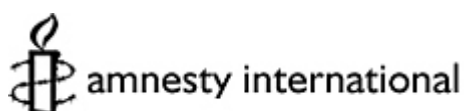


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Amnesty International Report 2009 - Liberia

Head of state and government: Ellen Johnson-Sirleaf

Death penalty: abolitionist in practice

Population: 3.9 million

Life expectancy: 44.7 years

Under-5 mortality (m/f): 212/194 per 1,000

Adult literacy: 51.9 per cent

President Ellen Johnson Sirleaf signed into law an Act that reintroduced the death penalty for murder committed during armed robbery. The judiciary continued to be hampered by lack of personnel. High rates of rape and other forms of sexual violence were reported. Efforts to address the increase in rape and sexual violence included a government decision to establish a special court to deal with these particular crimes. No progress was made in appointing commissioners to the Independent National Commission on Human Rights.

The work of the Truth and Reconciliation Commission (TRC) made significant progress, with individual hearings concluded by the end of the year. The trial of former President Charles Taylor resumed in January in The Hague. Chuckie Taylor, son of Charles Taylor, on trial in the USA under the 1994 torture act, was convicted for crimes he committed in Liberia in the late 1990s while serving as the head of the Anti-Terrorist Unit under former President Charles Taylor.

Background

In December the final phase of the disarmament, demobilization, rehabilitation and reintegration programme concluded with 7,251 ex-combatants, of whom 40 per cent were female.

Treason trials of former Armed Forces of Liberia (AFL) General Charles Julu and Colonel Andrew Dorbor resulted in acquittals in May. Former Acting Speaker of the National Transitional Legislative Assembly George Koukou, charged with treason, was pardoned by the President in January.

The trial on corruption charges of former Chairman of the National Transitional Government of Liberia (NTGL) Charles Gyude Bryant was discontinued, and he agreed to return misappropriated funds. The trial of Edwin Snowe, former Speaker of the House of Representatives, indicted for theft of public funds, continued.

During the year Liberia received US\$15 million from the UN Peacebuilding Fund to foster reconciliation and conflict resolution. In April, Paris Club creditors agreed on US\$254 million debt relief for Liberia, conditional on International Monetary Fund reforms. A poverty reduction strategy was finalized in June in Berlin in a meeting that brought together members of government and donors.

In February the first all-female peacekeeping unit from India was deployed as part of the United Nations Mission in Liberia (UNMIL). The mandate for UNMIL was renewed until September 2009 with troop strength at 11,000 by the end of the year.

The UN Independent Expert on Liberia visited Liberia in July.

Violent crime, especially armed robbery, was on the increase throughout the year, fuelled by high unemployment, disputes over land ownership, poverty and readily available small arms. The activities of ex-combatants continued to be a source of instability, particularly in the context of illicit mining activities.

The UN extended the arms embargo on Liberia for another year.

Land disputes

A survey released by the TRC in September showed that land disputes were the biggest threat to peace in Liberia.

- In May at least 19 farm workers were allegedly killed and at least 21 others went missing on the border between Margibi and Grand Bassa Counties as a result of a land dispute between Senator Roland Kaine, formerly of the National Patriotic Front of Liberia (NPFL), and Commerce Secretary Charles Bennie, formerly with the Liberians United for Reconciliation and Democracy (LURD). Roland Kaine allegedly ordered the killing of farm workers hired by Charles Bennie. The style of killing was reminiscent of the Liberian conflict with evidence that victims had their hands tied behind their backs and were then thrown in a river to drown. The trial of Roland Kaine and 15 others started in November.

Death penalty

In May the House of Representatives passed a Bill that retained the death penalty for murder committed during armed robbery, terrorism or hijacking. In July the Act was signed into law by the President, in contravention of Liberia's obligations under the Second Optional Protocol of the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, to which Liberia acceded in 2005.

In December Liberia abstained on a UN General Assembly resolution calling for a worldwide moratorium on executions.

Transitional justice

Individual public hearings of the TRC began in January and concluded by September. One session took place in the USA, the first time TRC hearings have been held outside the country where the violations occurred. They were followed by institutional and thematic hearings that were continuing at the end of the year.

The UN and other international bodies expressed concern about the lack of adequate witness protection. The mandate of the TRC was extended for three months, with its report likely to come out in 2009. In September the TRC made a request to the Special Court for Sierra Leone for former President Charles Taylor to testify. In December, in an effort to call on alleged perpetrators to attend hearings, the TRC published a list of 198 names of alleged perpetrators who refused to appear before it to respond to allegations against them.

The Independent National Commission on Human Rights was still not operational because of delays in the appointment of commissioners. In June amendments to some provisions of the Act governing the Commission were submitted to the legislature.

Impunity

The government failed to take any steps to investigate and prosecute those responsible for crimes under international law committed during the 14-year conflict.

Roy M. Belfast Jr (known as Charles McArthur Emmanuel or Charles "Chuckie" Taylor Jr), the son of Charles Taylor, was convicted at the end of October in a US court for torture and related crimes while serving as the head of the Anti Terrorist Unit in Liberia. This was the first ever conviction under the US Torture Victim Protection Act, which was enacted in 1994. Chuckie Taylor was also the first person to be tried and convicted for crimes under international law committed during the Liberian conflict. Sentencing was due in early 2009.

In March an appeal court in the Netherlands overturned the conviction of Gus Kouwenhoven who had been convicted of breaking a UN arms embargo by supplying weapons for Charles Taylor during Liberia's conflict. The appeals court followed the district court by acquitting Gus Kouwenhoven on charges of war crimes.

Violence against women and children

Rape and other forms of sexual violence remained among the most frequently committed crimes. According to the UN there were 349 rapes reported between January and June 2008, a significant increase over the previous year. Access to health facilities to address emergency needs and psychological care continued to be inadequate.

Crimes against children, including rape, sexual violence, physical violence, trafficking and neglect, remained of serious concern.

There were some positive developments in addressing rape and other forms of sexual violence. In May, the government decided to establish a special court dedicated to hearing gender and sexual violence cases. In June, a safe house for survivors of sexual violence, supported by UNMIL and run by a local NGO, opened in Monrovia. During 2008 a national action plan on gender-based violence was adopted and funds were provided by the UN to implement the plan. In July Liberia ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

Administration of justice

There was some progress in training police officers. Between 2004 and the end of 2008, at least 3,661 officers, including 344 women, received basic training and over 1,000 received specialist training. However, the police continued to suffer from inadequate resources, including delays in payment of salaries, leading to corrupt practices and limiting their ability to work effectively and to ensure a presence throughout the country.

The justice sector continued to suffer from a shortage of qualified judges, lack of infrastructure, archaic rules of procedure, and too few legal officers. Only one public defender was deployed in the entire country.

The problems in the judicial system resulted in overcrowding at Monrovia Central Prison. Approximately 95 per cent of those detained in Monrovia Central Prison were held without charge, some for as long as two years. In February efforts by a local organization facilitated the release from Monrovia Central Prison and Kakata prison of 36 prisoners who had been held for more than 180 days without charge. In November and again in early December more than 50 and 100 people respectively escaped from Monrovia Central Prison. The police responded by arresting some of the escaped prisoners, and also some bystanders.

Amnesty International visits

Amnesty International delegates visited Liberia in January to make a film and in March to launch a report.

Amnesty International reports

- Liberia: Towards the final phase of the Truth and Reconciliation Commission (29 July 2008)
- Liberia: A flawed process discriminates against women and girls (31 March 2008)
- Film: Women of Liberia fighting for Peace

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