Situation Report

Managing Post-War Liberia: An Update

Introduction

For more than a decade, Liberia was the theatre of one of the deadliest wars in Africa. Launched from the neighboring Cote d'Ivoire by a small group of dissidents, trained and armed by Libya with the assistance of Burkina Faso, the war in Liberia left the country with painful memories of destruction, unprecedented protracted violence, killings and above all, the breakdown of state structures. After many peace initiatives including the election of a notorious warlord as president, it was finally the 2003 Comprehensive Peace Agreement (CPA), signed by the Liberian government and rebel groups in Accra, that defined a framework for peacebuilding and post-conflict reconstruction. The successful transition towards democratisation created a platform for the November 2005 general elections that brought to power the first female president in Africa, creating an exceptional phenomenon in this predominantly male-dominated political environment.

However, in spite of the euphoria and hopes, a number of questions persist: Will the new political elite be up to the task of rebuilding Liberia? What are the priorities of post-conflict Liberia? Who defines them? What are the mechanisms in place to address them? What are the challenges ahead for the government and development partners seeking to transform a devastated Liberia into a vibrant economy and a peaceful and cohesive nation?

The purpose of this situation report is to discuss the progress in the post-conflict reconstruction process in Liberia. It analyses the various initiatives and challenges associated with Liberian post-war experiences, taking into account domestic imperatives against the background of regional and international environments. The imperatives include the restoration of state authority, security sector reform, economic recovery and national reconciliation plans. In the words of the Governance Reform Commission of Liberia, the country has inherited both internal and external predicaments that the new administration and the Liberian people must confront in order to make relapse into armed conflict difficult, if not impossible. Internally, these predicaments include social, economic, political and security problems that continue to afflict the country while externally they include the perennial problem of insecurity engendered by the lingering crisis in Cote d'Ivoire and the unstable political situation in Guinea (Jaye, 2006).

This report begins with the exploration of the war legacies in Liberia. Of major concern is the relevance of good governance to the consolidation of peace and stability. Attention then turns to discussions of the priorities and challenges in the post-conflict reconstruction process, notably the reform of the security sector,

the process of economic recovery and strategies for national reconciliation. The report also analyses the implications of Charles Taylor's trial on the peace process in Liberia. Though Taylor is being tried for crimes allegedly committed not in Liberia but in Sierra Leone, the procedure and outcome of the trial can impact on the post conflict reconstruction efforts in Liberia. Finally, the report outlines a number of scenarios built on opportunities available to Liberian authorities. It also depicts the challenges ahead for a process that is supposed to usher in a new socio-political dispensation in a country where war traumas will take long to disappear.

Overview of Liberian War

In 1847, when freed slaves left the United States of America to found the first Black-ruled Republic on African soil, they were thought to have brought with them the ideals of freedom and respect for principles that promote human dignity. Liberia was to be a "happy home" to thousands of Black Americans who were once victims of oppression. However, instead of promoting good governance, what was inaugurated under 'Americo-Liberian' political elite domination, was a system of oppression and abuse that simply transformed Liberia into another ineffective and corrupt system so widespread in postcolonial Africa.

And while the violent military coup that took place in the 1980's ended Americo-Liberian hegemony, it did very little to transform the political system in any meaningful way. The hopes that coup leader Samuel Doe, from the indigenous Krahn ethnic group, would fill the vacuum created by lack of good governance, soon faded. The military leader did not undertake any reforms aimed at addressing the governance crisis. Instead, his actions further complicated the socio-economic and political contradictions that marred the post-colonial political environment of most African states (Adedeji, 2005). In essence, President Samuel Doe used the protective umbrella of the Cold War regime to commit numerous atrocities and hideous human rights abuses in his bid to hang on to power and to promote narrow ethnic interests.

In fact, the regime of Samuel Doe and the atrocities that accompanied his rule laid the foundations for the outbreak of the war. In that sense, the war in Liberia resulted not only from the Americo-Liberian one party dictatorship causing the misery of the majority of Liberians and leaving a legacy of militarization of national politics but also from the difficulty to define a consensus between a 'settler state and various groups from the interior' over a cohesive socio-political entity in Liberia (Richards *et al.*, 2006). This paved the way for the incursion of a group of armed men under the banner of the National Patriotic Front of Liberia (NPFL) led by Charles Taylor in December 1989, which quickly became a protracted armed conflict with dire consequences for peace and stability in West Africa.

The Liberian Peace and War Legacy

Although the United Nations (UN) played a significant role in the peace process in Liberia, it is only fair to acknowledge the involvement and primary role of the regional organization, the Economic Community of West African States (ECOWAS). This was at the time when the international community was still uncertain about the nature and scope of the Liberian crisis. It is worth emphasising that despite the absence of preparedness and experience in undertaking peace missions in dangerous areas, the intervention of the ECOWAS Cease-Fire Monitoring Group (ECOMOG) played a crucial role in momentarily halting the NPFL's violent assault against the ill-equipped, poorly paid and demotivated Liberian Armed Forces, which had been confined to the capital city of Monrovia. Through ECOMOG's peace mission efforts, the first of its genre in Africa, the Interim government under Amos Sawyer was able to organize elections, which brought Charles Taylor to power in 1997 (Sesay, 1999; Adebajo, 2001). Yet, the practice of voting warlords into power, often endorsed in brokered peace agreements in Africa, has proven a serious problem in the case of Liberia. This was so because some fundamental questions relating to the nature of the governance system, socio-economic recovery planning and human security imperatives were not adequately attended to.

Charles Taylor was faced with an intensified armed opposition from various rebel groups including the Liberians United for Reconciliation and Democracy (LURD)

and the Movement for Democracy in Liberia (MODEL). His involvement in the instability that characterized West Africa through the destabilization of Sierra Leone and to some extent Guinea and Cote d'Ivoire became a great concern for the region's leaders. Therefore his subsequent forced exit from the political scene in Liberia and exile to Nigeria in 2003 contributed to the successful transition from war to fragile peace, through a relatively acceptable democratic process which is currently unfolding.

Liberia is now to recover from the scars inflicted by 15 years of warfare, which claimed the lives of more than 200,000 people and further displaced a million others into refugee camps in neighboring countries. Some had been forced to flee as many as five times from one zone to another. This resulted in unprecedented social dislocation, which could still have a lasting impact on Liberia's socio-economic recovery plans. It is estimated that 80 per cent of the country's housing had been damaged or destroyed in fighting (Richards *et al.*, 2006). Sexual violence and gender-based violence were perpetrated against the civilian population to the extent that trauma caused by ruination, grief and loss still affect a considerable number of Liberians (Richards *et al.*, 2006).

The years of mismanagement and war has left Liberia with a massive external debt burden, estimated by the International Monetary Fund (IMF) at about 4 billion US Dollars (USD) which represent almost 800 per cent of the GDP and 3,000 per cent of export earnings (Government of Liberia, 2006a). As Omotola (2006) indicated, war legacies in Liberia and other regimes of prolonged authoritarianism has made reform and reconstruction programmes extremely complex (Omotola, 2006). One of the critical challenges facing Liberia relates to the relevance of good governance to post-conflict reconstruction and sustainable peace. Given the fact that the lack of good governance culminated in chronic political instability and featured among the main causes of the war, it is questionable whether democracy could heal Liberia. Those who took up weapons against the government pretended to do so in order to restore democracy and root out corruption. The reality is, however, that warlords only used the 'democratic order' argument in an attempt to justify their criminal activities.

Progress in the Post-Conflict Reconstruction and Peacebuilding in Liberia

After more than a decade of war, there is no doubt that the oldest republic in Africa needs a combination of internal and external resources to rise again. A well-considered setting of priorities and overall mobilization of the various players around those priorities will help Liberia to successfully complete the peacebuilding and economic recovery process. It has become evident that a major factor affecting reconstruction in Liberia is using the opportunity to learn from the relative success in neighbouring Sierra Leone. Many Liberians are of the opinion that Liberian post-conflict reconstruction affords the citizens and their authorities the historical opportunity to lay strong foundations for a stable and economically prosperous society. It is an opportunity for those who now have the responsibility of building the Liberian nation, to bring into being the development projects that were compromised and delayed by a century of political exclusion, dictatorship and war.[1] In the same vein, such a broad spectrum of reconstruction programmes represents an opportunity to factor in all necessary ingredients and establish new democratic institutions for good governance (Adedeji, 2006). The challenge is to prevent Liberia from reverting to its pre-war (Doe regime) or even pre-1980 ('Americo-Liberian' regime) conditions and see it transformed into a stable country.

National Governance Reforms: Building a State Authority

With the November 2005 elections, Liberians entered into a new social contract based on the commitment of the main political actors and the population to establish a political order based on good governance and the promotion of socio-economic recovery. The imperative of peace in this volatile West African region compelled George Weah, a favorite in the general elections, to abandon his challenge of the results that declared Ellen Johnson-Sirleaf, President of Liberia. George Weah came out on top in the first round of the presidential elections only to loose to the Harvard graduate and veteran politician, Ellen Johnson-Sirleaf in the run-off. It is speculated that George Weah's lack of education coupled with the 'fear

of Doe syndrome' made some development partners nervous about the possibility of the Liberian football legend becoming president of the war-torn state of Liberia (Gray, 2005, Harris, 2006,). Despite the controversies over the outcome of the elections, President Ellen Johnson-Sirleaf's government has been sworn in with a double mandate to rebuild Liberia and to demonstrate the commitment of the new administration to addressing some of the complex problems that lay at the root of the conflict while promoting sustainable socio-economic development. The imperative of consolidating state authority throughout the country is as critical as reforming the security sector and meeting the socio-economic expectations of the population.

In fact, the establishment of credible institutions is indispensable for an effective peacebuilding process in Liberia. Not only do state structures need to be put back in place in the aftermath of armed conflict, but they also need to be infused with democratic norms that cater for representation, accountability and respect for the rule of law, if a sustainable peace is to be achieved. This restoration of state authority will be a continual process achieved by having short, medium and long term objectives. As Debiel and Terlinden indicate, successfully promoting good governance in post-conflict societies depends essentially on a number of issues, particularly the way in which the conflict is settled, the actions undertaken by the international community in order to stabilise the post-conflict environment, and the extent to which statehood has been weakened or destroyed during the time of conflict (Debiel and Terlinden, 2004).

To strengthen the current government's legitimacy, Liberian citizens will have to feel they are represented at various decision-making levels and in institutions that uphold the principles of the separation of power and the devolution of responsibilities between the central authorities and local or provincial centers of power. The vacuum left by many years of war and destruction represents in itself a tremendous challenge for the newly elected administration. The state of poor governance in Liberia is further complicated by the damage inflicted to the country's infrastructure. As a result, it is increasingly difficult for the current government to provide the basic services so needed by the people.

According to the United Nations Mission in Liberia (UNMIL), the government has few resources available to complete the restoration of the infrastructure, including the rehabilitation of fifteen buildings identified to serve as national offices for government activities (UNMIL, 2007). UNMIL also indicated that the United Kingdom Department for International Development (DFID) has pledged a grant of US$2.5 million to the civil service agency, the Governance Reform Commission and the Liberian Institute for Public Affairs. The dependence of Liberia on external resources for the implementation of its reconstruction programme put additional pressure on the government. As so often happens, there may be a lack of convergence in government priorities vis-à-vis the population of the country as opposed to donors' interests, which could cause the deterioration of the citizens' confidence in national authorities.

The combined effects of war, an international embargo on timber and diamonds in addition to corruption left Liberia with a depleted economic infrastructure, resulting in an unemployment rate of 85 per cent of its population, illiteracy and an external debt estimated at about US$ 4 million. Therefore, political and economic stability requires coordinated efforts on the part of the new administration and the development partners. The Governance and Economic Management Assistance Programme (GEMAP) and the [Interim] Poverty Reduction Strategy (IPRS) represent some attempts at creating the policy framework for economic recovery and good governance. These are multi-pronged initiatives involving a variety of stakeholders including government, donors, and civil society organizations (CSOs). By focussing on democratic consolidation, economic reforms, the improvement of infrastructure, the fight against corruption and an effective management of national resources, these programmes are to lay foundations for sustainable peace and an improvement of the living standards of Liberians (Government of Liberia, 2006b).

Since its inception, GEMAP has contributed to a better mobilisation[2] of national resources. According to the United Nations Development Programme (UNDP), Liberian government revenues went from a mere US$ 80 million in 2005, to US$ 130 million in 2006 before jumping to US$ 200 million in 2007[3] (UNDP, 2006b,). Equally, the growth rate, which was 5.3 per cent in 2005, has increased to 7.9 per cent in 2007. The gross domestic product (GDP) at current prices is estimated at US$ 574.5 million, with a per capita income of US$ 163. The sectoral performance of the economy showed some signs of recovery in 2006, with the agricultural sector (including forestry), accounting for 95.4 per cent of export earnings (UNDP, 2006b; UNSC, 2007a). Liberians are looking forward to translating this as yet meager economic improvement into some water and electricity provision, job creation and improved infrastructure and living conditions[4].

However, substantive obstacles stand in the way of a national economic recovery that would benefit the majority of the country's citizens. As a result of the heavy debt burden, the widespread shortage of professional skills and deep-rooted corruption, the government finds it increasingly difficult to focus simultaneously on the numerous development challenges. The announcement in November 2007 by the IMF that the US$ 842 million debt arrears for Liberia has been cancelled, might go a long way toward providing a sustainable solution to the debt crisis. Following the IMF initiative, Nigerian President Umaru Musa Yar'Adua wrote to the Senate of his country, seeking approval to write off US$13 million of Liberia's US$ 48 million debt.

While the decision to wipe out Liberia's arrears paves the way for consideration in the Highly Indebted Poor Countries Initiative (HIPC), it does not clear all its debts owed to development partners such as the World Bank, Paris Club and other G-8 commercial banks (Wroughton, 2007; Harris, 2007). Even with the writing off of the IMF and Nigerian debt, the country's remaining debt burden will still be more than 75 per cent of the current US$4.3 billion it owes. Prior to the country's 15-years of civil war, its external debt stood at a little over US$ 1 billion. The current debt write-offs are still less than the country's pre-war debt. Thus Liberia remains deeply mired in debt, undermining its ability to source funds for rapid recovery (Business Day, 2007).

Security Sector Reform in Liberia: Imperative for Sustainable Peace

Security Sector Reform (SSR) is one of the major objectives pursued by the Liberian government as it seeks to rebuild the country after the fourteen-year civil war. During the time of autocratic rule and brutal war the Liberian security forces were transformed into an oppressive force used against the population. As in many African states, a major source of dysfunctionality of the security sector in Liberia was that, throughout the country's history, the armed and security forces as well as all related structures functioned as instruments for the incumbent regime's security as opposed to providing for the security of the citizens. (Adedeji, 2005; Agboagye and Rupiya, 2005)

Therefore, the completion of the reform process hinges on an understanding between Liberia's government and its development partners that, in addition to effective law enforcement, Liberia needs a stable democratic environment, well-trained police and armed forces with a mission to protect the people, their property and their movement. The United Nations Security Council (UNSC) stressed that reforming the security sector in post-conflict environments is critical to the consolidation of peace and stability. This will promote poverty reduction, rule of law and good governance, which will expand legitimate state authority and prevent the country from relapsing into conflict (UNSC, 2007b). In terms of the 2003 CPA, the financial support for the reconstitution of Liberia's security sector is a shared responsibility between the United States (US) government, who is leading the reform of the Armed Forces of Liberia (AFL), the Ministry of Defense and UNMIL implementing police reform in the country (UNMIL, 2007, Malan, 2008).

According to the March 2008 UNMIL Report, 3,500 police officers completed their basic training and 3,662 graduated from the National Police Academy, with some of them prepared for senior management (UNMIL, 2008). The report also

indicates that the first 200 officers of the 500 strong Emergency Response Unit would become operational by July 2008. The majority of the Liberia National Police (LNP) officers were assigned to areas in and around the capital Monrovia, leaving only 676 police personnel to patrol the country's remaining 14 counties (UNMIL, 2007). The Federal Republic of Germany has donated 1 million Euros to further police training and the US and Ireland provided US$5 million and US$1.4 million respectively to help develop the Emergency Response Unit (UNMIL, 2008). However, lack of funding, basic infrastructures and equipment continue to place a considerable limit on the performance of the police force. The situation is made more difficult by the shortage of specialized personnel and forensic laboratory equipment. In this context the LNP cannot effectively operate to its full capacity.

Another hindrance is the nature of the relationship between the LNP and the citizens. Even though the training of the police officers includes modules on human rights, gender sensitivity, and protection of women and children, Liberian people still lack confidence in the new police structures, and relations between the police forces and the people remain very complex. This is because the abuse of power and human rights violations carried out by the police force in the past has left the majority of Liberians fearful (HRW, 2005, 2006, 2007). Of great concern is whether the current LNP will be able to overcome this besmirched reputation and rise above the memories of horrors to stand as a reliable security unit in a nation that is still in search of cohesion.

The same could be said of the AFL. In a volatile sub-region, a reconstituted army is not only an instrument to secure the state of Liberia in an external environment, but also an institution that ensures the security of the people and their property. A fifteen-week training programme for new army recruits includes three weeks of courses in Liberian civics and history, as well as international human rights. As a result, new recruits will possess a common base from which to overcome ethnic divisions and begin to think of themselves as fellow citizens, rather than as former enemies (USIP, 2007). The politicization of the army has had a destructive impact on the Liberian nation. Reversing that trend in order to consolidate peacebuilding, remains a high priority on the Liberian government's agenda. Indeed, the framework of the reform as well as its practical implementation feature in the terms of the 2003 CPA. The CPA explicitly requests "that the United States play a leading role in completing the reform of the Liberian Armed Forces" (CPA, 2003).

Therefore, the US, through the private military companies (PMCs) DynCorp International and Pacific Architects and Engineers, is working with the government of Liberia to establish a 2,000-member light army. While it might be difficult to understand the wisdom of having such a small armed force, especially given neighboring Sierra Leone's 12,000-strong military, the size of the Liberian army seems to be dictated by fears and anxieties over financial constraints[5]. A larger armed force might itself become a security threat if soldiers are not paid on time or must live in sub-standard housing because of inadequate government support and scarce resources. This certainly explains why US$ 20 million out of a US$35 million budget for the overall reform of this sector was spent on the improvement of logistics, thus creating a need for additional funding. If they come into being, the new AFL will comprise of two infantry battalions, an engineering unit, a military police unit, a military band and medical personnel. (UNMIL, 2007).

Importantly, the fact that the PMCs bear the major responsibility for security sector reform in Liberia remains a source of deep concern. Even if it is too early to draw a definitive conclusion, one could concur with Agboagye and Rupiya when they argue that the involvement of PMCs in security sector reform in Liberia arouses concerns because functional relations between the military and the civilian mechanisms of oversight are built on principles of transparency and accountability which are not necessarily the attributes of the PMCs (Agboagye and Rupiya, 2005; Malan, 2008). Several civil society organisations (CSOs) have raised concerns about the efficacy of employing private security companies to train the national army, citing the lack of transparency, accountability and loyalty in terms of the training procedure.

The challenge therefore is for the government to formulate a policy that defines the respective role of each security organ in Liberia and take overall ownership and control of the reform process. For this to function adequately, a vibrant democratic environment as well as conducive socio-economic conditions are vital. For the time being, it seems that too much focus on the LNP and the AFL has left other agencies neglected. Among others, the National Bureau of Investigation (NBI), Drug Enforcement Agency (DEA), Bureau of Immigration and Naturalisation (BIN) and the National Fire Service are yet to benefit from the security sector reform process. Though a national security strategy is being developed for accountable security sector reform, it will take a while before it becomes effective.

Disarmament, Demobilisation, Rehabilitation and Reintegration Process

David Dahn, Head of the National Commission on Demilitarisation, Demobilisation, Rehabilitation and Reintegration (NCDDRR) in Liberia, highlighted the complexity of this process in a sub-region where potential conflict zones still exist[6]. At the same time, the process is extremely relevant to sustainable peace in Liberia. Indeed, between 1998 and 2003, initiatives to disarm and demobilise have been extremely challenging and difficult to implement. Earlier attempts had been marred by violence and deaths. By the time the process officially came to an end in 2005, 103,019 ex-combatants had been disarmed and 101,495 demobilised including 68,162 men, 22,370 women, 8,523 boys, and 2,440 girls (UNDP, 2006a; UNMIL, 2007; USIP 2007).

In addition, 28,314 weapons, 33,604 pieces of heavy munitions and 6,486,136 rounds of ammunition were gathered during the formal disarmament period (UNDP, 2006a; UNMIL, 2007). The UNDP in Liberia is responsible for the rehabilitation and reintegration process. According to the 2006 UNDP report on National Human Development in Liberia, ex-combatants had the choice of either entering formal education or receiving vocational or agricultural skills training. The UNDP Report indicates that 43 per cent of the demobilised soldiers preferred formal education, while 50 per cent chose vocational skills training in activities such as tailoring, carpentry, and mechanics. Only 4 per cent wanted to go into agriculture (UNDP, 2006b). It is common in Liberia for commanders controlling a arms caches to distribute weapons or ammunitions to civilians and split the cash reward after the civilians are discharged as 'ex-combatants'(Paes, 2005).

Though, officially, the DDRR is a completed process in Liberia, a number of problems and difficulties continue to undermine the success of the initiative. The majority of ex-combatants are still unemployed and thousands have regrouped for the purpose of illegally exploiting natural resources in diamond and gold mining areas as well as rubber plantations (UNMIL, 2007). The government of Norway has recently provided US$7 million to implement a programme that could enhance the employability of the demobilized soldiers (UNMIL, 2008), but it is important to draw attention to the many weapons still in the hands of former soldiers. UNMIL and the UNDP continue to trace, collect and destroy residual weapons and ammunition long after the DDRR was declared officially completed. It is reported that since 2005, a total of 748 weapons, 1,390 pieces of unexploded ordnance, 99,980 rounds of ammunition and 11,790 assorted spares and miscellaneous parts have been collected and destroyed (USIP, 2007). The UNPD Arms Collection Programme (UNDP-ACP) collected and destroyed most of these weapons (UNDP, 2006b).

The challenge here is that some of the unrecovered weapons serve a variety of purposes that range from armed robberies to cross-border criminal activities. According to Robert Miller[7], despite the successful implementation and completion of the disarmament and demobilization phase of the DDRR programme, an overwhelming number of small arms and light weapons (SALW) remain in circulation throughout Liberia. These weapons continue to circulate between the neighbouring countries of Sierra Leone, Guinea, and Cote d'Ivoire, consequently contributing towards the destabilisation of the entire region. In an effort to proceed forward with the peacebuilding process, there is a need for an integrated, cross-border approach to micro-disarmament within West Africa.[8] It is good to note that, prompted by this remark, the UN has commissioned an investigation into the matter. In December 2007, a group of UN experts reported

that, while it has found no evidence of arms flowing across Liberia's borders, the dramatic increase in domestic armed robberies and criminal activities is a cause for concern and deserves the attention of the Security Council committee monitoring the arms embargo imposed on the West African nation of Liberia (Fruchart, Holton and Wezeman, 2007).

In addition, the settlement programme of the IDPs and refugees continue to suffer from insufficient financial support and coordination (IDMC, 2007). The refugee issue remains a potential source of tension in Liberia and in the region. The limited resources available and the inability of the government to develop a quick response to these pressing humanitarian issues render the peace process in Liberia precarious. Having taken full measure of the challenge, the President initiated a campaign for some of the host countries, including the US, to keep the refugees until the government can put in place resources and infrastructure to accommodate them without destabilizing the fragile peace in Liberia.

Peace and stability in Liberia depend greatly on the effective functioning of the institutions that guarantee respect for the rule of law and social justice to all citizens. As has now become evident, decades of autocratic regimes and war left the Liberian judicial system with endemic corruption, dilapidated courthouse infrastructure and a severe shortage of qualified personnel.

Despite assistance from the donors to revive the judicial structures, these institutions continue to suffer from larger structural issues to such basic problems as lack of offices. To offset the grave shortage of qualified personnel and the resulting backlog of unheard cases, UNMIL in 2007 launched a pilot project hiring twelve national prosecutorial consultants and eighteen public defense consultants. However, logistical problems have delayed the process. Some counties have no judges at all and most defendants do not have access to legal counsel (UNMIL, 2007). This makes it extremely difficult for judges and prosecutors to adequately resolve pending cases.

On the other hand, the current state of the Liberian National Correctional Services does not contribute to social justice either. Their severely limited capacity and the living conditions of detainees undermine the basic human rights principles of decency and dignity (HRW, 2007). The mismanagement of these services and the absence of competent personnel constitute some of the major obstacles to the effective performance of these structures crucial in the administration of justice. Sustainable efforts of both development partners and the government of Liberia are therefore important in creating vibrant, legitimate and transparent institutions and structures "that support the functioning of an equitable and right-respecting state that are accountable to the citizens living within it" (Adedeji, 2006). The implications of a well-established and efficient judiciary system go beyond the short-term need of filling an institutional vacuum, thus contributing to national reconciliation initiatives.

In January 2008, Liberia's Truth and Reconciliation Commission (TRC) began its hearing process in an atmosphere of emotion, regret and anger, characteristic of truth-telling moments in post-conflict societies. This exercise, crucial for the continuing reconstruction process in a country devastated by fourteen years of war, creates an opportunity for victims and perpetrators to share their pain and explore avenues for healing and reconciliation (CPA, 2003; Act of the TRC, 2005). It is also an important step in the consolidation of the peace process that started with the 2003 Comprehensive Peace Agreement in Accra.

Since it began its activities in 2006, the TRC has collected some 24,000 testimonies of atrocities from victims and perpetrators across Liberia and abroad that will serve as references during the hearing process (IRIN 2008). But with the 2003 CPA call for amnesty for former fighters, the Liberian people and government will be confronted with the dilemma of combining reconciliation with justice for victims of atrocities and inhuman treatment. At the opening ceremony, President Johnson-Sirleaf reminded Liberians that the process is not only for healing and

reconciliation but also for justice (IRIN, 2008). Translating this into concrete actions will call for comprehensive reparation plans and strong political will on the part of key political actors as well as development partners in order to implement the final recommendations of the TRC when it concludes the hearing process in July 2008.

The mandate of the TRC expires in September 2008, when it submits the final report on its operations and recommendations (Act of the TRC, 2005). However, as is the case with most of the structures in place in Liberia, the TRC will have to overcome the perennial problems of insufficient funding and transparency. According to the Chairman of the TRC, Counsellor Jerome Verdier, "(h)aving overcome many challenges in the past, the TRC of Liberia is currently fast-tracking its processes in its programming and administration so that all its mandated activities can be achieved before the end date of September 2008" (Anderson, 2007). Therefore, any further delays in affording the TRC financial support for its planned objectives will only impede the work of the Commission further and negatively impact on its 2008 datelines.

With the implementation of the TRC's eventual recommendations, the culture of impunity rooted in the history of the country could perhaps be tackled, provided that a balance is found between truth telling, justice and the socio-economic well-being of the war-affected citizens. So far, the TRC has received US$4.5 million out of the projected 9 million needed to function effectively. Yet, it is estimated that the commission will need eight times that amount to fulfill its mandate of receiving and collating statements, holding public hearings and preparing a final report and recommendations.[9] The successful implementation of this exercise will have very positive implications for the transitional justice system and for sustainable peace in Liberia.

In his 2004 Report on *The Rule of Law and Transitional Justice during Conflicts and in Post-Conflicts Societies*, the United Nations Secretary General argues that successful peacebuilding depends on a number of critical factors, among them the need to ensure a common basis in international norms and standards and to mobilize the necessary resources for a sustainable investment in justice. Countries emerging from war are very often confronted with the dilemma of peace and justice. International law on the one hand emphasises the need to address the abuses of the past, particularly when these abuses took place on a large scale in violation of the existing legal standards, in order to guarantee lasting social cohesion, justice and peace. However, on the other hand, owing to the necessity of political arrangements with warring factions, the justice and peace dichotomy does not come with an easy answer. Often, stakeholders have difficult choices to make. Given the wide range of atrocities and the deep-rooted culture of impunity inherent in Liberian political history prior to the 2005 elections, the main concern is whether the TRC will be capable of addressing past wounds in an adequate manner.

Unanimity does not exist on the nature of justice needed to heal nations emerging from war. People are divided on the specifics of the truth and reconciliation and justice exercise in Liberia. The handling of the Charles Taylor trial for war crimes committed in Sierra Leone is not seen as serving justice as far as Liberians are concerned. While it was accepted in the 2003 CPA that leaders of warring factions should not be held accountable for their acts during the war, there was less consensus as to whether the outcome of the Taylor trial before the Special Court for Sierra Leone in the Hague. The Hague would be of any relevance to the reconciliation process in Liberia. The proceedings in The Hague leave Liberians with many concerns. Will Charles Taylor be able to appear before the TRC if requested? Will the government implement the recommendations of the TRC including prosecuting those who bear 'the greatest responsibility' in the commission of large-scale atrocities?

Because of The Hague trial, it will be difficult for Charles Taylor to appear before the TRC in Liberia at least before the completion of its activities. According to

Jerome Verdier, the chairman of the TRC, the Commission could have access to the former warlords including Charles Taylor if considered necessary to the fulfillment of its duties but "Liberian problems cannot be reduced to one man" (Moya, 2007). Owing to security concerns, the government might not even take the road of prosecution. As Amnesty International points out, "even though the Truth and Reconciliation Commission (TRC) established by the Comprehensive Peace Agreement (CPA), started work in June 2006, there are significant gaps in the Liberian government's overall strategy to redress past violations of international human rights and international humanitarian law. Liberia's decimated national judicial system is a major obstacle. It suffers from a severe lack of sufficiently qualified personnel, low level of professionalism, resources and salaries for judges, prosecutors, and lawyers, and lack of jurisprudence. Few people in Liberia have access to or confidence in the justice system" (AI, 2007).

According to the survey by the Woodrow Wilson International Center for Scholars, most Liberians believed warlords should be tried in a special court and judged by both national and foreign judges. They also expressed a strong desire to permit ex-combatants to be rehabilitated and reintegrated into the communities (WICS, 2006). What then transpires from this is the need for a certain form of justice manifested in coherent reparation plans in the absence or due to the complexity of the prosecution option. It could also take on the form of a general "forgiving" attitude towards those who have turned the rule of law upside down, but solemnly acknowledge their wrongdoings in the interest of reconciliation and peace. President Johnson-Sirleaf is herself of the opinion that justice is a two-step initiative, the first step being to find the means to rehabilitate those who were conscripted into war, after which one can decide who has to face the courts. "It is not a question of undermining justice. We are trying to find a balance between justice on the one hand, and reconciliation on the other" (IRIN, 2008). Finding a balance between the two is a challenge for the government. The Sierra Leone experience with its TRC[10] demonstrates that the government's selective attitude went against the expectations of the people in terms of social justice and this contributed to the defeat of the ruling party in the August 2007 general elections.

Scenarios

The consolidation of the peace process

This scenario is in accordance with the spirit of the CPA. In this new political dispensation, the government's commitment is translated into the establishment of effective democratic structures, such as respect for the rule of law and the principle of the separation of power. This in itself represents a major step in the reconfiguration of the Liberian political landscape, which in return will enhance people's confidence in state institutions. The independent and effective functioning of parliament, the executive, the judiciary and the mass media, coupled with the nature of the relations between various state institutions, could contribute to the consolidation of peace in Liberia. It could also help overcome donors' anxieties about good governance and a corresponding reluctance to disburse where the post-war regime is characterized by corruption and a lack of transparency and accountability.

The Liberian government has already constructively engaged the international donor community to assist in expanding capacity and creating an enabling environment for peace, economic prosperity and reconstruction. To date, the US is the most influential bilateral donor[11] in Liberia, followed by the European Union, the World Bank, the United Kingdom, Germany, Japan, Denmark, Sweden, Norway, the Netherlands, Ireland, Spain, France, Italy, and the People's Republic of China. In addition, a growing number of multinational corporations, non-governmental organizations, the Roman Catholic Church and other religious organizations are acting as private-sector donors in Liberia.

In this scenario, the government should make a considerable effort to promote the socio-economic well-being of the citizens as its main priority. A democratically stable environment will enhance the prospects for successful reconstruction projects addressing the basic needs of the people such as water, electricity, roads,

education and job creation. Despite the fact that shortly after her administration was sworn in, President Johnson-Sirleaf restored electricity to certain areas in Monrovia, many Liberians still rely on generators as a source of energy. The restoration of the infrastructures, particularly roads, is a labor-intensive project that could provide jobs for thousands of young people currently demobilized and/or unemployed. Although it is unrealistic to expect miracles from the present regime in just two years, better management of resources, objective identification of priorities and a strong political will could lay the foundations for the rise of an economically viable and socially cohesive Liberia before the next elections.

A Stalled Process

One of the most significant impediments to the successful completion of the reconstruction process in Liberia is the poor mobilization of resources both internally and externally. While the Liberian government is working hard to improve the utilization of its domestic resources, donors have done little more than make promises. Liberians are of the opinion that, while the US has an important role to play in the post-reconstruction process, the country needs to diversify its partnerships. According to Lansana Gberie, "Liberia's problems are simply overwhelming and the US appears unwilling or unable to invest enough to make a difference" (Gberie, 2007). This echoes the sentiments of the Liberian people who would prefer that their government adopt an inward looking approach and work closely with regional actors such as the African Development Bank, the West African Bank for Development, and other regional partners such as Nigeria to decrease its excessive dependence on the US.

This will foster Liberia's pride and at the same time promote the empowerment of the people. As a war-torn country with a heavy debt burden, Liberia certainly needs sustainable and coordinated external support in its post-war reconstruction phase. This should not, however, be at the expense of domestic ownership and control over the process. It is expected that the government will have to increasingly take a leading role in co-ordinating external assistance through its established institutional framework, the Liberian Reconstruction and Development Committee (LRDC), to improve the effectiveness of the reconstruction plans. The LRDC has identified five important areas that require attention: security, economic revitalization, governance combined with rule of law and infrastructure that provides basic services.

Foreign debt will remain a huge obstacle to the recovery and the healing process in Liberia. The massive debt, if not cancelled or dealt with adequately, will severely restrict Liberia's capacity to combat poverty. This situation will be aggravated if donors fail to fulfill their pledges. Inconsistencies in government policies on corruption[12] and actions on the ground could cause donors to withhold funding. In this case, the government will have to rely on domestic resources, which appear insufficient for the implementation of the recovery programmes. Even though some bilateral as well multilateral donors are prepared to provide aid to Liberia with no strings attached (Ahunna 1998), the political considerations on the part of influential donors (the US for example) may affect the flow of financial assistance and delay the state's response to the basic needs of the people. Therefore, the government may not be able to keep its promises to the people, who, if the democratic consensus remains in place, will manifest their disappointment through the ballot box or through popular protests.

Finally, post-conflict reconstruction involves exit strategies for the donors and peacemakers. Unfortunately, the local community in Liberia has no exit strategy. People living in the rural areas ultimately have the greatest need to build a sustainable peace. Often, the international community sees only the highly visible ex-combatants and those in power, while ignoring the faceless majority. Therefore, conflict-affected people need timely and effective support to regain confidence in the ability of the state and its institutions to deliver and so embark them on the path to sustainable peace (UNDP, 2006a).

Deterioration in the relations between political forces

A deterioration in the relations between key political actors and social forces could derail the post-conflict reconstruction and peacebuilding initiatives if not adequately managed. There are tensions between the government and the opposition parties on a number of issues ranging from corruption to national cohesion. In the eyes of opposition leaders, the government has initiated a series of policies that they believe could revive old ethnic and social divisions. For instance, government's decision to bring to book members of former administration and exclusion[13] that generally undermines reconciliation processes, seems to be prevailing in the post-war political setting.

Recently, both houses of the parliament unanimously rejected a bill sponsored by the government in support of UN Resolution 1532, which mandates the UN member countries to identify and seize all assets belonging to individuals associated with Charles Taylor. This rejection of the bill was compounded by the fact that several members of parliament are, in fact, Taylor associates including Adolphus Dolo and Jewel Howard Taylor among others. Though the government's intention was to end the deep-rooted corruption and culture of impunity, the move was seen as targeting warlords and their followers with the potential to compromise the fragile peace in Liberia. At the same time, the president acknowledges that her administration needs to do more to further the national reconciliation process.

The 1986 constitution gives the President overwhelming powers to the extent that her will has to prevail in specified instances. The conflict between the executive and the opposition over the appointment by the president of mayors and other leaders in local councils has been resolved by a court decision in favour of Johnson-Sirleaf based on the provisions of the (contested) constitution.[14] The opposition saw in this move an attempt to undermine democracy. Though the separation of power between the executive and the legislature implies a healthy tension in relations, differences of opinion should be managed harmoniously. The failure to manage any subsequent crises constructively, and insufficient caution in handling sensitive issues, will seriously affect the democratic process.

Moreover, some Liberians are criticizing what they term the re-emergence of the 'Americo-Liberians hegemony' and the marginalization of indigenous Liberians. As Theodore Hodge puts it, "what [Liberia] needs are genuine, innovative leaders with the vision, ability and desire to lead the country in a wholesome way. It would be counter-productive to use ethnicity or name origin (Native or Western) as litmus test to determine leadership. Discrimination can never be justified and dignified. [Liberia] needs to continue to search for diverse teams of leaders who will bring different levels of expertise and track records. Above all, [they] need to continue to search for leaders whose utmost priority and vision will be to resurrect Liberia – to make Liberia a pluralistic and inclusive society with justice, equality and liberty for all" (Hodge, 2007).

Military Threat or Renewed Violence

The rumoured military coup attempt in Liberia highlights the precarious political situation in Liberia. On 19 July 2007, the government of Liberia announced the arrest of five people in connection with an alleged coup attempt. Those detained included former Speaker of Parliament, George Koukou, and General Charles Julu, the former head of the presidential guard during the Doe regime and leader of a 1994 coup attempt. Liberian officials even released video recordings by Liberian intelligence services as alleged evidence of the coup plot (UNSC, 2007b; Sayon, 2008). Contradictory evidence presented so far has, however, cast serious doubts on the government's claims. Consequently, many Liberians expect the government not to pursue the case. Julu's co-accused had made a confession to the judges about how government officials offered him bribes and freedom in exchange for false testimony.

It is understood that despite the presence of UNMIL in Liberia, Johnson-Sirleaf and her administration are concerned about their security and wanted to take some

preventive measures. This also explains why the President made a public declaration to host the US military command known as Africa Command or AFRICOM, in Liberia while most African countries including South Africa and Nigeria strongly oppose that project. Though the conditions – the presence of UN peacekeeping forces - might make it extremely difficult, a military coup could still be attempted by the old political and military guards feeling threatened by the government's anti-corruption crusade or its UN-sponsored initiatives to freeze assets of corrupted leaders. In Monrovia, people are anxious at the possibility of renewed unrest in a country that currently has 15,000 UN peacekeepers, the second largest deployment in the world. While the UN is planning to reduce its forces, unresolved domestic tensions and the inability of the new law enforcement agencies to function effectively, could expose the state's vulnerability to forces it has little or no control over.

Liberia has made progress toward peace but the inefficiency of the state's institutions and the inability of the new authorities to manage their internal relations, the failure to respond to the basic needs of the people and the persistence of the politics of exclusion, could cause tensions and prompt criminal activities or a renewed insurgency. The fact that Liberia has dissolved its old army and police force does not exclude the possibility of violence initiated by them, particularly when the government does not keep a record of their whereabouts. Also, a number of ex-combatants have retained arms and remain in inaccessible rural areas. Some, (for example, MODEL with its full chain of command) have crossed borders in an attempt to join various armed groups in the region. The porosity of national borders facilitates arms trafficking, which is one of the greatest threats to security in West Africa - with the stagnant peace effort in Cote d'Ivoire and the uncertainties as far as the political situation in Guinea is concerned.

Concluding remarks

Since the 2003 CPA, Liberia is progressively restoring peace and stability after fourteen years of war. The painful history of the country should point to lessons learnt for the current actions and decisions taken in the post-conflict reconstruction process. Liberian authorities have a unique opportunity to transform the country into a peaceful and stable nation by laying foundations for sustainable development through an articulated response to the basic socio-economic needs of the majority of the citizens.

Two years after the election of Ellen Johnson-Sirleaf as the country's president, Liberia has become a relatively stable country and its relations with neighbouring states are improving. In addition, there are some interesting developments in the peace process of the West African region that can positively influence the course of events in Liberia. The Sierra Leone 2007 elections, organized without the UN peacekeeping forces, offered many lessons that could inspire Liberian leaders. It also shows that failure to deliver on socio-economic issues could expose leaders to popular discontent expressed through election results. Commitment to democratic principles resulted in Sierra Leone producing a change of leadership to consolidate the post-conflict reconstruction and peacebuilding initiatives. Peace initiatives in Cote d'Ivoire such as the March 2007 Ouagadougou Peace Agreement and the symbolic reunification of the country, provide some encouraging signs of hope for Liberia.

Meanwhile, Liberia remains vulnerable due to daunting domestic difficulties. The post-war institutions have not yet been able to deliver on the expectations of the population. There are still sporadic incidents of violent crime and fear because of weapons that have not been relinquished. Liberia has little resources available, both domestic and external, to tackle some of the crucial problems affecting the lives of the citizens. The potential for the country to export its diamonds and timber should provide for additional revenue needed to implement the reconstruction programme provided that the UN remove the embargo imposed on these resources. The contribution that these resources will make to the post-conflict development programmes will depend greatly on the ability of the government to manage the revenues effectively. Therefore good, transparent and accountable governance is necessary for the success of post-conflict reconstruction in Liberia.

Notes

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1 Interview with the Deputy Minister of Finance and Economic Affairs, Liberia, August 2007

2 Interview with the Deputy Minister of Finance and Economic Affairs, Liberia, August 2007

3 Interview with the Deputy Minister of Finance and Economic Affairs, Liberia, August 2007

4 Interviews with the Deputy Minister of Planning and Economic Affairs, Liberia, August 2007.

5 Regular armed forces were involved in politics both in Liberia and Sierra Leone. But unlike Sierra Leone, where the British government provided financial support to the reconstruction process, including the SSR, Liberia is facing serious financial challenges due to the reluctance of the main partners to disburse their pledges on time.

6 Interview with David Dahn in Liberia in August 2007. Most of the data used in this section were provided by the NCDDRR.

7 Interview with Robert Miller, Executive Director of the Center for Peace Education and Democracy (COPE) - a local NGO campaigning against small arms and armed violence in Liberia.

8 Recent media reports indicated the increased number of house robberies. See IRIN, Rise in Weapons-Related Crime Worries UN Panel Investigating Sanctions, available at http://allafrica.com/stories/200712140008.html accessed, 28 April 2008

9 Interviews with members of the Liberia Truth and Reconciliation Commission (TRC) and members of the Department of Justice, August 2007.

10 See for example Lyn Graybill and Kimberly Lanegran, Truth, Justice and Reconciliation in Africa: Issues and Cases, in *African Studies Quarterly*, Vol.8, Issue 1, Fall 2004.

11 The US has announced that it will sharply reduce its contribution to the peace mission in 2008. Given the challenges that Liberia is still facing, the lack of financial commitment of the US and any attempt to reduce its assistance will impact negatively on the process.

12 Some officials within President Johnson-Sirleaf's administration suspected of malpractices and corruption have been arrested but not prosecuted.

13 GEMAP (Governance and Economic Management Assistance Programme) is seen as externally imposed to promote Americo-Liberian interests at the expense of the indigenous. Liberians consider GEMAP as a system by which expatriates, mainly from the US would effectively take control of the key economic institutions of the country.

14 According to the opposition, local and municipal elections should be organized for institutions at those levels. But the President expressed concern over the lack of funds and decided to appoint the local council leaders and provincial governors drawing on her constitutional prerogatives.

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