

The Liberian Truth & Reconciliation Commission



Presented by



Ahmed Sirleaf
Laura Young

Outline

- Context – Understanding the History of the Conflicts in Liberia
- TRC of Liberia – Details of the Structure, Mandate, and Processes
- TRC Diaspora Project – Background
- Transitional justice mechanisms

Context

The Republic of Liberia



- Area: 111,370 sq km
- Population: 3,042,004
- Population Growth Rate: 4.91%
- Life Expectancy: 39.65 years
- Capital: Monrovia
- Government: Republic
- GDP: \$2.755 billion
- Resources: iron ore, timber, diamonds, gold, hydropower

Context

Timeline from 1980-2006

- April 12, 1980 - Master Sergeant Samuel Kanyon Doe stages a bloody *coup d'état*, murdering civilian president William R. Tolbert.
- October 15, 1985 - Samuel Doe holds and – in spite of blatant fraud - narrowly wins Liberia's first multi-party general elections.
- January 6, 1986 - Samuel Doe is inaugurated as the president of the second republic and a new constitution – the one that remains in force today - comes into effect.

Context

Timeline from 1980-2006

- December 24, 1989 - Civil war begins with Charles Taylor mounting an insurgency, helped by a group of NPFL fighters trained in Libya.
- September 9, 1990 - President Samuel Doe is captured and tortured to death by Prince Johnson and his INPFL rebel fighters.
- 1990-1997 – Interim government ineffective against widespread armed conflict between as many as 5 rebel factions. Widespread human rights abuses against civilians cause massive displacement.



Context



Timeline from 1980-2006

- July 19, 1997 - Charles Taylor wins ECOWAS-supervised elections in which two other warlords (Alhaji Kromah and George Boley) ran. New insurgent groups LURD and MODEL emerge to oppose Taylor.
- July 6, 2003 - Charles Taylor buckles under international pressure and agrees to leave Liberia and take up asylum in Nigeria.
- August 18, 2003 - Comprehensive Peace Agreement (CPA) signed, which contains provisions for the creation of a TRC. UN Peacekeepers arrive and disarmament of combatants begins.
- October 14, 2003 – A power-sharing Transitional Government made up of representatives from armed groups and civilian society is inaugurated.



Context

Timeline from 1980-2006

- November 23, 2005 – The national electoral commission declares Ellen Johnson-Sirleaf winner of the run-off election. In January, she is inaugurated as the first female head of state in Africa.
- March 2006 – Charles Taylor taken into custody of Special Court for Sierra Leone; trial to be held in a special chamber of the court in the Hague.
- June 22, 2006 – The TRC of Liberia is formally launched under the theme “Truth and Reconciliation, Challenges & Prospects For a New Liberia” at the Centennial Memorial Pavilion in Monrovia, Liberia.

Context

Timeline from 1980-2006

- February 28, 2006 – President Johnson-Sirleaf inaugurates the TRC and names commissioners



- June 22, 2006 – The TRC of Liberia is formally launched under the theme “Truth and Reconciliation, Challenges & Prospects For a New Liberia” at the Centennial Memorial Pavilion in Monrovia, Liberia.

Context

Liberia's Current Struggle

- Addressing Humanitarian Concerns – there are over 450,000 internally displaced persons
- Stimulating Economic Growth – Liberia is one of the world's poorest nations, with roughly 85% of the population unemployed and 80% living below the poverty line
- Establishing National Infrastructure – even in the capital city of Monrovia, there were no working streetlights for over a decade
- Achieving Political Stability – Liberia's violent history and its political pluralism threaten to undermine the tenuous peace

TRC of Liberia

Background

- The TRC was agreed upon when all factions parties signed the CPA on August 18, 2003 in Accra, Ghana.

The CPA envisioned a TRC as a first step on the long road towards peace and reconciliation. The TRC should be created to:

- address issues of impunity,
- deal with the root causes of the conflict, and
- recommend measures to be taken for the rehabilitation of victims of human rights violations.

TRC of Liberia

Background

- On June 12, 2005 the National Transitional Legislative Assembly implemented the TRC by passing "An Act To Establish The Truth And Reconciliation Commission (TRC) Of Liberia"
- President Ellen Johnson-Sirleaf inaugurated the TRC in February 2006 as one of her early acts as President.
- The TRC officially launched its work on June 22, 2006
- Currently in the process of gathering statements and planning for public hearings.

TRC of Liberia

Mandate

“To promote national peace, security, unity and reconciliation by”:

- a. Investigating gross human rights violations, violations of international humanitarian law as well as abuses that occurred during the period January 1979 to October 14, 2003;
- b. Providing a forum to address impunity, and provide victims and perpetrators an opportunity to share their experiences;

TRC of Liberia

Mandate

- c. Investigating the root causes of the conflict;
- d. Conducting a critical review of Liberia's historical past, to gain an understanding of the truth;
- e. Adopting specific mechanisms and procedures to address the experiences of women, children and vulnerable groups, and recommending measures to be taken for the rehabilitation of victims of human rights violations;
- f. Compiling a report of TRC activities and findings.

TRC of Liberia

Duration

- The TRC Act allows the Commission to operate for two years beginning in June 2006, with an additional 3 months to wrap up activities and write report (until September 2008)
- The National Legislature may extend the tenure for an additional 3 month period for good cause up to 4 times.

TRC of Liberia

Funding

According to the TRC Act, the TRC will obtain funding from government of Liberia, individual Liberians and non Liberians, foreign governments and international financial institutions and specialized agencies of the United Nations Organization and International Nongovernmental Organizations.

At this time, significant contributions have been pledged by the UNDP, the Liberian government, the Danish government, as well as the European Union and the U.S. State Department.

TRC of Liberia

Selection & Composition

The Liberian TRC is composed of nine commissioners, including four women, appointed by the Liberian Head of State. A seven member Selection Panel of individuals from civil society, political parties, the UN, and ECOWAS scrutinized each appointment, and confirmed nominees based on criteria set forth in the TRC Act. The Act required that the Commission be a balanced and representative group with diverse professional and regional backgrounds.

TRC of Liberia Qualifications

TRC Act Section 11 lists qualifications including:

- credibility, high integrity and honour
- not known or perceived as human rights violators or members of groups involved in human rights violations
- without prior conviction for a crime

TRC of Liberia

Selection & Composition

Members of the Commission:

- Chairman - Cllr. Jerome J Verdier, Sr.
- Vice Chairperson – Dede Dolopei
- Members - Oumu K. Syllah, Bishop Arthur F. Kulah, Sheikh Kafumba F. Konneh, Cllr. Pearl Brown Bull, Amb. Rev. Gerald B. Coleman, John H. T. Stewart, Massa Washington

(Bios can be found at
www.trcofliberia.org/members.htm)

TRC of Liberia

Principles

The TRC is guided by the following principles:

- Treating victims with compassion and respect for their dignity
- Treating victims equally with respect to race, ethnicity, religion, language, sex, and nationality
- Executing fair and expeditious procedures

TRC of Liberia

Principles

- Minimizing the inconvenience to victims
- Allowing victims to communicate in their language of choice
- Employing specialists to protect women's and children's rights, allow them to submit testimony, and ensure their psychological reintegration
- When necessary, protecting the privacy of victims and ensuring the safety of their families and witnesses

TRC of Liberia

Functions and Powers

Under Art. VII of the TRC Act, the TRC has been granted the powers necessary to fulfill its mandate, including:

- facilitating, and where necessary, initiating or coordinating inquiries into, and investigating abuses;
- identifying perpetrators;
- determining if abuses were deliberate and systematic;
- gathering information through statement taking and public hearings;
- creating an independent, accurate and objective record;
- making recommendations for amnesty where no violation of international humanitarian law and in limited circumstances to be established by the TRC
- Art. VIII subpoena power (Special Magistrate to be appointed)

TRC of Liberia

Functions and Powers

The TRC will also make recommendations to the Liberian government with regard to:

- reparations and rehabilitations for victims
- legal, institutional and other reforms
- the need for continuing investigations and inquiries
- the need to hold prosecutions in particular cases.

TRC Diaspora Project



TRC Diaspora Project

Goals

The TRC of Liberia US-based project was launched by the MN Advocates on June 22, 2006 to:

- Give Liberians in U.S. a voice in the TRC process
- To promote international justice and human rights, as part of the TRC work in Liberia
- Raise awareness of transitional justice mechanisms in the U.S.

TRC Diaspora Project Description

The MN Advocates' TRC project is a groundbreaking initiative that will, for the first time, allow for the involvement of victims of human rights abuses outside their homeland to participate in the reconciliation and accountability process. It will be a model for involving a Diaspora population in mechanisms that promote international justice, human rights and the rule of law.

TRC Diaspora Project

Methodology & Timeframe

MN Advocates piloted the project Nov.-Dec. 2006 before launching full-scale statement taking efforts in MN in January 2007. Any Liberians or other who were in Liberia during the conflict who want to participate can provide statements

Volunteers will take statements from Liberians with volunteer mental health professionals and immigration lawyers available for consultation.

Information from interviews is compiled & stored in a web-based database so as to be compatible with the TRC's process.

TRC Diaspora Project

Reporting & Community Forum

- MN Advocates staff & volunteers will draft a report that summarizes the findings from the investigation and documentation phases
- The report will be released to the public & findings will be shared in a community forum with members of the Liberian community, government representatives, and interested parties
- MN Advocates plans to also organize and conduct TRC public hearings on the Diaspora experience in the US

TRC Diaspora Project

The Role of Volunteers

With the help of volunteers, MN Advocates plans to take about 1,000 statements from Liberian in the U.S. and the rest of the Diaspora. After piloting our work in MN, similar efforts were launched in U.S. cities with large Liberian populations such as Atlanta, Philadelphia, Providence, and Washington, D.C.

Transitional Justice Mechanisms

Addressing violations

- Truth Commissions
 - domestic prosecutions
 - reparations
 - lustration (disqualifying agents of the former regime from future participation in civil society)
 - amnesty (but not for crimes against humanity)
 - system reform

Transitional Justice Mechanisms

Tribunals & Special Courts

- Charles Taylor has been indicted by the Special Court for Sierra Leone
- International Criminal Court
 - ICC has jurisdiction over nationals of states that have ratified the ICC statute (Liberia ratified Rome Statute in 2004) and any matter referred by the UN Security Council
- U.S. Based Legal Action
 - Alien Tort Claims Act
 - Torture Victim Protection Act
 - 18 U.S.C § 2340 (Chuckie Taylor)

TRC of Liberia

Online Resources

- <http://www.mnadvocates.org>
- <http://www.trcofliberia.org/>
- <http://www.unmil.org/>
 - (UN Mission in Liberia)

Questions?

Comments and Discussions

Thank You

