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## **Timber, Taylor, Soldier, Spy:**

**How Liberia's uncontrolled resource exploitation, Charles Taylor's manipulation and the re-recruitment of ex-combatants are threatening regional peace**

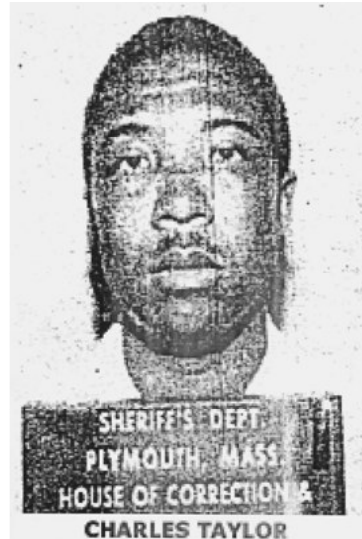
**A report submitted to the UN Security Council by  
Global Witness**

**June 2005**

## Recommendations

### **UN Security Council should:**

- Maintain the current embargoes on Liberian timber and diamonds until it can be demonstrated that timber and diamonds no longer contribute to conflict and that government control meets the requirements for lifting sanctions as found in Security Council Resolution 1521 (2003) and renewed by Security Council Resolution 1579 (2004).
- Strengthen the mandate of the UN Mission in Liberia (UNMIL) and its Civilian Police (CivPol) to ensure that they have the ability to carry out effective law enforcement, in coordination with local law enforcement agencies to help rebuild state capacity. This should be made explicitly clear for policing areas rich in diamonds, timber, gold and rubber, as well as key border crossing points.
- Delay the planned drawdown of UN peacekeeping forces in Sierra Leone (UNAMSIL) until the end of 2005, to maintain the level of troops necessary to ensure continued security for Sierra Leone and the Special Court for Sierra Leone given the upcoming elections in Liberia and Côte d'Ivoire. Also increase the numbers of UNMIL troops as requested for the period surrounding Liberian elections.
- Grant Chapter VII use of force authority to UNMIL, UNAMSIL and the UN Operation in Côte d'Ivoire (UNOCI) to arrest Charles Taylor should he return to Liberian, Sierra Leonean or Ivorian territory, respectively.
- Publicly support Charles Taylor being moved to face trial at the Special Court for Sierra Leone.
- Apply additional financial and/or travel restrictions to individuals or governments found to be financially or militarily supporting armed non-state actors in Liberia and the region.



### ***The UN Mission in Liberia (UNMIL) should:***

- Strengthen its deployment strategy to help the Liberian government build law enforcement capacity and restore and maintain control over its borders and areas rich in natural resources. This should include implementing the Kimberley Process expert mission recommendation to deploy UNMIL troops to monitor and police diamond-mining areas, as well as include closer coordination with the Liberian Forestry Development Authority (FDA) to support the deployment of FDA foresters and help prevent violations of current logging regulations.
- Coordinate with UNOCI to better deploy UN peacekeeping troops on a more permanent basis at key border crossings, to prevent cross-border movement of mercenaries, weapons and natural resources.



- Engage in stronger intelligence sharing and strategic planning among the UN's regional peacekeeping missions and offices, to develop better flow of information and a stronger integrated regional strategy.
- Mainstream ethical purchasing policies for timber products used for reconstruction and development into all UN activities, to ensure that no illegally-sourced or conflict-funding timber is being used.

### **The National Transitional Government (NTGL) of Liberia should:**

- Ensure that the FDA and the reforms espoused in the Liberia Forest Initiative (LFI) are given full political and administrative support and carried out in a timely fashion. Before restarting any logging activities, a forest value assessment should be conducted followed by Participatory Land Use Planning, and the public should have ready access to documents concerning the forestry sector including all regulations, operating licenses, fees paid and ownership information should. All companies should have a valid contract, a management plan and have conducted an Environmental Social Impact Assessment (ESIA).
- Monitor the logging industry and its ongoing relationship with local populations to identify, prosecute and prevent future violations of domestic forest-use and human rights laws, and to sever any links between the Liberian logging industry and destabilising actors.
- Appoint an independent forest monitor to monitor the logging industry and the relevant government agencies to provide independent oversight of the reform process' progress.
- Fully implement the recommendations as regards implementation of diamond control laws as made by the Kimberley Process expert mission report.
- Continue deploying government representation throughout the country, providing them with adequate staffing, financing, logistics and law enforcement support.
- Join and implement the Extractive Industries Transparency Initiative (EITI) with the full participation of Liberian civil society and in accordance with the EITI minimum criteria.



The National Legislature buildings, Monrovia, March

### **The Donor Community should:**

- Mainstream revenue transparency conditionality into all donor policies relating to Liberia, and ensure better financial and management oversight of current and planned projects to prevent misappropriation of donor funds.
- Ensure that a complete independent, retrospective and internationally verifiable audit of the Liberian logging industry is carried out as a priority, looking to both improve accounting systems and identify the methods by which revenue was previously misappropriated. This should be required as part of assistance provided for forest sector reform, and all results should be made accessible to the public.
- Further ensure that a complete independent, retrospective and internationally verifiable audit of Liberian government finances is conducted, to improve accounting systems, identify the methods by which revenue was previously misappropriated and locate misappropriated money. All findings should be made accessible to the public.
- Make sure that the rehabilitation and reintegration phase of Liberia's Disarmament, Demobilisation, Rehabilitation and Reintegration (DDRR) process has the necessary numbers of programmes fully financed, properly designed and implemented as soon as possible and maintained for as long as necessary.
- Ensure that UNMIL, the World Food Programme (WFP), UNHCR and other aid agencies are fully supported logistically and financially.
- Ensure that the Liberia Forest Initiative (LFI) receives strong political and financial support, and that pressure is placed on the NTGL to follow through with necessary forestry sector reforms in a timely manner.
- Improve transparency and information-sharing with other governments and donor agencies, to prevent overlap and ensure proper coordination of activities.

- Provide all necessary support and technical assistance to the implementation of the EITI and ensure that progress on EITI implementation becomes a benchmark for donor programmes.

**The Kimberley Process should:**

- Urge its members to provide technical and financial assistance to Liberia to ensure effective implementation and enforcement of Liberian laws to implement the Kimberley Process.
- Send another expert mission to verify whether Liberia has effectively implemented the recommendations outlined in the expert mission's report before admitting Liberia into the Kimberley Process.

**The International Community should:**

- Enforce UN Security Council travel bans and asset freezes, working with the banking sector and customs and immigration agencies to ensure full compliance and assistance to UN Security Council and Expert Panel requests for information.
- Use its overt and covert intelligence capacities to maintain heightened awareness of the activities and movements of Charles Taylor and his close associates.

**The Governments of the United States (US), United Kingdom (UK) and others with information on Charles Taylor's ongoing activities should:**

- Make available that evidence which demonstrates Charles Taylor's violation of UN sanctions, international law and his exile agreement with Nigeria to the Nigerian government, Interpol, the United Nations Panel of Experts for Liberia, Special Court for Sierra Leone and all relevant law enforcement authorities.



Billboard promoting US-Liberia cooperation, Monrovia, April 2005.

**The Government of Nigeria should:**

- As a member state of Interpol and member of the Management Committee of the Special Court for Sierra Leone, respect the international arrest warrant for crimes against humanity issued by the Special Court in 2003 and arrange for Charles Taylor to be transferred to the Special Court.
- Follow up on existing evidence and conduct its own investigation into violations of Charles Taylor's exile agreement.

**The African Union (AU) and Economic Community of West African States (ECOWAS) should:**

- Ensure that their members' border control and immigration authorities do not allow Taylor, a fugitive from justice, to enter or otherwise transit through their countries in order to seek asylum or any other form of political indulgence.
- Encourage and help facilitate Charles Taylor's extradition to the Special Court.
- Ensure that all countries enforce the Liberian and Ivorian arms embargoes, and further adhere to the Economic Community of West African States (ECOWAS) Moratorium on the Import, Export and Manufacture of Small Arms and Light Weapons.
- Continue its audit of NTGL finances and make public the results.

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## Acronyms

<b>CivPol</b>	Civilian Police – part of UNMIL, tasked to work with Liberian security forces on law enforcement and security issues
<b>DDRR</b>	Disarmament, Demobilisation, Reconciliation and Reintegration programme in Liberia
<b>ECOWAS</b>	Economic Community of West African States
<b>FDA</b>	Forestry Development Authority – government agency tasked with primary oversight of Liberia's forestry industry
<b>GOL</b>	Former Government of Liberia
<b>KP</b>	Kimberley Process – a global diamond certification scheme
<b>LFI</b>	Liberia Forestry Initiative – coordinated group working to reform Liberia's forestry industry, includes among others the US government, World Bank, European Commission, Conservation International, Fauna and Flora International, and the Environmental Law Institute
<b>LURD</b>	Liberians United for Reconciliation and Democracy – former rebel group backed by Guinea
<b>MILOBS</b>	UN Military Observers
<b>MODEL</b>	Movement for Democracy in Liberia – former rebel group backed by Côte d'Ivoire
<b>NTGL</b>	National Transitional Government of Liberia – comprised of one quarter each LURD, MODEL and GOL and civil society representatives
<b>OTC</b>	Oriental Timber Company – logging company based in Buchanan
<b>TTCO/LLWPC</b>	Togba Timber Company/ Liberian Logging and Wood Processing Corporation – logging company with a base in the east near Côte d'Ivoire
<b>UNAMSIL</b>	United Nations Mission in Sierra Leone
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNMIL</b>	United Nations Mission in Liberia
<b>UNOCI</b>	United Nations Operations in Côte d'Ivoire

## Executive Summary

Insufficient reform of Liberia's diamond and timber industries and failure to adequately control areas rich in natural resources have resulted in their continued exploitation and threat to regional peace and security. Recently there has been an explosion of diamond mining with little or no oversight; the Forestry Development Authority (FDA) lacks the capacity to enforce domestic forestry laws, enabling virtually uncontrolled logging by ex-combatants and businessmen; and numerous rubber plantations, which have been occupied by armed ex-combatants for some time, continue to tap and sell rubber. The failure of the UN Mission in Liberia (UNMIL) and National Transitional Government (NTGL) government to adequately assume control of Liberia's interior and border regions has allowed for the continued cross-border movement of such resources in violation of UN sanctions, as well as the trafficking of weapons and mercenaries that is undermining an already tenuous regional peace. While the forestry and diamond industry reform programmes have progressed, the requirements set forth Security Council Resolution 1521 (S/2003/1521) have clearly not been fulfilled and as such timber and diamond sanctions should remain in place.

Despite the large number of UN forces in the region, totalling over 25,000 peacekeepers across Sierra Leone, Liberia and Côte d'Ivoire, West Africa remains highly unstable. Stability in Liberia itself is only guaranteed through the presence of UNMIL, and the significant problems and failures of the ongoing DDR process in Liberia have created a large



Destruction of forest caused by logging road construction, 2001.

population of disgruntled ex-combatants with the capacity and will to remain mercenaries for hire. There are continued reports of recruitment of ex-combatants throughout the region to fight in both Côte d'Ivoire and Guinea<sup>1</sup>, with worrying reports that former Liberian President Charles Taylor was involved in an assassination attempt on Guinean President Conte<sup>2</sup>, is building a small army to destabilise the region<sup>3</sup> and is further meddling in the political and economic affairs of Liberia in violation of his exile in Nigeria<sup>4</sup>.

- **There are continued violations of the timber and diamond sanctions**

UN, diplomatic, military and NGO representatives in both Liberia and Côte d'Ivoire have stated to Global Witness investigators that they believe timber is crossing from Liberia into Côte d'Ivoire<sup>5</sup>, in violation of the UN timber sanctions. There is evidence to suggest that shipments are going largely to the Ivorian-government controlled southern region, with some timber also crossing into areas controlled by the Forces Nouvelles<sup>6</sup>. Both the Forces Nouvelles and pro-Ivorian government forces have used logging activities in western Côte d'Ivoire to aid their war efforts<sup>7</sup>, and given the lack of border security Liberian timber could easily cross over and be mixed with Ivorian timber for local use or commercial export. Illegal mining diamond mining has also risen, with illegal exports understood to be shipped to Guinea, Côte d'Ivoire, Sierra Leone, and even directly to Belgium<sup>8</sup>. (See *Part I: TIMBER: The Threat Posed by Liberia's Natural Resource Industries*, page 12)

- **Illegal timber and diamond exploitation still serves as a key sources of revenue for armed ex-combatants**

Non-state actors, many of them armed, are exploiting diamond, timber, gold and rubber resources with virtual impunity, generating significant income. The UN and NTGL's lack of control over resource-rich areas has resulted in increased levels of organised and unaccountable logging by ex-combatants and the former warring party commanders and businessmen who organise them; conservative estimates range from US\$75,000-\$100,000 of timber revenue generated per month, and just for those trucks whose movements were noted entering Monrovia. Diamond exploitation has also gone up, and is generating a

conservatively-valued US\$350,000 per month, with little to no Ministry of Mines presence in any of the key diamond mining areas. (See *Part I: TIMBER: The Threat Posed by Liberia's Natural Resource Industries*, page 12)

- **Former Liberian President and indicted war criminal Charles Taylor continues to threaten regional peace**

Despite the terms of his exile arrangements with Nigeria that forbade Charles Taylor from 'engaging in active communication with anyone engaged in political, illegal or governmental activities'<sup>9</sup> in Liberia, he continues to do so. Taylor has been accused by the Special Court for Sierra Leone as having been behind a coup attempt against Guinean President Lansana Conte in mid January 2005, and has been able to bribe Nigerian state security forces<sup>10</sup> to continue meeting in person and having telephone contact with various individuals related to his political, military and economic interests<sup>11</sup>. He maintains significant influence over West Africa, and remains as much a threat to regional peace and security as he always was<sup>12</sup>. (See *Taylor's threat to West Africa*, page 31)

- **Recruitment of ex-combatants to fight in Côte d'Ivoire and Guinea continues**

The failure of the DDR and DDRR processes in Sierra Leone and Liberia, respectively, to successfully demobilise and reintegrate ex-combatants and break down the chains of command of former warring parties has left those ex-combatants vulnerable to recruitment for neighbouring conflicts<sup>13</sup>. There are numerous reports of recruitment within Liberia from former LURD, MODEL and former Government of Liberia (GOL) factions as well as ex-combatants from Sierra Leone and Guinea to fight in Côte d'Ivoire and Guinea.<sup>14</sup> West Africa's cycle of mercenary violence thus continues, highlighting the need for greater coordination between regional UN forces to secure borders and interior areas, harmonise disarmament programmes, and most importantly, learn lessons from past mistakes. (See *Re-Recruitment of ex-combatants*, page 27)



Members of a pro-Liberian government militia, including child soldiers, 2003.

- **Required fundamental reforms to the Liberian forestry sector have not been completed.**

While the Liberian Forestry Initiative (LFI) programme of forest sector is moving steadily forward, much more work to be done before it can be said that the Liberian logging industry is no longer in a position to fuel insecurity and conflict as called for in Security Council Resolution 1521 (2003). The Managing Director of the FDA admits that his organisation does not have the capacity to fulfil its responsibilities, and the lack of money for salaries and insufficient fuel for cars or generators<sup>15</sup> certainly plays a role in that; however, internal management issues and unaccountable and confused processes further hinder the FDA's ability to do their job. Despite the recent completion of the concession review, fundamental elements of the reform process like a basic land-use plan have yet to be completed. Furthermore, issues such as what process will be employed to take forward possible granting of concessions, if the concession model is even one well-suited to Liberia given its failure elsewhere, what role local communities will play in the decision-making process, and other points have yet to be fully debated and action taken. (See *Liberia's unreformed logging industry*, page 21).

- **Liberian diamond industry is still not in compliance with the Kimberley Process.**

The Security Council passed resolution 1579 on 21 December 2004, extending diamond sanctions for 6 months, to be reviewed in three months following a Kimberley Process expert mission to Liberia, which was tasked to evaluate the reform process of Liberia's diamond industry and its ability to fulfil requirements to lift Security Council-imposed diamond sanctions. The findings of the expert mission clearly demonstrate that Liberia is far from having the diamond controls required to prevent diamonds from fuelling conflict and instability.

Although the NTGL has passed legislation designed to implement the Kimberley Process, the mission report concluded that the NTGL is unable to effectively implement, monitor or enforce the law to implement the Kimberley Process. The expert mission further identified the lack of security and government control over diamond-producing regions as a key obstacle preventing the NTGL from effectively enforcing its laws. (See *Liberia's unreformed diamond industry*, page 22)

- **The NTGL is still not operating with minimum transparency and accountability, and has agreed to numerous business deals with insufficient oversight.**

The recent litany of opaque and unaccountable agreements which the NTGL has agreed to across various economic sectors, including iron ore and telecommunications, and the understanding that various members of the NTGL have misappropriated millions of dollars in state revenue, demonstrates the need for more vigilance, oversight and control by the international community. Such behaviour further undermines international donor confidence, as well as the confidence of Liberian citizens, that the NTGL is operating in the best interests of all Liberians. (See *Cleaning out the coffers: resource deals and bad management*, page 25)



Roadsign for Bureau of the Budget, Monrovia, March 2004.

- **Lifting timber and diamond sanctions now would seriously undermine regional security, and not provide substantial economic benefit to the Liberian people.**

Moving to lift the embargoes on Liberian timber and diamonds now, before the required reforms have been completed and safeguards put in place, would seriously jeopardise Liberia's peace and could return Côte d'Ivoire to active conflict. Lifting the export ban would be an invitation to unscrupulous loggers and miners, many of whom are armed ex-combatants, to boost output and generate even more revenue outside of government control; given inadequate upcountry security, logging companies would likely hire private security forces thereby re-arming even more ex-combatants. Timber and diamond exports going to both pro-government and Forces Nouvelles would also generate income that could be used to rearm and resume active conflict in both Liberia and Côte d'Ivoire. Moreover, given the current lack of control over the industry, it is unrealistic to think that the historical problems of extremely low wages, hazardous work environments, destruction of private property and abuse of local populations by logging company militias will be resolved if logging exports resume prior to the completion of key reforms<sup>16</sup>. (See *Background, Gains and Losses of Timber Sanctions*, page 12)



Newspaper headline about corruption, *Heritage (Monrovia)*, 20 April 2005.



## Introduction

Liberia has suffered 15 years of war and despotic leadership which cost thousands of lives, destroyed communities and infrastructure and consumed the region. While there is no longer active conflict in Liberia, the security situation remains fragile and is only ensured through the presence of UN Mission in Liberia (UNMIL) peacekeepers. Despite the attention of international aid groups and donor community, including over US\$500 million in aid pledges, Liberia remains a country that is barely functioning. The majority of its people live in poverty, face extremely high unemployment levels and a transitional government that is not providing even basic services. Surrounded by countries that are either experiencing instability or have recently emerged from conflict, and given the continued nefarious meddling of former president Charles Taylor, Liberia's peace is constantly under threat from internal and external forces. If peace is to grow and consolidate in Liberia, continued international vigilance and more responsible and effective governance by the Liberian government is required.

While the deployment of UNMIL troops has greatly improved security, their effectiveness is undermined by the lack of deployment to many areas, including those rich in natural resources and along Liberia's borders with Sierra Leone, Guinea and Côte d'Ivoire. This has enabled unchecked exports of timber, diamonds, gold, rubber and other resources which, given the historical links between Liberia's natural resources to national and regional armed conflict, is undermining efforts by Liberians and the international community to bring lasting peace and security to a war-weary region (See *UNMIL'S failure to control resource-rich areas*, page 16).

The relationship between natural resources and conflict in Liberia was clearly recognised by the UN when it sanctioned diamond exports in 2001<sup>17</sup> and later embargoed Liberian log exports in 2003<sup>18</sup>. UNMIL was also specifically mandated to "assist the transitional government in restoring proper administration of natural resources"<sup>19</sup>, so integral was the control of resources to lasting security. However, the basic criteria for security and control set forth by the Security Council for the lifting of diamond and timber sanctions have yet to be fulfilled, and as such the sanctions regime should be maintained.



UNMIL tank at checkpoint, Monrovia, March 2004.

Reform of the diamond industry, especially in terms of legislation, is further along than with timber; however, the UN Panel of Experts has found evidence of illegal mining operations

While some progress has been made toward reforming Liberia's logging industry to ensure that it no longer fuels conflict, those reforms are far from complete. The FDA still lacks the capacity and staff to provide even basic control over ongoing logging activities<sup>a</sup>, and many of the more technical aspects of forestry sector reform are still at relatively early stages of development (See *The Forestry Development Authority's minimal and ineffective control over Liberia's forests*, page 19).

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<sup>a</sup> Ongoing references to 'logging', unless otherwise specified, refer to non-commercial scale logging commonly referred to as 'pit-sawing'. This logging activity is carried out by small to medium-sized groups of individuals, often composed of armed ex-combatants, using chainsaws and other non-commercial scale equipment. The FDA is mandated to control all logging activity, but it has not been able to enforce its long-standing ban on un-licensed, pit-sawn timber. However, it has been issuing permits for the transport of timber to market, an inconsistent and self-defeating policy. While it is incumbent on legal timber processors to obtain legally-sourced logs, absent effective enforcement of FDA regulations processors will be vulnerable to having their products tainted by illegally-sourced timber.

taking place throughout the country<sup>20</sup>. A recent expert mission of the Kimberley Process (KP) found that Liberia is still far from having the controls required to prevent diamonds from being exported illegally and thus fuelling conflict and instability, a situation not helped by UNMIL's lack of presence in key diamond mining areas near the borders with Sierra Leone, Guinea and Côte d'Ivoire (See *Liberia's unreformed diamond industry*, page 22).

While the disarmament and demobilisation portions of Liberia's Disarmament, Demobilisation, Reconciliation and Reintegration programme (DDRR) have officially been completed, it has failed to break down the chain of command within the ex-warring parties, and there remains a shortage of RR programmes. The lack of RR programme slots, poor job prospects and unfulfilled expectations has resulted in rioting and the re-recruitment of ex-combatants to fight in neighbouring conflicts, thus continuing the destructive cycle of violence in the region (See *Part II: TAYLOR, SOLDIER, SPY- The re-recruitment of ex-combatants, the troubled DDRR process and Taylor's continued manipulation*, page 27). Security in Liberia and the region is further undermined by the continued influence of indicted war criminal and former Liberian president Charles Taylor. Despite the terms of his exile in Nigeria and the asset freezes and travel bans against both him and his associates<sup>21</sup>, Taylor maintains significant political, economic and military influence over West Africa (See *Taylor's threat to West Africa*, page 31).

One of the greatest threats to Liberian stability is the corruption and poor governance of the NTGL. Some members of the NTGL, of which three quarters is made up of LURD, MODEL and former Government of Liberia (GOL) representatives, have misappropriated large amounts of money, engaged in opaque dealings for Liberia's natural resources and state controlled assets, and have essentially mortgaged Liberia future for short-term monetary gain. This has led to donor fatigue as well as growing resentment among Liberian civil society, undermining Liberia's faith in the international community's efforts (See *Cleaning out the coffers: resource deals and bad management*, page 25).



Poster promoting good governance, Monrovia, March 2004.

More must be done by UNMIL and the international community to help bring Liberia's resources under control, both to move towards self-sustainability and to ensure that history does not repeat itself by a return to resource-fuelled conflict. With former president Charles Taylor's continued attempts to destabilise the region, the tenuous peace in Côte d'Ivoire, continued violations of the diamond and timber sanctions and political instability in Guinea, now is not the time to consider lifting Liberia's sanctions regime. Rather, it is time for the international community to maintain extra vigilance in its oversight of Liberian government and territory, as well as larger regional security concerns to ensure donor money is not wasted, the peace is not undermined, and the people of a war-weary region are given the best chance possible for a sustainable and peaceful future.



Newspaper headline regarding corruption, *National Chronicle*, 20 April 2005.

### **Liberian civil society wants sanctions to remain**

The NGOs Coalition for Liberia, a consortium of 13 indigenous legal, human rights, environmental and governance NGOs issued an Open Letter to the UN Security Council on 6 June 2005, calling on the Security Council to maintain the timber and diamond sanctions at the upcoming June review. Citing numerous examples of resource exploitation and governance failures that have yet to be addressed, the Coalition made clear that the Security Council's own requirements for lifting sanctions had not been met (a).

In an letter regarding the previous sanctions review in December 2004, the NGOs Coalition reiterated the collective view of Liberian civil society that lifting the diamond and timber embargoes before such control and security was attained would open up Liberia to those criminal elements that previously violated UN sanctions and would further undermine the reform process by taking away the incentive to reform. It further stated *'the presumption that the lifting of sanctions will support economic recovery, provide thousands of jobs in the natural resource sector, and mitigate the humanitarian impact of the sanctions is misdirected'* (b).

Surveys conducted by the UN's own Panel of Experts found that 2/3 of respondents said they wanted sanctions to remain in place at least until after a new, democratically-elected government was installed (c). And numerous radio call-in shows facilitated by UNMIL have also been dominated by calls to maintain the current sanctions regime (d).

(a) 'Open Letter from the NGOs Coalition for Liberia calling on the UN Security Council to maintain timber and diamond sanctions at its June review', 6 June 2005.

(b) 'Open Letter by the NGOs Coalition for Liberia to the UN Security Council, against lifting sanctions', 6 December 2004.

(c) UN Expert Panel on Liberia report, S/2003/937.

(d) 'Open Letter by the NGOs Coalition for Liberia to the UN Security Council, against lifting sanctions', 6 December 2004.



Newspaper headline regarding the Liberian diamond industry, *The Vanguard*, (Monrovia), 21 April 2005.

### **Criteria for timber sanctions to be lifted**

From S/2003/1521, as renewed for 12 months by S/2004/1579:

10. *Decides* that all States shall take the necessary measures to prevent the import into their territories of all round logs and timber products originating in Liberia;

11. *Urges* the National Transitional Government of Liberia to establish its full authority and control over the timber producing areas, and to take all necessary steps to ensure that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the Council's resolutions but are used for legitimate purposes for the benefit of the Liberian people, including development;

12. *Expresses* its readiness to terminate the measures imposed by paragraph 10 above once the Council determines that the goals in paragraph 11 above have been achieved;

13. *Encourages* the National Transitional Government of Liberia to establish oversight mechanisms for the timber industry that will promote responsible business practices, and to establish transparent accounting and auditing mechanisms to ensure that all government revenues, including those from the Liberian International Ship and Corporate Registry, are not used to fuel conflict or otherwise in violation of the Council's resolutions but are used for legitimate purposes for the benefit of the Liberian people, including development;

## Part I: TIMBER: The Threat Posed by Liberia's Natural Resource Industries

Liberia's natural resources have historically played a significant role in fuelling conflict and insecurity in the region. Given the lack of UN and NTGL presence in many resource rich areas, and their collective lack of action to tackle problem areas like Sapo National Park, ex-combatants have assumed control over many of Liberia's resource centres. Much of the mining and logging is being organised by former warring party commanders and generals who, given the limited success of Liberia's DDR process and weak internal controls, maintain their access to weapons and have the capacity to export their goods abroad. Millions of dollars of revenue generated annually by timber, diamonds, gold, iron ore and rubber sales are unaccounted for, producing sizeable and unregulated funds that have historically been used to increase instability.

The security threat posed by this ongoing trade in illegal resources is significant. The organised presence of ex-combatants in Guthrie and Sinoe rubber plantations, the diamond mining areas of Lofa, Nimba and Gbarpolu Counties, and the timber areas of Grand Bassa, River Cess and Sinoe Counties, among other places, is significant and requires immediate action by UNMIL, the NTGL and the international donor community. Without timely action, the status quo of resource exploitation by armed non-state actors will continue undermining internal and external security, with potentially long-lasting and irreparable consequences for the region.



OTC abandoned logs, near Kilometre 85, April 2005.

### Revenue Control and Reconstruction

The reform of the FDA's financial control mechanisms have not been completed, and even with ongoing limited logging operations, ensuring accurate and accountable money management has proven difficult. Restarting industrial logging now, with substandard financial architecture and without the necessary safeguards in place, would open up the abuse of industry revenue to misappropriation as was seen previously, with revenue used to fund conflict, abusive militias and a corrupt elite.

### Background, Gains and Losses of Timber Sanctions

Liberia's industrial logging industry has historically played a role in fuelling regional conflict and domestic insecurity. Revenue derived from logging has assisted in the import of weapons since at least 1991, when then-warlord Charles Taylor granted logging and other extractive industry concessions in territory under NPFL control<sup>24</sup>. The money from timber and mineral sales, and kickbacks from concessions were used to purchase weapons that eventually propelled Taylor to control Liberia. While president from 1997-2003,



Logging ship, MV Antarctic Mariner, at Buchanan Port, June 2001.

Taylor used the logging industry as a principle source of financing and logistics for both arms trafficking and other extra-budgetary expenditures, even admitting to using logging revenue to purchase arms in violation of the UN arms embargo<sup>25</sup>. The role of Liberia's logging industry in fuelling insecurity continued up to the start of sanctions in July 2003 and Taylor's departure into exile in August 2003, and, in its unreformed state, should commercial-scale logging and exports restart now the potential for such widespread abuse and destabilisation will become a real threat yet again.

### **Logging company owners and their links to insecurity**

The UN has placed numerous individuals involved in the Liberian logging industry on its travel ban and asset freeze lists, including Gus Kouwenhoven and Joseph Wong, erstwhile President and Executive, respectively, of the Oriental Timber Company (OTC) and who, according to the UN, were 'arms dealer(s) in contravention of UNSC resolution 1343 (and) supported former President Taylor's regime in effort to destabilize Sierra Leone and gain illicit access to diamonds'<sup>27</sup>. Kouwenhoven was recently arrested by the Dutch national police and is currently facing charges of war crimes and violation of the arms embargo against Liberia, an offence under Dutch economic law<sup>28</sup>. Mohammed Salame, referred to by the UN as 'owner' of the logging companies Mohammed Group of Companies (MGC) and BIN-Liberia Inc<sup>29</sup> as well as Ambassador Plenipotentiary to both Taylor and current NTGL Chairman Gyude Bryant, is also subject to the UN travel ban and asset freeze<sup>30</sup>.



Gus Kouwenhoven.

### **The logging industry as a key source of extra-budgetary revenue**

The uncontrolled Liberian logging industry was a significant source of misappropriated revenue with which Charles Taylor and his associates fuelled their war machine and enriched a corrupt elite. Global Witness' previous analysis of Liberian government documents and undercover monitoring of Liberian ports noted that, conservatively valued, tens of millions of dollars of unaccounted for revenue each year from the logging industry<sup>31</sup>. The use of this missing revenue to purchase weapons, combined with the involvement of logging industry figures in arms imports, led the UN Security Council to clearly recognise the threat and impose timber sanctions through Resolution 1478 (2003). The export embargo was revised by Resolution 1521 (2003) and extended for 12 months until late December 2005 by Resolution 1579 (2004). Moreover, when creating its Mission in Liberia (UNMIL), the UN Security Council took the unprecedented step of mandating UNMIL to 'assist the transitional government in restoring proper administration of natural resources'<sup>32</sup>. However, given the lack of reform of the forestry sector to this point, insufficient oversight by the UN and NTGL, generally poor governance of Liberian government at all levels and the growing scale of logging activities perpetrated by ex-combatants, the risk of misappropriated revenue from any restarted commercial-scale logging activities is significant.

### **The beneficial impact of timber sanctions**

The timber sanctions have had a beneficial impact on Liberian and regional security, significantly reducing the revenue available to the former regime of Charles Taylor, as well as the LURD and MODEL rebel groups, to purchase weapons and maintain their armed combatants. Timber sanctions have also resulted in a reduction of the abuses which were being committed by some logging company workers and militia members, including public floggings, arbitrary arrest and detention without charge, destruction of private property and increased exposure to disease.

Liberian citizens, particularly those from areas near logging areas who suffered the most ill-effects of the logging industry under the Taylor regime, have recognised the importance of sanctions and been supportive of them. A survey done by the Expert Panel in 2003 showed that two thirds wanted sanctions to remain in place until at least after the general elections<sup>37</sup>. In July 2003, leading Liberian human rights, good governance and human rights NGOs even called for the extension of the embargo to all extractive resources in Liberia during the transitional period<sup>38</sup>, and the same Coalition has recently called on the Security Council to maintain sanctions at the upcoming June review (*See Annex II: Open Letter from the NGOs Coalition for Liberia calling on the UN Security Council to maintain timber and diamond sanctions at its June review (June 2005), page 36*).

## Violations of the timber sanctions

UN, diplomatic, military and NGO representatives in both Liberia and Côte d'Ivoire have stated to Global Witness investigators that they believe timber is crossing over from Liberia into Côte d'Ivoire<sup>39</sup> in violation of the UN timber sanctions. While the scale of timber exports described is nowhere near the cross-border traffic seen in the period before sanctions entered into force, any export of timber from Liberia underlines the porous nature of the country's borders and highlights the lack of NTGL, UNMIL and UNOCI command along the border between the two countries.

The shipments are reportedly going mainly to the Ivorian-government controlled southern region, although there have also been numerous reports of timber crossing over further north into the areas under the control of the Forces Nouvelles<sup>40</sup>. Concurrently, the Forces Nouvelles is engaged in logging activities in western Côte d'Ivoire, near the border with Liberia<sup>41</sup>, and this would provide a ready market for Liberian timber that could easily be mixed in with Ivorian timber for domestic use or commercial export. This corresponds with previous Global Witness investigations to the region, which reported the movement of small amounts of timber moving from Liberia to Côte d'Ivoire and Guinea<sup>42</sup>, as well as other organisations' reports of logging by the Forces Nouvelles and the government sides to finance their war efforts<sup>43</sup>.

### Containerised timber

The recent sighting of sawn timber being loaded into a 40' shipping container is a new and potentially worrying development in the handling of sawn timber. The most common form of transporting timber to Monrovia for sale is through large open air trucks. Given the increasingly secretive nature of shipments of timber any moves toward potentially surreptitious means of transporting or even exporting timber deserve further investigation. This particular shipment, spotted near Jenemama in Gbarpolu County, was destined for sale near the Monrovia Freeport, according to workers loading the container (a). While it is not clear if this particular shipment was exported, the use of a sealable container, its transport to Monrovia in the middle of the night and the lack of adequate customs controls at the port means that similar containers of sawn or raw timber could be exported in violation of the UN timber embargo.

(a) Global Witness investigations 2005.



### Late-night deliveries

From its investigation in October 2004 and before, Global Witness noted timber deliveries from outlying areas were being made to Monrovia in broad daylight. However, perhaps due to the increased awareness of the problem of illegally-sourced timber and vigilance of monitors at key entry points to Monrovia, timber transporters have started delivering their loads very late at night or early in the morning. They are driving up from Buchanan, Tubmanburg and other sourcing areas too offload their shipments by the Freeport and elsewhere, usually before sunrise (a). This shift in delivery strategy is worrisome if its intent is to evade FDA and independent oversight, and, when combined with the general level of poor oversight of the industry and the potential use of containerised transport (see below), means the mechanisms to avoid both Liberian national law and international sanctions law are readily exploitable.

(a) Global Witness investigations 2005.



Container truck carrying sawn timber in the middle of the night, as seen on road from Jenemama to Monrovia Freeport, 2005.

***Unauthorised logging activity and the potential for timber exports: a spotlight on the Prollo crossing point***

There is evidence to suggest that the Togba Timber Company (TTCO), which maintains a sawmill in Pugbakien (a), an area just north of Harper and near the border with Côte d'Ivoire, has recently operated its sawmill in violation of the terms of the Concession Review (b). Although TTCO representatives have commented that the timber it produced was only to repair bridges within its concession (c), the terms of the Concession Review state that while a concession is under review all activity on it must cease (d).

There is also logistical capacity to violate the timber sanctions located near the sawmill. The TTCO mill and concession lies near Prollo (also called Pedebo), one of the key crossing points between Liberia and Côte d'Ivoire, and an area where there have been reports of timber crossing over into Côte d'Ivoire (e). Prollo is a major transit route between the two countries with a functioning ferry that travels regularly back and forth across the river. The ferry has the capacity to serve as a conduit for mercenaries, weapons and resources, as it is big enough to shuttle trucks and/or a trailer of timber from Liberia to Côte d'Ivoire (f). Despite this capacity, there is no regular UNMIL or UNOCI presence at this border crossing point on either side of the border to ensure that such illegal activities do not take place (g).

(b) Global Witness research and investigations, 2001-2005.

(c) Global Witness research, March 2005.

(d) Ibid.

(e) Global Witness interview with Dean Eugene Wilson, FDA Managing Director, 21 April 2005; Global Witness interviews with other environmental lawyers and environmental NGO workers, April 2005.

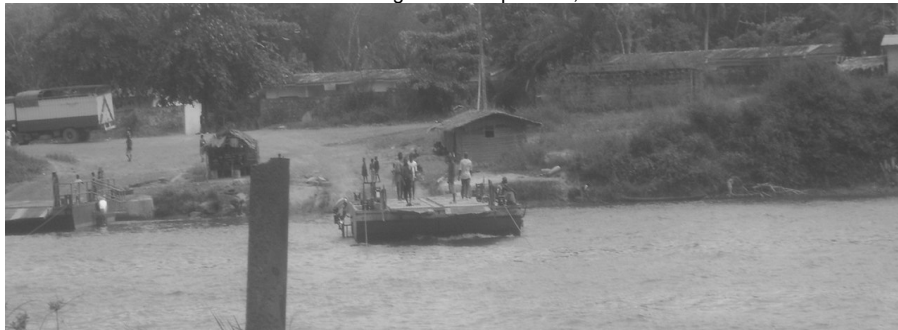
(f) Global Witness interviews with diplomatic and NGO representatives in Liberia and Côte d'Ivoire, 2004-2005.

(g) Global Witness research, 2004-2005.

(h) Global Witness research, 2004-2005.



TTCO sawmill at Pugbakien in operation, March 2005.



Ferry crossing between Liberia and Côte d'Ivoire at Prollo, March 2005.

There is a historical precedent of cross-border trade in timber between Liberia and d'Ivoire, with Liberian logs often being processed along the border or shipped out as round logs through the Ivorian port of San Pedro. While there are a number of points where timber, both sawn and in log form, could cross from Liberia into Côte d'Ivoire, numerous sources have identified the border crossing at Prollo as the point where both sawn timber and some logs were crossing over<sup>44</sup>. Given the ongoing insecurity in Côte d'Ivoire and the imminent start of its disarmament programme, it is critical for the UN and NTGL to ensure strong peacekeeping presence and government oversight of the border to prevent the cross-border trafficking of timber, diamonds and other resources, as well as weapons and re-recruited ex-combatants (See Part II: TAYLOR, SOLDIER, SPY– *The re-recruitment of ex-combatants, the troubled DDDR process and Taylor's continued manipulation*, page 27).

**UNMIL's unfulfilled natural resource mandate:**

UNMIL is mandated, '(r) to assist the transitional government in restoring proper administration of natural resources', Security Council Resolution 1509 (2003)

**UNMIL'S failure to control resource-rich areas**

Despite consistent findings by the UN Panel of Experts of illegal diamond exports and illegal domestic logging activities, and even though local and international civil society have repeatedly called for UNMIL to take a more proactive role in addressing the issue of illegal natural resource exploitation in Liberia, UNMIL has been slow to respond. This failure runs contrary to the very clear recognition by the Security Council that control over Liberia's natural resources is critical to sustainable peace in region, a position evidenced in the sanctioning of timber and diamond exports and UNMIL's explicit natural resource mandate.

The reasons why UNMIL has failed to fulfil this portion of their mandate are varied, and while some are logistical in nature others are based on a lack of political will or deference to the dubious sovereignty of the NTGL. A former senior member of UNMIL stated to Global Witness that the failure to implement the resource control part of their mandate, and more generally their capacity to be independently proactive in policing on all levels, was the result of a narrow reading of the mandate by UN headquarters<sup>45</sup>. The status quo is then that UNMIL only moves to assist the NTGL when the transitional government requests such assistance. Given the vested financial and personal interests of many in the NTGL in timber and diamonds, it is unlikely that any requests for robust UN support in those sectors will be forthcoming.

However, UNMIL itself has been too slow to recognise the security threat played by ex-combatants and their control over Liberia's lucrative resources. It has been over a year since the occupation of the Guthrie and Sinoe Rubber plantations by armed LURD and MODEL ex-combatants. Following complaints by local citizens and reports by international NGOs of human rights abuses including forced labour, UNMIL sent a rapid reaction force to Guthrie in September 2004 to disarm the plantation; however, weapons remain<sup>46</sup>. The UN's own Expert Panel has reported how key diamond mining areas near the borders with Sierra Leone and Guinea are being mined by ex-combatants, while UNMIL is nowhere nearby<sup>47</sup>. Sapo



Truck hauling timber from Buchanan area to Monrovia, with UNMIL checkpoint in the background, October 2004.

National Park, which has been a significant environmental and security concern since UNMIL first arrived, has only recently seen an action plan developed, with concrete progress still some way off (See *Sapo National Park: Continued armed occupation and illegal mining despite UNMIL threats*, page 18).



With a slight modification in of UNMIL's mandate, and if conflict resource issues were integrated into standard training and sensitisation, UNMIL's peacekeepers and CivPol officers could serve an important role in enforcing the sanctions and ending the trade in conflict resources. They would also serve as important sources of intelligence for UNMIL on general security issues, as well as aid the Liberian FDA, national police and local and international NGOs working to tackle the problem of illegal resource exploitation. As an interim step, getting peacekeepers already deployed upcountry to regularly report back to UNMIL headquarters on resource-related issues would avoid the serious lack of communication Global Witness experienced with regards to diamond mining in October 2004, when Global Witness investigators travelled to Yekepa to investigate border insecurity and diamond mining. Local peacekeepers had not reported back to UNMIL headquarters or the Expert Panel about the activity, despite UNMIL's mandate and despite having been aware of the activities for months<sup>46</sup>.

Building up peacekeepers' knowledge of resource issues, and encouraging them to robustly question those engaged in logging, mining and hunting within their purview and then relay that information back to UNMIL commanders, would serve as an important deterrent to those who might think they can operate illegally with impunity or export in violation of UN sanctions. It would also ensure that UNMIL receives more regular and detailed reconnaissance from upcountry, with which to make more educated decisions about troop deployments.

#### **Is UNMIL part of the problem? Procurement and sourcing issues**

UNMIL still does not have a clear ethical or legal-sourcing policy for resources such as timber, nor do many of the international NGOs operating in the country. While Global Witness understands that there is a need for raw materials such as sawn timber to aid in the country's reconstruction, UNMIL and others are undermining their own missions in the country through purchasing from dealers and construction supply companies that source their timber from illegal pit sawyers. Timber should only be purchased from the supplies that the five legal sawmills have provided. Such environmental – and legal – sensitivity should be mainstreamed into all activities and procurement by the UN and local and international organisations.

#### ***Control over Liberia's borders and interior***

Despite concern by UN peacekeeping missions in West Africa over the recruitment of ex-combatants to fight in neighbouring countries, and the recognition by UN and military representatives in the region that there is little or no control of Liberia's porous borders,<sup>49</sup> there has been no recognisable increase to security nor more regular patrols or stationing of troops at significant interior and border crossing points. Global



Old car parts act as border security, Yekepa, October 2004.

Witness investigations in both October 2004 and April 2005 noted a lack of adequate border control at many important crossing points on both Liberia's border with Guinea and Côte d'Ivoire<sup>50</sup>. Near Harper, in the southeast of Liberia bordering Côte d'Ivoire, the major border crossings at Prolo and Pataidie were controlled by former MODEL fighters until late 2004. While as of March 2005 control had been shifted back to the NTGL, the few Bureau of Immigration employees stationed in the area had not been paid for two months and had no radios or vehicles<sup>51</sup>. Further north, there is still minimal UNMIL presence in Toe Town, and the major border crossing point at the old BIN-Liberia sawmill is rarely patrolled by the UNMIL troops stationed at Zwedru<sup>52</sup>.

There is also insufficient UNMIL deployment to key areas of Liberia's interior. The Panel of Experts reported to the Security Council that LURD ex-combatants wield significant control over areas of Lofa County and that residents expressed concerns about their safety, stating that, 'there are still plenty more arms around us and the presence of UNMIL is not fully felt in our area.'<sup>53</sup> This is particularly true of the Foya area of North Lofa, where former LURD fighters maintain strong control<sup>54</sup>. Due in part to a lack of troops, UNMIL has focused on areas of highest population density<sup>55</sup>. But even if troop levels do not rise in the short term, UNMIL should increase security and intelligence gathering in key border and interior areas through more regular and unpredictable patrols, including night patrols, stationing troops at major border crossing points on a more permanent basis, and deploying smaller, more flexible groups of military observers (MILOBS) to rural areas to increase both UNMIL headquarters' field intelligence and local support of UNMIL's mission.

### **Sapo National Park: Continued armed occupation and illegal mining despite UNMIL threats**

Sapo National Park was overrun by armed elements linked to the MODEL rebel group nearly two years ago. Sapo has since become one of many high-profile examples of the failure of UNMIL and the NTGL to adequately control Liberia's natural resources. Former fighters and other opportunists have set up illegal gold and diamond mining camps, as well as bushmeat hunting operations, thus militarising a national park and generating significant amounts of unaccountable money.

Estimates put the park's current population at almost 4,000 individuals, separated into a few communities including Iraq, Afghanistan, Baghdad, New Creation and Sunshine Village. While some of those living in the park are displaced persons, most of the population consists of former MODEL fighters who entered the park knowing that it is illegal to mine and hunt in the park. Reports suggest that gold and diamonds mined in the park are heading to Guinea (a), and that that some gold is bought by traders coming from as far away as Togo (b). The generation of revenue and vested interests that that entails complicates efforts by international agencies wishing to provide welfare to those in the park, without encouraging illegal squatting in national parkland.

While attention to the situation in the Park has increased, and UN and other diplomatic representatives have undertaken some limited investigations within the park, law enforcement presence in the area remains minimal. The few FDA representatives stationed near the Park complain that their requests are never heeded by the park's inhabitants (c), and while some arrests have been made there are no real jails in Liberia in which to incarcerate anyone. Getting the FDA and NTGL's requests enforced is made increasingly difficult given the collaboration of some local chiefs with those in the Park. Those chiefs have established rudimentary tax systems to collect money from miners, as well as become involved in internal camp politics, such endorsing particular candidates during elections for camp leadership positions.

By early April 2005, UNMIL had finally developed an action plan to clear out the park's illegal populations, but little if anything concrete has been accomplished. The first step, creating two helicopter landing sites near the park's headquarters at Gbaboni to ease entrance and exit to the park has only recently been completed. While some residents have spontaneously left Sapo, it is unclear if that is due to the increased UNMIL presence in the area, the natural farming cycles or the oncoming rainy season which will make mining more difficult without proper equipment.

Unfortunately, Sapo is but one prime example of the failure of UNMIL and the NTGL to react decisively to issues of significant security concern involving armed occupation of key natural resource centres; others include the Guthrie and Sinoe rubber plantations. The presence of armed ex-combatants in one of Liberia's few protected areas, generating money through the illegal mining of gold and diamonds, poses a security threat that should have been addressed two years ago when first raised by Liberian and international civil society. Moreover, the intersection between natural resources and conflict is clear in the case of Sapo, yet UNMIL, with its specific mandate to help restore control over the country's natural resources, has waited so long to act, and it remains to be seen whether or not that action will be decisive.

- a. Global Witness investigations, April 2005.
- b. Global Witness interviews with Liberian environmental NGO staff.
- c. Report of UNOPS Mission to Sapo National Park, 2004.

## ***The Forestry Development Authority's minimal and ineffective control over Liberia's forests***

While UNMIL has a role to play in facilitating the control over Liberia's natural resources, the principle responsibility is vested with the NTGL and its Forestry Development Authority (FDA). FDA leadership continues to admit that it does not have the regulatory capacity it needs to fulfil its responsibilities<sup>56</sup>, and expressing frustration with problems that thwart its work: namely not having adequate staff, money for salaries and insufficient fuel for cars and generators<sup>57</sup>. Little has changed since October 2004 when Global Witness investigators encountered completely empty FDA buildings, lack of vehicles, lack of pay and lack of awareness of nearby logging activities<sup>58</sup>.

While the UN sanctions embargo the export of timber from Liberia, they do not ban logging and processing for domestic consumption. However, domestic Liberian forestry law makes clear that operators can only be considered in compliance with the law if they have both a legal agreement with the government to saw or log in a particular area, and if the FDA and other relevant authorities are able to oversee those operations and ensure compliance<sup>59</sup>. Most of the current



loggers in Liberia do not have valid contracts with the government, and with the exception of some sawmills there is ineffective FDA oversight of logging operations to ensure compliance. As the FDA does not have the capacity to oversee operations and ensure compliance, such logging/pit-sawing activities should be stopped. NGOs, including Global Witness, have tested compliance by attempting to purchase timber from non-permitted sources and found that it is still possible, confirming the prevalence of unaccountable behaviour that undermines efforts to bring peace and the rule of law to Liberia (See *Is UNMIL part of the problem? Procurement and sourcing issues*, page 17; and *The ease of purchasing pit-sawn timber*, page 21).

### ***How much money is involved in current logging activities?***

Given the decrepit infrastructure of Liberia following nearly two decades of civil war and economic mismanagement, there is a lot of reconstruction to be completed. The rebuilding of schools, creation of new homes and other general construction needs have created a huge demand for sawn timber, with commensurately large amounts of revenue generated for those involved in logging. While the NTGL has authorised five sawmills to legally process timber, it is often much cheaper to source directly with sawyers upcountry, or via their representatives in Monrovia.

The estimated value of a normal sized truck laden with sawn timber, usually containing 600 pieces, is approximately US\$5,000; however, some groups are using extended length trailers and much larger vehicles that would be worth more, accordingly. Based on independent sources that have been cataloguing, where possible, the number of trucks seen to be entering Monrovia monthly, a conservative value estimate of the trade in sawn timber is US\$75,000 to \$100,000 per month(a). That figure does not include trade in timber which does not reach Monrovia nor larger special consignments for international organisations upcountry, and even as a conservative figure it is significant and worrying that so much revenue is being generated outside the control of the NTGL.

a. Global Witness investigations, 2005.

## Internal confusion

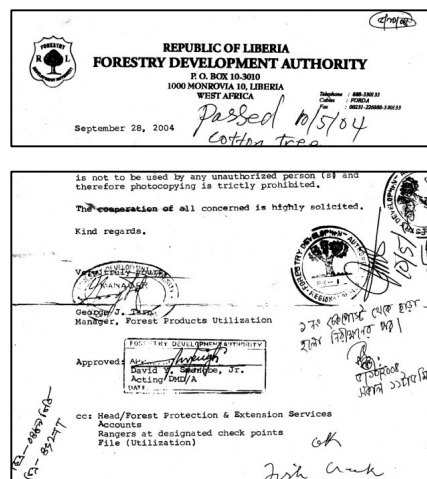
Despite the reform process and relatively small scale of logging operations there is still significant confusion and mixed messages from FDA management on key policies of permitting and collection of money. Such lack of coordination on basic policies demonstrates their inability to adequately monitor and control logging should sanctions be lifted now.

In October 2004, Global Witness was told very clearly by FDA's Managing Director that to register and begin sawmill operations would cost all operators US\$5,000 and that all fees would have to be paid up front in order for operations to commence<sup>63</sup>. However, when Global Witness investigators approached FDA management again in April 2005, FDA representatives quoted different dollar amounts required to register sawmills as well as differing payment schemes.

The FDA have thus far approved five sawmills, and Global Witness was shown an internal FDA document listing the details of ownership and payment for four of them. The amounts paid varied between US\$1700 and US\$5000, with no notation for the discrepancy. When questioned regarding the discrepancy, FDA management responded cited a policy that 'new' sawmills, such as Ana Woods Liberia Corporation (AWLC), had to pay a higher US\$5000 figure, whereas 'older' companies, such as General Timber Corporation, only paid a lower figure of US\$2,500. When the further discrepancy was pointed out again between the US\$2500 figure required and the US\$1,700 noted as having been paid by General Timber Corporation (GTC), FDA response was that they were paying instalments. This is a clear diversion from the policy stated in October 2004<sup>64</sup>, and local environmental civil society representatives, subsequently presented with this explanation, noted that they were not previously aware of any such rule change and were not satisfied with the FDA's explanations for the disparity in registration fees<sup>65</sup>.

## Pit Sawing permits

An additional concern is the FDA's failure to establish and maintain clear and logical procedures regarding the authority to issue timber-related permits. It is counterproductive for the FDA to grant permits for transporting timber where the cutting of that timber has been deemed destructive or otherwise operating outside Liberian forestry law, as evidenced by the still valid ban on pit-sawing. The FDA's rationalisation is that, if the timber has already been cut, it would be best to transport it to market rather than see it wasted upcountry. However, this does nothing to penalise or otherwise reduce such logging from happening in the first place, and in fact logging activities upcountry have rapidly increased. The situation has been further complicated by confusion about who has the legal authority to grant such permits.



Photocopy of permit for pit sawing, dated September 2004.

FDA representatives who were interviewed by Global Witness in April 2005 said that permits would be issued for US\$100 to pit sawyers per truckload of timber, that the permit would be viable for a full year and that the funds would be paid into an account in the Central Bank from which withdrawals were not allowed<sup>67</sup>. However, given lax controls such permits or photocopies thereof can be used multiple times, and the lack of information-sharing within the FDA about the issuance of permits, and the power of monitors to take fees on the spot, further confuses the situation and opens it up to abuse. FDA representatives interviewed previously in the field reported very different procedures regarding the issuance and validity of permits than those at FDA headquarters<sup>68</sup>. As the ability to verify the authenticity of the permits decreases, the whole system becomes less meaningful as a mechanism of control. Such inability to have clearly established guidelines for even current operations does not bode well for any proposed restart of larger scale industrial production.

### ***The ease of purchasing pit-sawn timber***

The FDA has legally permitted five sawmills to operate and sell sawn timber to the market. However, it is often easy to procure sawn timber upcountry directly from producers in the bush, with minimal interference from regional FDA offices located nearby.

Global Witness investigators travelled upcountry to a number of logging sites outside Buchanan, and approached workers one camp in an effort to gauge if purchasing timber on-site had become any more difficult since previous investigations in October 2004 had shown a lack of FDA oversight and control, and found that it has not. At the camp visited, along the road to Kilometre 110, camp representatives said the loggers had been in place for three months and their operations consisted of two camps, six power saws, 61 male workers and three women. The organiser of the operation was based in Monrovia. Several of the workers were young teenagers under the influence of drugs.

Although initially wary of the direct contact, the process of purchasing timber at the camp was relatively straight forward, and most sizes of sawn timber were available with different prices already established based on whether the buyer provided their own truck or wished to have the timber transported directly to the intended construction site. When asked if they had ever had problems with the FDA, and if so what they did, one camp worker stated that they had, but just paid the FDA staff off to avoid a problem (a).

(a) Global Witness interviews with logging workers outside Buchanan, 23 April 2005.



Sawn timber by the roadside, on the road from Kilometre 85 toward Buchanan, April 2005.

### ***Liberia's unreformed logging industry***

The third round of the Concession Review, an in-depth legal and technical review of all previous logging concessions, has been completed. A draft of the review as obtained from numerous sources by Global Witness calls for the cancellation of all concessions<sup>70</sup>, as no concessionaire was ever fully compliant with the law and thus a fresh start is necessary. The Concession Review Technical Secretariat, which helped lead the process, should be applauded for its exhaustive and diligent research, while the fact that they recommended cancellation of all concessions is yet another clear indicator of how poorly the industry was managed overall.

While the Concession Review has been completed, there are still fundamental questions that have yet to be answered. It is not decided how new concessions will be allocated, if at all, and what restrictions may be applied therein. As yet, the LFI and NTGL have also not completed a land-use plan, nor have they sufficiently engaged local communities for their feedback or determined what the procedures will be for those concessionaires who wish to return to the industry despite their concessions being cancelled. It has not been determined whether and how any concessionaires found to have been operating illegally before will be prevented from re-entering the logging industry. Furthermore, key decisions have not been made about what

taxing policies will be employed, nor to what power communities in prospective logging areas, which suffered the most under the former logging industry, will have in determining the conditions under which logging may be allowed to return to their areas. While working groups have been set up and various consultancies have been undertaken in a piecemeal fashion to address some of these concerns, there must be a more cohesive and holistic approach to the reform process.

### ***Hiring Outside Help: The issue of an external 'Management Company'***

Recently, the suggestion of bringing in a for-profit, independent outside management firm has been promoted by NTGL as a tool to get timber sanctions lifted and revenue flowing. FDA Managing Director Eugene Wilson even stated that he wanted to see a management company decided upon by mid July 2005. Subcontracting out the government's work could be counter productive in the long-run, unless mechanisms are included to build the capacity of the FDA as a priority and a realistic exit strategy is in place. Moreover, it is critical that the tender process is not rushed, and that the company is chosen in a fair and transparent bidding process, and has a proven track record in forest management.

The UN Expert Panel has noted that, if in the near-term Liberia's logging industry were to restart operations in a transparent, accountable and properly resourced manner, an outside and experienced management company would likely have to assume control (a). There has already been a draft proposal circulated, which was wholly unsatisfactory, with insufficient safeguards and weak oversight by impartial outsiders. The proposal, which Global Witness understands to have been drafted in part by parties interested in actually bidding for the management contract. Bringing in an outside company to help run the FDA is a major step, and much more thought and many more safeguards must be put in place before anything should move forward. The bidding process should include realistic timeframes to allow reputable and qualified firms to partake. The current proposal should be reconsidered and redrafted to ensure an effective and comprehensive process.

(a) UN Panel of Experts on Liberia report. S/2004/955.

### ***Liberia's unreformed diamond industry***

Liberia's diamond industry has historically been synonymous with conflict, given the integral role that diamond trafficking by RUF rebels in Sierra Leone through Liberia had in fuelling civil wars in both countries. While sanctioned in 2001, there has been a steady increase in diamond mining activity in Liberia since the end of the Liberian civil war. The NTGL has essentially outlawed all diamond mining activity, first, on 14 January 2005, by suspending the issuance of all licences and permits for diamond mining, and by placing a moratorium on alluvial diamond prospecting<sup>72</sup>. Despite these attempts to curb illegal mining, the UN Panel of Experts states that illegal domestic diamond production currently generates approximately US\$350,000 per month<sup>73</sup>.

Diamonds mined in Liberia are being exported in violation of the UN diamond sanctions through neighbouring countries Sierra Leone, Guinea, Côte d'Ivoire, as well as flown directly to Belgium<sup>74</sup>. There are well-established diamond trading and smuggling routes in Sierra Leone and Guinea, and areas of particular concern within Liberia are those throughout the north and western areas, where until recently there has been no UNMIL presence and where UNMIL and NTGL control remains minimal. Gbarpolu County in particular has recently seen an increase in mining activity, with a significant number of miners heading to the Camp Alpha area near the border of Gbarpolu and Lofa Counties<sup>75</sup>. Camp Alpha, perhaps not coincidentally, was a major rear base for the RUF rebels in Sierra Leone. There are also areas under control by the Forces Nouvelles in Côte d'Ivoire where significant mining activities are taking place, especially in the vicinity of Seguela and Tortiya<sup>76</sup>, and Liberian diamonds may well be helping finance the Forces Nouvelles war machine as well.

In addition to the large numbers of small-scale alluvial miners that operate illegally across Liberia, a number of international companies are engaged in or have recently been engaged in exploration for diamonds, including Mano River Resources<sup>77</sup> and American Mining Associates (AMA). During a visit upcountry in early 2005 the UN Panel of Experts stated that the scale AMA's operations were 'excessive for exploration activity'; AMA representation in Monrovia told the Expert Panel that it was simply storing washed gravel in drums for later processing should export sanctions be lifted. AMA was later forced to cease operations as it had not filed an exploration plan with the Ministry of Mines, as required by its license<sup>78</sup>.

### **Selling off 1/3 of Liberia: The 'secret agreement' that nearly was**

The NTGL's poor management of recent negotiations for mineral rights and other resource deals highlights the need for greater oversight by the international community and renewed pressure for transparency in NTGL operations. The two deals described below have received extra scrutiny by UN Expert Panel for Liberia and World Bank, who have called for more transparency and better terms and conditions; however, more sustained oversight is required as other deals have gone through under unacceptably opaque conditions.

In their report dated 17 March 2005, the UN Panel of Experts on Liberia published its concerns over reports that a 'secret agreement' had been signed between the NTGL and the West Africa Mining Corporation (WAMCO) for mining rights that covered roughly 1/3 of Liberia's territory. WAMCO, according to the Panel, has 'no previous experience in the mining sector whatsoever' (a) and the contract, as seen by Global Witness, would have given WAMCO a 'de facto monopoly' over much of Liberia's diamond areas, including the exclusive right to purchase all minerals in Western Liberia that would be recovered by mining cooperatives that WAMCO would establish and support, with the exception of those already subject to established mineral development agreements (b).

In its report, the Panel of Experts criticised the lack of an open bidding process, the lack of consultation with the Liberian Contracts and Monopolies Commission, and described the conditions under which the agreement was negotiated as 'extremely opaque'. The Panel of Experts also noted with concern that the contract allows for WAMCO to create its own private guard service (c); this is particularly worrying given the historic role that such private security forces have had in general abuses against local communities, and the way in which they have often become militias that have played major roles in the Liberian conflict.

WAMCO's General Manager is French businessman Michel Saint-Yrian, according to David Aim, a representative of the London International Bank (LIB), a former investor in the project (d). Mr. Saint-Yrian holds a Liberian diplomatic passport (e) and is listed on the United Nations Educational, Scientific and Cultural Organisation (UNESCO) website as a Liberian representative with the position Counsellor of Education (f). He has also described himself as a former advisor to the Equatorial Guinean government (g). Mr. Saint-Yrian was invited to invest in Liberia by Mr. Martin George, the Liberian ambassador to Nigeria (h) who is subject to both a UN travel ban and an asset freeze for being 'an associate of former President Charles Taylor with ongoing ties to him' who 'is alleged to have provided funds to (Taylor)' (i). Mr. George was also made a small shareholder of the original WAMCO established in May 2004 (j), which has since been dissolved and reformed without his involvement (k). LIB, a self-described 'investment service provider' (l), was going to provide WAMCO with financing from but has since decided not to (m).

LIB had other interests in Liberia, including a plan to help finance a joint venture between a major French civilian and military telecommunications provider, Advanced Topographic Development & Images (ATDI), and the Liberian Ministry of Posts and Telecommunications, to establish and administer Liberia's Telecommunication Regulatory Agency (LTRA) for the next 10 years (n). The ATDI/LTRA deal was halted following discussions with the World Bank, whose officials were unhappy with terms of the agreement. ATDI representatives in France state the contract was signed by three ministers and discussions were conducted transparently (o); LIB has since pulled out of funding the ATDI project as well (p).

- (a) UN Panel of Experts on Liberia report S/2005/176.
- (b) Ibid.; unsigned WAMCO contract as seen by Global Witness, 2005.
- (c) UN Panel of Experts on Liberia report S/2005/176; Dino Mahtani, 'UN uncovers "opaque" Liberian mining deal', *Financial Times*, 15 April 2005.
- (d) David Pallister, 'British bank rebuked over secret Liberian diamond deal', *The Guardian (London)*, 3 June 2005.
- (e) Copy of Saint-Yrian passport as obtained by Global Witness, 2005.
- (f) As found on 06 June 2005 on the UNESCO webpage, [http://werc.unesco.org/permdel/protocolist\\_complete.asp?language=E](http://werc.unesco.org/permdel/protocolist_complete.asp?language=E)
- (g) Global Witness interview with Saint-Yrian, 31 March 2005.
- (h) Global Witness interview with Saint-Yrian, 31 March 2005.
- (i) 'List Of Individuals And Entities Subject To The Measures Contained In Paragraph 1 Of Security Council Resolution 1532 (2004) Concerning Liberia (The Assets Freeze List)'; 'List of individuals subject to the measures imposed by paragraph 4 of security council resolution 1521 (2003) (the Travel Ban) concerning Liberia'; as found on the UN website, [www.un.org](http://www.un.org).
- (j) Copy of WAMCO Articles of Incorporation, dated 18 May 2004, as obtained by Global Witness.
- (k) David Pallister, 'British bank rebuked over secret Liberian diamond deal', *The Guardian (London)*, 3 June 2005.
- (l) As found at [www.londonintbank.com](http://www.londonintbank.com) on 10 June 2005.
- (m) David Pallister, 'British bank rebuked over secret Liberian diamond deal', *The Guardian (London)*, 3 June 2005.
- (n) David Pallister, 'British bank rebuked over secret Liberian diamond deal', *The Guardian (London)*, 3 June 2005; <http://www.ltra.org/Main/news/xcm01.htm> as found on 10 June 2005.
- (o) David Pallister, 'British bank rebuked over secret Liberian diamond deal', *The Guardian (London)*, 3 June 2005.
- (p) Ibid.

### **Liberia's progress toward Kimberley Process certification**

The Security Council passed resolution 1579 on 21 December 2004, renewing diamond sanctions for six months with a three month review following the report of a Kimberley Process expert mission visit to Liberia. The KP mission evaluated the reform process of Liberia's diamond industry and its ability to fulfil requirements to lift Security Council-imposed diamond sanctions, and while the NTGL has passed legislation designed to implement the Kimberley Process, the KP mission noted that there is still inadequate capacity to effectively implement these laws, as well as a lack of control over diamond mining areas and border regions in Liberia more generally (*See Control over Liberia's borders and interior, page 17*).



Diamond mining operations near Gbarpa, October 2004.

The KP expert mission visited Liberia from 14-18 February 2005, and included representatives from Canada, Russia, South Africa, the United States, civil society and the diamond industry. This mission was tasked with assessing the effectiveness and transparency of legislation passed to implement the Kimberley Process, and the country's system to report statistical data for diamond production and exports. It was also tasked with evaluating whether these measures would prevent Liberia from again becoming a major hub for illicit diamond trading.

The findings of the expert mission clearly demonstrate that Liberia is far from having the diamond controls required to prevent diamonds from fuelling conflict and instability. The mission report concluded that the NTGL is unable to effectively implement, monitor or enforce the law to implement the Kimberley Process; moreover, the expert mission further identified the lack of security and government control over diamond-producing regions as a key obstacle preventing the NTGL from effectively enforcing its laws. The mission also found illegal mining activities, including significant mechanized mining, in areas that failed to be adequately controlled by the NTGL or UNMIL<sup>79</sup>.

The expert mission put forward several recommendations that urgently need to be implemented to address this problem, including the need to deploy UNMIL peacekeepers to diamond-mining areas; the need for UNMIL to focus on monitoring diamond-mining activities; and the need for international assistance to strengthen the government's capacity to effectively implement and enforce its diamond control law. The Kimberley Process, including its Monitoring Working Group, has endorsed the findings and recommendations of this report and submitted it to the Security Council for further consideration.

### ***The question of Liberia's rubber industry***

Rubber remains an important resource for Liberia, with the Firestone plantation—the largest in the world—and other smaller rubber plantations still tapping and exporting. Given the lucrative nature of the business, Guthrie and Sinoe plantations have been illegally overrun by ex-combatants<sup>80</sup> who are deriving significant extra-budgetary revenue.

Located near the border with Sierra Leone, the Guthrie Rubber plantation has been under illegal occupation by armed ex-LURD fighters since 2003, who, according to the UN, are 'warning



Rubber awaiting transport near Pleebo, October 2004.



that they (are) prepared to use violence to maintain control<sup>81</sup>. There is continued tapping and selling of significant amounts of rubber from the plantation. Estimates of money generated at Guthrie have been conservatively estimated at US\$5,000 per month for just the commanders at the plantation, with still more revenue reportedly going to highly placed political patrons in Monrovia<sup>82</sup>. Despite the continued militarised nature of the plantation and accusations of forced child labour<sup>83</sup>, there is still no UNMIL presence on the plantation and no major operations to remove the ex-fighters have taken place. A similar situation can be found at the Sinoe Rubber Plantation in south-eastern Liberia.

Given the danger that such uncontrolled and militarised economic activities pose to Liberia's internal security, with inevitable consequences to regional stability, some action must be taken. NTGL members must put aside their vested interests and, together with UNMIL, must take decisive action to clear the plantations of weapons and ex-combatants and return them to their lawful operators. Moreover, the NTGL should itself embargo all sales and exports of rubber not legally tapped, and purchasing companies should similarly stop buying from these sources lest they help undermine Liberia's fragile peace.

## ***Cleaning out the coffers: resource deals and bad management***

### **Corruption and misappropriation of state assets**

The NTGL has been plagued by charges of corruption and the misappropriation of revenue since its inception in October 2003. As the Panel of Experts states, 'several of its (NTGL) key players are opportunistic individuals focused on consolidating their power base and or accumulating as much wealth as possible before the proposed October 2005 general elections',<sup>84</sup> and further notes that the NTGL has misplaced its budget priorities, granting a full 52% of allocations for personnel expenditure and a mere 15% for social services.<sup>85</sup> The issue was again raised at the recent Donors technical meeting, where leading countries urged the NTGL to fight corruption and put in better financial management system<sup>86</sup>. Such lack of fiscal responsibility has cost the country donor aid and impeded the IMF's plans to restructure Liberia's US\$3 billion in international debt<sup>87</sup>; donor fatigue may likely taint giving to any future elected Liberian government.

Given this pattern behaviour, it is not surprising that the NTGL has recently engaged in a litany of opaque or otherwise poorly managed contract negotiations across a variety of sectors, including deals for natural resources such as iron ore and for state assets such as Liberia's telecommunications system. However, the international community has not been strong enough with the NTGL to stop such destructive behaviour. Calls for better management must not only be incorporated into all donor policies, but donors should place even more pressure on the Liberian government to improve its governance, conditioning their aid with requirements of revenue transparency and accountability.

The Economic Community of West African States (ECOWAS) has made a bold attempt to audit the NTGL's finances, a move welcomed by Global Witness and the international community. Not surprisingly, ECOWAS investigators have been met by NTGL stonewalling tactics and legal manoeuvres to block their access to key documents and data. The NTGL first issued a stay to stop the audit, but that was subsequently thrown out by the Liberian Supreme Court.<sup>91</sup> Then the Liberian Association for Public Accounting (LICPA) then filed an appeal with the Supreme Court to block the ECOWAS audit, arguing that in fact LICPA should be conducting the audit and not outside ECOWAS investigators. The LICPA later claimed that their opposition was not to the audit in principle, but to the fact that no Liberians were amongst those conducting it<sup>93</sup>. Should the Supreme Court agree to hear the LICPA appeal, the entire

#### **CITIZENS ACTION IN SUPPORT OF ECOWAS AUDIT ON FINANCIAL TRANSACTIONS OF THE NTGL**

I, the undersigned, a citizen of the Republic of Liberia do welcome, accept, applaud and endorse the audit of various government ministries, departments and agencies of the National Transitional Government of Liberia by the ECOWAS Team of Investigators. In support thereof I hereby affix my signature.

**NAME**

**ADDRESS**

**SIGNATURE**

Petition by Liberian NGOs in support of ECOWAS audit, April 2005.

ECOWAS auditing process would be stopped and delayed until the full Supreme Court bench could be assembled to hear the case. This would likely not take place until after the elections in October<sup>94</sup>. The international donor community should vocally support ECOWAS' efforts, to help set a clear and public standard of transparency that will be expected for the remainder of the NTGL's mandate.

### ***Iron-clad mysteries – new wrangling over iron ore mining and the continued missing millions of iron ore money***

Liberia is in need of redevelopment, and the re-energising of its iron ore mining sector has been seen as one potential source of important revenue generation for the country. However, the NTGL has poorly managed the bidding process for the LIMINCO iron ore assets in Nimba County. Ongoing litigation, Liberian Supreme Court involvement and general confusion surrounding the issue have left an unclear future for the project and are yet other examples of the NTGL's inability to properly manage Liberia's resources without external help or oversight.

In early 2005, the NTGL conducted some form of tender process for rights to the LIMINCO mines, which included bids from Rio Tinto, BHP Billiton, Mittal Steel and GIHL<sup>95</sup>. Mittal Steel Company, which claims that it has been in ongoing discussions with the NTGL regarding iron ore since early 2004, has emerged as the preferred candidate of the group of four bidders<sup>96</sup>. But the NTGL has not adequately clarified reports that other companies may have enjoyed preferred status prior to the start of the official bidding process<sup>97</sup> and which are now claiming in respect of the tender process. The NTGL needs to disclose all relevant information about the tender process, its communications and relationships with all participants and clarify any consequent contractual expectations, as the current confusion not only deters potential investors in Liberia but only serves to highlight the NTGL's continued failure to operate in a transparent and coherent fashion.



News paper headline about confusion surrounding the iron ore bidding process, *The News (Monrovia)*, 20 April 2005.



Before and After: Iron ore stockpiles at Buchanan Port in October 2004 are gone by April 2005.

Similarly, the mystery surrounding the disappearance of US\$10 million in state revenue from a 2004 sale of iron ore to a Chinese company, the Qingdao Trading Group Corporation, remains unsolved and, unfortunately, stands as a symbol of the NTGL's continued unwillingness to conduct itself in a transparent, accountable and responsive manner. While the Finance Ministry has finally admitted that the sale took place, after denying it for some time, Ministry representatives have refused to publicly disclose documents regarding the sale, how much revenue was generated and how that money was handled.

In early 2004 a deal was struck by leaders in the NTGL, without approval by the transitional legislature, to export over 800,000 tonnes of iron ore stockpiles located at or near Buchanan Port. However, the authority of the NTGL to enter into the export agreement without legislative approval was challenged by a coalition of Liberian legal, environmental and good-governance NGOs (referred to as the Coalition) in August 2004<sup>98</sup>. The Coalition wrote to the

NTGL asking for details of the contract, any payments made and the manner in which those funds were handled and accounted for; however, the government did not reply. In response, the Coalition filed an injunction with the Liberian Supreme Court on 27 August 2004, asking the Court to issue a stay against any further exports until the government could provide details of the Qingdao transaction and the situation could be resolved. The Court agreed to this, pending a further meeting in early September, at which it decided to let the export ban remain in place. The NTGL then filed a motion to dismiss the Coalition's case completely, a move that was taken up by the Supreme Court for deliberations only to end in a 2-2 deadlock as one of the five justices had to recuse himself for previous ties to LIMINCO, the company which originally mined the ore. While discussions over the NTGL's motion to dismiss remain in limbo, the original Court stay on exports remains in effect<sup>99</sup>.

Meanwhile, the country's iron ore stockpiles continue to be exported, with at least one other vessel exporting iron ore from Buchanan in 2005. When Global Witness investigators visited Buchanan Port in October 2004, there were large, multi-story high stockpiles of ore. By March 2005, those stockpiles were gone and only about 30,000 tonnes remained in port, with another 10-15,000 tonnes that could be brought down to export<sup>100</sup>. According to a manager at the port, the remaining iron ore is due to be shipped to a client other than Qingdao, signalling perhaps yet another deal that was brokered without legislative approval.

## Part II: TAYLOR, SOLDIER, SPY– The re-recruitment of ex-combatants, the troubled DDDR process and Taylor's continued manipulation

Despite the large number of UN forces in the region, totalling over 25,000 peacekeepers across Sierra Leone, Liberia and Côte d'Ivoire, West African stability remains highly precarious. Côte d'Ivoire's peace agreement is barely intact, fighting continues to erupt near its border with Liberia, and the critical and potentially destabilising disarmament process in Côte d'Ivoire is set to begin shortly. Sierra Leone's peace is far from assured as military retraining is incomplete and UNAMSIL troops are due to be withdrawn completely by the end of the year. There have been additional coup attempts in Guinea and Charles Taylor



Members of pro-Liberian government militia, 2003.

continues to pose an active threat to West Africa despite his exile in Nigeria<sup>108</sup> (See *Taylor's threat to West Africa*, page 31). Moreover, the stability in Liberia itself is only guaranteed through the presence of UNMIL, and the significant problems and failures of the ongoing DDDR process in Liberia have created a large population of disgruntled ex-combatants, many of whom are being recruited to fight again in Côte d'Ivoire and Guinea.

### **Re-Recruitment of ex-combatants**

The failure of the DDR and DDDR processes in Sierra Leone and Liberia to successfully demobilise ex-combatants and break down the former warring parties' chains of command has left many ex-combatants vulnerable and easily enticed to fight in neighbouring conflicts<sup>109</sup>. There are numerous reports of recruitment within Liberia from the former LURD, MODEL and Government of Liberia (GOL) factions, as well as ex-combatants from Sierra Leone and Guinea, to fight in Côte d'Ivoire and Guinea.<sup>110</sup> Human Rights Watch reports that, 'since April 2004, well over two thirds of the Liberian ex-combatants interviewed, in addition to several of the Sierra Leoneans, had been asked to join fighting missions in Guinea and Côte

d'Ivoire.<sup>111</sup> Most ex-combatants were approached by either one ex-combatant, or by a small number of ex-combatants that often included one of their former commanders<sup>112</sup>. Mid-ranking MODEL commanders can still be seen to having continued control over their former ex-combatants in areas around Sinoe, Harper and Zwedru, where they organise local criminality<sup>113</sup>. Most potential recruits are driven by, 'recruiters' promises of financial compensation and of the opportunity to enrich themselves through looting' rather than political or ideological commitment<sup>114</sup>. West Africa's cycle of mercenary violence thus continues, highlighting the need for greater coordination between regional UN forces to secure borders and interior areas, harmonise disarmament programmes, and most importantly, learn lessons from past mistakes.

## Recruitment to Côte d'Ivoire

Recent Global Witness investigations found that many ex-combatants who were recruited for Côte d'Ivoire were offered US\$250-\$300. A number of those who were recruited were crossing over into Forces Nouvelles territory around Toulepleu, and those recruited to the pro-Ivorian government militia were crossing over to train around Guiglo in areas with little UNOCI or French Licorne force presence. The Forces Nouvelles are reportedly recruiting people particularly from the Gio clan and from Nimba, Bootoo and Khanplay; groups allied with Gbagbo are recruiting in Krahn and Guerra areas of Grand Gedeh<sup>115</sup>. Numerous sources also reported recruitment in Monrovia<sup>116</sup>. On the positive side, while there are reports of some ex-RUF and ex-AFRC recruitment from Sierra Leone to fight in Côte d'Ivoire<sup>117</sup>, there are also reports that some Sierra Leonean ex-combatants are turning down recruitment offers due to enrolment in DDRR job training or education programmes<sup>118</sup>.

According to Human Rights Watch, there have been two recent intense recruitment periods for fighters in Côte d'Ivoire: the first, in October 2004, came just prior to a Government offensive against rebel held north, and the second occurred in the beginning of March 2005<sup>119</sup>. Worryingly, Human Rights Watch reports that a number of people stated that a Liberian Deputy Minister currently serving in the NTGL was involved in organising the recruitment on the Liberian side in coordination with the Ivorian Government<sup>120</sup>. Such involvement by prominent officials and former government generals is echoed by other reports that close Taylor associates are involved in the recruiting of ex-combatants to fight in Guinea, perhaps as part of a larger regional destabilisation plot (See *Taylor's threat to West Africa*, page 31).



Outside Yekepa, near the borders of Liberia, Côte d'Ivoire and Guinea, October 2004.

While both the pro-Ivorian government and Forces Nouvelles are recruiting, there are worrying reports that the Forces Nouvelles has taken recruitment and logistics to a new level, creating fake Ivorian ID cards for Liberian and Sierra Leonean mercenaries, which are needed to ease border crossings and registration for Côte d'Ivoire's DDRR programmes. Training of these fighters is reportedly taking place along the heavily militarised route from Toulepleu to Danane, a route that essentially runs the entire border between Nimba County in Liberia and Côte d'Ivoire. The area of Man and Danane has always been a particularly volatile one, and is the area from which Charles Taylor launched his rebel NPFL invasion in December 1989. At the end of their training, the Liberian mercenaries cross back into Liberia to stay in small villages around the Tapeta and Zwedru areas to await further orders, and local leaders are quite sensitive to any questioning of such cross-border movement<sup>121</sup>. In the interests of ensuring regional security, UNMIL and UNOCI should focus increased intelligence gathering and monitoring capacity on this area, with greater use of their respective MILOBS to determine more specifically where these activities are taking place and who is organising them, to better inform any moves to tackle the problem.

## Recruitment to Guinea

Global Witness investigations in April 2005 noted numerous reports of recruitment for fighting in Guinea, a very worrying sign that corresponds with the Special Court for Sierra Leone's direct accusation that Charles Taylor is planning to destabilise Guinea through military means, additional reports of Taylor forming a small elite fighting force in upcountry Guinea<sup>122</sup>, and Human Rights Watch's reports of former Taylor generals recruiting for operations in Guinea<sup>123</sup>. Sources indicate that there are two small training camps in Guinea, located in the vicinity of Nzerekore, with most of the ex-combatants being former LURD or GOL fighters.<sup>124</sup> There are further reports that former Liberian ex-combatants are being recruited in Ganta to join armed groups that are being formed in the Guinea Forestier region.<sup>125</sup> Whether these fighter groupings are one in the same, and/or are part of a larger Taylor-backed plot to destabilise the region or are simply being recruited for other activities, unless they are countered quickly these groups could have a significant destabilising impact on the region (See *Taylor's threat to West Africa*, page 31).

## Recruitment of Child Soldiers

Reports by Human Rights Watch and the UN Secretary-General note the recruitment of Liberian refugees, including children, from various locations, including a UNHCR-monitored camp in western Côte d'Ivoire<sup>126</sup>. Most child ex-combatants recruited thus far have been from Grand Gedeh, River Gee and Maryland Counties, which border Côte d'Ivoire, to fight for pro-government militias in Western Côte d'Ivoire<sup>127</sup>. Aid agencies in Bong and Nimba Counties have also described the recruitment of child ex-combatants to fight with the Forces Nouvelles<sup>128</sup>.



Liberian child soldiers, 2003.

## DDRR

A successful DDRR process in Liberia is fundamental to the prospects of peace for Liberia and its war-weary neighbours. Failure to adequately demobilise ex-combatants and break the chain of command is already creating a population of untrained and disgruntled ex-combatants with few job opportunities who are easily drawn back into West Africa's cycle of violence.



Roadsign for DDRR Joint Implementation Unit office, Monrovia, October 2004.

The lack of preplanning has meant that DDRR, was rushed to start in December 2003 without proper lists of ex-combatants<sup>129</sup>, had insufficient funds and a general lack of coordination. This led to rioting by frustrated ex-combatants and the process had to be suspended as a result. The programme restarted a few months later in early 2004, but the system has been open to abuse. The low standard for registration in Liberia resulted in over 104,000 ex-combatant registrants. Original estimates put the fighting population at only 35,000, with a budget created accordingly. By the time that all 104,000 had been registered, most of the DDRR budget for

Liberia had been spent, leaving little for the RR programmes that are critical to providing ex-combatants alternative and peaceful livelihoods.

UN and other military staff interviewed by Global Witness suggested that the failure to demobilise units as a whole like in Sierra Leone was a mistake by UNMIL, and reduced the

effectiveness of the DDR process to successfully break the chains of command. In Sierra Leone there were strict ratios of weapons to soldier<sup>130</sup>, yet the criteria for demobilisation in Liberia was as little as 150 bullets. This led in part to those with excess munitions selling them on to non-combatants for a cut of their disarmament payments, as well creating as a discrepancy in the number of weapons collected in relation to the number of ex-combatants. At around 1 to 4<sup>131</sup> it was lower than the UN had expected and only around 28,000 weapons were collected in total<sup>132</sup>. There was also a lack of heavy weaponry collected, with much of it thought to have gone to Côte d'Ivoire and Guinea before disarmament reached the border areas.

The current lack of money for the RR stage of the process has led to a delay in implementation of training programmes and occasional rioting by ex-combatants who feel that they have been misled by the UN and others as to their expected benefits; one recent incident in Ganta saw 200 former combatants rioting in frustration over the lack of training opportunities and school fees payments<sup>133</sup>. The DDR process had, until recently, been facing a nearly US\$40 million budget shortfall, and while this funding gap has now been largely filled with additional financial pledges from the US, EC and Swedish governments, an additional US\$10 million is needed<sup>134</sup> and success will ultimately depend on the UN and its partners' ability to ensure programmes have long-term benefits and are appropriate to the country's needs. There are numerous examples of the poor implementation of otherwise laudable programmes, such as the enrolment of illiterate ex-combatants into computer training courses that require the ability to read, write and type<sup>135</sup>. As of 24 March 2005 there were only 25,591 ex-combatants who were participating in the reintegration projects, out of the total pool of over 100,000<sup>136</sup>. Even for those engaged in RR programmes, the lack of employment opportunities upon completion raises questions about their long term effectiveness.

### Demobilisation and reform of the Liberian army

The successful demobilisation of the AFL and successful recruitment and training of the new army is fundamental to ensuring lasting peace. Global Witness interviews with people involved in the process revealed the worrying possibility of demobilising without sufficient funds. It was estimated that \$8.5 to 10 million is needed to ensure that the process is done properly (a). As of late April 2005, there was only US\$3 million available. If the process is started without sufficient funds the AFL members may end up receiving less money than the rebels who were demobilised through the DDR process, and a situation likely to cause resentment and possible conflict (b).

(a) Global Witness interviews with diplomatic staff in Monrovia, April 2005; "Liberia's fragile peace" *Liberian Observer*, 24 March 2005.

(b) Global Witness interview with military staff, April 2005.

### Light Weapons in West Africa

Despite the DDR and DDRR programs Sierra Leone and Liberia there are reports of arms caches (a) and the continued movement of light arms throughout the region (b). Given the slow deployment of UNMIL troops to key LURD and MODEL strongholds, a lot of heavy weaponry was removed or hidden (c). Given the historical cross-border trafficking of weapons and mercenaries and the all consuming nature of conflict in the region, Global Witness supports the continued greater regional approach which is being pursued by the UN's West Africa peacekeeping forces, particularly in terms of border security and the proliferation of small arms (d). The UNDP has recently launched a small arms programme in West Africa that pays money in exchange for weapons; however, the success of this programme is vastly reduced due to Liberia and Côte d'Ivoire not taking part (e). Moreover, ECOWAS and its member states must do more to enforce their own Moratorium on the Importation, Exportation, and Manufacture of Light Weapons.

(a) Global Witness Investigations April 2005.

(b) Global Witness interviews April 2005.

(c) Global Witness investigations April 2005.

(d) Global Witness interviews 2005.

(e) Global Witness interviews with diplomatic staff in Côte d'Ivoire, 2005.

## ***Taylor's threat to West Africa***

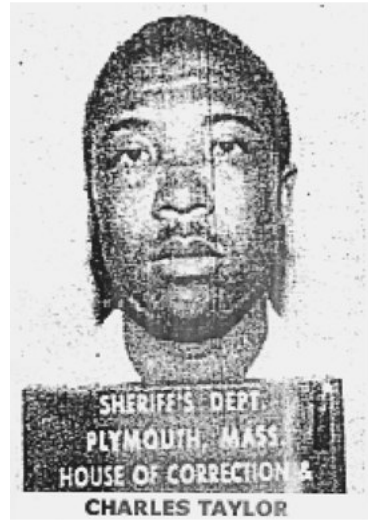
While a fragile peace has been created in Liberia, its neighbours remain equally vulnerable to the resumption of armed conflict. Critical to promoting the stability was the removal of Taylor from Liberia in August 2003, in the hopes that such a move would promote the peace process and end his role as the architect of West African conflict. Following the imposition of timber sanctions, the weakening of his own war machine and the surrounding of Monrovia by LURD and MODEL forces, as well as increased international diplomatic pressure, Taylor left for exile in Calabar, Nigeria.

As part of his exile arrangements, Nigeria forbade Taylor from 'engaging in active communication with anyone engaged in political, illegal or governmental activities'<sup>144</sup> in Liberia. But despite being admonished by Nigeria for previous violations<sup>145</sup> and the fact that he and many of his closest associates are subject to both a UN travel ban and asset freeze, Taylor has been able to bribe Nigerian state security forces<sup>146</sup> and continues to meet in person and have telephone contact with various individuals related to his political and economic interests and former members of his military and political regime<sup>147</sup>. Friends, family and their associates act as couriers, carrying money and information back and forth to Liberia and elsewhere<sup>148</sup>. Through these contacts he maintains significant economic, political, and military influence over West Africa, and remains as much a threat to regional peace and security as ever<sup>149</sup>.

Various governments, including the US and UK, possess evidence of such exile agreement violations but have not been forthcoming with this information to the Nigerian authorities. Taylor is a threat to peace and security in the region and as such Nigeria's President should be given all available information so that appropriate action can be taken.

On 19 January 2005 there was an assassination attempt against Guinean President Lansana Conte by a group of armed men. The Special Court has accused Taylor of orchestrating the attack<sup>151</sup> and diplomatic sources indicate his involvement<sup>152</sup>. Special Court investigators state that further attempts are planned<sup>154</sup>. The recent armed jailbreak in Conakry by inmates, including some linked to a previous coup attempt in 2003, may have been part of this plan. Such a breakout demonstrates that Guinean security forces may not be able to deal with a coordinated, well-executed attack on Guinean leadership<sup>155</sup>, and given the lack of clear succession in Guinea, any disruption to the political hierarchy could have dire consequences for internal security.

Global Witness sources have reported that Taylor and his associates have established at least 36 semi-autonomous support groups throughout West Africa, including Liberia, Sierra Leone, Guinea, Côte d'Ivoire, Ghana and Nigeria. These groups act as couriers and informants for Taylor, providing him with money but also with political leverage on the ground and may be mobilised if necessary for strategic economic, political or military goals<sup>156</sup>. This type of structure, decentralised to avoid detection and headed by non-permanent chairman to ensure loyalty<sup>157</sup>, has reportedly spread been across Liberia to maintain Taylor's rural base and popularity.



Charles Taylor mugshot from arrest in USA.



Charles Taylor, courtesy of Global Policy Forum.

A recent report by the Coalition for International Justice<sup>159</sup> states that Taylor is 'funding, training, and arming a small but potent military force that poses a significant threat to stability of West Africa and beyond'<sup>160</sup>, and that Taylor had given hundreds of thousands of dollars to two long standing military commanders for them to recruit several hundred fighters from the ex-combatant population<sup>161</sup>. This corresponds to information gathered from numerous sources in the region that there are training camps and recruitment of fighters to Guinea's Forestier region, as well as recent investigations by Human Rights Watch that found much of the current recruiting of ex-combatants for operations in Côte d'Ivoire and Guinea is being carried out by former Taylor generals or people otherwise strongly in support of Taylor<sup>162</sup>. The Guinean government has expressed its particular concern about the recruitment of ex-combatants from Liberia 'intent on destabilizing Guinea'<sup>163</sup>. While the extent of recruitment by Taylor associates is unclear, it demonstrates the vulnerability of the region to the destabilising efforts of Taylor and the security threat posed by ex-combatants being drawn back into conflict. There needs to be greater coordination between the regions three United Nations peacekeeping missions to prevent the flow of mercenaries and weapons across the region's porous borders, especially given the start of disarmament in Côte d'Ivoire and elections in both Liberia and Côte d'Ivoire.

Taylor is receiving financial support from his contacts throughout the region<sup>164</sup>, and it is known that Taylor has at least two bank accounts with the Banque Internationale du Burkina (BIB) and the Central Bank of West African States (BCEAO) in Burkina Faso, established in the early 1990s to handle revenue from resource sales while heading the NPFL rebel movement, which

### **Liberian and Ivorian election periods an additional security concern**

A significant period of vulnerability for stability in Liberia and the region is the upcoming Liberian elections, scheduled for 11 October 2005, and Ivorian elections scheduled for 30 October 2005. As a result of this risk the former head of UNMIL Jacques Klein asked for a further 1,200 troops to ensure that UNMIL are able to deal with any eventuality or possible conflict which may arise (a). UN, diplomatic, military and civil society representatives in all Mano River Union countries plus Côte d'Ivoire identified the elections as a likely time of disturbance in the region, although assessments of the threat varied. Given the fragility of peace and stability in Liberia and Taylor's apparent meddling in the electoral process and internal security of Guinea, as well as the instability of Côte d'Ivoire and the wider region, Global Witness supports all attempts by UNMIL to secure additional troops during this period. Moreover, Global Witness again recommends that UNAMSIL should not commence troop level drawdown until after the elections in Liberia have taken place, to ensure that the region is as prepared for this turbulent period.

(a) Global Witness research and investigations, 2003-2005.

are held under the alias of Jean Paul Somé<sup>165</sup>. He also had accounts set up on his behalf in Switzerland. Global Witness investigations have recently uncovered documentation related to possible Taylor business interests, including one unsigned document dated 18 August 2003 detailing discussions amongst lawyers in Calabar, Nigeria to establish five new companies from which Taylor could earn an income<sup>166</sup>.

The Coalition for International Justice in its recent report calculated that, excluding any new such business interests, Taylor's estimated assets upon entering exile in August 2003 were US\$150-210 million<sup>167</sup>. And while the Security Council has already placed a number of close Taylor associates on its assets freeze list to prevent them from supporting Taylor or moving his money around<sup>168</sup>, the international community and especially Liberia's transitional government have failed to enforce the asset freeze and travel ban. This means that those indicated by the Security Council as posing a risk to regional peace through their support of Taylor maintain access to their finances and the logistics with which to liquidate or move his assets to avoid detection.

There are reports that Taylor has also been travelling to Burkina Faso and Chad to meet with key associates, to both plan operations and facilitate his financial support<sup>169</sup>. The Special Court reports that one such trip took place as recently as the 26<sup>th</sup> of February 2005<sup>170</sup>. Any movement by Taylor is



worrisome, and legitimises the concern that Taylor may consider fleeing Nigeria and returning to the bush of West Africa to hide or launch yet another rebellion. Unless Taylor is brought before the Special Court he will continue to flout the terms of his exile and remain a serious threat to West Africa.

Despite the terms of his exile, Taylor continues to meddle in Liberian internal affairs<sup>171</sup>. He has been able to communicate with his associates inside Liberia through the use of satellite and mobile phones, and numerous diplomatic sources note that Taylor may control or help finance as many as nine of the current political parties partaking in the upcoming Liberian elections<sup>172</sup>. Global Witness sources report that Taylor continues to monitor and manipulate Liberian politics and remains in close contact with senior government officials and associates at all levels.<sup>174</sup> It is critical that Taylor's influence on the upcoming elections is curtailed. Taylor should be extradited to the Special Court in Sierra Leone and stand trial for the crimes for which he has been indicted.

## Conclusion

West Africa is at a crossroads: Liberia's peace is being undermined, Côte d'Ivoire is beginning its disarmament, yet more mercenaries are being recruited to go there; Guinea's internal security is in doubt and there are reports that fighters are gathering in its forests; and Sierra Leone, the region's 'success story' is still plagued by internal management issues and growing resentment, with its peacekeepers just on their way out as neighbouring countries' progress is coming into doubt. Meanwhile, Charles Taylor, continues to manipulate the region's security and politics for his own gain.

While the presence of UNMIL has greatly improved security in Liberia, peace remains fragile. Surrounded by countries who have either just emerged from conflict or are currently in the midst of instability, Liberia remains the epicentre of instability in the region. High levels of corruption, high commodity prices, unemployment levels of 85 % and a lack of public services have resulted in a frustrated and angry population, leading to riots and generally undermining confidence in both the NTGL and the international community.<sup>176</sup> DDR failed to adequately demobilise ex-combatants and break the chain of command and has resulted in a population vulnerable to recruitment to fight in Côte d'Ivoire and Guinea. Failing to deal with Taylor undermines the huge international investment in Liberia. Increased international attention, is needed to ensure lasting peace.

Moreover, the lack of control by UNMIL and the NTGL of the country's interior, borders and areas rich in natural resources undermines security and facilitates illegal mining, logging and the cross border trafficking of weapons, mercenaries and natural resources. The FDA does not have the capacity to adequately monitor or control forest regions, resulting in an explosion of illegal logging, much of which is purchased by NGOs and UN agencies. The Liberian Forests Initiative (LFI) has completed the fundamental concession review, but has yet to complete other important aspects of the reform process such as the land use plan, forestry taxation system or set up a system to allocate concessions. And while some steps have been made to ensure that the timber industry does not promote conflict, it is far from fulfilling the criteria set forth in Resolution 1521 (2003). While the reform process for the diamond industry is further along than in the timber industry, the Kimberley Process expert mission found that the NTGL does not have the capacity to implement the law to make Liberia Kimberley compliant, and is far from having the diamond controls required to prevent diamonds from fuelling conflict and instability. As such, both the timber and diamond sanctions should be maintained.

The international community cannot afford to let business restart and operate as it has historically, and while there have been more recent concerted efforts to hold the NTGL to account for its actions, take control of Liberia's resources and bring Taylor to trial, much more must be done. If the international community is serious about its attempts to ensure security in Liberia and the compliance of the sanctions imposed by the Security Council, then a change in donor strategy and UNMIL priorities is needed.

## **Annexes:**

### ***Annex I: The Regional Context: an update of regional insecurity and its effects on Liberia***

#### **Côte d'Ivoire**

##### ***Will the peace deal last?***

Côte d'Ivoire remains divided into the rebel Forces Nouvelles held north and the Government controlled south by a Zone of Confidence, which is monitored by the United Nations Operations in Côte d'Ivoire (UNOCI) peacekeeping force of 6,000 and the French force of 4,000 troops<sup>177</sup>. Both sides continue to commit egregious atrocities<sup>178</sup> including 'political killings, massacres, "disappearances" and numerous incidents of torture'.<sup>179</sup>

On 6 April 2005, South African President Mbeki negotiated the Pretoria Agreement which was sponsored by the African Union and included a declaration of "the immediate and final cessation of all hostilities."<sup>180</sup> This agreement committed all forces to work towards the 30 October elections, disarm, and for Forces Nouvelles ministers to return to the government of national reconciliation<sup>181</sup>. The contentious issue of the eligibility for Presidential candidacy was left for Mbeki to decide<sup>182</sup>. On 13 April, Mbeki asked President Gbagbo to use his special presidential powers according to Article 48 of the Ivorian Constitution to circumvent the constitution to allow all political parties who are signatories to the Pretoria agreement to run for Presidential candidacy<sup>183</sup>. This was followed by a meeting on 14 April in Bouake between the Government and the Forces Nouvelles to discuss the status of the armed forces and integration of rebel fighters. Global Witness interviewed regional experts who remained pessimistic in their forecasts for Côte d'Ivoire, and the intentions of the parties to go to war regardless of any peace deal which may have been signed<sup>184</sup>.

The Ivorian disarmament programme, while having learned from some of the mistakes of neighbouring disarmament programmes, seems fated to repeat other mistakes unless significant changes are made. One primary concern is the US\$900 being offered to ex-combatants to disarm; such a high sum, triple the value of Liberia's DDR payments, may lead to an abuse of the system as people attempt to make money. Global Witness interviews with UN and diplomatic staff in the region found that some ex-combatants from Liberia had disarmed there and then crossed over into Côte d'Ivoire with the aim of exploiting the Ivorian disarmament programme. There are also problems with the lack of clear lists of fighting forces and an inventory of their respective weaponry.

One of the fundamental issues with any peace negotiation in Côte d'Ivoire is the lack of control the commanders the Forces Nouvelles have over their combatants. On 8 April 2005, a clash between the Guinean army and the Forces Nouvelles rebels in Tounkarata left one dead and one injured; a Forces Nouvelles commander later stated that, 'If there were clashes with armed men it would have been with uncontrolled elements who have deserted our ranks'.<sup>186</sup>

The current Ivorian government has also exploited people's fears in an attempt to manipulate the political process, resulting in widespread ethnic tension and violence against people from Burkina Faso, Mali and other countries, as well as among various Ivorian ethnic groupings. On 30 March 2005, an exchange of insults between children of a different ethnic background descended into full scale fighting in Boli and resulted in the displacement of 1,000 members of the Dioula community<sup>188</sup>. A recent Human Rights Watch report notes that two incidents, the November 2004 government offensive against the rebel-held north and the 28 February 2008 militia attack on the rebel-held north town of Logouale sparked a spate of ethnically motivated attacks between immigrant farmers and indigenous groups over land rights<sup>189</sup>. Further ethnic fighting further consumed the west of Côte d'Ivoire and left up to 15 people dead and 4,000 displaced<sup>190</sup>.

### **Sierra Leone**

The efforts of the international community have brought relative peace and stability to Sierra Leone. However, many of the socio-economic issues that helped caused the civil war have not been resolved. These include the endemic levels of corruption, lack of employment opportunities, high levels of poverty and more recently high commodity prices<sup>192</sup>.

Given the porous nature of borders in the region, the historical haemorrhaging of conflict into neighbouring countries, Sierra Leone remains vulnerable as long as its neighbours remain fragile. The DDR was relatively successful at disarming ex-combatants but again failed to fully reintegrate them and provide them with employable life skills<sup>194</sup>. The recent recruitment of ex-combatants from Sierra Leone to fight in Côte d'Ivoire demonstrates their vulnerability as a group.

Training of the Sierra Leone Armed Forces (RSLAF) by British military trainers (IMATT) has progressed significantly, with the numbers of troops reduced to their pre-war strength of 9,500<sup>195</sup>. However the lack of logistical support, poor living conditions and low pay are severely undermining their ability to provide the security which Sierra Leone requires<sup>196</sup>. Many diplomatic staff in the region report that the RSLAF, and a mutiny from within it, remains the greatest security threat to Sierra Leone<sup>197</sup>.

The progress seen in Sierra Leone has prompted the UN Security Council to drawdown UNAMSIL troops completely by the end of 2005. Global Witness supports the recommendation of the Secretary-General to keep, "the last infantry battalion and air assets ...fully operational until the end of November, by which time the results of the elections in Liberia will be known"<sup>198</sup>, as the elections in Côte d'Ivoire and Liberia may challenge regional stability. However, given the high risk of instability in all of Sierra Leone's neighbouring countries, the Security Council leave more significant troop levels there until after the election period has finished and after a subsequent security assessment has been completed.

Another security consideration for Sierra Leone is the possible trial of Taylor at the Special Court. This issue was raised by a number of UNAMSIL and diplomatic staff in Sierra Leone as a key security consideration, and a reason to consider delaying UNAMSIL troop reduction until later in the year.

## ***Annex II: Open Letter from the NGOs Coalition for Liberia calling on the UN Security Council to maintain timber and diamond sanctions at its June review (June 2005)***

June 6, 2005

H.E. Secretary-General Kofi Annan  
H.E. Ambassador Jean-Marc de la Sabliere  
*President, UN Security Council*  
H.E. Ambassador Margethe Ellen Løj  
*Chair, Liberia Sanctions Committee*  
United Nations Headquarters  
New York, New York  
USA

### **RE: Open Letter from the NGOs Coalition for Liberia calling on the UN Security Council to maintain timber and diamond sanctions at its June review**

Your Excellencies:

Once again, the NGOs Coalition for Liberia<sup>b</sup> presents its compliments to Your Excellencies and members of the United Nations Security Council. As Your Excellencies prepare for what is perhaps the most crucial Security Council debate on Liberia, we feel obliged to step forward and once again and present "*our side of the story*". That is, as you prepare to listen to the positions of the National Transitional Government for Liberia (NTGL) and other key official stakeholders, it is critical to be fully appraised of the position of Liberia's civil society, so as to understand the full context of Liberia's current humanitarian, political and economic status.

This is particularly crucial as Your Excellencies' last full debate of Liberian sanctions in December 2004, and in the intervening time very little has changed for the better while, unfortunately, quite a significant amount has changed for the worse. The NTGL has accomplished virtually nothing as regards reestablishing its authority over key natural resource producing areas, as called for by the UN when it put in place timber and diamond sanctions. Instead, the NTGL has allowed lawlessness to become fully entrenched, with criminal activities continuing with impunity. The United Nations Mission in Liberia (UNMIL), which Your Excellencies mandated to "*assist the transitional government to establish proper control and administration of natural resources in Liberia*" has not only failed to do so, but some of its personnel now appear to be operating in cooperation with illegal operators to undermine the rule of law in the natural resource sector. Because of the conduct of these personnel, the Mission stands the risk of losing its credibility with the Liberian people and worse still, undermining the peace and security that the UN and international community have expended so much effort and expense in establishing. This should not be allowed to happen. To enable Your Excellencies get a better picture of the overall situation in the natural resource sector, we present you the following cases:

1. Forestry Development Authority (FDA) personnel are operating with tacit support of some UNMIL personnel at various checkpoints around Monrovia to allow the flow of illegally harvested and processed timber into Monrovia, mostly in the midnight to pre-dawn hours so as to escape detection by independent monitors. This not only undermines the rule of law in the forest sector, but is in direct contradiction to UNMIL's mandate to help restore government authority over Liberian resources. This internal trade in a resource noted by

<sup>b</sup> The NGOs Coalition for Liberia is a consortium of thirteen (13) indigenous organizations working on environmental, human rights, law enforcement and governance issues directly associated with natural resources in Liberia.

the UN to be linked to conflict could have very serious implications for security in the country and the region.

The FDA outlawed the non-industrial scale processing of logs by chainsaws (known locally as 'pit-sawing') in 2000. This ban was re-affirmed by the present administration in December 2004 and they posted circulars to this effect at every UNMIL check-point on the outskirts of Monrovia. In spite of being fully aware of the FDA ban, some UNMIL personnel at the various checkpoints grant passage to criminals harvesting and transporting their products to Monrovia.

Illegal gold and diamond miners, as well as bushmeat hunters have also occupied large portions of Sapo National Park, the country's only protected forest area. Sapo continues to receive millions of dollars in funding from the international community for protection, but given that many ex-combatants are now squatting in the park, enforcement of conservation law is difficult if not impossible. These illegal activities, including illegal exports of gold from the park to other countries, continue to the present day.

2. There is large-scale illegal diamond mining occurring throughout the country, involving both mechanized and alluvial mining. Although UNMIL is fully aware of where most of the illegal mining is taking place, having had information provided by the UN's own Panel of Experts as well as local NGOs, UNMIL has so far failed to take any concrete steps to stop such activities. At the same time that credible reports circulate of UNMIL staff involvement in the trading of diamonds and gold, UNMIL has failed to deploy to the key diamond producing regions throughout the country, including areas of Gbarpolu County where some of the largest alluvial and mechanized diamond mining operations continue unabated.

Finally, the problematic forest Concession Review has been completed. The work of the committee that reviewed these forest concessions is laudable, and they worked against formidable odds to deliver the results on time and to the highest standards of investigation and analysis.

The NTGL now has another opportunity to demonstrate that it intends to properly reform the forest sector by immediately moving to implement the recommendations of the Forest Concession Review Committee as contained in its report. While one would hope that the NTGL would reform the sector of its own accord, given the track record of the NTGL, the prospect of lifting timber sanctions remains the only incentive for it to reform the forest sector within the framework of the recommendations presented by the committee.

Should the UN Security Council lift the sanctions now, before such reforms are complete, it will take away that incentive. The Council should therefore retain the sanctions until the NTGL demonstrates that it is indeed prepared to carry out the required reforms in earnest and in full.

Your Excellencies, in the interest of Liberian and regional security, as well as to send a signal of support for us ordinary Liberians and our international partners who mean only the best for our country, we again urge you to retain the sanctions on Liberian timber exports.

Sincerely yours,

(signed)

Eben Moses  
National Coordinator  
On behalf of the NGOs Coalition for Liberia

***Annex III: Non-Governmental Organizations (NGOs) Coalition for Liberia 'Proposal for an Immediate Moratorium on All Commercial Activities in the Extractive Industries in Liberia'***

Non-Governmental Organizations (NGOs) Coalition for Liberia

Telephone: +225 05 827849 Email: [ngo\\_coalition\\_Liberia@yahoo.com](mailto:ngo_coalition_Liberia@yahoo.com)

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July 10, 2003

The International Contact Group on Liberia  
The Mediator and Facilitators of the Ghana Peace Talks  
Representatives of Governments at the Ghana Talks  
The Representatives of the Government of Liberia  
The Representatives of the Movement for Democracy in Liberia (MODEL)  
The Representatives of the Liberians United for Reconciliation and Democracy (LURD)  
The Representatives of the Political Parties  
The Representatives of Civil Society

Your Excellencies:

Please find attached a **PROPOSAL FOR AN IMMEDIATE MORATORIUM ON ALL COMMERCIAL ACTIVITIES IN THE EXTRACTIVE INDUSTRIES IN LIBERIA**. This proposal was developed and is being submitted by the Non-Governmental Organizations Coalition for Liberia otherwise known as the NGO Coalition for Liberia.

This proposal endorses the present United Nations Security Council sanctions on Liberian timber and timber products. However, it also seeks an extension of the sanction regime to cover all commercial activities in the extractive industries and would remain in force until the conflict is resolved and a new national government elected.

We fully acknowledge the humanitarian impacts this would have, however, we are of the conviction that short-term and temporary loss of lowly paid jobs in this sector pales in comparison with the humanitarian catastrophe that is unraveling in Liberia and the sub-region. Already the majority of the Liberian people have either been forced into exile, internally displaced or presently seeking asylum and forced to live under extremely difficult circumstances. Economic and financial benefits that accrued to the different factions from the commercial exploitation of Liberia's natural resources in the 1990s enriched the different actors and became a major disincentive for peace; this must not be allowed to happen again.

The NGO Coalition of Liberia presently comprises of three Liberian NGOs; the Save My Future Foundation (SAMFU), The Environmental Lawyers Association of Liberia (GREEN ADVOCATES) Inc., and the Grand Gedeh Community Servants Association (GECOMSA). We have however, circulated this proposal to other NGOs both in Liberia and abroad, therefore the membership of the coalition is expected to increase in the coming days.

If there are any questions please do not hesitate to contact us directly through the above contacts.

We look forward to your consideration of our proposal.

Sincerely yours,

(signed)

Silas Kpanan'Ayoung Siakor  
for the Secretariat

## ***PROPOSAL FOR AN IMMEDIATE MORATORIUM ON COMMERCIAL ACTIVITIES IN THE EXTRACTIVE INDUSTRIES IN LIBERIA***

**Throughout the Liberian crisis, different parties to the conflict at different times have exploited the natural resources of Liberia, especially timber and diamonds, and used the revenue to finance their military activities. At these times, the revenue has effectively served as a disincentive for peace for the hierarchy of the various factions and civilian politicians serving in interim administrations.**

Recognizing the continuing deterioration of the present phase of the Liberian crisis, the continuing humanitarian catastrophe that will result from further conflict, and the negative environmental, social and economic impacts of insufficiently monitored logging and mining operations during the interim period leading to national elections, the Non Governmental Organizations Coalition for Liberia calls on all parties, including the warring parties and representatives of civil society, to the on-going conflict and peace negotiations to agree to an immediate moratorium on **ALL COMMERCIAL ACTIVITIES IN THE EXTRACTIVE INDUSTRIES IN LIBERIA**. This moratorium shall include, but shall not be limited to:

1. Commercial timber extraction, processing and export activities<sup>c</sup>;
2. Diamond mining, domestic trading and export; and
3. Gold mining.

And to agree that this moratorium shall remain in effect until the following conditions are fully satisfied:

1. General elections are held and a national government with control over the entire country inaugurated;
2. The power to ratify concession agreements is returned to the Liberian legislature as provided for in the Liberian constitution;
3. The elected Liberian government can satisfy all the conditions for and is permitted to participate in the Kimberley process; and
4. Forest law enforcement and governance institutions and mechanisms are rehabilitated and functional throughout the country.

The coalition also calls on the International Contact Group on Liberia and the Facilitators and Mediators at the Ghana Peace Talks to:

1. Acknowledge that revenue from the continuous exploitation and trade of Liberia's natural resources would serve as a disincentive for the parties in the search for a peaceful settlement;
2. Integrate this proposal into the agenda for the ongoing negotiation;
3. Ensure that environmental concerns, especially forest management issues, are included in the deliberations;
4. Ensure that the final agreement provides for an immediate moratorium on all commercial activities in the entire extractive industry in Liberia;
5. Expressly urge all existing concessionaires and those interested in investing in Liberia's extractive industry to abide by the terms of this moratorium; and
6. Ensure that the interim administration(s) that succeed the current government abide by the above recommendations.

The United Nations Security Council should:

1. Review its ban on member states importing Liberian timber and timber products to incorporate the provisions of this more comprehensive moratorium; and
2. Call on all its member states to respect and enforce the moratorium.

See [www.samfu.org](http://www.samfu.org) for full text of moratorium and other NGOs Coalition press statements.

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<sup>c</sup> This shall exclude timber harvested for domestic use

- <sup>1</sup> Global Witness investigations April 2005; 'UN investigating recruitment of Liberian mercenaries in Côte d'Ivoire', *Irinnews.org*, 30 March 2005; 'Youth, Poverty and Blood: The lethal legacy of West Africa's regional warriors', *Human Rights Watch*, March 2005.
- <sup>2</sup> Global Witness interview with former western military intelligence officer, April 2005; Special Court document dated January 2005 as obtained by Global Witness; Dino Mahtani, 'Taylor accused over attempt to kill Guinea leader', *The Financial Times*, 27 April 2005; Ryan Lizza, 'Charles at Large', *The New Republic*, 25 March 2005.
- <sup>3</sup> 'Following Taylor's Money: A path of war and destruction', *Coalition for International Justice*, May 2005.
- <sup>4</sup> Global Witness interviews with UN, diplomatic, military and civil society representatives, 2003-2005; confidential diplomatic correspondence dated April 2005 as seen by Global Witness; Dino Mahtani, 'Taylor accused over attempt to kill Guinea leader', *The Financial Times*, 27 April 2005; Douglas Farah, 'A Protected Friend of Terrorism', *The Washington Post*, 25 April 2005; Ryan Lizza, 'Charles at Large', *The New Republic*, 25 March 2005; 'Sixth progress report of the Secretary-General on the United Nations Mission in Liberia' (S/2005/117), 17 March 2005.
- <sup>5</sup> Global Witness research, April 2005.
- <sup>6</sup> Global Witness interviews with UN, diplomatic, military and civil society representatives in Monrovia and Abidjan, 2005.
- <sup>7</sup> Global Witness interview with UNOCI staff, April 2005; 'Civil war allows rampant illegal logging', *Irinnews.org*, 23 December 2004; 'Côte d'Ivoire: No Peace in Sight', *International Crisis Group*, July 2004.
- <sup>8</sup> Global Witness research and investigations, 2004-2005.
- <sup>9</sup> 'Taylor meddling in Liberian politics, diplomats say', *UN Integrated Regional Information Networks*, 17 September 2003.
- <sup>10</sup> 'Following Taylor's Money: A path of war and destruction', *Coalition for International Justice*, May 2005.
- <sup>11</sup> Global Witness interviews with UN, diplomatic, military and civil society representatives, 2003-2005; Dino Mahtani, 'Taylor accused over attempt to kill Guinea leader', *The Financial Times*, 27 April 2005; Douglas Farah, 'A Protected Friend of Terrorism', *The Washington Post*, 25 April 2005; Ryan Lizza, 'Charles at Large', *The New Republic*, 25 March 2005; 'Sixth progress report of the Secretary-General on the United Nations Mission in Liberia' (S/2005/117), 17 March 2005.
- <sup>12</sup> For more information on Taylor's current threat to regional peace and security, see: 'A Time for Justice: Why the international community, UN Security Council and Nigeria should help facilitate Taylor's immediate extradition to the Special Court for Sierra Leone', *Global Witness*, June 2005; available at [www.globalwitness.org](http://www.globalwitness.org).
- <sup>13</sup> Global Witness investigations, April 2005; 'Youth, Poverty and Blood: The lethal legacy of West Africa's regional warriors', *Human Rights Watch*, March 2005.
- <sup>14</sup> Global Witness investigations, April 2005; 'UN investigating recruitment of Liberian mercenaries in Côte d'Ivoire', *Irinnews.org*, 30 March 2005.
- <sup>15</sup> Global Witness interview with Romeo Quioh, FDA Deputy Managing Director for Commercial Forestry, 22 April 2005.
- <sup>16</sup> For a detailed look at abuses committed by logging company militia members, see Global Witness reports, 'Logging Off: How the Liberian timber industry fuels Liberia's humanitarian disaster and threatens Sierra Leone', September 2002; available at [www.globalwitness.org](http://www.globalwitness.org).
- <sup>17</sup> UN Security Council Resolution 1343 (S/2001/1343).
- <sup>18</sup> UN Security Council Resolution 1478 (S/2003/1478).
- <sup>19</sup> UN Security Council Resolution 1509 (S/2003/1509).
- <sup>20</sup> UN Panel of Experts on Liberia report, S/2005/176.
- <sup>21</sup> For a full list of persons and entities subject to the travel ban and asset freeze, see 'List of individuals subject to the measures imposed by paragraph 4 of Security Council Resolution 1521 (2003) concerning Liberia' (updated 2 May 2005) and 'List of individuals and entities subject to the measures contained in paragraph 1 of Security Council Resolution 1532 (2004) concerning Liberia (The Asset Freeze List)' (updated 2 May 2005), available at [www.un.org/docs/sc](http://www.un.org/docs/sc).
- <sup>24</sup> 'EC countries, including Britain, have been helping indirectly to finance the bloodshed in Liberia's three-year-old civil war, by importing Liberian timber', *The Independent (London)*, 22 November 1992; UN Panel of Experts on Sierra Leone report, S/2000/1195; UN Panel of Experts on Liberia report, S/2001/1015.
- <sup>25</sup> David Clarke, 'Liberia denies links to Ivory Coast rebels', *Reuters*, 2 April 2003, '(Spokesman for Liberian President Charles Taylor) Paasewe said it was true that that, as Global Witness said in its report, revenues from Liberia's logging industry had been used to import weapons recently despite the UN arms embargo, but that this was justified by the war in Liberia'; 'Liberia denies Ivorian rebel link', *BBC News*, 3 April 2003, 'Mr. Taylor recently admitted using funds from the logging industry to fund weapons purchases despite the UN arms ban'.
- <sup>27</sup> 'List of individuals subject to the measures imposed by paragraph 4 of Security Council Resolution 1521 (2003) concerning Liberia' (updated 2 May 2005); 'List of individuals and entities subject to the measures contained in paragraph 1 of Security Council Resolution 1532 (2004) concerning Liberia (The Asset Freeze List)' (updated 2 May 2005); available at [www.un.org/docs/sc](http://www.un.org/docs/sc).
- <sup>28</sup> 'Dutch arrest suspected arms trader for war crimes committed in Liberia', *Agence France Presse*, 21 March 2005.
- <sup>29</sup> UN Panel of Experts on Liberia report, S/2004/779.
- <sup>30</sup> 'List of individuals subject to the measures imposed by paragraph 4 of Security Council Resolution 1521 (2003) concerning Liberia' (updated 2 May 2005); 'List of individuals and entities subject to the measures contained in paragraph 1 of Security Council Resolution 1532 (2004) concerning Liberia (The Asset Freeze List)' (updated 2 May 2005); available at [www.un.org/docs/sc](http://www.un.org/docs/sc).
- <sup>31</sup> For a more detailed analysis of unaccounted timber revenue, see Global Witness report 'Logging Off: How the Liberian timber industry fuels Liberia's humanitarian disaster and threatens Sierra Leone', September 2002; available at [www.globalwitness.org](http://www.globalwitness.org).
- <sup>32</sup> Security Council Resolution 1509 (S/2003/1509).
- <sup>33</sup> UN Panel of Experts on Liberia report, S/2003/937.



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- <sup>38</sup> 'Proposal by the Non-Governmental Organizations Coalition for Liberia for an immediate moratorium on all commercial activities in the extractive industries in Liberia', *NGOs Coalition for Liberia*, 10 July 2003.
- <sup>39</sup> Global Witness research, April 2005.
- <sup>40</sup> Global Witness interviews with UN, diplomatic, military and civil society representatives in Monrovia and Abidjan, 2005.
- <sup>41</sup> Global Witness interview with UNOCI staff, April 2005.
- <sup>42</sup> Global Witness investigations, 2003-2005.
- <sup>43</sup> 'Côte d'Ivoire: No Peace in Sight', *International Crisis Group*, July 2004.
- <sup>44</sup> Global Witness meeting with diplomatic source in Abidjan, Côte d'Ivoire, April 2005.
- <sup>45</sup> Global Witness interview with senior member of UNMIL, October 2004.
- <sup>46</sup> Global Witness research, 2005; 'Liberia and Sierra Leone: Rebuilding failed states', *International Crisis Group*, 8 December 2004.
- <sup>47</sup> UN Panel of Experts on Liberia report, S/2005/176.
- <sup>48</sup> Global Witness investigations in Yekepa, October 2004.
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