art. 19(2), International Covenant on Civil and Political Rights (1966).*

These government abuses exacerbated an already unstable situation, given the ongoing violations by rebel factions. Insurgent activity continued after the 1997 elections, and rebel groups, including ULIMO-K, had remained intact or were beginning to become active again. Statement givers reported rebel violence that paralleled that of the government forces: abductions, rape, forced recruitment, forced labor, torture, destruction of property, interference with privacy and family, and killings.³⁰ While not as systematic as the rebel violence that later followed in 2000, these incidents were nevertheless effective means to terrify and to punish civilians for no reason.

Statements show that the atrocities committed by rebel factions were no less horrific than those committed by government forces. ULIMO-K rebels remained active and continued a pattern of atrocities similar to that of the first civil war. One statement giver from Lofa County summarized how ULIMO destroyed her father's home and killed him:

In 1998, members of the ULIMO group tied and beat my father. He died later from the beating wounds. He had a stroke. During the beating, they cut his back, and his spinal cord got infected. He couldn't move, and then he died. I was in Monrovia when it happened, but I met my father before he died, and he explained everything to me. He told me that the ULIMO rebels tore his whole house apart, and took everything out, all that he had built up from his retirement. My father was about 64 years old. My father was a good man, and he loved his children. He was innocent, and he hadn't done anything to anyone, and they just beat him for no reason.³¹

Opposition groups during this time included new entities – Liberians United for Reconciliation and Democracy (LURD) and Movement for Democracy in Liberia (MODEL). LURD was a rebel

group supported by Guinea and formed to oust Taylor, made up of primarily Krahn and Mandingo combatants from the previous civil war.³² MODEL was a breakaway group from LURD that received support from Côte d'Ivoire.³³ The situation was further complicated by the activity of regional forces.

External Actors' Support of LURD

Liberian refugees in West Africa formed LURD in 1999. LURD received support from various government actors, among them Guinea and Sierra Leone. In a 2002 report, the International Crisis Group described Guinean President Conté's government as "LURD's primary source of direct military and financial support."³⁶ Guinea provided support to LURD in the form of logistical assistance, medical treatment, a base, transport, food, arms, weaponry, and ammunition.³⁷ Sierra Leone also provided support to LURD by supplying rebels with a base, combatants, and a shipping route for weapons.³⁸

For example, the Sierra Leonean rebel group, the Revolutionary United Front (RUF), frequently crossed into, recruited from, took refuge in, and launched attacks from Liberia.³⁴ As with the first civil war, several statement givers did not specify or were not able to identify which armed faction had perpetrated the reported violence. Some statements refer to the perpetrators as "rebels," "armed men," "unknown men," or "mixed group," without indicating to which group they belonged.³⁵

LURD rebel activity was also beginning at this time. For example, one statement giver described how several LURD rebels broke into the Lutheran World Church Services office in Lofa County in 1996 or 1997, "killing everyone they could, including clergy, and children of all ages."³⁹

Another statement giver described how, in 1998, LURD rebels burst into their home, beat everyone in the house, and killed his two brothers and father.⁴⁰ According to him, his father was the town chief and accused by LURD rebels of harboring government forces against them.⁴¹

As in the first civil war, all sides continued to abuse their power to exact revenge, enrich themselves, and repress vocal opposition. Trivial matters, such as personal conflicts or petty grievances, were cause for forces to exploit their authority. One statement giver summarized how a member of Taylor's ATU punished her as a result of a personal conflict over borrowing her cell phone:

"[V]iolence to the life, health and physical or mental well-being of persons,* in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment" and threats thereof are prohibited at all places and times in non-international armed conflicts. *Art. 4(2) (a), Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts.*

*"Persons" indicates those who are not taking a direct part in or those who are no longer taking part in hostilities. *Id.* at Art. 4(1).

[H]e took a bayonet from behind him (he had it stuck in his trousers) and proceeded with slashing me all over my body. He cut me deep on my back resulting in the cutting of a major vein. Then he cut across my left thigh and almost around the entire thigh. He stabbed me several times on my head and

gave me deep cuts on my left and right arms, on my back and my abdomen. I bled profusely. The cut veins in my thigh and back had to be stitched in those parts/sutured before bleeding stopped in those parts of my body.⁴²

Some statement givers related experiences of rebels abusing civilians to settle personal grievances as the government soldiers had done.⁴³ One statement giver from Lofa County summarized the extreme violence by a LURD rebel in 1999 over a land dispute between their fathers:

My father, stepmother and I were in the house that morning when [the man's] son...a LURD rebel, entered the house with four other LURD rebels. [The LURD rebel] busted down the house with the butt of his gun, called my father a dog, yelled at him, took money from him and said, "If possible, I will get rid of you and your whole generation." They were shooting in the house. My stepmother and I tried to hide under the bed in a bedroom. The rebels took all three of us outside of the house, and [the LURD rebel] asked where the deed for the land was. My father responded that he did not have it and explained that [the LURD rebel's] father had tried to use more land than was given to him. The rebels tied my father's wrists behind his back and beat all three of us. [The LURD rebel] then asked me to search the house for the deed. [The LURD rebel] forced me into a room, tore my clothes off and raped me. He told me that he was going to "finish her family." He then called each of the other four rebels one at a time, and each one of them also raped me. The rebels then brought me outside and [the LURD rebel] told us because you will not give us the deed, we will kill you. He told me that to let you know that we are serious, we will kill your father. Then [the LURD rebel] shot and killed my father.⁴⁴

At times, the climate of violence afforded civilians opportunities to avenge personal grievances alongside the rebels. A farmer living in Kolahun described how he often sold food and loaned money to people.⁴⁵ In 1998 or 1999, ULIMO-K rebels came to the village and began torturing him.⁴⁶

"Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life." *Art. 6(1), International Covenant on Civil and Political Rights (1966)*. "No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence..." All people are entitled to the protection of law against such interference. *Art. 17, International Covenant on Civil and Political Rights (1966)*.

People who owed him money joined the rebels in their torture, tying sticks together to press on his shin, hitting him on his back, and torturing his brother.⁴⁷ To this day, he still bleeds when urinating as a result of the torture.⁴⁸

Government soldiers also used their position of power to extort money from civilians in their

homes and in public. A statement giver, who worked in the susu (informal community banking) business, described how a general in Taylor's forces led a group of rebels to his home and demanded money.⁴⁹ The general took his money and cut him on his left arm and stomach.⁵⁰ Checkpoints continued to serve as a means for security forces to conduct arbitrary searches and extort money from passersby.⁵¹

CAMP JOHNSON ROAD: SEPTEMBER 1998

In September 1998, violence intensified as the government responded to threatened opposition on Camp Johnson Road. On September 18 and 19, 1998, Taylor's soldiers attempted to arrest Roosevelt Johnson, who sought refuge at the U.S. Embassy.⁵² As a result, fighting again broke out between Johnson's supporters and Taylor's security forces.⁵³ Statement givers reported being caught in the crossfire, which resulted in injuries and



in some cases, death.⁵⁴ One statement giver recounted how army soldiers began to beat him and his family, arrested his father, and told everyone to leave the house:

As we were running from the house, my mother was hit by a stray bullet and she died. The barracks people were exchanging fire with R. Johnson people. I hauled my mother in between houses trying to stop her bleeding, but I had to leave her. The bullet hit her from the back.⁵⁵

During and following the incident, Taylor's forces intensified their crackdown on suspected opposition. The ensuing violence was demonstrative of the state's general response to threats. Multiple statement givers described how security forces made arrests, entered homes, and carried out rapes, beatings, and killings on and following September 18.⁵⁶

Given their historical ties to Doe, the Krahn, Mandingo, Roosevelt Johnson supporters, and National Democratic Party of Liberia (NDPL) members were particularly susceptible to these abuses.⁵⁷ One statement giver, whose father was distantly related to former Minister of Defense Gray D. Allison,

described how 12 armed Special Security Service (SSS) men entered his home and took away his father.⁵⁸ They stated, “you people are the same conspirators causing problems for the country. We will deal with you.”⁵⁹

“States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.”
Art. 6, International Convention on the Elimination of All Forms of Racial Discrimination (1965).

Security forces did not limit their violence to the suspected individual, and family members and associates were all at risk of violence during arrests. Statements described the extreme violence perpetrated against members of targeted suspect groups and their families in their homes. One Krahn statement giver, whose father was in the army and was a NDPL member, summarized how security forces broke into their home, called them “Krahn dogs,” and stated “they would finish us that night.” The security forces shot and killed their aunt, beat all of them, paralyzing his stepfather on one side of his body. When his brother pleaded for his father, they twisted his arm until it broke.⁶⁰

The September 18 fighting propelled Taylor’s efforts to uncover alleged enemies and supporters of rebel factions, whether real or perceived, and resulted in more persecution. Security personnel harassed suspected rebel supporters, conducting illegal surveillance and entries into homes.⁶¹ Another statement giver summarized how her father was accused of passing sensitive information to the then-exiled Prince Johnson in Nigeria after September 18 and of storing a cache of weapons:⁶²

Without a search warrant, they went from room to room searching for the alleged hidden arms. In the meantime, the entire household which included my father, step-mother, my siblings and myself were tied with nylon twine on chairs and beaten with gun butts and any object they could lay their hands on. I was severely beaten with a gun butt in my abdomen. I sustained serious abdominal injury that led to me undergoing abdominal surgery in Ghana. The same soldier that beat me in my abdomen also pierced my feet with sharp rusty iron. The scars of this barbaric treatment are on my feet to this date. The blows to my abdomen caused me to faint. My first cousin who was also tied tried to reach me and help me stand. Seeing his effort, one of the armed men who referred to himself as Turtle shot my cousin in his forehead killing him instantly. They never found the arms and ammunition that were allegedly hidden in the house. Yet, they took away my father for interrogation. He was detained for a few days and released. When he returned home I observed that he had lost one of his front teeth as a result

of being beaten while in detention.⁶³

States Parties to the International Covenant on Civil and Political Rights “shall take special precautions in time of public emergency to ensure that neither official nor semi-official groups engage in a practice of arbitrary and extra-judicial killings or involuntary disappearances, that persons in detention are protected against torture and other forms of cruel, inhuman or degrading treatment or punishment, and that no persons are convicted or punished under laws or decrees with retroactive effect.” ¶ 59, *Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights*.

Taylor also turned on those within his own administration. For example, Bai Gbala, who served nine months as an advisor to Taylor’s government, testified about his arrest on September 19, 1998, sentencing and imprisonment. Gbala was tried and convicted with 17 others on charges of treason. The defendants were given sentences of ten years. On appeal, the Supreme Court of Liberia not only affirmed the lower court decision, but added 20 years to the sentence.⁶⁴

Such persecution forced numerous ethnic Krahn and Mandingo to flee their homes and the country. One Krahn statement giver recounted how his uncle’s friend advised him to go to Ghana, because “Taylor’s men were killing Krahn.”⁶⁵ It is estimated that in September 1998 as many as 18,000 Krahn fled Liberia to the Côte d’Ivoire.⁶⁶

LURD INVASION: SEPTEMBER 2000

By 1999, the country was on the verge of a second civil war. Armed opposition groups, whose exact identities were unclear, began launching offensives from Guinea in 1999.⁶⁷ The combination of regional instability, rebel activity, and the government’s atrocities laid the foundation for even greater strife. One statement giver who perceived the impending war decided to leave Liberia at this time. He explained:

After Taylor won the election, he was supposed to move on with peace. Instead, by 1999, President Taylor’s actions in training the army, fiscal mismanagement, etc. were all indications that the country was boiling to crisis. It was a time bomb waiting to explode.⁶⁸

In September 2000, the situation escalated when LURD launched its offensive from Guinea into Lofa County.⁶⁹ As in the first civil war, Liberians were again thrown into chaos and a constant state of fear for their lives. A statement giver summarized his family’s experiences as the conflict intensified:

My wife, five children, and I lived peacefully all our lives in Nimba County, Liberia until the civil war erupted locally with fire upon the Liberia’s

civilians...[T]he war hit hard where my family and I lived and thus, we were forced to flee. It was around the year 2000...We remained in Monrovia for some time, as we could not find transportation away. We survived day by day, taking refuge wherever we could find it and hiding in the bush upon hearing the gunfire announcement of another rebel attack. Every minute of each day, we lived in fear of the rebels, for our lives or being abducted and tortured.⁷⁰

Reports of these violations were especially pronounced in Lofa County, which borders Sierra Leone and Guinea. From the start of the invasion, the regional hostilities along the Sierra Leonean, Guinean, and Liberian borders, along with armed incursions from Guinea, placed Lofa County at the center of the violence.⁷¹ LURD intensified its village raids in northern Liberia's Lofa County around February 2001.⁷² Again, statements revealed the recurring theme of targeted violence based on affiliation or ethnicity. Lofa County residents with NDPL affiliations or of Mandingo or Krahn ethnicity were particularly vulnerable. A Mandingo statement giver, who was a member of the NDPL and lived in Lofa, summarized his persecution:

Because I had been a member of the NDPL, and was also Mandingo, I knew I was in danger. People in Lofa would often accuse me of being part of LURD. One day, when I was coming from my farm, my brother saw three men with guns coming toward the house. The men started calling my name, and saying that I was a Doe supporter who wanted to create another war. The men then began calling for my father until my father opened the front door. The men shouted that my family and I weren't citizens and began shooting inside the house. I jumped immediately into the bush and never went back to my house. When I reached the Voinjama checkpoint, I was arrested and beaten by government soldiers, who told me I was causing trouble. The beating left permanent scars on my head.⁷³

"Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful." *Art. 9(4), International Covenant on Civil and Political Rights (1966).*

"Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation." *Art. 9(5), International Covenant on Civil and Political Rights (1966).*

The invasion precipitated even further human rights abuses by government forces as Taylor sought to uncover suspected rebels. The government continued its practice of targeting suspected opposition members using sweeps that specifically targeted supporters of LURD and MODEL. One statement giver described how Taylor's forces arrested her son based on a rumor that he was a member of LURD.⁷⁴ He, along with 14 other boys, was taken to the National Bureau of Investigation and charged with being

an informant, but was never brought before a court.⁷⁵ During his detention he was beaten every day.⁷⁶ He was eventually released in 2004, along with other political prisoners.⁷⁷

Suspected LURD members were arrested and tortured to obtain information. For example, one statement giver described how ATU forces severely beat and electrocuted him, putting a wire in his penis and shocking him.⁷⁸ They then threw him

“Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.” *Art. 15, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).*

into saltwater to maximize the pain and shot rounds at him at close range.⁷⁹ Security forces told him they would release him if he admitted to working with LURD, provided information about LURD members, and agreed to go into exile when released.⁸⁰

One statement giver described how a boy who worked in her husband’s store falsely told Taylor’s forces that her husband supported LURD. She summarized what happened when the boy led the forces to their home in 2003:

The rebels busted down the door and told my husband he was a dog for supporting LURD. I was five months pregnant at this time. It was early in the morning and there were many rebels. The rebels began beating my husband and torturing him with the butts of their guns. My eight-year-old son and I were under gun point. My son ran to his father crying out “Oh Papa.” The rebels cut my son with a knife and stabbed him in the chest. I went to protect my son and the rebels kicked me in the stomach and I lost consciousness. When I came to I saw a pool of blood. I started crying and saying “Come for me, I am dying.” Someone came to my rescue and brought me to Redemption Hospital, which was near my house, in Monrovia. After three days, my baby came out dead. I was told that my husband and son had been killed in the rebel attack.⁸¹

“WORLD WARS I, II, AND III:” SUMMER 2003

From June to August 19, 2003, LURD launched three major attacks against Monrovia, known as “World Wars I, II, and III,” in reference to their destructive impact.⁸² Estimated fatalities in July alone ranged from 300 to 1,000 people.⁸³ During the LURD invasions of Monrovia, those living in the city also fell victim to their abuses.⁸⁴ One statement giver’s experience reflected the broad human rights violations, which included beatings, killings, gang rape, destruction of property, and abductions:

[W]hen the war came to Monrovia again and LURD invaded, the commander came to our house. They beat everyone. I stayed with my brother and uncle but then ran to my father. My sisters, brothers and mother ran away. The LURD men hit me and I fell to the floor. Five LURD men raped me. My uncle tried to rescue me and they shot and killed him. His name was C.B. He was my father's brother. They burned our house. While they were raping me, the LURD men took my father. I have had no news of my father, mother or brothers and sisters since then.⁸⁵

"War crimes" in non-international armed conflicts include the commission of "rape, sexual slavery, enforced prostitution, forced pregnancy...enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions." *Art. 8(2)(b)(xxii), Rome Statute of the International Criminal Court (1998)*.

RISE OF MODEL

In March 2003, antagonism toward the LURD leader, Sekou Damate Conneh, led to the group's split into a separate faction, MODEL.⁸⁶ Comprised of approximately 1,000 fighters, MODEL received support from Côte d'Ivoire, and it took control of the southern and eastern parts of Liberia.⁸⁷ Sources report that MODEL was responsible for human rights violations, such as harassment at checkpoints, detention, torture, killings, forced labor, the looting of property, forced recruitment, and rape and sexual violence.⁸⁸ Fewer statements provided accounts of abuses by MODEL forces relative to other armed groups. One possible explanation for this disparity is that MODEL did not form a recognized fighting force until early 2003, just months before the Comprehensive Peace Agreement and Taylor's exile.

At least one statement described the summary killings that MODEL rebels carried out.

In April 2003, the MODEL rebels came with a list of the people they were targeting. They were looking for my mother and my family. The names of all of the adults in my family were on their list. When the rebels reached the town, I saw them kill people. Other rebels arrived and some were taking off their uniforms. The rebels were chasing, attacking and killing the refugees. The rebels killed my cousins, uncle, grandfather, grandmother and great aunt.⁸⁹

Another statement giver described the harassment, torture, and deprivation of property he experienced by MODEL soldiers. In July 2003, MODEL soldiers stopped him, his wife, and his children at a

Acts, such as murder, extermination, torture, rape, sexual slavery, enforced disappearance of persons, severe deprivation of physical liberty, persecutions against any identifiable group based on political, racial, national, ethnic, cultural religious or gender grounds, or other similar inhumane acts that are intended to cause great suffering or serious bodily injury or injury to mental or physical health, constitute “crimes against humanity” when “committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.” Art. 7(1)(a)-(b), (e)-i), (k), *Rome Statute of the International Criminal Court*.

checkpoint.⁹⁰ The soldiers did not touch his wife, but took her bag containing her belongings.⁹¹ Another time, he described how MODEL soldiers caught him while he was searching for food in the bush.⁹² The soldiers tied his arms behind his back, hit him on the back and sides, and then released him.⁹³ To this day, the statement giver still feels pain.⁹⁴ Finally, he reported that MODEL soldiers destroyed his house.⁹⁵

As LURD and MODEL pushed toward Monrovia and Buchanan in the first half of 2003, and particularly in June and July of that year, the AFL, MODEL, and the LURD engaged in regular forced recruitment, including the recruitment of children.⁹⁶ Armed factions used displaced persons and refugee camps in Liberia, Côte d’Ivoire, and Guinea as recruiting grounds for child soldiers.⁹⁷

By September 2003, LURD controlled territory in western Liberia, while MODEL controlled areas in the south.⁹⁸ In June 2003, the warring parties signed a ceasefire agreement, which was broken by LURD when it launched new offensives on Monrovia.⁹⁹

Finally, on July 6, 2003, under international pressure, Charles Taylor agreed to leave Liberia for asylum in Nigeria.¹⁰⁰ He formally resigned the presidency and departed Liberia on August 11, 2003, handing over power to his vice president.¹⁰¹ On August 18, 2003, MODEL, LURD and Taylor’s forces signed a comprehensive peace accord in Accra, Ghana, and an agreement to form a new transitional government was established.¹⁰² Gyude Bryant was elected to head the National Transitional Government of Liberia, which was inaugurated on October 14, 2003.¹⁰³

The conscription or enlistment of children under 15 years of age for use in armed forces or active participation in hostilities constitutes a war crime. Art. 8(2)(e)(vii), *Rome Statute of the International Criminal Court (1998)*.

Notes

- 1 Human Rights Watch, *Emerging from the Destruction - Human Rights Challenges Facing the New Liberian Government*, Nov. 17, 1997, <http://www.hrw.org/legacy/reports/1997/liberia/> [hereinafter *Emerging from the Destruction*]. U.N. Security Council President Peter Osvald read a statement noting the Joint Certification Statement by the Secretary-General along with the Chairman of ECOWAS, which found the elections to be “free, fair and credible” and reflecting the will of the Liberian voters. Press Release, Security Council Welcomes Successful Presidential, Legislative Elections in Liberia, U.N. Doc. SC/6402 (July 30, 2007), <http://www.un.org/News/Press/docs/1997/19970730.SC6402.html>.
- 2 Furthermore, the elections effectively disenfranchised an estimated 800,000 Liberian refugees living in other countries and unable to participate in the elections. Terrence Lyons, *Liberia's Path from Anarchy to Elections*, 97 CURRENT HIST. 229, 231 (May 1998). Under the terms of the Abuja II peace accord, elections were to be postponed until refugees returned to the country and soldiers demobilized; in reality, however, neither of these was completed. Human Rights Watch, *World Report 1998 - Liberia*, http://www.hrw.org/legacy/worldreport/Africa-07.htm#P604_161627 [hereinafter *World Report 1998*].
- 3 Lyons, *supra* note 2, at 232.
- 4 Douglas Farah, *Standing By As a Brutal Warlord Plots His Return*, WASH. POST, Oct. 2, 2005, at B3.
- 5 *Emerging from the Destruction*, *supra* note 1.
- 6 The Secretary-General, *Final Report of the Secretary-General on the United Nations Observer Mission in Liberia*, ¶3, delivered to the Security Council, U.N. Doc. S/1997/712 (Sept. 12, 1997); Lyons, *supra* note 2, at 232.
- 7 *Liberia Human Rights Developments 1998*, *supra* note 2.
- 8 U.N. DEVELOPMENT PROGRAMME, NATIONAL HUMAN DEVELOPMENT REPORT: LIBERIA, 13 (1999) (estimating there were 5,000 health care personnel in the country as of 1989).
- 9 TRC Diaspora Statement Recs. 1343 and 789.
- 10 *Liberians Say Goodbye to Peacekeepers*, BBC NEWS, Jan. 25, 1998, <http://news.bbc.co.uk/2/hi/africa/50363.stm>.
- 11 See Amnesty Int'l, *Liberia: War in Lofa County Does Not Justify Killing, Torture and Abduction* 3, AI Index AFR 34/003/2001, Apr. 30, 2001, <http://www.amnesty.org/en/library/info/AFR34/003/2001/en> [hereinafter *War in Lofa County*].
- 12 *Id.* at 4-9.
- 13 *Id.* at 10-12.
- 14 *Id.* at 12-13.
- 15 *Id.* at 13-16.
- 16 TRC Diaspora Statement Rec. 823.
- 17 Though government estimates indicated a need for no more than 5,000 troops, Taylor kept the Armed Forces of Liberia (AFL) at a level of about 14,000 troops. *World Report 1998*, *supra* note 2.
- 18 Taylor established an elite group within the Liberian National Police known as the Special Operations Division (SOD). Human Rights Watch, *World Report 2001 - Liberia*, <http://www.hrw.org/legacy/wr2k1/africa/liberia.html> [hereinafter *World Report 2001*].
- 19 *World Report 2001*, *supra* note 18. Human Rights Watch notes that the creation of these two forces lacked a legal basis; furthermore, they reported only to Taylor. *See id.*
- 20 U.S. DEP'T OF STATE, COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1998: LIBERIA (1999) [hereinafter COUNTRY REPORTS 1998].
- 21 *Id.*
- 22 See, e.g., TRC Diaspora Statement Rec. 955.
- 23 Human Rights Watch, *U.S.: Investigate Ex-Liberian President's Son for Atrocities*, June 30, 2006, <http://www.hrw.org/en/news/2006/06/30/us-investigate-ex-liberian-president-s-son-atrocities>.
- 24 TRC Diaspora Statement Rec. 1066.
- 25 TRC Diaspora Statement Rec. 28.
- 26 *Id.*
- 27 *Id.*
- 28 *Id.*
- 29 *Id.* The statement giver also described what happened to his cousin, a high-ranking official in Taylor's government, after a falling out with Taylor over foreign policy in 1999. Taylor fired the statement giver's cousin, who called Taylor “arrogant” in a farewell speech that was published in all the major newspapers. The following day, two plain clothes police officers came to the office to look for the

- publisher. After that, the reporter had problems with the police. *Id.*
- 30 See Human Rights Watch, *Back to the Brink: War Crimes by Liberian Government and Rebels* 2, 8-9, May 1, 2002, <http://www.hrw.org/en/reports/2002/05/01/back-brink> [hereinafter *Back to the Brink*] (describing LURD violations that included killings, abductions, rape, deprivation of property, forced recruitment and forced labor).
- 31 TRC Diaspora Statement Rec. 1424; see also TRC Diaspora Statement Rec. 1063 (describing ULIMO-K soldiers destroying a woman's house and killing her relatives in Paynesville in 1998).
- 32 *War in Lofa County*, *supra* note 11, at 17; *Back to the Brink*, *supra* note 30, at 7.
- 33 Human Rights Watch, *How to Fight, How to Kill: Child Soldiers in Liberia* 9, 17 Feb. 1, 2004, <http://www.hrw.org/en/reports/2004/02/02/how-fight-how-kill> [hereinafter *How to Fight*]; PBS, *Liberia's Uneasy Peace: Rebel Groups Fighting Taylor's Government*, Online NewsHour (PBS), http://www.pbs.org/newshour/bb/africa/liberia/rebel_groups.html (last visited Aug. 22, 2008); U.S. DEP'T OF STATE, COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 2003: LIBERIA (2004) [hereinafter COUNTRY REPORTS 2003].
- 34 See Chapter 11 for more information about the role of foreign governments.
- 35 TRC Diaspora Statement Recs. 1154, 766, 170.
- 36 Int'l Crisis Group, *Liberia: The Key to Ending Regional Instability* 11, Apr. 24, 2002, <http://www.crisisgroup.org/home/index.cfm?l=1&id=1533> [hereinafter *Key to Ending Regional Instability*].
- 37 *Letter dated 2003/04/24 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia addressed to the President of the Security Council*, ¶ 68, delivered to the Security Council, U.N. Doc. S/2003/498 (Apr. 24, 2003); *Liberia: America's Impoverished Orphan in Africa*, WASH. POST ONLINE, <http://media.washingtonpost.com/wp-adv/specialsales/international/spotlight/liberia/article2.html> (last visited Apr. 21, 2009); *Key to Ending Regional Instability*, *supra* note 36, at 11.
- 38 Int'l Crisis Group, *Tackling Liberia: The Eye of the Regional Storm* 12, Apr. 30, 2003, <http://www.crisisgroup.org/home/index.cfm?l=1&id=1493>.
- 39 TRC Diaspora Statement Rec. 503.
- 40 TRC Diaspora Statement Rec. 1306.
- 41 *Id.*
- 42 TRC Diaspora Statement Rec. 179.
- 43 TRC Diaspora Statement Rec. 733.
- 44 TRC Diaspora Statement Rec. 972.
- 45 TRC Diaspora Statement Rec. 1228.
- 46 *Id.*
- 47 *Id.*
- 48 *Id.*
- 49 TRC Diaspora Statement Rec. 962.
- 50 *Id.*
- 51 COUNTRY REPORTS 2003, *supra* note 33. See Chapter 13 for more information.
- 52 Human Rights Watch, *World Report 1999 – Liberia* 49, 51, <http://www.hrw.org/legacy/worldreport99/africa/liberia.html> [hereinafter *World Report 1999*]; *War in Lofa County*, *supra* note 11; *World Briefs*, Hous. CHRONICLE, Sept. 20, 1998, at 35; U.S. *Airlifts Opposition Leader Out of Liberia*, N.Y. TIMES, Sept. 26, 1998, at A3.
- 53 *World Report 1999*, *supra* note 52; *War in Lofa County*, *supra* note 11; *World Briefs*, *supra* note 52; U.S. *Airlifts Opposition Leader Out of Liberia*, *supra* note 52. After one week at the U.S. embassy, Johnson was flown to Sierra Leone and later to Nigeria, where he was jailed and made to await trial for charges of treason. *World Report 1999*, *supra* note 52; *Liberian Dismisses U.S. Rescue of Rival*, WASH. POST, Sept. 27, 1998, at A32; Peter Dennis, Int'l Center for Transitional Justice, *A Brief History of Liberia* 10, May 2006, <http://www.ictj.org/static/Africa/Liberia/BriefHistory.pdf>.
- 54 TRC Diaspora Statement Recs. 103 and 62.
- 55 TRC Diaspora Statement Rec. 103.
- 56 See, e.g., TRC Diaspora Statement Recs. 1452 (describing how Chuckie Taylor's bodyguards bayoneted statement giver in his arm and neck, causing deafness in one ear, and detained him in jail) and 201 (describing the shooting and death of statement giver's daughter, knifing of statement giver, rape of statement giver's sister-in-law, and burning of their house).
- 57 TRC Diaspora Statement Recs. 773 and 1223.
- 58 TRC Diaspora Statement Rec. 836.
- 59 *Id.*
- 60 TRC Diaspora Statement Rec. 910.

- 61 COUNTRY REPORTS 1998, *supra* note 20.
- 62 TRC Diaspora Statement Rec. 170.
- 63 *Id.*
- 64 Bai Gbala, Testimony at the Diaspora Public Hearings of the Truth & Reconciliation Comm'n of Liberia 5-6 (June 12, 2008, St. Paul, Minn., U.S.A.) (transcript on file with author). Due to pressure from the international community and Liberians, Taylor granted clemency to Gbala and the others on July 21, 2001 and released them after three years. *Id.* at 6.
- 65 TRC Diaspora Statement Rec. 1325.
- 66 Jeff Drumtra, U.S. *Comm. for Refugees, Post-War Liberia Starts Over Again Toward Fitful Peace, Economic Hardship* (1999), http://www.fol.org/reports/Liberia_starts_over.html. In addition, the instability forced many others to flee with 23,000 refugees fleeing for Côte d'Ivoire. TOM KUHLMAN, UNHCR POLICY AND EVALUATION UNIT, RESPONDING TO PROTRACTED REFUGEE SITUATIONS: A CASE STUDY OF LIBERIAN REFUGEES IN CÔTE D'IVOIRE 11 (2002), <http://www.unhcr.org/publ/RESEARCH/3d4006412.pdf>.
- 67 Amnesty Int'l, *Liberia: Killings, Torture and Rape Continue in Lofa County* 7, AI Index AFR 34/009/2001, Aug. 1, 2001, <http://www.amnesty.org/en/library/info/AFR34/009/2001>. Taylor accused exiled leaders of ULIMO-K and ULIMO-J of launching these attacks. *See War in Lofa County, supra* note 11, at 17. The Joint Forces of Liberation for Liberia, composed of dissidents from Guinea, launched an attack in Liberia in April 1999. *Liberia: A Chronology of 25 Years of Conflict and Turmoil*, IRIN NEWS, Jan. 17, 2006, <http://www.globalsecurity.org/military/library/news/2006/01/mil-060117-irin04.htm>.
- 68 TRC Diaspora Statement Rec. 28.
- 69 *Back to the Brink, supra* note 30, at 7; *Liberia: A Chronology of 25 Years of Conflict and Turmoil, supra* note 67.
- 70 TRC Diaspora Statement Rec. 1337.
- 71 *See War in Lofa County, supra* note 11, at 2.
- 72 *Back to the Brink, supra* note 30, at 8.
- 73 TRC Diaspora Statement Rec. 507.
- 74 TRC Diaspora Statement Rec. 922.
- 75 *Id.*
- 76 *Id.*
- 77 *Id.*
- 78 TRC Diaspora Statement Rec. 1561.
- 79 *Id.*
- 80 *Id.*
- 81 TRC Diaspora Statement Rec. 741.
- 82 U.S. Agency for Int'l Development, *Liberia—Complex Emergency: Situation Report #1*, at 1, Oct. 1, 2003, http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/countries/mano_river/ce_index.html; Amnesty Int'l, *Liberia: Truth, Justice, Reparation for Liberia's Victims* 8, AFR 34/001/2007 (2007), <http://www.amnestyusa.org/document.php?lang=e&id=ENGAFR340012007>. LURD launched previous offensives, known as World War I and World War II, in Monrovia in June and July of 2003. Jonathan Paye-Layleh, *Former Liberian Warlord Dodges Questions at TRC*, MAIL & GUARDIAN ONLINE, Aug. 28, 2008, <http://www.mg.co.za/article/2008-08-28-former-liberian-warlord-dodges-questions-at-trc>.
- 83 U.S. Agency for Int'l Development, *supra* note 82.
- 84 TRC Diaspora Statement Rec. 1306.
- 85 TRC Diaspora Statement Rec. 733.
- 86 *How to Fight, supra* note 33, at 9.
- 87 *Liberia's Uneasy Peace: Rebel Groups Fighting Taylor's Government, supra* note 33; *see also How to Fight, How to Kill, supra* note 33, at 9; *see also* COUNTRY REPORTS 2003, *supra* note 33.
- 88 Human Rights Watch, *Liberia: Briefing to the 60th Session of the UN Commission on Human Rights*, Jan. 2004, <http://www.hrw.org/english/docs/2004/01/29/liberi7246.htm>; COUNTRY REPORTS 2003, *supra* note 33; The Secretary General, *Children and Armed Conflict, Report of the Secretary-General*, at 9, U.N. Doc. A/58/546 - S/2003/1053 (Nov. 10, 2003) [hereinafter *Children and Armed Conflict*]; *How to Fight, How to Kill, supra* note 33, at 17-19.
- 89 TRC Diaspora Statement Rec. 782.
- 90 TRC Diaspora Statement Rec. 818.
- 91 *Id.*
- 92 *Id.*
- 93 *Id.*
- 94 *Id.*
- 95 *Id.*
- 96 *Children and Armed Conflict, supra* note 88; *How to Fight, How to Kill, supra* note 33, at 9.

- 97 *Children and Armed Conflict*, *supra* note 88.
- 98 The Secretary General, *Report of the Secretary-General to the Security Council on Liberia*, ¶ 22, delivered to the Security Council, U.N. Doc. S/2003/875 (Sept. 11, 2003).
- 99 *Id.* ¶ 9.
- 100 Opinion, *Extraditing Charles Taylor*, N.Y. TIMES, Mar. 21, 2006; *Charles Taylor: A Wanted Man*, CNN.COM, March 29, 2006, <http://www.cnn.com/2006/WORLD/africa/03/29/taylor.profile/index.html>. See Chapter 12 for more information.
- 101 *Extraditing Charles Taylor*, *supra* note 100; *Bringing Peace to Liberia*, N.Y. TIMES, Aug. 12, 2003.
- 102 Press Release, U.N. Security Council, Security Council Welcomes 18 August Liberia Peace Agreement (Aug. 27, 2003), <http://www.un.org/News/Press/docs/2003/sc7857.doc.htm>.
- 103 *Bryant Takes Power in Liberia*, GUARDIAN.CO.UK, Oct. 14, 2003, <http://www.guardian.co.uk/world/2003/oct/14/westafrica>.

