

LIBERIA

HUMAN RIGHTS DEVELOPMENTS

Only five years after Liberia began a shaky transition to peace following elections in 1997, the country continued its re-descent into war. Fighting between Liberian government forces and rebels from Liberians United for Reconciliation and Democracy (LURD) continued in the northwest of the country, where the rebel incursion began in July 2000, with both sides committing war crimes and other serious human rights abuses. Tens of thousands of Liberians fled their homes, and hundreds if not thousands of civilians were killed, either deliberately or in crossfire. For eight months of 2002, a state of emergency in government-held areas led to a crack-down on perceived opponents of President Charles Taylor's government.

In the northwest of the country, government troops and pro-government militias were responsible for summarily killing, torturing and abusing civilians, raping women and girls, and abducting civilians for forced labor and combat. They systematically looted and burned towns, and in some cases government troops at checkpoints blocked displaced civilians from moving to safety. Government soldiers systematically extorted money and other goods from those seeking refuge. Citing the rebel threat, the Liberian government continued to remilitarize society including by remobilizing ex-combatants, and permitting the proliferation of militia groups. Hundreds of civilians, including children, were forcibly conscripted by the government and sent to the battlefield in an arbitrary manner, without advance notice or any set procedures, and often with little or no military training. In the course of combat, they were often ordered to commit human rights violations.

LURD rebel forces also carried out serious abuses, although to a lesser extent than government forces, including summary executions of alleged government collaborators, rape, and the forced recruitment of civilians, including child soldiers. LURD forces subjected hundreds of civilians to forced labor, restricted those wanting to flee the country, and abducted refugees who had recently crossed into Guinea. On June 20, LURD abducted five nurses from the Liberian humanitarian organization, Merci, and held them for almost three months.

The conflict kept its ethnic dimension, with the Taylor government indiscriminately accusing ethnic Mandingo, Krahn, and Gbandi citizens of Liberia of supporting the rebel incursion. Members of these groups faced growing discrimination, arbitrary arrests, and violence at the hands of the government and its supporters, based solely on their ethnicity. Many LURD fighters were Mandingo or Krahn who had fought with the two former factions of the United Liberation Movement for Democracy in Liberia (ULIMO) during the pre-1997 civil war. For their part, LURD forces committed some of their worst abuses against ethnic Kissi civilians, perhaps because the Revolutionary United Front (RUF) rebel group in Sierra Leone, which had a longstanding alliance with the Taylor government, formerly had its stronghold in an ethnic Kissi area in Sierra Leone.

After five years in office, President Taylor's government continued to function without accountability, exacerbating the divisions and resentments fueled by the civil war. Taylor continued to consolidate and centralize power by rewarding loyalists and intimidating critics. State power continued to be misused by high-ranking officials to further the political objectives of the executive branch, to avoid accountability, and for personal enrichment. State institutions that could provide an independent check on the Taylor administration, such as the judiciary, the legislature, and the human rights commission, remained weak and cowed. Independent voices in the media and the human rights community were steadily silenced.

Rebel attacks close to the capital Monrovia in early 2002 caused new outflows of refugees and internal displacement. By September, the United States (U.S.) Committee for Refugees estimated that there were some 250,000 new and long-term refugees in neighboring countries, and some two hundred thousand Liberians internally displaced. Liberian refugees fleeing into Guinea were often prevented from crossing by the Guinean authorities, in violation of international refugee law. The United Nations High Commissioner for Refugees (UNHCR) issued a U.S.\$10.4 million funding request in July for West Africa, to address the growing numbers of Liberian refugees. However, UNHCR protection staff in areas adjacent to Liberia and the broader sub-region remained insufficient. In September, fighting in Côte d'Ivoire between the government and rebels affected Liberian refugees who were forced to flee yet again.

The intensification of the rebel attacks prompted President Taylor to declare a state of emergency on February 8, 2002, and precipitated a crackdown. Frequent raids occurred in crowded markets, in Krahn and Mandingo neighbourhoods, and in camps for the internally displaced around Monrovia, resulting in the arrest of hundreds of young men and boys, many of Krahn and Mandingo ethnic origin. Many of these were sent to the front. The state of emergency was lifted on September 14.

Members of civil society groups, legitimate political opposition, and the independent media were also targeted. On March 20, Henry Cooper, the Bong county chairman for the opposition Unity party was reportedly taken into police custody and later found dead in Totota, fifty miles north of Monrovia. Witnesses reported that he appeared to have been shot numerous times. On March 27, Nipla Wiaplah, chair of the New Deal Movement party, was held for several days in police custody without charge as police determined whether an article in the *News* that he had authored on the war posed a national security threat. The *News* editor-in-chief Jerome Dalieh and acting news editor Bill Jarkloh were also held briefly without charge for publishing the article. Journalists Stanley Seekor, J. James, and Ellis Togba from the *Analyst* were threatened and briefly detained after their newspaper published an article discussing the state of emergency.

Several newspapers were temporarily closed, and conflict between the authorities and privately-owned radio stations over the use of radio frequencies continued. One week after the September 11, 2001 terrorist attacks in the United States, a talk show radio journalist was arrested because a caller had made "anti-American remarks" during the show.

The most worrying case was the incommunicado detention and severe ill-treat-

ment of Hassan Bility, the editor of the *Analyst*, one of Liberia's most independent newspapers. Bility was arrested on June 24, together with three other Mandingo men. Suffering from malaria, he was reportedly locked in a filled sewage tank. At the time, Minister of Information Reginald Goodridge issued a public statement announcing that Bility and the others were being held on suspicion of operating a rebel terrorist cell in Monrovia. Copying both the U.S. administration's vocabulary and its disregard for the rule of law, the Liberian government announced that Bility was part of a terrorist cell and therefore an "unlawful combatant," refusing to produce him in court and stating that he would be brought before a military court. However, as of October, the government had not convened this military court, and he remained in incommunicado detention. Hassan Bility had been previously detained and interrogated twice, and the *Analyst* twice closed down, as the result of publishing articles deemed critical of the government. The *Analyst* was closed down the second time in 2002, after reporting a speech by human rights lawyer Tiawan Gongloe on the role of civil society groups. (See also below.)

Despite a United Nations (U.N.) arms embargo, illegal arms shipments to Liberia continued. Evidence strongly suggested that a plane that crashed outside Monrovia in February carried illegal military cargo for the Taylor government. The flight was one of three suspicious flights from Chad, using planes fraudulently registered in Moldova and filing false flight plans. U.N. investigators were blocked from investigating the crash. However, international pressure and U.N. sanctions played a role in severing Liberian government support to the RUF rebels in Sierra Leone.

The renewal of war in Liberia further undermined prospects for sustainable peace in the Mano River Union, encompassing Guinea, Sierra Leone, and Liberia. As efforts continued to consolidate peace in Sierra Leone, hundreds of former fighters in Sierra Leone's civil war, both former rebel and government combatants, crossed into Liberia to fight as mercenaries either for the Liberian government or for LURD. Many former fighters from the RUF, which received direct support from Charles Taylor for years, were integrated into the Liberian government forces and were implicated in atrocities against Liberian civilians. Since at least January 2001, hundreds of former fighters from the Sierra Leonean government-affiliated civil defense militias (such as the ethnic Mende militia known as the Kamajors), from the former members of the Sierra Leonean army who rebelled to form the West Side Boys militia, and even from the RUF, were recruited as mercenaries for LURD. As a result, the border area between Liberia and Sierra Leone became more unstable.

The government of Guinea continued to play a destabilizing role by providing considerable logistical and some military support to LURD rebels who operated from Guinean territory. It also allowed LURD to use refugee camps in Guinea as a base from which to recruit.

DEFENDING HUMAN RIGHTS

It was a particularly bad year for Liberian human rights activists. In the face of renewed rebel action, the Taylor government became increasingly intolerant of dis-

sent, and civil society groups were among those against which harassment and intimidation intensified under the state of emergency. Several human rights activists left the country during the year and applied for political asylum.

In February, the authorities detained Frances Johnson Morris, director of Liberia's Catholic Justice and Peace Commission, for several hours among male inmates at the prison at the Police Headquarters in Monrovia ostensibly on grounds of "mistaken identity," only days after she had made a public presentation questioning the state of emergency.

After the National Human Rights Center of Liberia, an umbrella organization comprising nine nongovernmental human rights groups, issued several press releases protesting government abuses, five of its members—Aloysius Toe, Tunny Zeogar, Peter Nickoson, John Okai, and Sam Nimely—were arrested on March 28 and held without charge for several days. Although they were released after a court order was filed, they were rearrested shortly after, and charged with "criminal malevolence" and "preventing arrest and discharge of other duties." The case was still pending as of early November. Meanwhile, Aloysius Toe was arrested again on November 4 and charged with treason, a non-bailable offense. Secretary general of the Liberia Coalition of Human Rights Defenders and executive director of the Movement for the Defence of Human Rights (MODHAR), Toe had been extremely active in speaking out against rights violations in Liberia. On October 29, his house had been ransacked by police, and not finding him home, the police arrested his wife Vivian Toe, releasing her later the same day. Another National Human Rights Center activist, Mike Gaydh, was interrogated for several hours on July 13 by the Anti-Terrorist Unit security forces after he accompanied a delegation from the Brussels-based International Crisis Group to the airport. He was then released without charge. Blamoh Sieh, a leading member of the National Human Rights Center, and Peter Nicholson, research and security officer at the National Human Rights Center, were arrested on October 29 along with Dempster Brown, lawyer and chair of the Liberia Coalition of Human Rights Defenders. All were released without charge by November 1.

As of early November, Sheikh K.M. Sackor, executive director of Humanist Watch, a nongovernmental group, remained in incommunicado detention following his arrest on July 25. In denying a habeas corpus application filed by lawyers acting on Sackor's behalf, the judge said that the matter was under military jurisdiction since the government was accusing Sackor of being affiliated to LURD. The arrests of human rights defenders in October and November followed a campaign launched on October 25 by the Liberia Coalition of Human Rights Defenders to secure the release of Sheikh Sackor and the journalist Hassan Bility.

On April 24, human rights lawyer Tiawan Gongloe was arrested without charge by the police, and beaten so severely that he was unable to stand and required hospitalization. He had been speaking out against security force abuses and other human rights violations. Gongloe was released after spending a week under armed guard in hospital, and later left the country.

On July 29 Dixon Gblah, the executive director of Liberia Prison Watch, was detained and interrogated by the Liberia National Police who accused him of being a LURD operative. After being released, he left the country.

The state National Human Rights Commission, created by the government in 1997, remained inactive, hampered by a lack of qualified personnel, inadequate funding, and a flawed mandate.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

The U.N. Security Council continued to play an active role in attempting to end the arms-for-diamonds trade in Liberia and the sub-region. On May 6, the Security Council renewed sanctions against Liberia for a second year, including a ban on Liberian diamond exports (believed in fact mostly to originate in Sierra Leone), an arms embargo, and a ban on foreign travel by President Taylor and more than 130 senior government officials and their spouses. The Security Council also called for an audit of Liberia's shipping and timber revenue since Liberia's arms purchases were often financed through payments not accounted for in the state budget. The Security Council held a workshop on July 18 on the situation in the Mano River Union.

Just prior to the renewal of sanctions, the U.N. Panel of Experts—appointed by the U.N. secretary-general to conduct an independent audit of the Liberian government's compliance with the sanctions—submitted its second report in April and its third report in October. The panel recommended renewal of the arms sanctions and continued monitoring due to "credible evidence" that the government continued to violate the embargo: the third report found that Liberia had illegally imported over two hundred tons of military equipment in violation of the sanctions. The panel also recommended that all arms-producing and exporting countries abstain from supplying weapons to all the Mano River Union countries, and that an immediate embargo be imposed on all non-state actors in the Mano River Union, including LURD. In its April report, however, the panel recommended review of the other sanctions against Liberia in light of the positive peace process in Sierra Leone and the diminishing support for the RUF.

The U.N. Peace-building Support Office in Liberia (UNOL) played no active role in addressing the growing repression and abuses in Liberia. In April, the secretary-general issued his third report regarding Liberia, based on information provided by UNOL. The report was weak in raising human rights concerns and unquestioningly reiterated Liberian government denials in its discussion of sanctions compliance.

Felix Downes-Thomas, the secretary-general's representative in Liberia since February 1998, ended his term in February 2002, leaving UNOL virtually non-functional for most of the year. However, even during Downes-Thomas' tenure, human rights concerns remained marginal to UNOL's work. Efforts to appoint a more rights-concerned representative were blocked by the Taylor government. Finally, in September, Abou Moussa, former UNHCR West Africa regional director, was appointed as representative and UNOL head.

The U.N. was conspicuously silent in condemning Guinea's role in supporting

LURD. The closest it came was in May, when the secretary-general expressed concern about the deteriorating humanitarian crisis in Liberia, condemning LURD for attempting to take power through force, and called on neighboring states not to allow their territory to be used for such actions.

Economic Community of West African States

Given its extensive military and diplomatic intervention in the pre-1997 Liberian civil war, Economic Community of West African States (ECOWAS) remained engaged in diplomatic efforts to address the Liberian crisis. Several meetings were organized by ECOWAS during the year to discuss the growing conflict in Liberia. The ECOWAS Mediation and Security Council held their eighth meeting in Dakar, Senegal, on March 29, 2002, to discuss ways to end the LURD incursion against the Liberian government. Also in March ECOWAS hosted a peace meeting in Abuja that was attended by representatives of the Liberian government, political opposition groups and civil society actors, although LURD was not officially present. At their twenty-fifth summit held in Dakar in December 2001, the Heads of State condemned LURD and called for sanctions against armed dissident groups. In September 2002 ECOWAS played a role in convening a meeting of African ambassadors during the U.N. General Assembly meetings in New York to discuss ways of resolving the Liberian crisis.

Other regional efforts to broker peace in Liberia and the sub-region were undertaken independently by Moroccan King Mohammed VI. In February, the presidents of Guinea, Liberia and Sierra Leone met at a summit sponsored by the King in Rabat, where they promised to enhance border security and control dissident activities in their three countries. In March and April, there were three follow-up meetings in Freetown, Conakry, and Rabat, during which the Mano River Union's Joint Security Commission, as well as justice and interior ministers met to discuss ways to enhance security and border security, as well as plan a follow-up meeting of heads of state. Following a LURD offensive in May on key Liberian towns no further meetings were held until September, when security ministers from the Mano River Union countries met in Freetown to renew efforts.

European Union

Consultations since July 2001 with the Liberian government about the worsening respect for human rights, democratic principles, and the rule of law continued in 2002. The E.U. remained in negotiations over a number of specific conditions required for renewal of aid suspended in 2000 following concerns about the deteriorating situation within Liberia and the Taylor government's links with the Sierra Leonean rebels.

Specific conditions for E.U. aid renewal included tangible positive developments in respect for the rule of law; strengthening of the judiciary and judicial independence; human rights training of security personnel; a strengthened government human rights commission; respect for freedoms of association and expression; the creation of an independent elections commission in consultation with the political

opposition; good governance and anti-corruption measures; and compliance with U.N. requests. The E.U. relied on articles 96 and 97 of the June 2000 Cotonou Agreement governing trade relations between the E.U. and the African, Caribbean and Pacific (ACP) states, which committed members to ensure improved respect for human rights.

The E.U. also made a number of statements during the year expressing concern about the intensification of fighting and the harassment of civil society activists. The E.U. also condemned LURD's efforts to take power through armed force and called on neighboring countries not to support them.

In January, the European Commission pledged €17 million (U.S.\$16.75 million) in humanitarian assistance for victims of the crisis affecting the Mano River Union countries.

United States

Although U.S. pressure on the Liberian government to address human rights abuses remained strong, the U.S. failed publicly to condemn both abuses by LURD rebels and the government of Guinea for providing logistical and some military support to LURD. The closest it came to doing so was in a March 1 statement by the U.S. ambassador in Monrovia condemning the renewed fighting in Liberia, and calling on the Liberian government to take steps to respect human rights and the rule of law. Although the statement stopped short of naming Guinea, the statement did call on "all parties in the region to cease supporting any group that seeks political change through violence and to respect their neighbor's borders."

The U.S. government's silence on LURD abuses and Guinea's support for LURD was particularly notable given that the U.S. government began a U.S.\$3 million program to provide training and non-lethal equipment to the Guinean military in May 2002. The long-delayed program had originally been put in place to assist the Guinean government in defending its borders against the destabilizing activities of the RUF and Charles Taylor and his supporters in Liberia. The program had been delayed due in part to the deployment of U.S. Special Forces trainers to Afghanistan and the imposition of additional reporting and monitoring requirements by the U.S. Congress. The training was designed in four six-week segments for four companies, with a mid-term and a final review. However, there were no clear mechanisms to monitor the conduct of the troops after their deployment. The troops would not be deployed in the border area.

In October, eligible Liberians living in the U.S. were granted temporary protected status for one year, which allowed them to remain and work in the U.S. This order replaced the expired presidential directive authorizing Deferred Enforced Departure (DED), a similar measure.

U.S. assistance to Liberia remained limited and targeted. In fiscal year 2002, the U.S. government provided U.S.\$800,000 for support to independent media projects, and \$650,000 in election support funds to promote political party development and the creation of an election support center with communications resources. In June, the U.S. ambassador declared Liberia a humanitarian emergency, opening the way for emergency humanitarian funding. In September, the

U.S. pledged U.S.\$6.6 million in emergency funding for refugee crises in West Africa, including to shore up programs for Liberian refugees.

RELEVANT HUMAN RIGHTS WATCH REPORTS:

Back to the Brink: War Crimes by Liberian Government and Rebels: A Call for Greater International Attention to Liberia and the Sub Region, 5/02
No Questions Asked: The Eastern Europe Arms Pipeline to Liberia, 11/01

NIGERIA

HUMAN RIGHTS DEVELOPMENTS

2002 was marked by political tension as Nigeria headed towards elections scheduled for 2003. A sharp increase in political violence worsened an already poor human rights situation, characterized by a lack of resolve on the part of the federal government to bring perpetrators of human rights abuses to justice or to enforce accountability at the level of state government authorities in Nigeria's thirty-six states. Little effective action was taken to stem killings in the context of localized disputes between different ethnic groups fighting for political control, or to bring to account members of the security forces (police, military, and the paramilitary mobile police) responsible for numerous extrajudicial executions and other abuses.

President Olusegun Obasanjo faced increasingly vocal criticism from his opponents, culminating in impeachment proceedings initiated against him by the National Assembly in September. The impeachment motion was based on seventeen charges of breaching the constitution, including the massacre of hundreds of unarmed civilians by the Nigerian military in Odi, Bayelsa State, in November 1999, and in Benue State in October 2001 (see below); most of the other charges related to allegations of financial corruption and mismanagement of government funds.

Local elections initially scheduled for May were postponed until August, then postponed again indefinitely, due in part to a lack of preparation, including the absence of an up-to-date voters' register. A voter registration exercise was eventually launched in September but was marred by widespread fraud and rigging, and interference by political party officials. Controversy also surrounded applications for registration by several new political parties. In addition to the three parties already recognized—the ruling People's Democratic Party (PDP), the All Nigeria People's Party (ANPP) and the Alliance for Democracy (AD)—applications from a further three were accepted by the Independent National Electoral Commission (INEC), bringing to six the total to contest the elections. There was a lack of transparency as to the criteria for excluding other parties that had applied, several of which challenged INEC's decision through the courts.