



Liberia: **Back to the Future**

**What is the future of Liberia's forests
and its effects on regional peace?**



Recommendations

The United Nations Security Council (UNSC) should:

- Maintain the embargo on the export and transport of Liberian timber, and its import into other countries. The embargo should remain in place until it can be demonstrated that the Liberian timber trade does not contribute to national and regional insecurity.
- Utilise UNMIL to secure Liberia's lucrative natural resources, assess and monitor any existing and likely cross-border land and sea-based smuggling routes, and coordinate the region's UN peacekeeping forces and national military forces to create more effective border security and prevent cross-border trafficking of weapons, mercenaries and natural resources.
- Amend the Liberian DDRR mandate to incorporate foreign nationals fighting in Liberia into national or sub-regional disarmament programmes.
- Consider applying restrictions to individuals or governments found to be financially or militarily supporting armed non-state actors in Liberia and the region.

The National Transitional Government of Liberia (NTGL) should:

- Complete a comprehensive, retrospective and internationally verifiable audit of the Liberian logging industry and government finances, with all findings made public.
- Develop socially, economically and environmentally sustainable forest use strategies, and empower the Forestry Development Authority (FDA) and other relevant agencies to implement them.
- Review all concession agreements to test their legality, cancelling those that were granted illegally. The government should also do full background checks on all persons and companies interested in becoming involved in the logging industry, and disqualify all those who have previously been involved in illegal activities.
- Monitor the relationship between the logging industry and local populations, in order to identify, prosecute and prevent future violations of domestic and international law.
- Appoint an independent monitor to scrutinise the logging industry, examining the effectiveness of new reforms, providing an independent verification of compliance from all levels of government and industry and ensuring that the industry no longer maintains its links to conflict.
- Undertake a thorough anti-corruption audit, with the aid of the international community and UNMIL, to close loopholes by which much-needed aid and reconstruction money is being misappropriated.

The United Nations Mission in Liberia (UNMIL) should:

- Ensure that regular patrols are carried out in both interior and border areas to ensure the collection of comprehensive intelligence on trafficking activities and abuses against the civilian population.
- Work closely with the International Criminal Court (ICC) to determine how, during the course of carrying out its duties, UNMIL can mainstream data-collection to include information that may be of use for potential war crimes tribunals.
- Engage local Liberian NGOs in policy-setting and decision-making processes in order to ensure thorough and effective implementation of its mandate.

The International Community should:

- Ensure that all funds transferred to the NTGL are tracked and accounted for, and that all records are made available to the public.
- Mainstream environmental impact and ethical purchasing concerns into all UN, NTGL and NGO activities in Liberia.
- Ensure that all countries enforce the Liberian arms embargo, and further adhere to the ECOWAS Moratorium on the Import, Export and Manufacture of Small Arms and Light Weapons.

The Governments of Côte d'Ivoire, Guinea and Sierra Leone should:

- Coordinate with UN peacekeeping forces to enforce tighter security of their borders with Liberia, to prevent cross-border trafficking of natural resources, weapons and mercenaries.
- Implement stricter control over their own natural resource industries, to prevent the trafficking of embargoed resources through their own legitimate industries, and further prevent those individuals and companies involved in illegal activities in Liberia from operating within their territories.

Any companies involved in Liberia should:

- Adhere to accepted norms of transparency and accountability, such as those outlined in the 'Publish-What-You-Pay' initiative, a global campaign to eradicate corruption and promote transparency in business and government relations.



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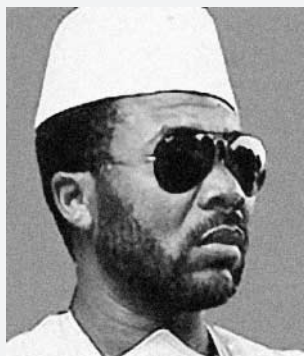
Where Are They Now?

The following lists certain key players in Liberia.

Please note that the UN travel ban regarding Liberia, as created by the UN Security Council, calls on all countries to prevent the entry into or transit through their territories of all such individuals, as designated by the sanctions committee, who 'constitute a threat to the peace process in Liberia, or who are engaged in activities aimed at undermining peace and stability in Liberia and the subregion.' It is incumbent upon all states to effectively police their own borders to prevent travel by those on the travel ban list, although the ban does not prohibit countries from receiving their own nationals¹².

Charles Taylor

The former president is living in exile in Calabar, Nigeria. Taylor is subject to a UN travel ban and currently faces multiple charges by the Special Court in Sierra Leone for war crimes and crimes against humanity¹³. Taylor used the Liberian logging industry as a source of extra-budgetary funds and logistics for his support of domestic and external violence, and had personal financial interests in numerous Liberian logging companies. Taylor has repeatedly broken the terms of his exile by attempting to exert influence in the domestic political and economic affairs of Liberia, and the UN Security Council, declaring that Taylor still poses a threat to the region, has called on all states to freeze his assets and those of his close family members and associates¹⁴. (see 5.2 Taylor: Maintaining an Influence in Exile, page 15).



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Charles Gyude Bryant

Was elected Chairman of the National Transitional Government of Liberia (NTGL) by attendees of the Accra Peace talks. A representative of civil society, his transitional government assumed power on 14 October 2003.

Nasir Charaffedine

Owner of logging companies Liberia Logging and Wood Processing Corporation (LLWPC) and the Togba Timber Company (TTCO)¹⁵. The UN Panel of Experts on Liberia expressed its concerns about allegations that MODEL was negotiating with Charaffedine about restarting logging operations in areas under MODEL control; however, Charaffedine denied the allegations to the Panel¹⁶.



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Daniel Chea

(Pictured left) Ministry of National Defence and representative of GOL, who was a long-term associate and military advisor to Taylor.

Aisha Keita Konneh

Spiritual advisor to Guinean President Lansana Conte. Wife of Sekou Damante Konneh, head of LURD¹⁷.

Sekou Damante Konneh

Head of LURD, and husband of Aisha Konneh¹⁸. (pictured right)



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Oscar and Maurice Cooper

Both long-term associates of Charles Taylor, and managers of the Inland Logging Company (ILC) of Greenville, Sinoe County¹⁹. Maurice Cooper remains on a UN travel ban list, for his 'ongoing ties' to Taylor²⁰.



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Roland Duo

Deputy Minister of National Defence and former head of the National Port Authority under Taylor. Duo was a battlefield commander for pro-Taylor forces.

Talal El-Ndine

Former paymaster of ex-President Taylor's inner circle, who also personally paid both Liberians fighting alongside the RUF and those bringing diamonds into Liberia from Sierra Leone²¹. Arms shippers and brokers used to negotiate payments in his Monrovia office²², and despite being subject to the UN travel ban²³, he was last reported by the Panel of Experts to be residing in California, in the United States²⁴.

Abbas Fawaz

President and majority shareholder of Maryland Wood Processing Industries (MWPI)²⁵. The UN Panel of Experts on Liberia expressed its concerns about allegations that MODEL was negotiating with Fawaz about restarting logging operations in areas under MODEL control; however, Fawaz has denied those allegations to the Panel²⁶. In 2001, the Panel of Experts noted that '[SLC, a logging company] is, since early 2001, controlled by the son of President Taylor and the Lebanese businessman Abbas Fawaz. Several sources indicated to the Panel that this is an area where weapons for RUF are stockpiled and where RUF can freely enter Liberian territory.'²⁷ The same Expert Panel report also stated that, '[Maryland Wood Processing Industry] is owned by Mr. Fawaz, who owns also the United Logging Company, and that, 'United Logging Company [is] managed by Fawaz and President Taylor's son as chairman.'²⁸ UN Expert Panel reports uphold high evidentiary standards, requiring 'at least two credible and independent sources of information to substantiate a finding'²⁹. However, Abbas Fawaz was never placed on the UN travel ban, and in a letter to the UN Secretary-General, Fawaz denied links to any concessions in Lofa county, including SLC or ULC, or along the border with Sierra Leone, and denies any connections with the son of the President of Liberia³⁰. The Expert Panel states that it, 'agreed to put allegations to those concerned in order to allow them a right of reply', and it also stated that it was unable to make contact with certain individuals, despite 'serious attempts by the Panel to give them a chance to explain their conduct'³¹. Fawaz claims that, to the best of his knowledge, no attempt to contact him was made³².



Gus Kouwenhoven

President³³ of the Oriental Timber Company (OTC), and runs sister logging companies Royal Timber Company (RTC) and Natura³⁴. Kouwenhoven is subject to a UN travel ban for being an 'arms dealer' in contravention of UNSC resolution 1343³ and someone who 'supported former President Taylor's regime in an effort to destabilize Sierra Leone and gain illicit access to diamonds'³⁵. Moreover, OTC controls Buchanan Port³⁶, the site of suspected arms shipments. The Panel of Experts on Liberia reported that witnesses have spotted Kouwenhoven in Equatorial Guinea³⁷, while Global Witness information indicates Kouwenhoven is pursuing business interests in Congo-Brazzaville.

Thomas Yaya Nimley

Head of the Ministry of Foreign Affairs and head of MODEL.

Mohammed Salamé

Owner of the logging companies Mohammed Group of Companies (MGC) and Bureaux Ivorian Ngorian (BIN-Liberia)³⁸. Salamé played a pivotal role in Liberia's operations through Côte d'Ivoire and served as Ambassador-at-Large for the Taylor government³⁹. Mr. Salamé is on the UN travel ban⁴⁰, though he has breached the travel ban by using a second Liberian diplomatic passport, issued soon after the original travel ban went into place, and under another identity, Ameri Al Jawad⁴¹. Salamé was supposed to have been under house arrest in Abidjan, but his house staff informed the UN Panel of Experts on Liberia that he left in June 2003⁴². His current whereabouts are unknown.

Emmanuel Shaw II

Former finance minister⁴³ and government economic adviser with ongoing links to Taylor. Shaw also serves as Director of Lone Star Airways, instrumental in violating the UN arms embargo in 2003⁴⁴, and heads Lone Star Communication, the country's major mobile phone service provider. Shaw is on the UN travel ban, which he has violated⁴⁵.

Dean Eugene C. Wilson

Head of the Forestry Development Authority (FDA) and representative of MODEL.

Joseph Kiia-Tai Wong

Executive of the OTC, and son of the chairman of Djan Djajanti, a large conglomerate affiliated with Global Star and OTC⁴⁶. Wong, like Kouwenhoven, is subject to a UN travel ban for being an 'arms dealer' and having 'supported former President Taylor's regime in an effort to destabilize Sierra Leone'⁴⁷. Global Witness research indicates that Wong may currently be in Indonesia.

Acronyms

United Nations-related Organisations and Programmes

DDRR Disarmament, Demobilisation, Rehabilitation and Reintegration programme – Key programme to disarm combatants and prepare them for re-entry into normal society through education and vocational training

ECOMIL ECOWAS Mission in Liberia

ECOWAS Economic Community of West African States – political and economic organisation of West African states

OCHA Office for the Coordination of Humanitarian Affairs

UNSC United Nations Security Council

UNAMSIL United Nations Mission in Sierra Leone

UNMIL United Nations Mission in Liberia

Liberian Government Bodies

FDA Forestry Development Authority – government agency tasked with primary oversight of Liberia's logging industry and protection of forest areas

NTGL National Transitional Government of Liberia – coalition government of all three warring parties and civil society that took power on 14 October 2003

Armed groups

GOL Government of Liberia – refers to the former government of Liberia under President Charles Taylor

LURD Liberians United for Reconciliation and Democracy – Primary rebel group in Liberia, supported by Guinea and based in the northeast of Liberia

MJP Movement for Justice and Peace – Rebel group in western Côte d'Ivoire supported by Charles Taylor

MODEL Movement for Democracy in Liberia – Liberia's second rebel group, backed by Côte d'Ivoire and based in the southeast of Liberia

MPIGO Popular Movement of the Ivorian Great West – another rebel group in western Côte d'Ivoire, also backed by Charles Taylor

NPFL National Patriotic Front for Liberia – Charles Taylor's former rebel movement, which invaded Liberia in 1989

RUF Revolutionary United Front – Sierra Leone rebel group supported by Charles Taylor

Resource Industry

BIN Bureau Ivorien Ngorian – logging company based on the border with Côte d'Ivoire, owned by Mohammed Salamé¹

ILC Inland Logging Company – managed by Maurice and Oscar Cooper²

ETC Evergreen Trading Corporation – alternate export name for the Oriental Timber Company

GTC Global Timber Company – Based in Penglai, People's Republic of China, and is a major processor of Liberian timber. Related through a common investor to OTC and Global Star (Asia)³

MGC Mohammed Group of Companies – logging company owned by Mohammed Salamé⁴

MWPI Maryland Wood Processing Industries – logging company whose President and Chief Shareholder is Abbas Fawaz⁵, and which also controlled Harper Port⁶

OTC Oriental Timber Company – formerly Liberia's largest logging company, it controlled Buchanan port⁷ and was involved in arms imports⁸. Run by Gus Kouwenhoven⁹

RTC Royal Timber Company – sister company of OTC, also run by Gus Kouwenhoven¹⁰

TTCO Togba Timber Company – Logging company based in eastern Liberia, owned by Nasir Charaffedine¹¹

Financial

BCEAO Central Bank of West African States – bank in Burkina Faso where accounts are held under Charles Taylor's alias, Jean Paul Somé

BIB Banque Internationale du Burkina – another bank in Burkina Faso where accounts are held under Charles Taylor's alias, Jean Paul Somé

FOB Free On Board – refers to the value of goods once they cross over the railing of the transporting vessel, and means that the buyer pays all transport costs and assumes all risks associated with the loss or damage to goods.

Executive Summary

THE ROLE OF LIBERIA in destabilising the West African sub-region caused the United Nations Security Council to sanction it. Embargoes on natural resources were introduced, as were travel-bans, arms-sanctions and restrictions on its shipping and aircraft registries. In early 2003, its President, Charles Taylor, was indicted for War Crimes and Crimes against Humanity in neighbouring Sierra Leone and was forced into exile in August of the same year. This document records events since the most recent introduction of sanctions in May 2003. It illustrates that certain factors that caused Liberia and its neighbours calamity, particularly Liberia's timber industry, the illicit arms trade and Taylor's ability to destabilise the region, remain a threat. In the light of these considerations, it concludes that lifting sanctions before critical reforms in Liberia have taken effect could jeopardise the country's recovery and further undermine the international community's efforts to bring lasting peace to West Africa.

There remains widespread mercenary activity in Liberia, breaches of the UN arms embargo and other sanctions, and strong links between the timber industry and illegal activities, as well as the continued influence of former president Charles Taylor. But there has also been significant progress. In October 2003 a transitional government was established, in December 2003 the UN began deploying what will be its largest peacekeeping mission to date, and in February 2004 the international donor community pledged US\$ 520 million toward the first two years of Liberia's reconstruction. These developments, with support from the peacekeeping missions in Sierra Leone and Côte d'Ivoire, are helping Liberia take advantage of what may be its best chance for peace and security in its recent history.

However, Liberia's peace-building and reconstruction processes are being threatened by continued outbreaks of violence among the warring parties, allegations of corruption in the National Transitional Government of Liberia (NTGL), failure to implement key governance reforms at all levels and a general lack of security. Arms and resource-industry networks remain operational within Liberia and are undermining both regional stability and Liberia's moves towards peace.

Unless otherwise noted, the information contained in this report results from extensive Global Witness investigative interviews and research trips conducted across four continents. The key findings are:

● There have been numerous violations of the UN timber embargo.

There is evidence that the Togba Timber Company (TTCO) violated the Security Council's timber embargo on at least two occasions, on 12 and 18 August 2003, exporting timber products from Harper port to Dakar, Senegal. Global Witness contacted a TTCO representative in Monrovia to ask for clarification of these shipments; however, the representative was not prepared to comment. The UN Panel of Experts on Liberia has documented two

different shipments, one by TTCO that was exported to Dakar before 7 July 2003 but was offloaded on 23 July, and another by OTC that was exported to Antwerp in May 2003, but was unable to clear customs prior to the 7 July embargo start date. (See 5.1 *Timber: Liberia's Logging Industry Activities in 2003 and 2004*, page 13.)

● The logging industry in Liberia still poses a threat to regional peace and security.

The lack of control by the NTGL or the UN Mission in Liberia (UNMIL) control over resource-rich areas, industry finances, or porous borders means that the trade in natural resources remains an option for financing and arming non-state actors in Liberia and the region. There is evidence to suggest that both the TTCO and Maryland Wood Processing Industries (MWPI) have made arrangements with representatives of the Movement for Democracy in Liberia (MODEL) to maintain their logging interests in Liberia. Global Witness contacted a TTCO representative in Monrovia, who was not prepared to comment. Recent reports also indicate that MODEL may itself be looking to engage in logging activities in the future. While logging itself does not violate the UN embargo, the inability of the NTGL and its Forestry Development Authority (FDA) to ensure companies have legal concession agreements and comply with all national laws means that any such activities by MODEL or other groups and companies would be in violation of Liberian law and provide reason to suspect that undocumented income generated by such activities may be used to fuel further conflict. (See 5.1 *Timber: Liberia's Logging Industry Activities in 2003 and 2004*, page 13.)

● The former Government of Liberia (GOL) violated the UN-imposed arms embargo numerous times in 2003.

The last documented delivery was on 7 August 2003, just three days before Taylor went into exile in Nigeria, when a Boeing 707 aircraft, registered 9G-LAD (Ghana), flew from Libya to Monrovia and delivered a large consignment weapons weighing between 20-40 tonnes. The shipment, the second and final of that week, was impounded at Robertsfield International Airport by ECOWAS Mission in Liberia (ECOMIL) troops. Global Witness has obtained an invoice dated May 2003 that indicates another possible arms shipment, while other suspected arms shipments were delivered to Buchanan port in March and Harper port on 6 April 2003. (See 5.3 *Soldier: Arms and Security Threats*, page 18.)

● The NTGL has not met the security conditions or implemented the institutional reforms required by UN Security Council resolution 1521 (S/2003/1521) for the timber sanctions to be lifted.

The NTGL has not secured administrative control over Liberia's natural resource-rich territory, nor has it devised or implemented the controls necessary to ensure that logging industry revenue will be properly accounted for and not contribute to extra-budgetary



Bridge that separated LURD and GOL forces during the battle for Monrovia, March 2004.

expenditures and further conflict. (See 3. *UN Security Council Requirements for Lifting Timber Sanctions: Have They Been Met?*, page 9.)

● **Former President Charles Taylor still maintains significant political and economic links to Liberia.**

Through his former colleagues and associates Taylor continues to receive support from Liberia, in violation of the terms of his exile in Nigeria. Global Witness has found evidence of his continued business interests in the region, as well as numerous offshore bank accounts through which Taylor and his associates may be moving money. The UN Security Council recently passed Resolution 1532 (2004), declaring Taylor's continued connections with Liberia a destabilising factor for regional peace, and moving to freeze both his assets and those of close relatives and associates deemed to be helping him. (See 5.2 *Taylor: Maintaining an Influence in Exile*, page 15.)

● **The security situation in Liberia is still perilous.**

While UNMIL troop numbers have reached 14,000, they have not been fully deployed and do not maintain adequate control over the country's interior and border regions. There have been persistent reports of abuses of citizens by combatants, serious outbreaks of violence between Liberians United for Reconciliation and Democracy (LURD), MODEL and former GOL fighters, and rioting by combatants even in areas where UNMIL troops have deployed. Moreover, as UNMIL is currently unable to monitor border regions effectively, there still exists the possibility for non-state actors to traffic weapons, mercenaries and natural resources across national borders.

● **Dilemmas facing the Disarmament, Demobilisation, Rehabilitation and Reintegration (DDRR) process have contributed to increased resentment and violence among combatants.**

When the DDRR was launched in December 2003, a

lack of UN preparedness and expectations of immediate payment by the combatants resulted in rioting and looting that left at least 12 people dead and led to the postponement of the process. On 15 April 2004, UNMIL restarted DDRR with two cantonment sites in a phased approach that will eventually incorporate at least 10 demobilisation sites and numerous community-based reintegration programmes. The initial resumption of the DDRR process went smoothly, although not all of the four criteria set by UNMIL for the restart of DDRR had been met (see Annex II. *The Role of the United Nations in Liberia*, page 32).

● **Tension between combatants and their political leadership in Monrovia has led fighters of both LURD and MODEL to riot, loot and take hostages in an effort to secure redress from their leaders.**

Many combatants have been frustrated by the postponement of DDRR and feel abandoned amid widespread allegations of corruption and lavish lifestyles for those in the NTGL. Major riots have occurred in Buchanan, Gbarnga, Zwedru and Tapeta, which are all areas where UNMIL has sizable troop deployments (see 7.1 *Internal Conflict in LURD and MODEL*, page 28).

Given the logging industry's continued links to regional destabilisation, the lack of NTGL authority over its natural resource-rich territories and inability to enforce domestic law, and former president Taylor's continued ability to destabilise the region, the Liberian timber embargo must remain in place. Global Witness further calls on all parties involved in the conflict to cooperate with the DDRR process, working to ensure the process runs smoothly and without the violence and insecurity that affected its launch in December 2003. Unless the DDRR and reform processes move forward, Liberia's internal security and reconstruction plans will suffer, the opportunities for renewed conflict will remain, and attempts to bring lasting regional peace will be left in jeopardy.

I Introduction

SINCE MAY 2003, Liberia has undergone a number of dramatic changes. Following 14 years of conflict, the Security Council imposed timber sanctions, President Charles Taylor was forced into exile, and a Comprehensive Peace Agreement was signed, followed by the forming of the National Transitional Government of Liberia (NTGL). The United Nations mandated the largest ever UN peacekeeping force, the UN Mission in Liberia (UNMIL), and the international donor-community pledged US\$520 million to aid the country's moves towards stability.



Sign promoting good governance, Monrovia, March 2004

However, the timber industryⁱ remains a threat to regional peace and security, Charles Taylor maintains significant influence in Liberia, and the NTGL faces constant threats to its authority. There are reports of a new rebel grouping in Nimba County, and the timber and arms embargoes have been violated on multiple occasions. Moreover, the programme integral to Liberia and the region's future, the UN Disarmament, Demobilisation, Rehabilitation and Reintegration process (DDRR) has met numerous setbacks (see Annex II. *The Role of the United Nations in Liberia*, page 32).

Liberia is presented with an opportunity for real and lasting change that would benefit both itself and its neighbours. While it is true that Liberia has broken away from some of the root causes of violence that devastated the country and the region for over a decade, it would be dangerous to presume that an international presence means that long-term and active peace is inevitable.

The fact that the Liberian logging industry and government have not undergone the reforms necessary to prevent such abuse in the future, means that lifting timber sanctions now would open up Liberia to the continued misappropriation of industry revenue. In order for Liberia to succeed, its government, its people and the international community must remain steadfast and ensure that the necessary mechanisms of good governance, both to promote reconstruction and maintain its benefits into the future, are put in place. Until Liberia's natural resources are properly controlled, Taylor's capacity to destabilise is blocked, and the illicit arms trade in Liberia and its neighbours stopped, the region will remain under threat.

ⁱ Determining the total number of Liberian timber companies has been difficult, given inaccurate and outdated government records and the ongoing conflict. However, in 2001, the last year that the Liberian Forestry Development Authority (FDA) released an annual report, 30 timber companies were officially listed, with more companies left off the list. The UN Panel of Experts on Liberia report (S/2003/779) listed 49 timber companies in Liberia.

2 Infringements of UNSC Resolutions 1478 (2003) and 1521 (2003)

On 7 May 2003, the Security Council found that Liberia had not met previous UNSC demands and that the country was actively in breach of legislation passed against it. While maintaining sanctions on arms and diamonds, Security Council Resolution 1478 also included sanctions against Liberian timber for its role in fuelling national and regional insecurity. The timber sanctions placed a complete ban on the import of Liberian timber into other countries and transport of Liberian timber between countries, and came into effect in July 2003. The restrictions from Resolution 1478 were extended in December through Resolution 1521. Since the imposition of the sanctions there have been continued violations of both Resolutions as listed below.

- Resolution 1478 (2003) PARAGRAPH 11 reads that the Security Council:

Recalls that the measures imposed by paragraph 5 of resolution 1343 (2001) apply to all sales or supply of arms and related materiel to any recipient in Liberia, including all non-State actors, such as Liberians United for Reconciliation and Democracy (LURD);

Global Witness investigations have uncovered an invoice (pictured below), dated 15 May 2003, that evidences arms and ammunition imports. The invoice, which includes 4.5 million rounds of ammunition and 4,000 automatic rifles, is addressed to the Ministry of Defence.

The UN Panel of Experts on Liberia has also documented several breaches of the UN Security Council arms embargo during 2003, including one on 7 August 2003 that contained between 20 – 40 tonnes of weapons (see 5.3 *Soldier: Arms and Security Threats*, page 18).

COMMERCIAL INVOICE
No. 396/15.05.2003

Buyer:
MINISTRY OF DEFENSE
MONROVIA, LIBERIA

Invoice for weapons as addressed to the Liberian Ministry of Defense, dated 15 May 2003

No.	Description	Quantity
1	Bullet 7.62 x 39 mm	350,000 pcs
2	Bullet 7.62 x 54 mm FMJ	4,000,000 pcs
3	Bullet 9 mm	20,000 pcs
4	Bullet 7.65 mm (.32 auto)	80,000 pcs
5	Machine gun M84 cal. 7.62 x 54R with stand	50 pcs
6	RB M57	250 pcs
7	Mine for RB M57 cumulative P1	5,000 pcs
8	Automatic Rifle 7.62 x 39 mm M70A.B2	4,000 pcs
9	Pistol CZ99	35 pcs
14	Automatic Pistol 7.65 mm M84 "Skorpion"	50 pcs
TOTAL AMOUNT WITH TRANSPORT IN USD		3,300,000.00

In Words: Three million and three hundred thousand US Dollars



Logging ships MV Antarctic Mariner (pictured in Buchanan Port, July 2001) and MV About I (pictured in Harper Port, July 2002).

- Resolution 1521 (2003) SECTION B, PARAGRAPH 4, SUB-PARAGRAPH (a) reads that the Security Council:

Decides also that all States shall take the necessary measures to prevent the entry into or transit through their territories of all such individuals, as designated by the Committee, who constitute a threat to the peace process in Liberia, or who are engaged in activities aimed at undermining peace and stability in Liberia and the sub-region, including those senior members of former President Charles Taylor's Government and their spouses and members of Liberia's former armed forces who retain links to former President Charles Taylor, those individuals determined by the Committee to be in violation of paragraph 2 above, and any other individuals, or individuals associated with entities, providing financial or military support to armed rebel groups in Liberia or in countries in the region, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

In addition to the violations of the travel ban documented by previous Panels of Experts on Liberia, several key players in Liberia's logging industry fled as the conflict worsened. They took with them equipment and left behind unpaid workers, a legacy of abuse and, in some instances, history of support for foreign rebel groups and violations of UN sanctions. However, many of these same individuals and companies are likely to pursue their logging interests in Liberia again, now that reconstruction has begun (*see Where Are They Now?*, page 3).

- Resolution 1478 (2003) PARAGRAPH 17 SUB-PARAGRAPH (a) reads that the Security Council:

Decides that all States shall take the necessary measures to prevent, for a period of 10 months, the import into their territories of all round logs and timber products originating in Liberia;

and

- Resolution 1521 (2003) SECTION B, PARAGRAPH 10, reads that the Security Council:

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;

On 12 August 2003, round logs and assorted sawn timber were exported to Dakar, Senegal⁴⁸ aboard the *MV Angeline Fighters*. On 18 August 2003, another shipment of round logs and sawn timber left the port of Harper for Dakar⁴⁹ aboard the *MV Reefel Planet*. Searches of international clearinghouses of shipping information have uncovered no record of these vessels or their owners; this may be because the vessels are smaller coastal ships and fall below the minimum tonnage required to be included in databases and have their movements tracked.

The UN Panel of Experts on Liberia refers to two other shipments, one by TTCO that was exported to Dakar before 7 July but was offloaded on 23 July, and another by OTC that was exported to Antwerp in May, but was unable to clear customs prior to the 7 July embargo start date (*see 5.1 Timber: Liberia's Logging Industry Activities in 2003 and 2004*, page 13).

Headline from Liberian newspaper noting violations of the timber embargo, March 2004

Liberia's Leading Weekly
VOL. 10 # 357- FRIDAY MARCH 5, 2004 PRICE LS20.00

In Southeast:
Timber Sanctions Violated
- MODEL, Ivorian Businessman Linked
- FDA Boss Speaks Out

Concerned citizens of the South-eastern region have told the New National newspaper that some Ivorian businessmen acting under the own under which the foreign businessmen are paying taxes and other fees to the fighters. According to spokesman, teacher Patrick Smith of the dubious activities being carried out by the arm bandits. On behalf of the citizens, most of whom are chiefs and elders, Mr. Patrick Smith said, plans are underway to petition the International Community, UN, ECOWAS and EU to enforce the sanctions in arms, timbers and diamonds. Few years ago, the United Nations Security Council imposed arms embargo that later extended to diamond and timber in an effort to prevent and preserve Liberian forest from being exploited by the Taylor's regime. Mr. Smith indicated that the intention of the International Community to impose sanctions on timbers and diamonds was not intended to stop the exiled President of

Cont'd on page 6

Blah, Peace is my desire goal

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3 UN Security Council Requirements for Lifting Timber Sanctions: Have They Been Met?

THE UN SECURITY COUNCIL first imposed sanctions on Liberia's logging industry through Resolution 1478 (2003) on 7 May, with effect from 7 July. These sanctions were extended in December 2003 for a preliminary period of six months and will be reviewed on 17 June 2004. The Security Council, when it imposed and extended the restrictions on timber exports, outlined its intention to lift the timber embargo if certain requirements were met. The following is an examination of all requirements and subsequent actions related to timber sanctions as set forth by UN Security Council Resolution 1521 (2003).

● SECTION B, PARAGRAPH 11, reads that the Security Council:

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;

The NTGL has not yet established full authority or control over timber-producing areas and knowledge of the activities of non-state actors and logging companies in those areas remain largely unknown, due to poor infrastructure and outbreaks of violence. Moreover, Liberia's most timber-rich areas, including Maryland, Grand Gedeh, Nimba and Lofa Counties, each have porous borders with a neighbouring country, through which timber can be illegally exported without the knowledge of either the NTGL or the international community. Moreover, while the NTGL has set up a sanctions committee of its own to address the Security Council's concerns, the government and industry have not yet been reformed to the point where a resumption of timber exports would be carried out through accountable and transparent processes.

● SECTION B, PARAGRAPH 13, reads that the Security Council:

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;

There are currently insufficient safeguards to ensure that government and industry revenue are not siphoned away for extra-budgetary activities. While various Liberian government agencies and external donors are discussing these issues and formulating plans for reforms, there have been no provisions put in place by the NTGL that would ensure the timber trade's complete divorce from its historical and continued links to conflict, illicit activities and abuse (see 5.1 *Timber: Liberia's Logging Industry Activities in 2003 and 2004*, page 13).

● Section B, paragraph 14, reads that the Security Council:

Urges all parties to the Comprehensive Peace Agreement of 18 August 2003 to implement fully their commitments and fulfil their responsibilities in the National Transitional Government of Liberia, and not to hinder the restoration of the Government's authority throughout the country, particularly over natural resources;

LURD, MODEL and GOL leaders have clashed over positions within the transitional government and LURD and MODEL have previously called for NTGL Chairman C. Gyude Bryant to be replaced. Such demands, combined with continued abuses of the civilian population, rioting and looting by combatants and the obstruction of UNMIL deployment, have called into question the commitment of those groups to the peace process and to handing control of territory, especially areas rich in natural resources, over to UNMIL and the NTGL (see 7. *What Now? Liberia's New Government*, page 28).



Members of a pro-Liberian government militia, 2003.

4 Domestic Liberian Laws: Have they been met?

THE LIBERIAN GOVERNMENT has not historically maintained effective control over its natural resources and resource-generated revenue. This is particularly true of the Liberian logging industry, as the former Taylor government proved continuously unable or unwilling to properly enforce domestic Liberian forestry laws. Whether this inability is due to a lack of territorial control caused by civil war and occupation by armed non-state actors, or due to moves by individuals and companies to use the industry as a source of extra-budgetary income, the end result is that the Liberian logging industry was used to fuel domestic and external conflict. Unfortunately, this lack of Liberian government control over its logging industry remains the case at present.

The fourteen years of civil unrest and economic mismanagement that Liberia has endured since the NPFL invasion of 1989 have seriously undermined the Liberian government's ability to maintain proper administrative control of its territory and natural resources. In 1991, then NPFL rebel-leader Charles Taylor granted logging and other extractive industry concessions in Liberian territory under NPFL control. The money generated from timber and mineral sales, as well as the kickbacks received from concessions, were used to purchase weapons and pay the fighters that eventually propelled Taylor to control Liberia⁵⁰. Upon assuming the presidency in 1997, Taylor used the logging industry as an important source of extra-budgetary revenue and logistics he then used to fuel conflict and support rebel groups in Sierra Leone⁵¹ and Côte d'Ivoire⁵². In 2001, Taylor assumed complete authority over all of Liberia's natural resources when the Strategic Commodities Act entered into force; his authority was further strengthened through having kept weak the enforcement capacity of the Forestry Development Authority (FDA), the government agency tasked with managing the logging industry.

Following more recent civil unrest, many resource-rich areas are still outside UNMIL and NTGL administrative control, and the FDA both lacks capacity and has not yet implemented necessary reforms. The Liberian government still does not have the necessary mechanisms in place through which it can enforce domestic Liberian law, maintain control over its natural resources, and ensure that the logging industry does not contribute to conflict but is used for the benefit of Liberia and its people. Until the NTGL has full control over its territory and the FDA and NTGL have implemented necessary reforms, compliance with requirements placed on the logging industry by the Liberian Constitution and New National Forestry Law will be impossible to monitor properly. A failure to monitor the industry effectively could allow for violations of domestic and international law and raise renewed concerns that undocumented revenue generated by the industry could fuel further insecurity.

The following is a sample of major requirements that must be met by logging companies, if they are to be in compliance with national forest-use and labour laws. For more information on the nature of the Liberian logging industry and any violations of such laws and abuses by logging company personnel (see *Annex I. Timber and Conflict in Liberia – Historical Roots of the Problem, page 31*).

Taylor Government Admits to Using Timber Revenue to Violate UN Arms Embargo

From his early days as rebel warlord through to the end of his time as President, Charles Taylor exploited the weaknesses in international oversight of Liberia's logging industry to fuel conflict at home and abroad. While years of Global Witness investigations have highlighted the direct link between the Liberian logging industry, its revenue and logistics and the promulgation of conflict in West Africa, the Taylor government recently verified Global Witness' conclusions. In April 2003, President Taylor's spokesperson, Vaani Paasewe, stated in an interview that, 'it was true that, as Global Witness said in its report, revenues from Liberia's logging industry had been used to import weapons recently despite the U.N. arms embargo...'⁶¹. Moreover, it was further reported at the time that, 'President Taylor recently admitted using funds from the logging industry to fund weapons purchases despite the UN arms ban'⁶². These statements, confirming the exiting evidence of the logging industry's links to conflict, were soon followed by the Security Council's imposition of sanctions on Liberian timber, which came into effect on 7 July 2003⁶³.

*Below top: OTC road construction
in Grand Bassa County, 2003.*

*Bottom: Destroyed log bridge along
the Cestos River, January 2003.*





RTC logging road that cuts through the Sapo National Park extension area, January 2003

Eligibility to operate

A valid concession agreement is the fundamental requirement for logging companies to operate in Liberia, and according to the Constitution of Liberia concession agreements must be authorized by the National Legislature. Given the lack of proper management of the industry previously, the legal status of all existing concession agreements must be reviewed. While the FDA is in the process of carrying out such a review, it has yet to release any findings publicly.

Under Section 4.3 of the New National Forestry Law, certain categories of individuals are prohibited from obtaining a concession agreement, including those who have been convicted of a felony or equal charge in Liberia or another country, adjudged bankrupt during the previous seven years, or are current members of the Liberian national government.

Protection of life, liberty, security and property

No person shall be deprived of life, liberty, security of the person, property, privilege or any other right except as the outcome of a hearing judgment consistent with the provisions laid down in this Constitution and in accordance with due process of law. Justice shall be done without sale, denial or delay; and in all cases not arising in courts not of record, under courts-martial and upon impeachment, the parties shall have the right to trial by jury.—Article 20 (a) of the Constitution of Liberia.

Some elements within the logging industry had previously been involved in abuses against Liberian citizens, including the creation of private barracks and prisons⁵³, contamination of water sources⁵⁴ and destruction of private property⁵⁵.

'Just and humane' working conditions

The Republic shall direct its policy towards ensuring for all citizens, without discrimination, opportunities for employment and livelihood under

just and humane conditions, and towards promoting safety, health and welfare facilities in employment.—Chapter II, Article 8 of the Constitution of Liberia.

Under the Taylor government, there were repeated complaints by logging industry workers about hazardous working conditions⁵⁶, lack of pay⁵⁷ and the failure of employers to provide required medical care⁵⁸.

Building Medical Clinics and Schools

Section 5.7 of the New National Forestry Law of Liberia states that logging companies must, as called for in the standard forest resources utilization agreement, undertake a number of community development projects. Such requirements include providing a medical facility, pharmacy and doctor when there are 15 or more employees, and strengthening facilities and providing free medical care to workers and their children. Moreover, a logging company must create a free secondary school for the children of employees if there are more than 150 employees in any one region. Enforcement of this requirement was neglected under the Taylor regime, and while the OTC had constructed a medical facility and both the TFCO and OTC were involved in maintaining rural logging roads, local residents were in general no better served in terms of employment or other benefits by the presence of logging companies⁵⁹.

Environmentally sustainable logging practices

[A concession agreement] shall be valid for a period of 25 years to coincide with the four percent (4%) annual coupe rate.—Section 5.3 (c) of the New National Forestry Law

Liberia's logging industry has historically operated in a non-sustainable manner, and given the Taylor government's abuse of the industry, some loggers were able to violate their 4% coupe allowance with virtual impunity⁶⁰.

Reactions to Sanctions

The UN Security Council's timber embargo has provoked a number of responses. Below are several reactions by Liberian civil society, the UN Panel of Experts, members of government and the logging industry.

NGO Coalition for Liberia

The Coalition, which represents numerous Liberian environmental and human rights NGOs, has not only called for the timber embargo to be maintained, but has further called for the sanctions regime to be expanded to include all extractive industries⁶⁴. According to the Coalition, the embargoes should remain in place until a series of safeguards and reforms have been completed:

*'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 ongoing conflict and peace negotiations to agree to an immediate moratorium on **all commercial activities in the extractive industries in Liberia**.'* [emphasis original]

'(T)his 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.'*

UN Panel of Experts on Liberia

In its report from November 2003⁶⁵, the UN Panel of Experts on Liberia renewed its support for the continuation of timber sanctions. The Panel also interviewed 2,000 Liberian refugees living abroad about their views on the sanctions, and 90% of them were not in favour of lifting sanctions unless a series of reforms and domestic progress were made. Below are excerpts from the Panel's report:

Sanctions must remain in place until significant reforms are completed

'The sanctions should remain until the industry and the Government of Liberia have been reformed along the principles of good governance, especially acceptance of the rule of law. Until this occurs, the international community can have no guarantee that revenue from the timber industry will not further conflict in the region.'

'Given that the Government of Liberia has failed to demonstrate how timber revenue is used, it must be assumed that it and non-State actors will continue to exploit the resource to foment conflict. The collapse of peacekeeping in Liberia in 1996 was linked to the efforts of combatants to gain revenue from natural resources.'

90% of refugees want sanctions to remain in place for the time being

'Refugees varied in their preferences with regard to the lifting of sanctions. Of the 2,000 refugees interviewed by the Panel in Guinea, Côte d'Ivoire and Sierra Leone, 63% wanted general elections, better governance, and peace prior to lifting sanctions. Twenty-five percent wanted sanctions lifted six months after the national transitional government began functioning, peacekeepers were deployed, and full disarmament and demobilization had commenced. Ten percent believed that they should be lifted immediately after the government was in place; and two percent wanted to wait 12 months after a new government was democratically elected.'

Departure of some logging companies may relieve human rights abuses

'The departure of some logging companies (the Oriental Timber Company (OTC), the Royal Timber Company (RTC) and the Maryland Wood Products Industry (MWPI)) has relieved many Liberians of human rights abuses, intimidation of local people and alleged sexual exploitation of women and girls.'

C. Gyude Bryant, Chairman, National Transitional Government of Liberia

As Chairman of the transitional government, Bryant is keen to restart economic activity to fund Liberia's reconstruction and redevelopment. However, he has publicly admitted that Liberia has not yet fulfilled the requirements set forth by the UN Security Council for lifting the embargo:

*'Liberia has not yet presented a position to the United Nations to justify lifting of the sanctions... The...thing one has to consider is that these areas are still not yet under our civil control... There were reasons for the sanctions – Liberia was known as trading in arms, Liberia was known as trading in blood diamonds.'*⁶⁶

Colin Powell, Secretary of State, United States of America

Speaking at the Liberia Donors Conference, Powell stated that, while economic generation is important to Liberia's recovery, it should not come at the expense of failing to guarantee that the logging industry no longer poses a threat to national and regional security:

*'We seek a Liberia whose timber does not fuel the fires of war and whose diamonds are not dripping with blood. We want to see Liberia's great natural wealth invested in its most precious resource, its citizens, not used to fund endless conflict.'*⁶⁷

Jean Jacques Landrot, President, Association of Inter-African Forestry Industries (ATIBT)

Landrot heads the ATIBT, in a statement released on the eve of logging sanctions being approved by the Security Council, and coming a full month after it was widely reported that President Taylor had admitted to using logging revenue to violate the UN arms embargo, Landrot stated:

*'The ATIBT therefore advises against eventual ill-founded sanctions or NGO driven boycotts on the global Liberian timber sector due to the dramatic consequences such actions would have on the economy of the country and the local population in general, not to mention the effect these actions would have on those Law abiding timber companies...'*⁶⁸

The Security Council put the timber ban in place because of the industry's role in fuelling armed conflict in the region. Moreover, Global Witness and the UN Panel of Experts on Liberia reports have repeatedly shown that, contrary to what Landrot has stated⁶⁹, rural communities were generally no better served by the presence of the logging industry⁷⁰ (see Annex 1: Timber and Conflict in Liberia – Historical Roots of the Problem, page 31).

5 Living Dangerously

LIBERIA'S LOGGING INDUSTRY provided the former Taylor government with both the financial and logistical resources necessary to access markets of weapons and mercenaries, with which it fuelled conflict. Reports by the UN Panel of Experts on Liberia and Sierra Leone since 2000, and Global Witness reports since 2001, have documented the intimate relationship between the Taylor government and the logging industry, recording how some elements of the industry were directly involved in the financing and importing of weapons, in violation of UN sanctions⁷¹. Findings included 'payment for weapons delivery'⁷²; assisting in 'sanctions-busting arms transfers to Liberia'⁷³; organising the transfer of weaponry within Liberia and into Sierra Leone, through 'roads built and maintained for timber extraction'⁷⁴; responsibility 'for the logistical aspects of many of the arms deals'⁷⁵; and the use of a timber company owner's private jet 'to ship weapons from Niger and from Burkina Faso to Liberia'⁷⁶. The UN also placed numerous persons involved in the Liberian logging industry on its travel ban list for 'providing financial and military support to armed rebel groups in countries neighbouring Liberia, in particular the RUF in Sierra Leone'⁷⁷.

In 2002, Taylor shifted his attentions to Côte d'Ivoire, where he built up and armed two rebel groups, the Popular Movement of the Ivorian Great West (MPIGO) and the Movement for Justice and Peace (MJP). There again Taylor utilised the logging industry to facilitate conflict. The MWPI not only managed the port where arms were imported (such shipments are reported to have been aided by staff from the OTC), but weapons were transferred from MWPI's warehouse in Harper by pro-Liberian government fighters, and transported up-country using MWPI vehicles. Moreover, MPIGO and MJP fighters were based at an MWPI bush camp near the border with Côte d'Ivoire, while MWPI was still operating there. The logging industry and rebel activities had become largely interdependent, as the logging industry relied on the Liberian government, and the Liberian government's pursuit of conflict in the region was aided by the operations of the timber industry.

In an effort to end the role of the timber industry in fuelling regional and national insecurity, the Security Council introduced timber sanctions on 6 May 2003⁷⁸. When they were extended in December 2003, the Security Council also called on the NTGL to establish 'full authority and control over the timber producing areas,' and, as a prerequisite for lifting the sanctions, take 'all necessary steps to ensure that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise [violate] the Council's resolutions'⁷⁹ (see 3. *UN Security Council Requirements for Lifting Timber Sanctions: Have They Been Met?*, page 9). Shortly thereafter, given the lack of reform, Gyude Bryant, head of the NTGL, publicly stated that the transitional government had not yet fulfilled the requirements as set forth by the UN Security Council for the lifting of sanctions⁸⁰.

It is clear that the sanctions on the timber industry are having the desired effect, as the incidence of arms imports and access to extra-budgetary income for the warring parties has dropped significantly. However, the last year has witnessed several indicators that the industry is far from transformed, and it will require the meticulous implementation of a host of reforms in order to sever the Liberian logging industry's ties to conflict permanently, and ensure that the industry works for the benefit of all Liberian people.

5.1 Timber: Liberia's Logging Industry Activities in 2003 and 2004

Over the last year, with the imposition of timber sanctions and continued insecurity, timber operations have downsized significantly. It is difficult to say exactly to what extent as a significant portion of Liberia remains inaccessible due to lack of security and poor infrastructure. However, what is clear is that the UN timber embargo has been breached on numerous occasions, and as the Liberian government does not have in place the necessary mechanisms to maintain control over its natural resources and ensure that the logging industry operates in accordance with domestic law, there is sufficient reason to suspect that revenue generated is going unrecorded and may be fuelling further instability. When considering the requirements set out by the Security Council for the lifting of sanctions (see 3. *UN Security Council Requirements for Lifting Timber Sanctions: Have They Been Met?*, page 9) it is imperative to examine both the activities of the timber industry over the last year and the nature of its operations. Only through careful consideration of these issues, and the inclusion of lessons learned, can the industry be reformed to a standard that will benefit the Liberian people and prevent it from contributing to the cycle of violence that has devastated the region. The following is a breakdown of timber-industry activities from May 2003 to April 2004, highlighting the logging industry's continued role in destabilising the region.



MWPI head office in Harper, August 2002

May 2003: In the final few weeks before MODEL fighters reached Harper, MWPI and TTCO workers worked extra hours transporting logs from various bush camps to the port where they were loaded onto ships for export. MWPI and the TTCO then left Harper and relocated across the border in Côte d'Ivoire, leaving several months of salary and overtime unpaid.

June 2003: MWPI leadership approached MODEL commanders in Harper⁸¹. Fearing that their equipment would be looted by other logging companies or sold by MODEL fighters for scrap, MWPI sent a senior employee, Richard Wolfgang, also known as Richard Wolfgang Bhome, to Harper in late June to hold talks with Alfonso Gaye Zaiyee and Paye Duoway (alias John Garang), both senior MODEL commanders at the time. Richard Wolfgang visited Harper to negotiate the safe movement of some MWPI equipment that had been left in River Gee County across the border through Grand Gedeh County for safekeeping in Côte d'Ivoire⁸². MWPI also has approximately 7-8,000 tonnes of rubber stockpiled both in Harper and upcountry at the Cavalla Rubber Corporation (CRC). Wolfgang took with him 10 million Central African Francs (approximately US\$18,000) as an initial payment, as well as two Thuraya Satellite phones for Zaiyee and Garang to enable the MWPI to maintain communications with them⁸³.

Concurrently, the TTCO also had contacts within MODEL, and in fact had a much better rapport with the group and local Ivorian authorities than MWPI. This is due to the local perception that MWPI supported the Ivorian rebel groups MPIGO and MJP, who were fighting against the Ivorian government of President Laurent Gbagbo, which itself supports MODEL. In early 2003, it is reported that TTCO head Nasir Charaffedine, who is resident in San Pedro, informed local Ivorian authorities of MWPI's support for MPIGO and MJP. Hassan Fawaz, an MWPI employee, fled to Liberia after he received a tip-off that local authorities were planning to arrest him. TTCO also maintains good relations with the Ivorian border authorities and local vigilantes at the borders of Prolo and Patayelay, which allow TTCO vehicles to go back and forth across the border without difficulty.

While TTCO continued logging in southeastern Liberia throughout 2003 and into 2004⁸⁴, they temporarily halted operations in June 2003 when MODEL forces entered Maryland County and took over Harper. Following several meetings with Alfonso Gaye Zaiyee, the then Battalion Commander of MODEL based in Harper, TTCO was allowed to restart operations a few months later. Under the supervision of its Bush Manager, George Badawe, TTCO also made arrangements with MODEL to export logs from Harper in June 2003, with the first vessel to arrive at Harper on 16 June and leave the port on 19 June⁸⁵. Badawe stayed at the Hotel Doufulougou in Tabou, Côte d'Ivoire, for several months after Maryland County fell to MODEL, before returning to Pugnaken where TTCO operates a sawmill. Badawe also engaged in discussions to export a second shipment of timber, planned for July 2003⁸⁶.

At the same time TTCO was negotiating the construction of a second car ferry at Pata-idie, in partnership with Gus Mensah, a Liberian businessman based in Tabou. The building of a second ferry would facilitate easier cross-border travel and allow for increased exports via Côte d'Ivoire.

July 2003: Continuing to monitor the status of MWPI equipment, Richard Wolfgang led a delegation to visit MWPI's bush camp at River Gbeh, where MODEL forces had been spotted, and later travelled further into Grand Gedeh where MWPI had hidden some equipment. However, upon the delegation's return to Harper on 5 July, Garang, then MODEL's most senior commander in the region, insisted that the initial payment of US\$18,000 was insufficient and demanded additional money. After a series of phone conversations between Wolfgang, Garang and Fawaz, Wolfgang was requested to return to San Pedro for further consultations; however, Garang refused to let Wolfgang go and ordered him held under house arrest in Harper until the additional funds were made available.

August 2003: There is evidence that TTCO exported two shipments of timber in August, in violation of the UN timber sanctions that entered into force on 7 July 2003. On 12 August 2003, the TTCO shipped 771 pieces of assorted round logs along with 190 bundles of assorted sawn timber to Dakar, Senegal on board the *MV Angeline Fighters*⁸⁷. A second shipment left Harper port on 18 August 2003, aboard the *MV Reefel Planet* bound for Dakar⁸⁸. The shipment consisted of more than 1,912 cubic metres of assorted round logs and sawn timber. Searches of international clearinghouses of shipping information have uncovered no record of these vessels or their owners; this may be because the vessels are smaller coastal ships and fall below the minimum tonnage required to be included in databases and have their movements tracked. The company has not made any additional exports since August but has until recently continued processing operations in MODEL-controlled areas⁸⁹.

Meanwhile in northern Liberia, LURD rebels were reportedly shipping logs abandoned by the United Logging Company (ULC) into Guinea, with the aid of several Guinean Army generals and

Lebanese and Malian merchants. Logs were reportedly taken from Bopulu and Fasama in the Belle Forest and transported by truck to a ULC camp, then taken via Vahun, bypassing Foya and Voinjama where they were then transported across the border into Guinea.

September 2003: MODEL representatives in Ghana were negotiating the sale of timber abandoned by OTC and other companies in areas under its control.

October 2003: The Alliance for Conservation in Liberia (ACL), a coalition of local and international environmental NGOs, issued a statement accusing MODEL leadership of engaging in illegal logging activities in south-eastern Liberia, in contravention of the UN timber ban. In a press release issued on 22 October 2003, the ACL reported credible information that major logging activities, as well as the shipment of logs, was taking place in areas under MODEL control. The ACL further stated that these logging activities were taking place with no regard for standard forest management practices, and called upon MODEL, UNMIL, ECOWAS and all others to exert pressure on those involved to end them⁹⁰.

January 2004: Having relocated to Monrovia, MWPI's representative Richard Wolfgang told associates that the company was prepared to start logging operations as soon as UNMIL peacekeepers were fully deployed in the southeast⁹¹.

February 2004: Given the lack of security along the Liberian – Ivorian border, especially in areas bordering Grand Gedeh and River Gee Counties, verifying reports that MODEL shipped logs across the border in February 2004, in violation of the UN timber embargo, has proven difficult. However, there is evidence that TTCO continued logging, sawing and stockpiling timber at their sawmill in Pugnaken⁹² until at least February 2004.

March 2004: In early March the MWPI, having dismantled and hidden most of their equipment in the forest around their River Gbeh bush camp, began transporting that equipment to Harper. The equipment is being stored at what locals refer to as the 'Presidential guesthouse', a compound renovated by MWPI for President Taylor's visit to the region in 2002. It is unclear whether this move is to provide better protection for their equipment, to prepare for the resumption of logging activities, or for some other reason. MODEL also instructed Ivorian businessmen, who were allegedly paying the group, to stack logs for export at Harper port.

April 2004: Sawn timber from BIN was transported to Monrovia, though as reports indicate BIN's sawmill was dismantled and looted for scrap metal, it is likely that this was stockpiled timber. The Inland Logging Company (ILC) still maintains access to its logging equipment, which was relocated to Monrovia before the fall of Greenville, and the management of TTCO continues to operate out of their offices in San Pedro, Côte d'Ivoire⁹³.

The continued activities of the Liberian logging industry present a challenge to the UN sanctions regime and Liberia's security in general. The timber embargo has been violated on numerous occasions, and the close relationship between some logging companies, rebel groups and border security personnel, as well as the government's inability to enforce national law and control industry activities, presents a situation wherein companies can violate international and domestic law with virtual impunity. Given the industry's previous role in fuelling regional conflict, and continued ability of companies to operate illegally, there is reasonable suspicion to conclude that any unrecorded revenue generated may again be used to destabilise the region.

5.2 Taylor: Maintaining an Influence in Exile

The continued involvement of Charles Taylor in the affairs of Liberia, both political and economic, is a significant threat to the region. As a rebel warlord and then President of Liberia, Taylor extended his tentacles of control into all facets of Liberia's economy, including the logging and diamond industries, both to gain power and to maintain it at all costs. In the process, he wrought havoc upon the people of Liberia, all but destroying the country's infrastructure and prospects for a sustainable future.

Taylor's exile in Nigeria has not ended his economic or political influence in Liberia. The confusion surrounding the functioning of various state ministries in the transitional period has provided opportunities for Taylor's associates in government to misappropriate a significant amount of money, as has his continued contacts with associates in the business community. It is critical that the international community – and especially UNMIL – quickly and effectively monitor the flow of transitional government and industry revenue, to prevent it from being transferred into the accounts of those who would aid Taylor.

To take action against Taylor's ability and desire to use his contacts and financial resources to undermine the peace process in Liberia, the Security Council passed a resolution freezing Taylor's assets, as well as the assets of his wife, son and closest associates (S/2004/1532) (*see Freezing Taylor's Assets, page 17*).

Following a Trail of Money

Key to cutting off Taylor's ability to cause further destabilisation is to determine which bank accounts, businesses and individuals have been, and remain, involved in providing him with assistance. Global Witness and UN Panel of Experts on Liberia investigations have uncovered a number business transactions and bank accounts linked to Taylor, which must be thoroughly investigated to ensure that they in no way provide assistance to the exiled former president.

The UN Panel of Experts on Liberia has confirmed that 'former President Charles Taylor has diverted and continues to divert revenues and assets of the Government of Liberia'⁹⁵, through his remaining connections in the country. Just before leaving office for exile in Nigeria, Taylor and his associates executed a number of deals that allowed Taylor to take significant amounts of money with him into exile. The Panel of Experts on Liberia reports that on 8 May 2003, an employee of Ecobank Liberia took US\$800,000 in cash on Taylor's behalf to Belgium; it is unclear where the money went or into which accounts it was transferred⁹⁶.

The Panel of Experts on Liberia also reports that in June 2003, the Central Bank was asked to pay out US\$700,000, in cash, to government officials. The Governor of the Central Bank, Mr. Charles Bright, travelled back from Ghana to Liberia to personally

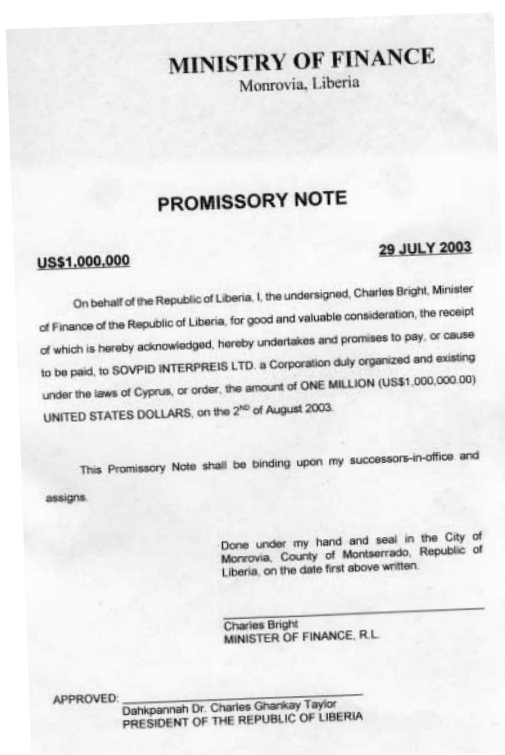


Charles Taylor's residence in the Congo Town section of Monrovia, March 2004

oversee the payments, concerning which the Panel of Experts reports there are strong indications that the entire amount was given to Taylor for use in Nigeria⁹⁷.

Global Witness has found evidence of another potential movement of government revenue in the final days of the Taylor government. On 29 July 2003, a Promissory Note was drafted for the Ministry of Finance, to be paid on 1 August 2003 to a company called Sovpid Interpretis Ltd, which is registered in Cyprus. The unsigned letter, which was to be signed by Charles Bright and approved by Taylor, was for US\$1 million⁹⁸. This draft suggests that there was an intention to pay out this sum of money, which would be surprising given the timing, as it came just as Taylor's forces were in retreat in the face of the LURD and MODEL advances and only two weeks before Taylor left office for exile.

Draft Promissory Note, dated 29 July 2003



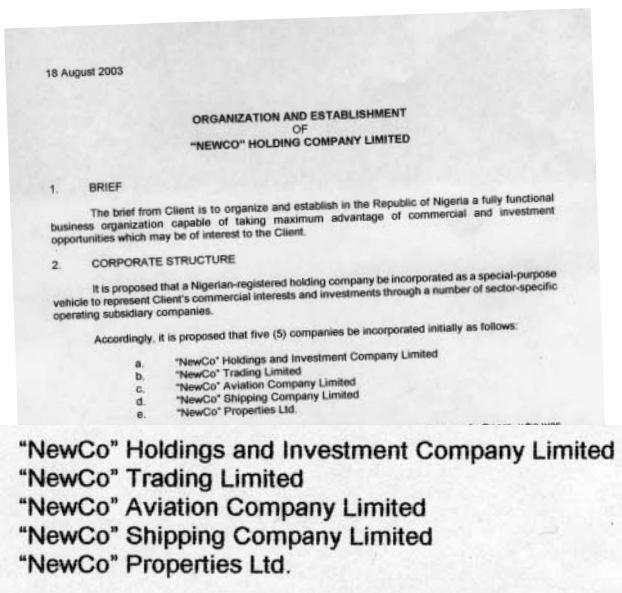
Charles Taylor's Violations of Exile Arrangements

As part of his exile arrangements with Nigeria, which is hosting his exile in Calabar, Taylor is to make no contact with elements within Liberia for political or other purposes. However, he has violated this condition and the Nigerian government has officially and publicly reprimanded Taylor twice for meddling in domestic Liberian affairs⁹⁴. Taylor has admitted to contacting associates in Liberia, including Moses Blah, his former deputy and President of a caretaker government in 2003. Despite Taylor's officially restricted access to Liberia via telephone and other means, he still wields significant influence over financial interests in Liberia, using relatives, associates, bodyguards, mistresses and friends as go-betweens for his business interests.

Taylor's New Business Interests

Global Witness investigations have uncovered an unsigned letter dated 18 August 2003. The letter details plans to establish five new companies, registered in the Republic of Nigeria, to serve as a special purpose vehicles (SPVs) through which Taylor could restart business operations and earn an income. It is unclear whether the companies were to be incorporated as 'Newco', or whether it was simply a temporary title. The companies would be in the following sectors:

Document detailing plans to establish new companies in Nigeria, dated 18 August 2003



Meetings were held on 18 August 2003 with lawyers in Calabar, Nigeria, to discuss the process and details of setting up these companies. Further meetings were held with a private bank on 18 August 2003, regarding the financing of the companies.

Where to Look: Taylor's Bank Accounts

With his numerous business interests, stretching back through 14 years of corrupt rule, there will be myriad bank accounts in various names and in various countries through which Taylor may have stored, and have access, to assets. Previous Global Witness investigations identified accounts linked to Taylor in countries including Burkina Faso and Switzerland. At least two accounts exist in Burkina Faso, with the Central Bank of West African States (BCEAO) and Banque International du Burkina (BIB), and are held under Taylor's alias Jean-Paul Somé⁹⁹. Money from the sale of natural resources has been deposited in the BIB accounts since the early 1990s, when Taylor led the NFPL in Liberia's civil war of 1989 – 1996¹⁰⁰. Another account in Zurich, Switzerland, was set up for Taylor in 1993 by Grace Minor, a close associate and former President Pro-Tempore of the Liberian Senate¹⁰¹. It was through this account that some logging revenue was transferred, en route to the accounts in Burkina Faso¹⁰². Moreover, export documents from OTC specify the bank and routing details for timber payments, but where that timber revenue went, and who maintains control of the accounts, remains unknown.

More recent investigations have uncovered a draft payment request letter from a close associate of Charles Taylor, which details potential payments to be made into four accounts on Taylor's behalf, in Monrovia, New York, Zurich and Frankfurt. It is not known if payments were made into these accounts, and Global Witness does not purport that these potential payments, if transacted, would have been illegal. However, as they evidence the potential for cross-border financial transactions, they warrant further investigation:

Monrovia, Liberia:

A/C NAME: Charles G. Taylor
 A/C No. 00.201-32851-01
 LIBERIAN BANK FOR DEVELOPMENT & INVESTMENT ("LBDI")
 P. O. Box 547
 Randall & Ashmun Streets
 Monrovia, Liberia

New York, USA:

ELECTRONIC TRANSFER:
 CITIBANK N.A.
 399 Park Avenue
 New York, N.Y. 10043
 U.S.A.
 A/C No. 360006105
 ABA 021000089

Frankfurt, Germany:

ELECTRONIC TRANSFER:
 DG BANK, FRANKFURT
 Deutsche Genossenschaft Bank
 D-6000 Frankfurt am Main L
 A/C No. 30-4801-8222
 30-76000-8222

Zurich, Switzerland:

ELECTRONIC TRANSFER:
 UNION BANK OF SWITZERLAND
 8021 Zurich, Switzerland
 A/C No. 82-087-71E

The existence and use of such offshore and overseas accounts points to Taylor's ability to store and move assets across the globe if necessary. All four accounts, and any linked accounts, must be thoroughly investigated by the Panel of Experts on Liberia and Security Council embargo committee.

Taylor's Old Business Arrangements that may still bear fruit

Global Witness has obtained information regarding the following business arrangements, to which Taylor had, and may still have, access.

A company in the Isle of Man

There is evidence that in 1999 the Liberian government purchased an offshore company in the Isle of Man. The company was ostensibly set up to serve as a financial tool to ease the purchase of a mid-sized executive jet for President Taylor; however, the offshore company was maintained even though the aircraft deal fell through. The company's nominee shareholders were 'to sign undated stock transfers, and directors and officers are to sign undated resignations, which are to be provided to the undersigned, together with the entire organizational and secretarial documentation'. It was further instructed that the company be allowed to operate bank accounts¹⁰³. What role this company has played since is unknown, but the existence of an offshore company created by the Liberian government and authorised to make financial transactions, is of concern warrants further investigation.

Oil

Over the years, numerous companies have performed explorations gathering seismic data, in advance of what was hoped to be an oil boom in Liberia. The country is located on the fringes of the oil-rich Gulf of Guinea region, and recent discoveries in Mauritania, and Sierra Leone's own round of offshore licensing in 2003, have led to renewed interest by petroleum companies¹⁰⁴.

While the exploration for oil may not have yielded any large finds yet, the importation of petroleum products has historically been lucrative. The Liberia Petroleum Refining Company (LPRC), which had a monopoly on the import of petroleum products, has long served as a generator of extra-budgetary revenue. Taylor's ex wife, Agnes Reeves-Taylor, sits on the board of the LPRC, and the UN Panel of Experts on Liberia calls Mrs. Belle Dunbar, director of the LPRC, one of the 'select few and trusted individuals' who 'collected budgetary and extra-budgetary revenues, forced themselves into partnerships of private companies on Taylor's behalf and dispersed collected funds as directed by Taylor.' The Panel of Experts notes that such activities may have yielded Taylor and his associates significant revenue, as 'there is a strong suspicion that the importers or others may have pocketed all taxes and gains totalling several million dollars' from just two shipments in 2003¹⁰⁵. Unless properly controlled, money derived from the recent increase in fuel imports for the UN and NGO workers could mean even more money goes to Taylor.

Charles Taylor continues to pose a threat to the peace and stability of Liberia and the region. The international community must cut off Taylor's links and activities through which he can violate the terms of his exile.

Freezing Taylor's Assets

Security Council Resolution 1532 (2004) places economic sanctions on Taylor; his immediate family members, including his wife Jewel-Howard Taylor and son Charles 'Chuckie' Taylor Jr; and 'senior officials of the former Taylor regime, or other close allies or associates'¹⁰⁶. This is not the first time that the international community has taken action to seize Taylor's assets, as on 7 March 2003 the Special Court of Sierra Leone called on all states to locate and freeze any bank accounts linked to Taylor and others under investigation for war crimes in Sierra Leone. Swiss accounts were targeted in particular, as the Special Court had estimated that proceeds from diamond sales totalled several hundred million Swiss francs, or at least US\$160 million at current exchange rates¹⁰⁷. While full details of the Swiss investigations have not been disclosed, a total of only US\$1.5 million was eventually frozen¹⁰⁸. With Resolution 1532, the Security Council established a committee to oversee the protocol found below:

"Also expressing concern that former President Taylor, in collaboration with others still closely associated with him, continues to exercise control over and to have access to such misappropriated funds and property, with which he and his associates are able to engage in activities that undermine peace and stability in Liberia and the region,"

'1. ...all states in which there are, at the date of adoption of this resolution or at any time thereafter, funds, other financial assets and economic resources owned or controlled directly or indirectly by Charles Taylor, Jewell Howard Taylor and Charles Taylor Jr. and/or those other individuals designated by the committee, including funds, other financial assets and economic resources held by entities owned or controlled, directly or indirectly, by any of them or by any persons acting on their behalf or at their direction, as designated by the committee, shall freeze without delay all such funds, other financial assets or economic resources, and shall ensure that neither these nor any other funds...are made available, by their nationals or by any persons within their territory, directly or indirectly, to or for the benefit of such persons;

'2. decides that the provisions of paragraph 1 above do not apply to funds, other financial assets and economic resources that:

- (a) have been determined by relevant state(s) to be necessary for basic expenses...after notification by the relevant state(s) to the committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the committee within two working days of such notification;*
- (b) have been determined by relevant state(s) to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant state(s) to the committee and has been approved by the committee; or*
- (c) have been determined by relevant state(s) to be the subject of a judicial administrative, or arbitral lien or judgement, in which case other funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the present resolution; is not for the benefit of a person referred to in paragraph 1 above or an individual or entity identified by the committee; and has been notified by the relevant state(s) to the committee;'*

3. decides that all states may allow for the addition to accounts subject to the provisions of paragraph 1 above of:

- (a) interest or other earnings due on those accounts; and*
- (b) payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of paragraph 1 above;*
- (c) provided that any such interest, other earnings and payments continue to be subject to those provisions;'*

5.3 Soldier: Arms and Security Threats

Arms

The arms embargo against Liberia, which has been in place since 2001, has been violated on numerous occasions, with weapons arriving from Eastern Europe and Libya, and shipped using false end user certificates for countries including Nigeria, Côte d'Ivoire and the DR Congo. In March 2003, President Taylor even publicly admitted to violating the UN arms embargo, and to using timber revenue to finance such purchases. While Taylor's exile and the presence of UNMIL troops may deter large-scale imports of weapons to airports and seaports as has historically been the case, the threat caused by potential arms imports remains. The lack of peacekeeper deployment along Liberia's porous borders, failure to carry out DDRR, and the lawlessness that pervades much of Liberia's interior means that warring parties maintain their access to external networks of arms dealers as well as the ability to import weapons.

Recent Deliveries

The last documented import of weapons was at 2:00am on 7 August 2003, just three days before Taylor went into exile in Nigeria, when a Boeing 707 aircraft, registered 9G-LAD (Ghana) flew from Libya to Monrovia and delivered 20-40 tonnes of weapons. The shipment was to be met and taken away by Defence Minister Daniel Chea, who ordered ECOMIL forces stationed there to leave the airport, saying he was meeting an important visitor¹⁰⁹. However, the Nigerian ECOMIL troops had been tipped off to the impending delivery and refused to leave. Chea then changed his story, stating that there were no visitors, just important cargo that he had. Liberian forces begin transferring to a 40-foot container that was attached to a nearby truck. ECOMIL forces refused to let the container leave the airport grounds, and impounded it for future inspection by the UN. The container was not opened nor were its contents catalogued until later in 2003, when members of the UN Panel of Experts on Liberia found it to contain, among other armaments¹¹⁰:

- **67 boxes of rocket propelled grenades (RPGs)**
- **299 boxes of AK-47 rifles**
- **Approximately 700,000 rounds of AK-47 ammunition**
- **Two 60 millimetre guns**
- **149 boxes of mortar ammunition**

This was the second consignment of weapons to have arrived in Liberia that week, following a secretive trip by Taylor to Libya, via Ouagadougou, the week before. Taylor was supposed to have been in Monrovia on 1 August to meet with various ECOWAS foreign ministers to discuss the ongoing war and peace efforts. However, poor weather delayed his flight in Burkina Faso and he was late in returning; he had initially said the delay was due to



Members of the Navy Rangers, a pro-Liberian government militia, including child soldier, 2003

his being in Buchanan to oversee the war efforts there¹¹¹. Such a significant cache of weapons could have had a major impact on the progress of the war, as it was delivered at a critical point when the Taylor government was losing its fight in the interior of the country against MODEL and LURD, as well as coming under severe pressure from LURD over control of Monrovia.

Other allegations of weapons imports for the Liberian government noted by the Panel of Experts on Liberia include the delivery of artillery pieces to Buchanan port in March 2003, and the delivery of unspecified weapons to Harper port on 6 April 2003¹¹². Both of these shipments were delivered by sea to logging ports, which Global Witness investigations have shown was a common practice under the Taylor government, as the ports were controlled by logging companies loyal to President Taylor and containerised shipping allowed for the secretive offloading of weapons and other contraband cargo¹¹³. In April 2003, the Panel of Experts on Liberia expressed its concern that further weapons shipments were planned from Belgrade to Liberia via the DR Congo. A false end user certificate obtained by the Panel, dated 27 February 2003, lists over 15 million rounds of ammunition, 5,000 assault rifles and 10,000 grenades¹¹⁴.

The Panel of Experts on Liberia has also documented the possible import of weapons for use by LURD, through Guinea. Though representatives of Katex Mine Guinea have denied their involvement in the transport of weapons, the Panel tracked numerous suspicious shipments to Guinea from the Ukraine, via Iran. Six large shipments of military equipment, including jeeps and thousands of boxes of 'detergent', 'clothing' and other cargo were delivered between November 2002 and August 2003. The Panel had reason to believe that those shipments were in fact deliveries of weapons and ammunition made under the guise of delivering supplies to Guinea's Ministry of Defence. The Panel received further confirmation from diplomatic sources that weapons had indeed been transported by truck from Katex Mine to Koyama and Macenta, areas with a strong LURD presence¹¹⁵.

In addition to the possible Iranian/Guinean weapons imports for LURD, a large portion of recent weapons deliveries to Liberia have come from former Soviet Bloc states, especially Serbia, where lax arms

controls and surplus stocks provide a dangerous opportunity for exporters to exploit their close links to both the arms industry and the Taylor government. There were a number of weapons deliveries to Liberia throughout 2002 that were Serbian in origin, having been organised by Mr. Slobodan Tešić through his Belgrade-based company Temex, and with the assistance of a business associate, Mr. Orhan Dragaš¹¹⁶. Tešić and Dragaš were accompanied on multiple trips to Liberia by Mr. Aleksic Jovan, an employee of Aviogenix, a Serbian air transport company that was involved in making arrangements to fly more than 200 tons of weapons to Liberia¹¹⁷. Jovan was instrumental in arranging the leasing of aircraft believed to have been used in sanctions-busting arms imports, in collaboration with Mr. Emmanuel Shaw II¹¹⁸. All four men are subject to a UN travel ban¹¹⁹.

With such previous arms deliveries having occurred even with the presence of ECOWAS soldiers, and with a lack of border security meaning that weapons can still be imported to Liberia, the long term security prospects for Liberia are far from certain.

Security Threats

This insecurity is made worse by the violent behaviour of combatants who still await DDRR. There are also persistent rumours of a new rebel group forming, made up of remnants of pro-Taylor forces and other combatants. The following is a sample of the security breaches that have occurred recently. Until UNMIL can prevent such occurrences and ensure all combatants have gone through the DDRR process, the region's security will be in jeopardy.

Trouble with MODEL

Buchanan is Liberia's second-largest city, and was one of the first places that UNMIL sought to restore security and expand the NTGL's authority. Bangladeshi troops began deploying on 31 December 2003 and have established a high profile presence in the town, and there is an NTGL-appointed civilian administration¹²⁰. However, the town and environs also house a large population of MODEL combatants, who are often young, uneducated and/or unemployed and dissatisfied with late payments and the delayed DDRR process. The fighters have repeatedly stolen goods and money from local residents, often using physical and sexual abuse as a means of extracting money and ensuring compliance¹²¹. Despite the UN's presence there, local residents do not feel safe at night, and there still exist no-go areas where residents dare not venture¹²². February 2004 saw a significant security breach as hundreds of MODEL combatants went on a looting rampage throughout the city that left one person dead, many injured, and hundreds of residents fleeing for their lives. In response, the UN sent reinforcements to Buchanan to support the Bangladeshis already there¹²³, and the situation was stabilised.

Even government ministers are not immune to such lawlessness. Dean Eugene Wilson, head of the FDA, was visiting Buchanan in early February 2004, on an inspection tour of FDA facilities when disgruntled MODEL fighters mistook him for the

head of MODEL, Yaya Nimley. The fighters, dissatisfied with what they perceived to be abandonment by MODEL leadership in Monrovia, became extremely agitated and put up roadblocks to keep Wilson from leaving. Local shopkeepers and residents took cover, fearing an escalation of violence. It took some time before those leading the protest were made aware that it was indeed Mr. Wilson, and not Mr. Nimley, who was present, at which point Wilson was allowed to leave¹²⁴.

Trouble with GOL forces

Former GOL fighters in Nimba have also been involved in a number of violent incidents, including one in January in the village of Karna, near Yekepa. GOL fighters raided a party and took 37 villagers hostage for over 40 hours. Many were locked in a 40-foot metal shipping container, with the men seriously beaten and tortured and 7 young women, between the ages of 13 and 20 years, repeatedly gang raped¹²⁵. UN forces eventually came to their aid, and since then two former GOL militia commanders were taken into custody by UNMIL and handed over to the Liberian National Police (LNP)¹²⁶.

Trouble with LURD

LURD have also caused significant security issues. Recently, LURD members protesting a plan to remove Finance Minister Luseni Kamara from office rampaged in Tubmanburg, waving automatic rifles and RPG launchers. Unless the decision to remove Kamara was reversed, the disgruntled rebel fighters threatened to reoccupy areas they once controlled but which are now under UNMIL control. It took almost an entire day for the UNMIL contingent deployed in the area to bring the riot under control¹²⁷.

LURD has also been accused of engaging in forced labour in areas under its control. According to Human Rights Watch, civilians who fled LURD-controlled areas in Bong County reported that, beyond inciting violence, LURD would force people to harvest their own rice and then carry it all the way from their villages to Gbarnga, where it was taken by LURD fighters to feed themselves and their own families¹²⁸.

A new rebel group in Nimba?

There have been reports that residual Taylor supporters and other mercenaries from Sierra Leone and Guinea are undergoing military-style training in the forests of Nimba County, and may even be forming a new rebel group to destabilise Liberia and Guinea. The NTGL has downplayed the allegations, dispatching an investigative mission to the region whose findings did not support the claim. The United Nations military commander, Daniel Opande, also trying to quell concern, stated that a UN investigation was inconclusive, and that they had not yet found any evidence of training in Nimba¹²⁹. However, the presence of an estimated 58,000 armed combatants in Liberia, and more in neighbouring countries, the history of mercenary training and deployment from Nimba, and the lack of control by UNMIL in rural areas means that the formation of a new armed group is realistic. The government official making the allegations, Deputy Internal Affairs Minister Jerry Gonyon¹³⁰, was the first person to widely report the presence of then-warlord Charles Taylor's NPFL forces in Nimba in 1989.

6 The Face of an Industry

6.1 Obscuring the Origins of Conflict Resources

Many exporters and importers have taken steps to obscure their identities and distance themselves from Liberia. To do so, some elements of the Liberian logging industry, and their associated companies abroad, have employed a host of corporate structural changes and legal manoeuvres, including the use of offshore registrations and bank accounts, changes to company names and constantly shifting control among a number of corporate directors and shareholders. Whether or not the intention is to hide one's identity with regard to Liberia, the end result is the construction of an almost impenetrable web that obscures the true ownership of companies and shelters those individuals who should be held responsible.

The most common device used when trying to obscure the workings of an industry is changing names. In Liberia, the most notorious logging company, OTC, has employed a number of names to obscure the origins of its timber exports, having come under pressure from European importers concerned about the links reported by the UN of OTC to sanctions-busting arms imports. OTC has exported under the names Evergreen Trading Company and Sovereign Timber Company. Customers were often asked to pay their invoices into an Ecobank/Citibank account under the name 'Natura', yet another moniker for OTC. A simple search of UN documents would reveal that the three companies have the same management; but the use of alternative names has allowed European importers to claim that their log imports came from reputable suppliers. Importers have also purchased Liberian timber through intermediaries such as European and Monrovia-based timber brokers.

Some Liberian timber exporters have also used a system of coloured dots and dashes to identify their timber for shippers and importers, rather than the standard procedure of painting both the exporting and importing company logos. Using the code system made it more difficult to determine, without obtaining the original manifest, which logging company was exporting and which importer was purchasing the timber in question. This shift toward anonymous markings coincided with increased media attention.

Some companies will also utilise various corporate manoeuvres such as moving individual and corporate directors, shifting assets and control to institutional shareholders registered offshore, or closing down and restarting operations under different names. The name of Global Star (Asia), the Hong Kong-based company linked to the OTC³³, remained on the export manifests of timber shipments from Liberia to Asia up through 2003, despite the apparent takeover of Global Star (Asia) by two companies in the British Virgin Islands, and the deregistration of Global Star (Asia) following bad publicity over its import of OTC conflict timber in 2002. While Global Star (Asia) was deregistered, by tracking the movement of Global Star's directors it became apparent that Global Star had in fact continued operations under the name of

Marks and Nos.	Number and kind of packages	description of goods	Gross weight	Measurement
CONT.# ISBU - 269860 - 2 SEAL # KELU - 304529 - 2 SEAL #	2 x 20'	S.Y.C. (11,200 Sheets) Peeled Veneer Korea	28,006	35/3402
	- AS PER SPECIFICATION ATTACHED -			

Beneficiary : EVERGREEN TRADING CORPORATION
P.O. BOX 6906, No. 129, Loop 1,
Buchanan, Liberia

USD A/C No. : ECOBANK LIBERIA LTD
1021-0022-81201-7

Through Bank : CITI BANK N.A.
111 WALL ST
NEW YORK, N.Y. 10043
TELEX: ITT420392
SWIFT CODE: CITIUS33
For credit to: Ecobank Liberia Limited.
Account Number: 36147565

Oriental Timber Corporation
GENERAL MANAGER

Bill of Lading and Invoice for the OTC and related companies, dated 15 August 2002 (above, top) and 29 April 2002 (above)

Sky Success Shipping Limited. Activities have since restarted under Global Star (Asia) and while a number of changes in directorships and corporate nominees has obscured this fact, the same individuals are still involved in running the company.

In addition to such corporate manoeuvres, the globalised nature of the timber industry has made tracking the movements of log exports and the flow of logging revenue to their final beneficiaries a daunting task. Raw timber will circumnavigate the globe for processing and final sale, and will pass under the control of myriad inter-related shipping, manufacturing and holding companies. Thus, determining the ownership and corporate structures of Liberian logging companies and their affiliates has proven difficult. The Liberian logging industry requires transparency and accountable governance by corporate and state actors to operate for the benefit of Liberia. The industry currently lacks these qualities, and Global Witness recommends further investigations into the industry, its companies and corporate affiliates to help ensure necessary transparency is brought to the industry.

Further research into the ownership and corporate affiliates of existing and future logging companies wishing to operate in Liberia must be carried out.

Case Study: Djajanti, OTC, Global Star, Indonesia and Liberia

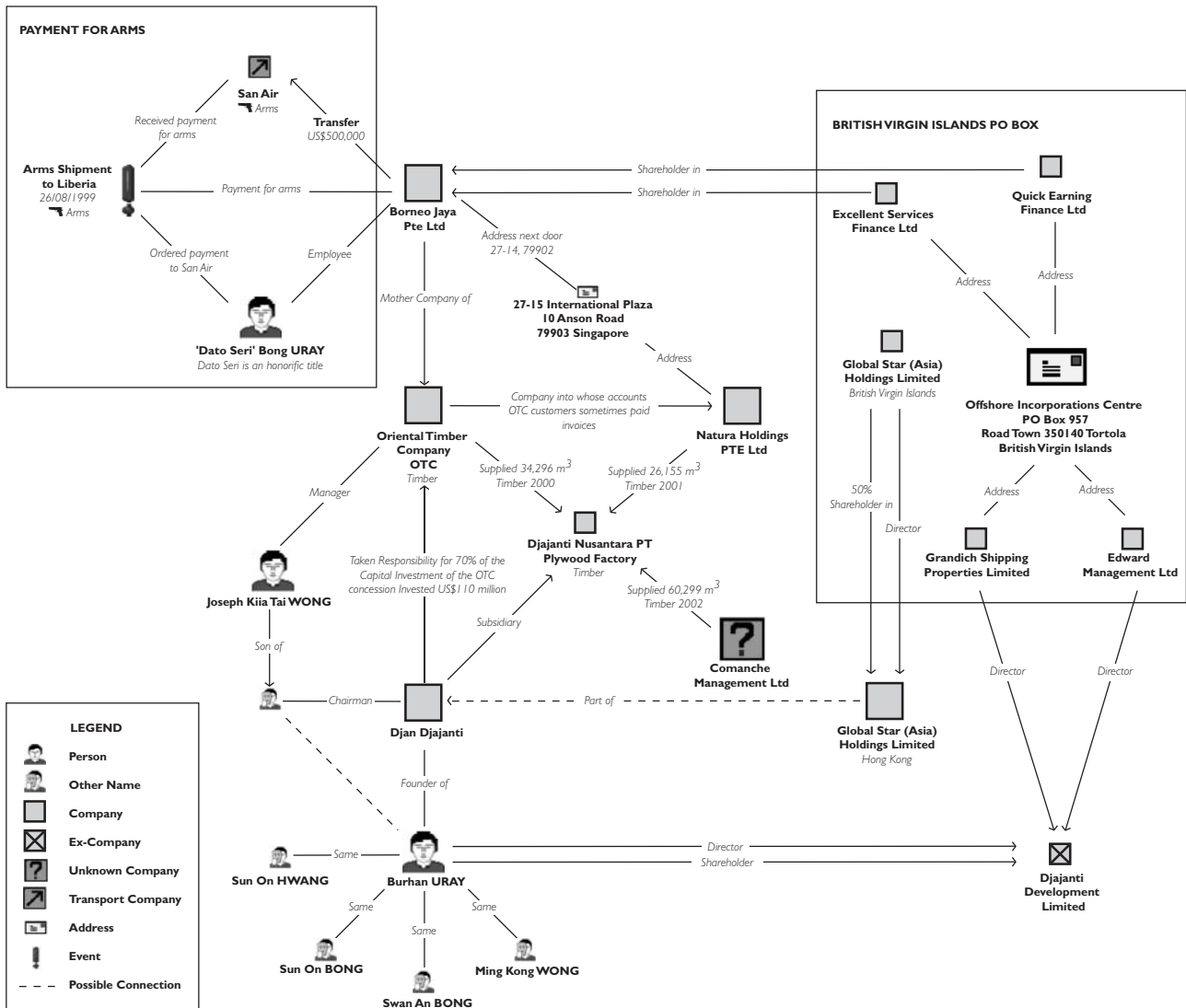
It is important to highlight that the Liberian logging industry is part of a larger, complex global timber trade, and that many of the companies operating in Liberia have corporate relatives that extend far beyond the region.

In order to illustrate the lack of transparency in the Liberian logging industry, and the difficulty of tracing its intricacies, it is helpful to expound upon the ownership structures of Liberian logging companies and the various connections they have to individuals and corporate entities abroad. One example is the Liberia-based OTC, and its corporate connections with Hong Kong-based Global Star and Djajanti PTE LTD, a large Indonesian timber enterprise with several concessions and processing facilities in Southeast Asia, as well as one of Southeast Asia’s largest fishing conglomerates. While

Global Witness does not assert that those running Djajanti have direct control over the logging industry in Liberia or direct the actions of OTC personnel, it is useful to demonstrate the complexity of corporate relations between local logging companies and the difficulty in unearthing exactly what those relationships may be. Given such complexity, further research into the corporate structures of OTC and other Liberian logging companies should be carried out.

The Djajanti group of companies is a large conglomerate of timber and other natural resource businesses. Djajanti was founded in 1969 by Chinese-Indonesian businessman Burhan Uray¹³². Uray is also known by several other names¹³³ including Ming Kong Wong, Swan An Bong, Sun On Bong and Sun On Hwang, and is the director and majority shareholder of many Djajanti subsidiaries. In 1989, Uray set up Djajanti Development Limited¹³⁴ in Hong Kong¹³⁵.

Figure 1: Djajanti’s links to Liberian logging



This chart is a visual representation of the accompanied text and does not suggest anything further than what is written

Table 1: The growing dependence on Liberian timber of Djajanti Group's Nusantara processing facility¹⁴⁵

Year	2000	2001	2002
Company from which Nusantara Plywood imported Liberian timber	Oriental Timber Company	Natura Holdings, Pte Ltd.	Comanche Management, Ltd.
Volume of Liberian timber sold to Nusantara Plywood	34,296m ³	26,155m ³	60,299m ³
Liberian timber as a percentage of total timber consumed by Nusantara Plywood	13%	21%	26%

Source: 2001 and 2002 RPBB reports submitted by Nusantara Plywood to the Indonesian Department of Forestry.

According to the UN Panel of Experts report on Liberia, 'OTC is linked to Hong Kong-based Global Star Holdings, which is part of the Djan Djajanti group of Indonesia, with offices in Singapore and Hong Kong and major investments in China and Indonesia'. Global Star Holdings has a shareholder and director also called Global Star Holdings, which shares a British Virgin Islands address with two director companies of Djajanti Development Limited, and with two companies that are in turn shareholders of Borneo Jaya PTE Ltd¹³⁶. The UN Panel of Experts on Liberia states that Borneo Jaya Pte Ltd is in fact 'a mother company of OTC', and the Panel 'received a bank document which indicates that a payment for weapons delivery was made directly from the Singapore accounts of the company, Borneo Jaya Pte Ltd'. The bank document showed, 'a transfer of US\$500,000 to the arms trafficking company San Air (one of the companies of Victor Bout) through Sanjivan Ruprah, paid by order of Dato Seri Bong Uray on 26 August 1999 using Chase Manhattan Bank N.Y.¹³⁷. 'Dato Seri' is a Malaysian honorific title, meaning the employee's actual name as referenced is Bong Uray. In their 2003 report, the Panel of Experts further wrote that, 'If no contrary evidence is provided, the assumption must be that the Government of Liberia is coercing the Oriental Timber Company and other timber companies to violate the arms embargo'¹³⁸.

Borneo Jaya also shares a Singapore address with Natura Holdings, which according to some OTC export invoices is the company into whose accounts buyers of timber from OTC were requested to make their payments. The UN Panel of Experts on Liberia reports that Natura Liberia Incorporated, a Liberian logging company is co-owned by Joseph Kiia-Tai Wong and Dutch-national Gus Kouwenhoven, who is President¹³⁹ and co-owner of OTC¹⁴⁰. Joseph Kiia-Tai Wong is identified by the UN Panel of Experts on Liberia as the 'son of the chairman of Djan Djajanti, the company responsible for 70% of capital investment of OTC's concession in Liberia'¹⁴¹. Both Kouwenhoven and Joseph Wong are subject to UN travel restrictions for their role in supporting the RUF rebels in Sierra Leone¹⁴², and were both included in the new travel ban created through Resolution 1521 (2003) for being 'arms dealer(s)' who 'supported former President Taylor's regime in an effort to destabilize Sierra Leone'¹⁴³.

Djajanti imported timber from both OTC and

Natura for the Djajanti Nusantara plywood mill, located in Indonesia. Table 1 shows the Djajanti Nusantara mill's growing use of Liberian timber over 2000-2002, with timber coming from OTC, Natura and a third company, Comanche Management; the factory's use of Liberian timber grew from 13% of total timber consumed by the facility in 2000 to 26% in 2002.

At the time of printing, Global Witness had not been able to verify the registration, location or nationality of Comanche Management, nor had Global Witness seen Comanche Management listed on any known export documents from Liberia. However, the export invoices Global Witness has obtained from 2002 show that OTC continued to export large amounts of timber to the Asian market through Hong Kong-based Global Star (Asia). Interestingly, while Global Witness has obtained numerous documents for exports to China, no export invoices to Indonesia have ever been seen.

While figures on total import quantities of Liberian timber into Indonesia over these years vary, data provided by the Food and Agriculture Organisation's statistics department (FAOSTAT) and the UN Commodity Trade Statistics Database (UN Comtrade) for the corresponding years suggest that Djajanti's Nusantara factory was receiving as much as 75% of total Liberian timber imports into Indonesia¹⁴⁴.

The complexity of the corporate structures of the OTC and other logging companies, and the ability of companies to change names, directorships, and registrations, thereby obscuring true influence and control of logging activities, makes it difficult to bring much-needed transparency to the Liberian logging industry. It is important for the FDA to be aware of the controlling interests behind logging operations in Liberia, to know who should be held accountable to ensure transparency and accountable governance. At present, as UNMIL and the NTGL have neither fully deployed nor gained sufficient administrative control over many resource-rich areas and the FDA has neither the necessary capacity to do such investigations nor to enforce current forest-use laws. Such control must be established and necessary reforms of government and industry implemented before timber sanctions are lifted in order to help ensure that the industry operates for the benefit of Liberia and its people and is no longer used to fuel conflict in the region.

6.2 Moving Forward

The UN has made the control of the country's security, and in particular its natural resources, a major point of its mandate. The effective security and control of Liberia's resource rich areas will be critical in preventing the exploitation of these natural resources by groups to finance future unrest.

Unfortunately, Liberia's poor infrastructure remains largely unchanged, and the UN still does not control a significant amount of Liberia, leaving a large portion of the country autonomous from NTGL and UN authority. The following is a breakdown of areas of vulnerability that need attention:

The Forestry Development Authority (FDA).

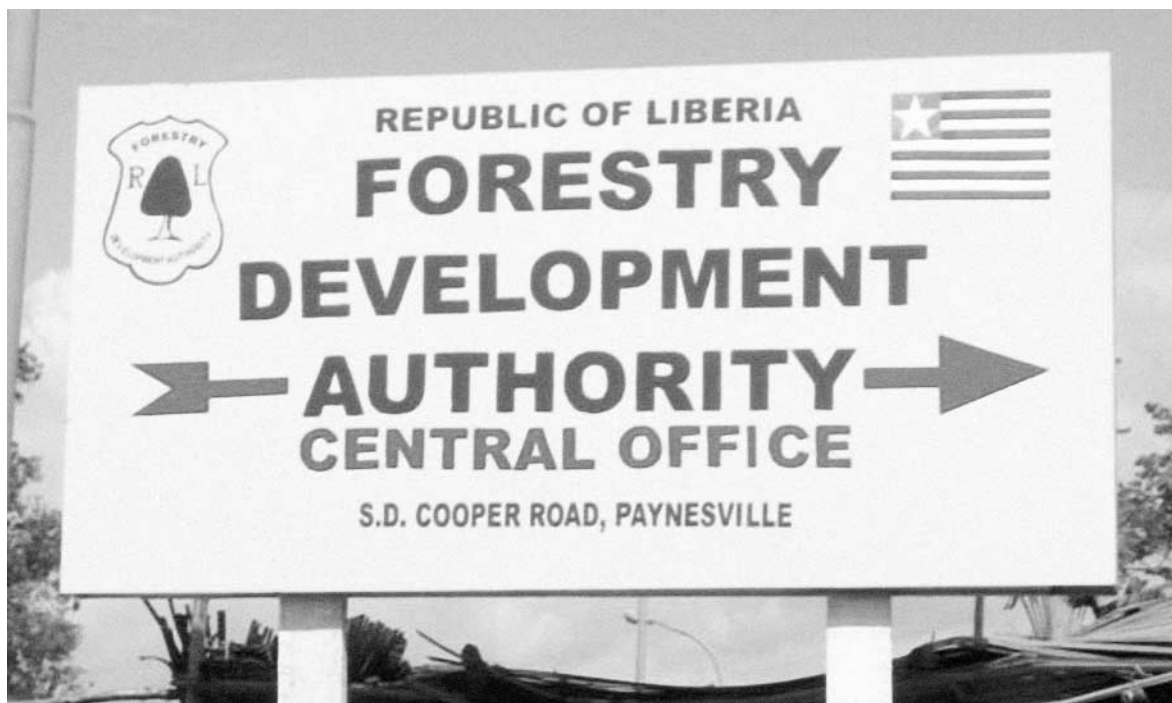
The FDA in Liberia has long been a shell of a government agency. Under the pressure of conflict and the Taylor government, the FDA was steadily stripped of funds and power needed to monitor the country's forests. Under the Taylor government, people close to Taylor, including his brother Robert and Gus Kouwenhoven, sat on the FDA's Board of Directors. Currently, the FDA is managed by Eugene Wilson, a representative of MODEL, and while the FDA is making progress, it is still impeded by the many restrictions on information sharing, lack of up-country access and the large task of protecting an industry from those powerful individuals with vested interests who have previously exploited the timber for their own purposes. As such the Liberian government does not have the necessary mechanisms in place through which it can maintain control over its natural resources and ensure that the logging industry operates in accordance with domestic law and does not contribute to conflict.

**Road sign for the Forestry Development Authority (FDA),
March 2004**

The Concession-Granting System.

Before any operations should restart, the legal validity of logging concessions and the practices of concessionaires must be reviewed. According to the Liberian Constitution, all concessions were to have been approved by the national legislature, and if the FDA finds that concession agreements were obtained otherwise, or if the concessionaires have been in violation of national or international laws or otherwise engaged in illegal activities, their concessions should be cancelled. Reviewing all previously granted logging concessions, and reforming the concession-granting process, is an essential first step to ensuring that all logging companies are in compliance with national law and that the Liberian logging industry as a whole serves the interests of the Liberian people.

Any new concession system must adhere to accepted norms of transparency and accountability, such as those outlined in the 'Publish-What-You-Pay' initiative⁴⁶, a global campaign to eradicate corruption and promote transparency in business and government relations. As such, all revenue paid to the government, tax breaks given in return, and locations of acreage granted should be matters of public record. Local communities directly affected by logging operations, a group whose concerns were ignored by a series of previous regimes, must be integrally involved in any future decision-making regarding concession locations, deciding access rights and determining the benefits to be accrued by local groups. Moreover, during the concession bidding process, the government, in consultation with these local communities, should carefully consider the backgrounds and prior actions of interested logging companies and their staff, ensuring that none have been involved in committing abuses and fuelling conflict in Liberia or elsewhere. Such incorporation of public dialogue, transparency and accountability is key to reforming the logging industry in Liberia properly, and local Liberian civil society and international donors should exert pressure on the FDA and NTGL to do so.



Transparency and Accountability.

A fundamental problem in the way the Liberian logging industry operated under the GOL was the failure to accurately track the amount of timber being produced and the revenue generated. Because the industry was so inextricably linked to the former regime's ability to affect its political and military goals, the ability of the FDA and other agencies to oversee and correct the industry was kept to a minimum. Thus, tens of millions of dollars in industry revenue was unaccounted for annually. In 2001, for instance, there existed a US\$20 million discrepancy between what the FDA and the Ministry of Finance officially stated as the value of total timber exports; even within the Ministry of Finance, there was US\$8.6 million discrepancy over the exports of a single company¹⁴⁷ (see *Mind the Gap*, page 27).

With the timber sanctions in place and the world's attention focused on reconstructing Liberia, this is an opportune time to reform the logging industry and integrate transparency and accountability into its activities. It is imperative that prior to sanctions being lifted and industry operations restarting, both that a thorough audit of the Liberian government and logging industry is undertaken, and that new and improved accounting systems are put in place. The audit should consider income generated, received and expended, as has been called for repeatedly by the UN Security Council and the UN Panels of Experts on Liberia¹⁴⁸. Moreover, the audit should be retrospective in seeking to uncover the ways in which money was previously misappropriated, to prevent those methods from being used in the future, and to locate and repatriate missing assets. Such investigations, which would build upon extensive research conducted by Global Witness¹⁴⁹ and the UN Panel of Experts on Liberia¹⁵⁰, would additionally be useful in prosecuting those individuals who aided in the misappropriation of funds.

Once such an audit has been completed, a new commodity and revenue accounting system must be implemented, incorporating all lessons learned. The system should track both timber extraction volumes and logging industry revenue from log felling through timber processing to final export and payment, meeting international standards for transparency and accuracy. The NTGL and donor community should hire an independent forest monitor to examine the effectiveness of the new reforms, provide constructive feedback on their improvement, and ensure that an unbiased method of evaluating compliance from all levels of government and industry is implemented.

Forest-Use Policies.

As the Liberian logging industry and the country's natural resources were exploited by the previous regime with total disregard for sustainable resource management, new forest-use policies must be developed that will preserve Liberia's forests as a source of future revenue and development. To be successful, this must include maintaining political will to prosecute violators of national environmental, labour and human rights legislation, and ensuring that relevant authorities, specifically the FDA, have the investigative capacity and legal authority to fulfill their duties.

Reforms to forest-use laws were passed in the final

days of the interim administration under Moses Blah, establishing new regulations regarding forest preservation and creating additional protected areas¹⁵¹. Currently, the NTGL and FDA are in the process of reviewing forest-use policies and drafting an action plan, with the assistance of organisations like Fauna and Flora International (FFI) and Conservation International (CI). With the introduction of security into rural areas, among the first steps in reforming forest policy will be the assessment of the state of Liberia's environment, noting the negative effects of previous over-logging, collateral damage from logging operations and the degradation of one of the world's 25 biodiversity 'hot spots'.

Relations Between the Logging Industry and Local Communities.

To ensure that local populations, logging companies and their workers coexist in a mutually beneficial manner, institutionalised mechanisms must maintain constant dialogue between affected parties and the government; mechanisms through which aggrieved parties can bring their complaints, solutions can be reached and the rule of law upheld. Without this constant flow of information, it will be impossible to identify, prosecute and prevent future violations of domestic forestry and human rights laws. In addition, such information exchange will further serve to keep the government and others aware of, and better able to terminate, any links between the Liberian logging industry and non-state actors operating in the region.

Security of Liberia and its Natural Resources

The success of Liberia's reconstruction is dependent on both the NTGL and the UN securing adequate financial and logistical support to implement necessary security, economic and political reform programmes. Of primary concern is the need to fully support UNMIL, which has fallen behind on its deployment of peacekeepers and was forced to suspend its first attempt at implementing the DDRR programme. The resulting lack of UNMIL presence in rural parts of the country has meant that armed non-state actors continue to abuse local populations and loot their goods, destabilising the country and undermining efforts to create active peace. Moreover, the lack of a strong UNMIL presence in the resource-rich interior means that non-state actors maintain their access to lucrative natural resources in the absence of government oversight and enforcement of national law.

The Security Council explicitly mandated UNMIL to help the NTGL regain control over Liberia's natural resource-rich areas¹⁵². UNMIL should further take a lead role in preventing the cross-border trafficking of mercenaries, weapons and natural resources, whether by plane, ship or land-based routes. While the borders between Liberia and neighbouring states are porous, as outlined by Global Witness previously¹⁵³, monitoring common trade routes and preventing the illegal flow of timber products out of Liberia will be relatively easy through placing personnel at key border crossing points in Côte d'Ivoire, Guinea and Sierra Leone, Liberia's airfields, and at Liberia's four major timber ports.



UNMIL tank in Monrovia, March 2004

Coordination of Regional Militaries and UN Peacekeeping Missions.

Security would be improved with better coordination of border security among the UN's peacekeeping forces UNMIL, UNAMSIL (Sierra Leone), and ONUCI (Côte d'Ivoire), together with the region's national militaries. Liberia's neighbours should exert more stringent control over their own natural resource industries, specifically timber and diamonds, to prevent the smuggling of illegally sourced materials into their territories. Joint investigations of known and potential trade routes would help stem the cross-border flow of fighters, arms and contraband that have fuelled the region's violent conflict.

Flow of Weapons to West Africa.

As reported by Global Witness and the latest Panel of Experts on Liberia¹⁵⁴, weapons continue to enter Liberia in violation of the UN arms embargo. Weapons have entered by air, land and sea, as arms traders have taken advantage of lax export controls, complicity of some arms exporting countries, and the lack of international legislation designed to control the cross-border arms trade. Weak transport regulations aggravate the situation, as the contents of containerised cargo are rarely checked against the manifest, ships 'disappear' for months at a time by travelling between and unloading at ports that have no international monitors, and arms smuggling planes use complex webs of leasing and operating companies to hide ownership, often falsifying flight plans and changing course *en route* to avoid detection.

All countries should make their police forces, export agencies and arms industries aware of, and in turn enforce, the current ECOWAS Moratorium on the Import, Export and Manufacture of Small Arms and Light Weapons, by which West African states pledge not to import weaponry without prior notification, and approval, of the other ECOWAS members. The Moratorium was first enacted in 1998 and later renewed until November 2004, when it is again eligible for extension.

Potential Employment Capacity of the Liberian Logging Industry

If managed effectively, the industry could not be expected to generate the same levels of income as it did during the Taylor government, nor would it employ as many workers. If the country were to restart operations and export as it did under the Taylor government, when over-cutting and revenue diversion were at their height, Liberia's forests would be prematurely depleted and would leave no potential employment for future generations.

In March 2003, when the logging industry was still active, Global Witness calculated an industry-wide employment figure of 4,600, comprised of 3,600 Liberians and 1,000 expatriates. Global Witness based this figure on the last full analysis of industry employment completed in 2002¹⁶⁵, which brought together data collected from logging company records and logging company employees. To reach its 4,600 figure, Global Witness took the number of employees from the 2002 report and subtracted all employees from companies that had shut down operations prior to March 2003, such as Bureaux Ivorian Ngorien (BIN) and Mohammed Group of Companies (MGC), as well as incorporating variations in downscaling shown by other logging companies. The ratio of ex-combatant workers to civilian (63% ex-combatant to 37% civilian) has, throughout the investigations, remained a fairly constant figure. Currently, Global Witness estimates that future employment for a logging industry based primarily on round logs exports and with no major diversification into timber processing, as has recently been the case, but operating in compliance with environmental and labour legislation, would only require approximately 2,300 workers, roughly half the number employed in March 2003.

Environmental Impact and Ethical Procurement.

While the UN, NGOs and the NTGL begin rebuilding Liberia, it is imperative that the environment not be treated as a concern separate from immediate redevelopment needs; in fact, the sustainability of the Liberian environment is integral to the country's recovery and sustainable social and economic future. With the introduction of the UN's largest peacekeeping mission and numerous NGOs and their staff, the Liberian environment will inevitably suffer strain. It is, therefore, an imperative that all actors in Liberia consider the environmental impact of their activities and, as is being undertaken in Sierra Leone, coordinate environmental policies to minimise negative effects.

This awareness of environmental and ethical impact is especially important as organisations look to source supplies and building materials, including timber, locally. The UN embargo on Liberian timber products does not affect domestic timber production; however, if large-scale logging was to restart before the necessary reforms of the industry are carried out, even if only for domestic consumption, the current lack of government control means there are no safeguards to separate illegal from legally sourced timber, and thus no way of determining if the revenue generated is being misappropriated and financing destabilising activities.

Roles of the IMF and World Bank

The World Bank and IMF are helping organise reform plans for Liberia's financial and governance systems, and are playing a role in financing the country's reconstruction. The World Bank, whose priority within the forestry sector is 'to promote economic and social revival...set up accountable economic management...and improve the governance of forestry'¹⁵⁵, has already pledged an initial US\$4 million from the Low-Income Countries Under Stress (LICUS) Trust Fund, to be delivered in 2004. The initial US\$4 million grant is to be followed up with future grants, which some Bank officials put at US\$25 million, to improve economic management, rebuild infrastructure and develop the forestry sector¹⁵⁶.

In its Joint Needs Assessment of February 2004, drafted with the United Nations, the World Bank recognised that timber is a 'cross-cutting issue' in Liberia's reconstruction, and stated that the 'transition period provides a window of opportunity for undertaking reform of the (timber) sector'¹⁵⁷. Of a total US\$21.5 million estimated to fund the economic policy and development strategy 'cluster' of reforms, the World Bank suggested just US\$8.7 million would be needed for forestry reform, with the majority, US\$7.7 million, going toward building the capacity of the FDA, and the remaining US\$1 million to cover concession review, forest inventory, park protection and development, and transparency and

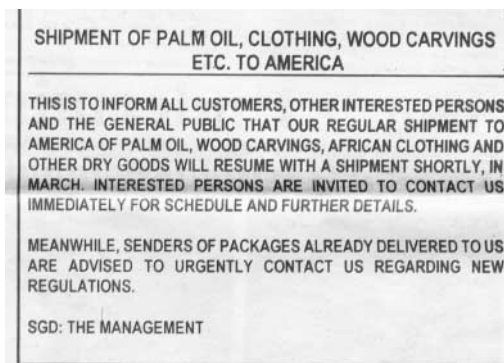
accountability enhancement¹⁵⁸. This budget mirrors the cost estimates put forth NTGL's own sanctions review committee.

However, in both instances the estimated costs are low, and it is unclear exactly how this budget forecast by the World Bank will be coordinated with donations made by some governments for more specific forestry-related projects, such as the US State Department's initial pledge of US\$1 million for forest assessments and institutional reform and capacity building¹⁵⁹. With regard to the proposal of the NTGL committee, the deadlines also appear overly optimistic. Goals such as improving 'transparency and accountability' and the concession review were to have been completed by February 2004 according to the original schedule. This has not happened, and while the FDA's expansion of control has been hampered by UNMIL's lack of deployment in timber areas, it will take much more time than originally planned to achieve its objectives.

As scheduled, several major reform goals, including a comprehensive forestry inventory, concession review and capacity building for the Environmental Protection Agency (EPA) will not be completed until at least June 2004. Other important reforms, such as the adoption of appropriate fiscal systems, including regular audits, and the design of regulations to minimize corruption, are not scheduled to be completed until December 2004 and June 2005, respectively¹⁶⁰.

The IMF has also recently released a report that indicates that, while progress has been made in reforming governance and financial structures by the NTGL, there is still much work to be done.

One of Liberia's international banking institutions, Monrovia, March 2004



Advertisement in Liberian paper, dated 9 March 2004, for shipment of wood carvings and other goods from Liberia to the United States. The trade in such carvings, if made from Liberian wood, would be in violation of the UN timber embargo.

Mind the Gap: Liberian Logging Industry Revenue That Is Unaccounted For

Forestry Development Authority (FDA) v. Ministry of Finance (MoF) – at least US\$20 million unaccounted for in just one year

In 2001, the annual reports of the FDA and MoF show a discrepancy totalling over US\$20 million. The FDA is the government agency tasked with primary responsibility for overseeing Liberia's forest protection and logging industry activities, and as such would have the most accurate statistics regarding exports. In its 2001 annual report, the FDA stated that total timber exports were valued at approximately US\$80 million. The MoF, in contrast, quoted only about US\$60 million.ⁱⁱ

The FDA and MoF figures are equally mismatched when tracking exports of just three related companies; OTC, RTC and Natura. In 2001, the FDA reported that the companies exported US\$ 52 million in round logs. The MoF, however, only recorded \$47 million. That means over US\$ 5 million went missing from the records for just a few companies.

Ministry of Finance v. Ministry of Finance – An internal hole of US\$8.6 million

While discrepancies between the government agencies primarily responsible for monitoring logging industry revenue are significant, there are equally disturbing inaccuracies within the MoF itself. Official MoF statistics for 2001 stated that OTC production, when combined with its sister companies RTC and Natura, exported 358,000 m³ of timber in 2001. However, an internal MoF memo reported that OTC exported 508,000 m³. The difference in exports, conservatively calculated, is over US\$8.6 million.

Global Witness v. Ministry of Finance (MoF) – US \$10.5 million discrepancy for just OTC

In 2001, the MoF reported that OTC exported approximately 358,000 m³ of round logs. However, Global Witness investigations conducted at OTC's Buchanan port recorded a round log export of at least 542,000 m³, a difference of 184,000 m³, worth a conservative estimate of US \$10.5 million¹⁶⁴.

ii Note: All figures are rounded for reading clarity. Data are from Forest Development Authority Annual Report 2001 and Ministry of Finance Annual Report 2001. Liberian government and other information sources often list values only in terms of cubic metres; a conservative, average price per cubic metre must then be applied to estimate value. Global Witness calculates such figures conservatively, giving an average cost of US\$100 per cubic metre. This figure is a low estimate of the varying prices for Liberia's various species, and is calculated as a Free On Board (FOB) value that does not include additional costs of insurance, freight charges, etc., that would put the total value much higher.

Specifically, the IMF notes the NTGL's centralisation of revenue collections in the Ministry of Finance and, for the most part, centralisation of government accounts in the Central Bank of Liberia. The IMF reported that the European Union will fund audits of key revenue-generating agencies, including the Forestry Development Authority (FDA), with a view to completion during the first half of 2004¹⁶¹. However, it has not yet been made public what organisations will be carrying out the audits, which were first ordered by the Security Council in 2002¹⁶². According to the same IMF report, the audits will be essentially 'forward-looking', with a view to improving agency efficiency; with the implementation of the recommendations will not begin until the 2004/2005 fiscal year, which starts in July 2004¹⁶³.

The international community should take this unique opportunity and make the audits retrospective as well, in an effort to uncover how money was misappropriated previously, prevent such illegal activities in the future, and repatriate whatever money can be identified. Moreover, given the lack of concrete reform elsewhere in the forestry sector, and considering that the IMF itself holds that the audit of the FDA and the implementation of any suggested reforms do not look to be completed until at least July 2004, well after the June sanctions review, it is clear that the timber sanctions should be extended in June.

Liberia's logging industry has shown its ability to generate significant revenue, for government and warring parties alike, and history has shown clearly how that revenue has been abused to fund the destruction of a country and its neighbours. Until the reforms called for the Security Council and Panel of Experts on Liberia are completed, and there is proper control over natural resources by the FDA and oversight by the government, logging sanctions must remain in place.

Rubber: A Potential Conflict Resource?

Rubber traders are bringing rubber from Liberia across the border at Patayelay to sell to Societe des Caoutchoucs de Grand Bereby (SOGB), an Ivorian rubber company, after paying bribes to MODEL commanders to cross the border. On 2 July 2003, MWPI authorities took Ivorian military personnel to the border to prevent rubber traders from bringing rubber across into the Côte d'Ivoire. MWPI accused the rubber traders, especially local businessman Gus Mensah, of looting rubber from the Cavalla Rubber Corporation (CRC) plantation, which MWPI owners controlled. Upon arrival at Patayelay, the local vigilantes refused to honour the orders from the Ivorian soldiers, a standoff ensued and the Prefect in Tabou was contacted. He intervened and in the end allowed the rubber traders to bring their goods across. The refusal of the locals to honour their government soldiers' orders has led to growing tension between civilians and the military in the area.

In another incident in June 2003, a MODEL fighter shot and killed a Liberian truck driver hired by Mensah to transport rubber to the SOGB buying station. While at the border, an argument ensued and one of the MODEL fighters shot the driver. It is not clear how and why the argument started, but locals report that it was a disagreement amongst MODEL fighters over money paid to them by Mensah. Most recently, on 11 April, fighting erupted in Plebo between two factions of MODEL, following disagreements over rubber. At least three people died as a result.

Some of the rubber dealers in the area claim SOGB is refusing to buy rubber directly from the CRC/MWPI. However, the rubber dealers claim that SOGB has made it clear that if MWPI sold rubber through a Liberian/Ivorian middleman they would be willing to buy from those middlemen. SOGB may not want to be seen as doing business with a company that is perceived to have aided the Ivorian rebel groups MPIGO and MJP, who sought to overthrow the current Ivorian government of Laurent Gbagbo.

7 What Now? Liberia's New Government

GIVEN THAT three quarters of the National Transitional Government of Liberia (NTGL) is comprised of factions that were, and in some instances still are, engaged in violent combat with one another, it is not surprising that cooperation has occasionally proven difficult. While the allotment of ministries and agencies seemed to have been settled in Accra during the peace conference, the debate has continued well into 2004, resulting in compromises on the appointment of nominated ministers and the creation of sub-heads of ministries to accommodate demands. On 26 January 2004, LURD leader Sekou Conneh and MODEL leader Thomas Nimley Yaya, signed a joint statement calling for the removal of Chairman Bryant. Both parties claimed that Bryant was unfit to govern; the reality is that it was a dispute over job allotments and nominations. Under pressure from the international community, MODEL changed its mind in just two days, rescinding its call for Bryant's removal, and LURD changed its mind in early February.¹⁶⁶

7.1 Internal Conflict in LURD and MODEL

Of the three warring parties, LURD has faced the most public debate over its internal cohesion, as 2004 witnessed a very public, and potentially destabilising, dispute between LURD leader Sekou Damante Conneh and his estranged wife, Aisha Keita Conneh. Aisha, referred to as the spiritual adviser and supposed adopted daughter of Guinea's president Lansana Conteh, is credited as being the main conduit through which Guinean patronage has been secured for LURD. Early in 2004, a split was emerging between those who wanted Aisha to take control of the group, and those who favoured keeping Sekou. In the end, after the highly public exchange, Sekou retained his title as head of LURD.

On 1 March 2004, LURD fighters looted the offices of LURD-appointee Mustapha Karmara, who serves as a Deputy Minister in the Ministry of Commerce and Industry. While those responsible had yet to be found and brought to justice, it is said that they raided Karmara's office because he and the LURD hierarchy in Monrovia had 'forgotten [the LURD fighter], now that they have got what they wanted'¹⁶⁷. There was a similar incident with MODEL, which occurred in Buchanan in December 2003, in which disgruntled MODEL fighters barricaded FDA head Eugene Wilson, whom they mistook for MODEL head Yaya Nimley, into a building in order to air their grievances and seek redress (see Annex II. *The Role of the United Nations in Liberia*, page 32).



Top: The Executive Mansion, March 2004.

Middle: The National Legislature buildings, March 2004.

Bottom: Road sign for the Ministry of Foreign Affairs, March 2004

7.2 Corruption and Auditing key revenue-generating agencies

The perception of expatriate NGO workers, UN staff and local Liberians is that corruption is a serious problem in the NTGL. Many have the sense that those in power feel they have a small window of opportunity, before the UN enforces proper accounting standards and before they face election to their positions, in which to use their positions to misappropriate revenue in the short term or to establish longer-term business interests to serve them out of office. Given the security provided by UNMIL, lawmakers do not face the threat that they, as a transitional authority, will be forcibly removed from power.

Concerned that the country is once again getting off on the wrong foot, Liberian civil society has been strident in its calls for the NTGL to carry out government business in a transparent and accountable fashion. The Foundation for Human Rights and Democracy (FOHRD), led by the respected human rights activist J. Aloysius Toe, has called for a robust monitoring mechanism to ensure that revenue, in particular that derived from international donors, is properly accounted for, to 'keep the claws of corruption' at bay⁶⁸. To this end, FOHRD has called upon the international community to help establish anti-corruption bodies in Liberia. Furthermore, groups like the NGO Coalition for Liberia have made renewed calls to make the reform process and government proceedings more transparent, making records public and actively involving civil society in the decision-making process at all levels.

The US government has even threatened to suspend entry into the US of public officials from Liberia whom it finds to be corrupt, along with their dependents and all those who corrupt them. US Ambassador John Blaney stated, '(i)f the US concludes that an individual is corrupt, or is undermining US assistance goals, or is extorting US businesses, he and his family will not be going to the United States for any reason...Liberians must insist that [donor] trust is not betrayed by a greedy few. Liberians and the NTGL in particular must fight corruption...Corruption undermines donor confidence, investment, and progress across the board.'⁶⁹



Above top: Road sign for the Bureau of the Budget, March 2004. *Above:* Bureau of Maritime Affairs, March 2004

Key to bringing transparency and proper accounting to the NTGL will be the auditing of key revenue-generating government agencies. On 27 November 2003, Chairman Bryant announced that an international firm would be brought in to audit five key agencies: the Bureau of Maritime Affairs and ship registry, Liberia Petroleum Refining Company, Forestry Development Authority, National Port Authority and the Roberts International Airport. The government release stated that the European Union and others would pay for the audits⁷⁰; it is unclear if any progress has been made toward this end. The UN Security Council has called for audits of the logging and shipping industries numerous times⁷¹, and while under the Taylor regime several substandard attempts were made, the Security Council's request has yet to be fulfilled⁷². It is imperative that the NTGL, in partnership with the international community, look both at the mechanisms for tracking revenue currently and also seek to determine how revenue may have been misappropriated in the past, to prevent such abuses in the future and repatriate funds.

Sign emphasising historical ties between Liberia and the United States of America, Monrovia, March 2004





Poster promoting good governance, Monrovia, March 2004

8 Conclusion

THE REQUIREMENTS set forth in Security Council Resolution 1521 (2003) for the lifting of sanctions have not been met. While progress has been made by UNMIL and the NTGL, the necessary reforms and improvements in security and government oversight have not been fulfilled. UNMIL, though over 14,000 strong, has not been deployed throughout the entire country and has not yet fully secured many of those areas where it has been deployed, with outbreaks of violence in key towns and continued harassment of civilians in more remote parts commonplace. Cross-border trafficking of weapons and natural resources remains a possibility, former President Charles Taylor maintains his capacity to destabilise the region, and both the arms and timber sanctions continue to be violated.

The Liberian people, responding to the insecurity in the country, the lack of a properly functioning government and fears of a return to conflict, have made clear that they do not think it is time for the sanctions to be lifted. Local Liberian NGOs have come out in force stating that the sanctions should not only be maintained, but expanded to cover other extractive industries that could be ripe for corruption and used to fuel further conflict.

Such threats to this time out from violent conflict come both from within and without Liberia. Corruption and poor governance within the NTGL continue to jeopardise Liberia's reform process, as

both important revenue goes unaccounted for and combatants express their feelings of abandonment and lack of benefits through violence. Important reforms of the government and natural resource industries have not been carried out, and are under threat from those with vested interests. The UN's DDR process, key to the region's future security, has restarted but will face numerous challenges due to inherent flaws in its design and from the inevitable lack of compliance by some combatants.

Moreover, former President Charles Taylor, violating the terms of his exile in Nigeria, continues to influence Liberia through his contacts in government and business. The tens of thousands of combatants in Liberia, along with those in Côte d'Ivoire and the region, pose a continued danger to the country's stability. And many of the companies and individuals previously involved in Liberia's logging industry maintain their interests there, and have entered into arrangements with warring parties and violated UN sanctions.

This is the best chance for peace that Liberia has had in its recent history. Liberia has received much international attention, with half a billion dollars in pledges from donors and what will be the largest UN presence ever; the country stands a strong chance of successfully reforming itself and helping to stabilise the region. It is imperative that the threats to such reform are fully and immediately addressed, as the effective reconstruction of Liberia is fundamental to the region's long-term stability, and it will take a concerted effort and diligence by all parties, Liberian and international, to reform Liberia right and provide for lasting peace.

Annexes

Annex I

Timber and Conflict in Liberia – Historical Roots of the Problem

The face of the logging industry: A reminder

THE LIBERIAN logging industry has historically played a role in fuelling conflict and assisting in the imports of weapons since at least 1991, when then-warlord Charles Taylor granted logging and other extractive industry concessions in territory under NPFL control¹⁷³. The money from timber and mineral sales, and kickbacks from concessions were used to purchase weapons that eventually propelled Taylor to control the whole of Liberia. While Charles Taylor was president from 1997-2003, the logging industry became a principle source of finance and logistics for both the arms trade and other extra-budgetary expenditures. In 2003, President Taylor admitted to using logging industry revenue to purchase arms, in violation of the UN arms embargo¹⁷⁴.

OTC, formerly the largest logging company in Liberia, has been shown by Global Witness and the UN Panel of Experts to have been involved in arms imports to Liberia¹⁷⁵. OTC staff, including Dutch-national Gus Kouwenhoven and Hong Kong-native Joseph Kiia Tai Wong, have also been implicated by the UN Security Council for their financial and military support of the RUF rebels in Sierra Leone¹⁷⁶. Moreover, Global Witness investigations have revealed how OTC on numerous occasions facilitated the import of weapons into Liberia through its control of Buchanan port, in violation of the UN arms embargo¹⁷⁷. MWPI, the second-largest logging company in Liberia, also saw its facilities used by the Liberian government and Liberian government-backed rebel groups in Côte d'Ivoire¹⁷⁸. According to the UN Panel of Experts on Liberia, 'the departure of some logging companies (the Oriental Timber Company (OTC), the Royal Timber Company (RTC) and the Maryland Wood Products Industry (MWPI)) has relieved many Liberians of human rights abuses, intimidation of local people and alleged sexual exploitation of women and girls'¹⁷⁹.

Some Liberian logging companies and related personnel have also been implicated in the following:

- **Torture.** Liberian press report public floggings and beatings as means of retribution and intimidation¹⁸⁰. Global Witness investigations have revealed the details of one such incident¹⁸¹.

- **Increased prostitution in rural areas.** Logging company bush camps lead to the import of prostitution, which adversely affects local populations through the spread of sexually transmitted diseases and the recruitment of girls as young as 12 into prostitution¹⁸².
- **Arbitrary arrest, detention without charge.** There have been several cases of people being held without charge by OTC and ILC militia members¹⁸³.
- **Intimidation.** A logging company based along the border with Côte d'Ivoire is reported to have intimidated workers who were to stage a strike for equal pay with their Ivorian counterparts. Liberian military personnel were flown in and threatened the workers¹⁸⁴.
- **Exposure to disease.** Creeks and streams relied upon by local communities for drinking, bathing and washing are being destroyed as logging company employees use the water as latrines¹⁸⁵, leading to a marked increase in disease, including cholera. The ability of local people to use traditional medicinal plants has also been affected by the pollution and destruction of forest areas¹⁸⁶.
- **Hazardous work environments.** High-risk, low paid jobs are assigned to Liberians, and workers receive little training before operating dangerous machinery, resulting in serious injuries¹⁸⁷. Many OTC employees working at its plywood mill in Buchanan complained of suffering serious health effects from exposure to formaldehyde and other toxic chemicals. While an OTC doctor medical report linked one patient's lung problems to exposure to toxic chemicals, OTC officials claim the problem was due to 'industrial indiscipline'¹⁸⁸.
- **Destruction of private property.** Residents of various counties accuse logging company militia members of destroying private and community areas¹⁸⁹.

Non-payment of wages

Some Liberian logging companies have not paid workers regularly, if at all, and have dismissed workers without redress. This has driven some workers to take drastic action, including the taking of logging company officials hostage. Though it appears that RTC paid regularly¹⁹⁰, according to local news sources, on 10 June 2002, eight workers at the OTC 'Kilometre 85' camp in Rivercess County held OTC's legal and labour consultants hostage for over an hour in a dispute over allegedly unwarranted dismissals. The local labour commissioner intervened, and OTC management agreed to settle the workers' demands¹⁹¹. Similarly, in mid 2002, 55 retrenched workers of a smaller logging company held their personnel manager hostage over dismissals without explanation and failure to pay two months in salary arrears. After police and labour authority intervention, management settled the dispute¹⁹². More recently, Panel of Experts on Liberia investigators interviewed workers of MWPI who complained that they also were often unpaid: 'paid for one month, even though I worked two'¹⁹³.

Annex II

The Role of the United Nations in Liberia

THE UN MISSION in Liberia (UNMIL) is a key actor in Liberia's pursuit for lasting active peace and stability in Liberia and the region. UNMIL was officially created on 19 September 2003, through the passage of Security Council Resolution 1509. UNMIL is to be the largest of all UN peacekeeping missions with 15,000 troops, one of the most internationalised¹⁹⁴, one of the most expensive¹⁹⁵, and with one of the broadest mandates. The work of UNMIL will be complemented by a significant amount of money pledged for Liberia's reconstruction by the international donor community. The Conference on Reconstruction for Liberia, hosted by the UNDP in February 2004, saw \$520 million in pledges, to be spent over the first two years, to help jumpstart Liberia's recovery.

UNMIL's main priority – Security, and the lack thereof

Public Perceptions of Security

The Liberian public's perceptions and expectations of UNMIL's ability to guarantee peace and security have changed, as it has become apparent that the deployment of UNMIL troops does not mean that all outbreaks of looting and violence will be prevented. The initial euphoria over the UN's ability to quickly restore peace and stability has given way to a more realistic outlook. As one Liberian remarked to a journalist, "We have a concept that once the UN is on the ground, everything is safe, but that's not it"¹⁹⁶.

There is no doubt that UNMIL has had a positive effect on peace and security in those areas under its immediate control. However, recent surveys of Liberia show that even with full deployment, it is estimated that 60% of Internally Displaced People (IDP) do not intend to return to their homes until at least the next planting season, in October 2004, and many do not want to risk returning to their remote villages until after the elections in 2005. Respondents cited the slow pace of deployment and security as major reasons for this desire to stay where they were¹⁹⁷.

Deployment does not mean control

UNMIL has deployed to both larger cities like Zwedru and Buchanan, as well as in smaller towns such as Tapeta. However, even with UNMIL deployment all three areas have recently experienced unrest and insecurity. In early March 2004, there was renewed fighting between forces loyal to former president Charles Taylor and LURD, and fighting also broke out in mid-March near the town of Tapeta, despite a deployment of UN peacekeepers there¹⁹⁸. Even in Monrovia, where the capital was supposed to be 'weapons free' after a 3-day clean up¹⁹⁹ in time for the launch of UNMIL and the NTGL inauguration, small arms proliferated and deadly violence has since occurred, albeit much less frequently.



Road sign for DDRR Joint Implementation Unit, March 2004

Rape

Women who fled from Gbarnga and other areas controlled by LURD in Bong County in September and October 2003 described how LURD forces routinely selecting women in villages and from groups of displaced people fleeing in the bush for rape and other forms of sexual violence. A woman who had fled Gbarnga days before told Human Rights Watch, "We are praying for UNMIL to deploy. They [LURD fighters] rape you—they grab your husband and lay your husband down, they lay you down on top and then have you."²⁰⁰

Continued harassment of civilians and looting by MODEL, LURD, and GOL fighters

Given this lack of control, it is not surprising that opportunistic fighters have, and continue to, set up roadblocks and checkpoints as a means of extorting money and harassing locals²⁰¹. Illegal roadblocks, particularly in rural areas, are removed to allow UN patrols access, but they are then reassembled once UNMIL has passed. The NTGL and nearby MODEL leadership have done little concrete to combat this, despite continued reporting by the public on this behaviour.

Security of Natural Resources

'to assist the transitional government in restoring proper administration of natural resources'

The UN is mandated to help the NTGL establish control over its forest areas. Assistant Special Representative of the Secretary-General, Mr. Souren Seradayrian, stated publicly that the ban on timber exports should remain in place until the transitional government can ensure the transparent and sustainable use of Liberia's forest resources. "... (T)here must be clear cut legislation on the ways concessions are given, the sustainability and replacement of the trees, the ways they are being exported, where the income goes and where the taxes go."²⁰² The first step toward this aim is securing forest areas, to create secure zones in which the FDA and other relevant authorities can operate. Unfortunately, the lack of UNMIL deployment and control of much of the interior of the country, means that non-state actors maintain their access to lucrative natural resources in Liberia such as diamonds, timber and rubber, and are still able to exploit cross-border trading routes.

**View of Monrovia,
March 2004**



Human Rights Promotion and Protection

‘To ensure an adequate human rights presence, capacity and expertise within UNMIL to carry out human rights promotion, protection and monitoring activities’

UNMIL has significantly reduced lawlessness and theft in Monrovia and other areas under its direct control. Moreover, UNMIL has launched a number of initiatives targeted specifically at aiding those groups most vulnerable to abuse, including the Trafficking in Persons Unit (TPU), which was established amidst high suspicion of human trafficking activities in Liberia. The TPU will combat the trafficking of women and minors, who are often then used as sex workers. According to TPU representatives, even with the deployment of UNMIL, Liberia is a suspected transit point for trafficking victims from other West African countries to Europe²⁰³.

However, there have also been other human security issues that have not received such public attention from UNMIL, in particular the apparent increase in the number of ritualistic killings. There have been numerous reports of people being abducted, and their bodies found mutilated in a ritualistic fashion. The actions of the so-called ‘heart man’, and others involved in the networks of Liberian secret societies wherein ritualistic sacrifice plays a part, have generated great concern among Liberians²⁰⁴. The failure of the NTGL and UNMIL to tackle this issue publicly means that what is a significant human rights concern is seen as going un-addressed, and the public may lose their trust in the UN and NTGL’s ability to establish law and order. As the Liberian Council of Churches stated, ‘this is a new form of warfare, which all peace-loving Liberians must resist, and condemn or else it has the propensity to undermine the peace process since individuals and communities should benefit from justice and protection under the law’.

The Disarmament, Demobilisation, Reintegration and Repatriation Programme (DDRR)

‘to develop, as soon as possible...relevant international financial institutions, international development organisations, and donor nations, an action plan for overall implementation of a disarmament, demobilization, reintegration and

repatriation (DDRR) programme for all armed parties; with particular attention to the special needs of child combatants and women; and addressing the inclusion of non-Liberian combatants’

There will be no peace in Liberia, nor in the region, unless progress is made in dealing with an estimated 58,000 combatants²⁰⁵ present in Liberia, including at least 20,000 child soldiers²⁰⁶, some as young as 9 years old²⁰⁷. Failure to tackle this issue correctly in a region awash with weapons and with porous borders, will condemn West Africa to its continuing cycle of conflict. Secretary-General Kofi Annan stated in his report to the Security Council on improving regional UN cooperation that ‘incomplete disarmament, demobilisation and reintegration of combatants, including children and women, jeopardizes post-conflict reconstruction and increases the chances for a return to violence.’²⁰⁸ The importance of a successful DDRR process and the implications that it would have for the entire Mano River Union (MRU) region cannot be overstated.

DDRR Starts and Stops

The DDRR process got off to an inauspicious start on 8 December 2003, when miscommunication and poor logistical planning resulted in 3 days of rioting by former GOL fighters that left at least 10 combatants and two civilians dead²⁰⁹. While the UN publicised that it would be registering and demobilising fighters, it did not provide secure transportation for them to the meeting point at Elwa Junction; not surprisingly, local taxis refused to take men with weapons in their cars, leading some fighters to commandeer UN and private vehicles by force. Moreover, with only 5,000 troops in the country, UNMIL would have been unprepared had violence escalated more than it did²¹⁰.

There were also logistical problems within the camp itself. Built to host 1,000 combatants over the initial 3-week period disarmament and demobilisation period, Camp Scheffelin was not prepared to handle the 2,000 combatants that showed up on the first day alone²¹¹, let alone the 8,000 that showed up in the first week²¹². While the UN said that up to 400 people per day could be registered at the camp, evidently its ability to house, feed and provide adequate care beyond that 1,000 figure was impossible.

The greatest problem with the start of DDRR in December was the communication failure that came in explaining the process to combatants. The UN intended to pay \$150 to ex-combatants after they had

completed a 3-week disarmament and demobilisation programme. The remaining \$150 was to be paid after they had been reintegrated into their communities. However, due to poor communication many fighters expected to receive \$150 of the \$300 total disarmament payments immediately upon registering and handing in their weapon. Discovering that this money was unavailable when they went to register, hundreds of fighters rampaged through Monrovia and its suburbs, killing one civilian in order to steal her car, looting shops and firing their guns into the air²¹³. The UN quickly changed policy in an attempt to pacify the fighter authorising an immediate \$75 payment to combatants upon registration²¹⁴, with the remainder to be paid out over time. Many combatants responded to this inducement, and took advantage of the UN's disorganisation to go through the registration process more than once. This policy of paying any money upfront has since been dropped, as '[the US\$75 payment] was just to stabilise the security situation'²¹⁵.

The chaos that resulted from the DDRR false start delayed the entire process until 15 April 2004; the UN had originally stated that it would restart the DDRR process on 20 January 2004²¹⁶. The newly redesigned DDRR programme has combatants meeting at disarmament sites to hand in their weapons and ammunition, to be followed by transport to the demobilisation cantonment sites. While originally there were to be only four such sites, there are now plans to create six additional sites in Tapeta, Zwedru, River Cess, Ganta and two other locations to be determined. Cantonment sites will provide food and medical care, and register combatants for various demobilisation and re-education programmes. After a minimum stay of 7 days, ex-combatants will be able to leave the camp with their first payment of US\$150, to return to their communities, for which UN will provide transportation. The second payment of US\$150 will be given out 3 months after they leave the demobilisation camp²¹⁷.

However, just days before the process was to begin, it became apparent that the conditions set by the UN have not all been met²¹⁸, and that there was a large misunderstanding by the leaders of the three armed factions as to how vocational training programme would be carried out. Representative of the GOL, LURD and MODEL demanded that all skills training be carried out immediately at the cantonment compounds, before the combatants returned to their communities. The UN reiterated that demobilised fighters would not receive their vocational training through programmes in their communities, and not at the cantonment sites that were not designed for such a purpose²¹⁹. While that misunderstanding remains unresolved, the re-launch of the DDRR process went ahead according to plan.

It is critical that the DDRR process go forward smoothly, to avoid a repeat of the violence of December, build momentum toward the country's reform programmes, and begin to alleviate the threat that 40-50,000 armed Liberian combatants pose to the regional security. The issues outlined below must be addressed immediately and solutions integrated in an ongoing fashion. Left unresolved, they could undermine the Liberian DDRR process and prevent it from becoming the success that it needs to be, for the sake of both Liberia and the region.

Major Issues that Need to be Addressed

Not including foreign nationals in the whole DDRR scheme.

The Liberian DDRR process as it is currently designed failures to include the hard core of Sierra Leonean, Guinean or Ivorian combatants who have played a key part in the Liberian and regional conflict. Although they are to be disarmed, it is unclear whether foreign combatants will receive the full benefits of retraining and reintegration, or whether they will be simply disarmed and returned to their country of origin. The latter would be a serious mistake, for without providing these fighters with the transferable skills necessary to help them reintegrate into their own societies, they will be more easily drawn back into mercenary activities and the region's cycle of violence will continue.

Not including those who have already been through a DDR process.

Global Witness understands that the DDRR process aims to ensure that individuals do not repeatedly move from conflict to conflict, living off what they can pillage in the course of the war and receive in disarmament payments. However, by excluding those who may have been through a disarmament process in Sierra Leone previously could prove a mistake, as UNMIL must disarm and invest the time and resources in combatants so that they will play a productive role in society, rather than refusing to provide them opportunities at the beginning.

Not enough coordination with Côte d'Ivoire's DDR process. The disparity in pay between Liberia's DDRR and Côte d'Ivoire's is striking.

Liberians are promised a phased cash payment of US\$300, with or without weapon. In Côte d'Ivoire, the total payment is upwards of US\$900, but requires a weapon. This presents an opportunity for Liberian fighters to dramatically increase their disarmament bonus, either by attempting to work themselves into the Ivorian process personally, or through selling excess weapons on to Ivorian fighters in return for a portion of their US\$900 disarmament payment.

This ability to disarm in Liberia without having possession of a weapon also allows for the manipulation of the DDRR process and for weapons to remain in circulation. This helps to explain reports from Liberia's initial DDRR that combatants were handing in virtually useless weapons, some of them rusty, if they handed in any weapons at all. While 11,000 fighters registered for the process during that first week, only 8,500 guns were handed in²²⁰, meaning that at least 2,500 soldiers registered without weapons. While some combatants may have lost or otherwise handed over their weapons to authorities previously, it is likely that many had more than one weapon, with the extra weapons being stored and available for use after the combatants have received their disarmament money.

Maintaining a Presence: Calls to extend UNAMSIL's mandate

Liberia and Côte d'Ivoire are still highly volatile, Guinea could be destabilised easily, and Sierra Leone is still recovering from a civil war and trying to secure its own borders. If UNAMSIL were to withdraw too quickly, before the DDRR process in Liberia is completed and the security situation has significantly improved, could produce what is perceived to be a weak link in the region that combatants may try to exploit. The UN has recently responded to these calls, and agreed to extend UNAMSIL's mandate through the end of the Liberia's disarmament phase. However, Global Witness calls on the UN to maintain a robust presence in Sierra Leone, in conjunction with its upcoming peacekeeping mission to Côte d'Ivoire, until the entire DDRR process in Liberia is completed, to ensure that progress made in all three countries is not threatened due to the lack of a UN peacekeeping presence.

Annex III

Kofi Annan's Suggestions for Reform

UN SECRETARY-GENERAL Annan recently released a policy briefing to the Security Council, detailing his plans to increase the effectiveness of UN efforts in West Africa. Global Witness agrees strongly with Annan's long-term approach to reconstruction in the region, as 'the international community should also maintain a significant and robust presence in post-conflict countries to prevent regression into conflict and to promote the consolidation of good governance and national ownership of the peace-building process'²²¹. The primary recommendation is better coordination among the various UN missions in West Africa, and between those missions and regional organisations like ECOWAS and the Mano River Union, an effort to be aided the new UN Office for West Africa.

Coordinated Border Security – especially to prevent arms and timber trafficking

Such coordination of activities will require significant cooperation within and among the region's governments. Internally, transitional governments will have to put aside vested interests to allow UN peacekeepers the access and authority necessary to carry out their duties; externally, countries must also abide by UN resolutions banning their support, direct or otherwise, of destabilising rebel forces operating on their own territory or neighbouring countries.

Progress has already made toward this goal, with UN peacekeepers in Sierra Leone deployed near its key border areas with Liberia, and the French in Côte d'Ivoire deployed along the southern section of its border with Liberia. UNMIL has also deployed Namibian peacekeeping troops toward the border with Sierra Leone, setting up positions on the main

road from Monrovia to the Sierra Leone border, specifically in in Sinje, Gbah and Tienne, establishing themselves in LURD-held territory²²². The UN is also regularly patrolling with helicopter gunships along the eastern frontier with Côte d'Ivoire, Guinea and Sierra Leone, to control illegal logging and other 'unauthorised border movements'. This aerial surveillance is to be followed by the deployment of military observers, to monitor illegal activities, in particular weapons and natural resource smuggling²²³. Such coordinated monitoring is fundamental to successfully preventing the cross-border trade in conflict commodities that has fuelled the war in Liberia to this point.

Preventing Arms Trafficking

Such better coordination of peacekeeping and military observer units in West Africa will help to map out illegal activity throughout the region, especially illegal arms trafficking. Understanding how the regional arms trade system operates, including identifying the key countries and actors involved, is key to successfully targeting violators and holding them accountable.

To complement such intelligence gathering and targeted investigations, it will also be important to implement the many protocols and agreements already in existence, if not signed and ratified by ECOWAS members. Even basic agreements, like the ECOWAS Moratorium on Small Arms, have been repeatedly and flagrantly violated. Annan notes that this system is voluntary, and as such more easily overlooked; his suggestion that ECOWAS make the moratorium legally binding, and subject to Security Council sanctions in the event of violations, is sound. However, the onus should also be shared with western countries. The Moratorium has been in place since 1998, and yet arms producing countries, and their weaponry exporting companies, continue to facilitate the transfer of weapons to ECOWAS member states. While not illegal under international law, greater pressure should be brought upon exporters to abide by the ECOWAS directive, and prevent the export of weapons, whether directly or by serving as a transit point, to ECOWAS member states.

Displaced children living in abandoned hotel, Monrovia, March 2004



Annex IV



The Mandate of the United Nations Mission in Liberia (UNMIL)

The United Nations Mission in Liberia (UNMIL) was established by Security Council resolution 1509 (2003) of 19 September 2003 with the following mandate:

Support for Implementation of the Ceasefire Agreement:

- (a) to observe and monitor the implementation of the ceasefire agreement and investigate violations of the ceasefire;
- (b) to establish and maintain continuous liaison with the field headquarters of all the parties' military forces;
- (c) to assist in the development of cantonment sites and to provide security at these sites;
- (d) to observe and monitor disengagement and cantonment of military forces of all the parties;
- (e) to support the work of the Joint Monitoring Committee (JMC);
- (f) to develop, as soon as possible, preferably within 30 days of the adoption of this resolution, in cooperation with the JMC, relevant international financial institutions, international development organizations, and donor nations, an action plan for the overall implementation of a disarmament, demobilization, reintegration, and repatriation (DDRR) programme for all armed parties; with particular attention to the special needs of child combatants and women; and addressing the inclusion of non-Liberian combatants;
- (g) to carry out voluntary disarmament and to collect and destroy weapons and ammunition as part of an organized DDRR programme;
- (h) to liaise with the JMC and to advise on the implementation of its functions under the Comprehensive Peace Agreement and the ceasefire agreement;
- (i) to provide security at key government installations, in particular ports, airports, and other vital infrastructure;

Protection of United Nations Staff, Facilities and Civilians:

- (j) to protect United Nations personnel, facilities, installations and equipment, ensure the security and freedom of movement of its personnel and, without prejudice to the efforts of the government, to protect civilians under imminent threat of physical violence, within its capabilities;

Support for Humanitarian and Human Rights Assistance:

- (k) to facilitate the provision of humanitarian assistance, including by helping to establish the necessary security conditions;
- (l) to contribute towards international efforts to protect and promote human rights in Liberia, with particular attention to vulnerable groups including refugees, returning refugees and internally displaced persons, women, children, and demobilized child soldiers, within UNMIL's capabilities and under acceptable security conditions, in close cooperation with other United Nations agencies, related organizations, governmental organizations, and non-governmental organizations;
- (m) to ensure an adequate human rights presence, capacity and expertise within UNMIL to carry out human rights promotion, protection, and monitoring activities;

Support for Security Reform:

- (n) to assist the transitional government of Liberia in monitoring and restructuring the police force of Liberia, consistent with democratic policing, to develop a civilian police training programme, and to otherwise assist in the training of civilian police, in cooperation with the Economic Community of West African States (ECOWAS), international organizations, and interested States;
- (o) to assist the transitional government in the formation of a new and restructured Liberian military in cooperation with ECOWAS, international organizations and interested States;

Support for Implementation of the Peace Process:

- (p) to assist the transitional Government, in conjunction with ECOWAS and other international partners, in reestablishment of national authority throughout the country, including the establishment of a functioning administrative structure at both the national and local levels;
- (q) to assist the transitional government in conjunction with ECOWAS and other international partners in developing a strategy to consolidate governmental institutions, including a national legal framework and judicial and correctional institutions;
- (r) to assist the transitional government in restoring proper administration of natural resources;
- (s) to assist the transitional government, in conjunction with ECOWAS and other international partners, in preparing for national elections scheduled for no later than the end of 2005.

Annex V

**UN Security Council
Resolution 1478 (2003),
adopted at its 4751st
meeting, on 6 May 2003**

The Security Council,

Recalling its resolutions 1132 (1997) of 8 October 1997, 1171 (1998) of 5 June 1998, 1306 (2000) of 5 July 2000, 1343 (2001) of 7 March 2001, 1385 (2001) of 19 December 2001, 1395 (2002) of 27 February 2002, 1400 (2002) of 28 March 2002, 1408 (2002) of 6 May 2002, 1458 (2003) of 28 January 2003, 1467 (2003) of 18 March 2003 and its other resolutions and statements of its President on the situation in the region,

Taking note of the Secretary-General's report of 22 April 2003 (S/2003/466),

Taking note of the reports of the United Nations Panel of Experts on Liberia dated 25 October 2002 (S/2002/1115) and 24 April 2003 (S/2003/498) submitted pursuant to paragraph 16 of resolution 1408 (2002) and paragraph 4 of resolution 1458 (2003) respectively,

Expressing serious concern at the findings of the Panel of Experts about the actions of the Government of Liberia and the LURD and other armed rebel groups, including the evidence that the Government of Liberia continues to breach the measures imposed by resolution 1343 (2001), particularly through the acquisition of arms,

Welcoming General Assembly Resolution A/Res/57/302 of 15 April 2003, and Security Council resolution 1459 (2003), welcoming the launch of the Kimberley Process on 1 January 2003, and recalling its concern at the role played by the illicit trade in diamonds in the conflict in the region,

Welcoming the continued efforts of the Economic Community of West African States (ECOWAS) and the International Contact Group on Liberia to work towards the restoration of peace and stability in the region, particularly the appointment of former President Abubakar of Nigeria as a mediator in the conflict in Liberia,

Noting the positive effects of the Rabat Process on peace and security in the subregion, and encouraging all countries of the Mano River Union to reinvigorate the Rabat Process with further meetings and renewed cooperation,

Encouraging civil society initiatives in the region, including those of the Mano River Union Women's Peace Network, to continue their contribution towards regional peace,

Welcoming the summit meeting between the Presidents of Liberia and Côte d'Ivoire held in Togo on 26 April 2003, and encouraging them to continue dialogue,

Calling on all States, in particular the Government of Liberia, to cooperate fully with the Special Court for Sierra Leone,

Recalling the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa adopted in Abuja on 31 October 1998 (S/1998/1194, annex), and its extension from 5 July 2001 (S/2001/700),

Deeply concerned by the deteriorating humanitarian situation and widespread human rights violations in Liberia, and by the serious instability in Liberia and neighbouring countries, including Côte d'Ivoire,

Determining that the active support provided by the Government of Liberia to armed rebel groups in the region, including to rebels in Côte d'Ivoire and former Revolutionary United Front (RUF) combatants who continue to destabilize the region, constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the Government of Liberia has not complied fully with the demands in resolution 1343 (2001);

2. *Notes with concern* that the new aircraft registry updated by the Government of Liberia in response to the demand in paragraph 2 (c) of resolution 1343 (2001) remains inactive;

3. *Stresses* that the demands referred to in paragraph 1 above are intended to help consolidate and assure peace and stability in Sierra Leone and to build and strengthen peaceful relations among the countries of the region;

4. *Calls upon* all States in the region, particularly the Government of Liberia, to participate actively in all regional peace initiatives, particularly those of ECOWAS, the International Contact Group, the Mano River Union and the Rabat Process, and expresses its strong support for these initiatives;

5. *Calls upon* the Government of Liberia and the LURD to enter without delay into bilateral ceasefire negotiations under the auspices of ECOWAS and the mediation of former President Abubakar of Nigeria;

6. *Stresses* its readiness to grant exemptions from the measures imposed by paragraph 7 (a) of resolution 1343 (2001) in cases of travel which would assist in the peaceful resolution of the conflict in the subregion;

7. *Welcomes* the Government of Liberia's agreement to the revised mandate of the United Nations Office in Liberia and calls on the Government to respond constructively to the Council's statement of 13 December 2002 (S/PRST/2002/36);

8. *Calls upon* the Government of Liberia and all parties, particularly the LURD and other armed rebel groups, to ensure unimpeded and safe movement for the personnel of United Nations humanitarian agencies and non-governmental organizations, to end the use of child soldiers and to prevent sexual violence and torture;

9. *Reiterates* its demand that all States in the region cease military support for armed groups in neighbouring countries, take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any actions that might contribute to further destabilization of the situation in the region, and declares its readiness to consider, if necessary, ways of promoting compliance with this demand;

10. *Decides* that the measures imposed by paragraphs 5 to 7 of resolution 1343 (2001) shall remain in force for a further period of 12 months from 00:01 Eastern Daylight Time on 7 May 2003, and that, before the end of this period, the Council will decide whether the Government of Liberia has complied with the demands referred to in paragraph 1 above, and, accordingly, whether to extend these measures for a further period with the same conditions;

11. *Recalls* that the measures imposed by paragraph 5 of resolution 1343 (2001) apply to all sales or supply of arms and related materiel to any recipient in Liberia, including all non-State actors, such as Liberians United for Reconciliation and Democracy (LURD);

12. *Decides* that the measures imposed by paragraphs 5 to 7 of resolution 1343 (2001) and by paragraph 17 below shall be terminated immediately if the Council, taking into account, inter alia, the reports of the Panel of Experts referred to in paragraph 25 below and of the Secretary-General referred to in paragraph 20 below, inputs from ECOWAS, any relevant information provided by the Committee established pursuant to paragraph 14 of resolution 1343 (2001) ("the Committee") and the Committee established pursuant to resolution 1132 (1997) and any other relevant information, particularly the conclusions of its forthcoming mission to West Africa, determines that the Government of Liberia has complied with the demands referred to in paragraph 1 above;

13. *Reiterates* its call upon the Government of Liberia to establish an effective Certificate of Origin regime for Liberian rough diamonds that is transparent, internationally verifiable and fully compatible with the Kimberley Process, and to provide the Committee with a detailed description of the proposed regime;

14. *Notwithstanding* paragraph 15 of resolution 1343 (2001), decides that rough diamonds controlled by the Government of Liberia through the Certificate of Origin regime shall be exempt from the measures imposed by paragraph 6 of resolution 1343 (2001) when the Committee has reported to the Council, taking into account expert advice obtained through the Secretary-General, that an effective and internationally verifiable regime is ready to become fully operational and to be properly implemented;

15. *Calls again* upon States, relevant international organizations and other bodies in a position to do so to offer assistance to the Government of Liberia and other diamond exporting countries in West Africa with their Certificate of Origin regimes;

16. *Considers* that the audits commissioned by the Government of Liberia pursuant to paragraph 10 of resolution 1408 (2002) do not demonstrate that the revenue derived by the Government of Liberia from the Liberia Ship and Corporate Registry and the Liberian timber industry is used for legitimate social, humanitarian and development purposes, and is not used in violation of resolution 1408 (2002);

17. *Decides* that

(a) all States shall take the necessary measures to prevent, for a period of 10 months, the import into their territories of all round logs and timber products originating in Liberia;

(b) these measures shall come into force at 00:01 Eastern Daylight Time on 7 July 2003, unless the Council decides otherwise;

(c) at the end of this period of 10 months, the Council will decide whether the Government of Liberia has complied with the demands referred to in paragraph 1 above, and, accordingly, whether to extend these measures for a further period with the same conditions;

18. *Decides* to consider by 7 September 2003 how best to minimize any humanitarian or socio-economic impact of the measures imposed by paragraph 17 above, including the possibility of allowing timber exports to resume in order to fund humanitarian programmes, taking into account the recommendations of the expert panel requested in paragraph 25 below and the assessment of the Secretary-General requested in paragraph 19 below;

19. *Requests* the Secretary-General to submit a report to the Council by 7 August 2003 on the possible humanitarian or socio-economic impact of the measures imposed by paragraph 17 above;

20. *Requests* the Secretary-General to submit a report to the Council by 21 October 2003 and thereafter at six-monthly intervals from that date, drawing on information from all relevant sources, including the United Nations Office in Liberia, the United Nations Mission in Sierra Leone (UNAMSIL) and ECOWAS, on whether Liberia has complied with the demands referred to in paragraph 1 above, and calls on the Government of Liberia to support United Nations efforts to verify all information on compliance which is brought to the United Nations notice;

21. *Invites* ECOWAS to report regularly to the Committee on all activities undertaken by its members pursuant to paragraphs 10 and 17 above and in the implementation of this resolution, particularly on the implementation of the ECOWAS Moratorium on small arms and light weapons referred to in the preamble of this resolution;

22. *Calls* on States of the subregion to strengthen the measures they have taken to combat the spread of small arms and light weapons and mercenary activities and to improve the effectiveness of the ECOWAS Moratorium, and urges States in a position to do so to provide assistance to ECOWAS to this end;

23. *Calls* on all parties to conflicts in the region to include disarmament, demobilization and reintegration provisions in peace agreements;

24. *Requests* the Committee to carry out the tasks set out in this resolution and to continue with its mandate as set out in paragraph 14 (a)-(h) of resolution 1343 (2001) and in resolution 1408 (2002);

25. *Requests* the Secretary-General to establish, within one month from the date of adoption of this resolution, in consultation with the Committee, for a period of five months, a Panel of Experts consisting of up to six members, with the range of expertise necessary to fulfil the Panel's mandate described in this paragraph, drawing as much as possible and as appropriate on the expertise of the members of the Panel of Experts established pursuant to resolution 1458 (2003), to undertake the following tasks:

(a) to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the Government of Liberia's compliance with the demands referred to in paragraph 1 above, and on any violations of the measures referred to in paragraphs 10 and 17 above, including any involving rebel movements;

(b) to investigate whether any revenues of the Government of Liberia are used in violation of this resolution, with particular emphasis on the effect on the Liberian populace of any possible diversion of funds from civilian purposes;

(c) to assess the possible humanitarian and socio-economic impact of the measures imposed by paragraph 17 above and to make recommendations to the Council through the Committee by 7 August 2003 on how to minimize any such impact;

(d) to report to the Council through the Committee no later than 7 October 2003 with observations and recommendations, particularly on how to improve the effectiveness of implementing and monitoring the measures referred to in paragraph 5 of resolution 1343 (2001), including any recommendations pertinent to paragraphs 28 and 29 below,

and further requests the Secretary-General to provide the necessary resources;

26. *Requests* the Panel of Experts referred to in paragraph 25 above, as far as possible, to bring any relevant information collected in the course of its investigations conducted in accordance with its mandate to the attention of the States concerned for prompt and thorough investigation and, where appropriate, corrective action, and to allow them the right of reply;

27. *Calls upon* all States to take appropriate measures to ensure that individuals and companies in their jurisdiction, in particular those referred to in the reports of the Panel of Experts established pursuant to resolutions 1343 (2001), 1395 (2002), 1408 (2002) and 1458 (2003), act in conformity with United Nations embargoes, in particular those established by resolutions 1171 (1998), 1306 (2000) and 1343 (2001), and, as appropriate, to take the necessary judicial and administrative action to end any illegal activities by those individuals and companies;

28. *Decides* that all States shall take the necessary measures to prevent entry into or transit through their territories of any individuals, including from the LURD or other armed rebel groups, determined by the Committee, taking account of information provided by the Panel of Experts and other relevant sources, to be in violation of paragraph 5 of resolution 1343 (2001), provided that nothing in this paragraph shall oblige a State to refuse entry into its territory by its own nationals;

29. *Requests* the Committee to establish, maintain and update, taking account of information provided by the Panel of Experts and other relevant sources, a list of air and maritime companies whose aircraft and vessels have been used in violation of paragraph 5 of resolution 1343 (2001);

30. *Calls* on all member States of ECOWAS to cooperate fully with the Panel of Experts in the identification of such aircraft and vessels, and in particular to inform the Panel about any transit on their territory of aircraft and vessels suspected of being used in violation of paragraph 5 of resolution 1343 (2001);

31. *Asks* the Government of Liberia to authorize the Approach and Control Unit at Robertsfield International Airport to provide regularly to the Flight Information Region in Conakry statistical data related to aircraft listed pursuant to paragraph 29 above;

32. *Decides* to conduct reviews of the measures referred to in paragraphs 10 and 17 above before 7 November 2003, and every six months thereafter;

33. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and all interested parties to cooperate fully with the Committee and Panel of Experts referred to in paragraph 25 above, including by supplying information on possible violations of the measures referred to in paragraphs 10 and 17 above;

34. *Decides* to remain actively seized of the matter.

Annex VI



**UN Security Council
Resolution 1521 (2003),
adopted at its 4890th
meeting, on 22
December 2003**

The Security Council,

Recalling its previous resolutions and statements by its President on the situation in Liberia and West Africa,

Taking note of the reports of the United Nations Panel of Experts on Liberia dated 7 August 2003 (S/2003/779) and 28 October 2003 (S/2003/937 and S/2003/937/Add.1) submitted pursuant to resolution 1478 (2003),

Expressing serious concern at the findings of the Panel of Experts that the measures imposed by resolution 1343 (2001) continue to be breached, particularly through the acquisition of arms,

Welcoming the Comprehensive Peace Agreement signed by the former Government of Liberia, Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) on 18 August 2003 in Accra, and that the National Transitional Government of Liberia under Chairman Gyude Bryant took office on 14 October 2003,

Calling upon all States in the region, particularly the National Transitional Government of Liberia, to work together to build lasting regional peace, including through the Economic Community of West African States (ECOWAS), the International Contact Group on Liberia, the Mano River Union and the Rabat Process,

Noting with concern, however, that the ceasefire and the Comprehensive Peace Agreement are not yet being universally implemented throughout Liberia, and that much of the country remains outside the authority of the National Transitional Government of Liberia, particularly those areas to which the United Nations Mission in Liberia (UNMIL) has not yet deployed,

Recognizing the linkage between the illegal exploitation of natural resources such as diamonds and timber, illicit trade in such resources, and the proliferation and trafficking of illegal arms as a major source of fuelling and exacerbating conflicts in West Africa, particularly in Liberia,

Determining that the situation in Liberia and the proliferation of arms and armed non-State actors, including mercenaries, in the subregion continue to constitute a threat to international peace and security in West Africa, in particular to the peace process in Liberia,

Acting under Chapter VII of the Charter of the United Nations,

A

Recalling its resolutions 1343 (2001) of 7 March 2001, 1408 (2002) of 6 May 2002, 1478 (2003) of 6 May 2003, 1497 (2003) of 1 August 2003, and 1509 (2003) of 19 September 2003,

Noting that the changed circumstances in Liberia, in particular the departure of former President Charles Taylor and the formation of the National Transitional Government of Liberia, and progress with the peace process in Sierra Leone, require the Council's determination for action under Chapter VII to be revised to reflect these altered circumstances,

1. *Decides* to terminate the prohibitions imposed by paragraphs 5, 6, and 7 of resolution 1343 (2001) and paragraphs 17 and 28 of resolution 1478 (2003) and to dissolve the committee established under resolution 1343 (2001);

B

2. (a) *Decides* that all States shall take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territories;

(b) *Decides* that all States shall take the necessary measures to prevent any provision to Liberia by their nationals or from their territories of technical training or assistance related to the provision,

manufacture, maintenance or use of the items in subparagraph (a) above;

(c) *Reaffirms* that the measures in subparagraphs (a) and (b) above apply to all sales or supply of arms and related materiel destined for any recipient in Liberia, including all non-State actors, such as LURD and MODEL, and to all former and current militias and armed groups;

(d) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of or use by UNMIL;

(e) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of or use in an international training and reform programme for the Liberian armed forces and police, as approved in advance by the Committee established by paragraph 21 below ("the Committee");

(f) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee;

(g) *Affirms* that the measures imposed by subparagraph (a) above do not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

3. *Demands* that all States in West Africa take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization of the situation in the subregion;

4. (a) *Decides also* that all States shall take the necessary measures to prevent the entry into or transit through their territories of all such individuals, as designated by the Committee, who constitute a threat to the peace process in Liberia, or who are engaged in activities aimed at undermining peace and stability in Liberia and the subregion, including those senior members of former President Charles Taylor's Government and their spouses and members of Liberia's former armed forces who retain links to former President Charles Taylor, those individuals determined by the Committee to be in violation of paragraph 2 above, and any other individuals, or individuals associated with entities, providing financial or military support to armed rebel groups in Liberia or in countries in the region, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

(b) *Decides* that the measures in paragraph 4 (a) above shall continue to apply to the individuals already designated pursuant to paragraph 7 (a) of resolution 1343 (2001), pending the designation of individuals by the Committee as required by and in accordance with paragraph 4 (a) above;

(c) *Decides* that the measures imposed by subparagraph 4 (a) above shall not apply where the Committee determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of the Council's resolutions, for the creation of peace, stability and democracy in Liberia and lasting peace in the subregion;

5. *Expresses* its readiness to terminate the measures imposed by paragraphs 2 (a) and (b) and 4 (a) above when the Council determines that the ceasefire in Liberia is being fully respected and maintained, disarmament, demobilization, reintegration, repatriation and restructuring of the security sector have been completed, the provisions of the Comprehensive Peace Agreement are being fully implemented, and significant progress has been made in establishing and maintaining stability in Liberia and the subregion;

6. *Decides* that all States shall take the necessary measures to prevent the direct or indirect import of all rough diamonds from Liberia to their territory, whether or not such diamonds originated in Liberia;

7. *Calls upon* the National Transitional Government of Liberia to take urgent steps to establish an effective Certificate of Origin regime for trade in Liberian rough diamonds that is transparent and internationally verifiable with a view to joining the Kimberley Process,

and to provide the Committee with a detailed description of the proposed regime;

8. *Expresses* its readiness to terminate the measures referred to in paragraph 6 above when the Committee, taking into account expert advice, decides that Liberia has established a transparent, effective and internationally verifiable Certificate of Origin regime for Liberian rough diamonds;

9. *Encourages* the National Transitional Government of Liberia to take steps to join the Kimberley Process as soon as possible;

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;

14. *Urges* all parties to the Comprehensive Peace Agreement of 18 August 2003 to implement fully their commitments and fulfil their responsibilities in the National Transitional Government of Liberia, and not to hinder the restoration of the Government's authority throughout the country, particularly over natural resources;

15. *Calls upon* States, relevant international organizations and others in a position to do so to offer assistance to the National Transitional Government of Liberia in achieving the objectives in paragraphs 7, 11 and 13 above, including the promotion of responsible and environmentally sustainable business practices in the timber industry, and to offer assistance with the implementation of the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa adopted in Abuja on 31 October 1998 (S/1998/1194, annex);

16. *Encourages* the United Nations and other donors to assist the Liberian civil aviation authorities, including through technical assistance, in improving the professionalism of their staff and their training capabilities and in complying with the standards and practices of the International Civil Aviation Organization;

17. *Takes note* of the establishment by the National Transitional Government of Liberia of a review committee with the task of establishing procedures to fulfil the demands of the Security Council for the lifting of the measures imposed under this resolution;

18. *Decides* that the measures in paragraphs 2, 4, 6 and 10 above are established for 12 months from the date of adoption of this resolution, unless otherwise decided, and that, at the end of this period, the Council will review the position, assess progress towards the goals in paragraphs 5, 7, and 11 and decide accordingly whether to continue these measures;

19. *Decides* to review the measures in paragraphs 2, 4, 6 and 10 above by 17 June 2004, to assess progress towards the goals in paragraphs 5, 7, and 11 and decide accordingly whether to terminate these measures;

20. *Decides* to keep under regular review the measures imposed by paragraphs 6 and 10 above, so as to terminate them as soon as possible once the conditions in paragraphs 7 and 11 have been met, in order to create revenue for the reconstruction and development of Liberia;

21. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks:

(a) to monitor the implementation of the measures in paragraphs

2, 4, 6 and 10 above, taking into consideration the reports of the expert panel established by paragraph 22 below;

(b) to seek from all States, particularly those in the subregion, information about the actions taken by them to implement effectively those measures;

(c) to consider and decide upon requests for the exemptions set out in paragraphs 2 (e), 2 (f) and 4 (c) above;

(d) to designate the individuals subject to the measures imposed by paragraph 4 above and to update this list regularly;

(e) to make relevant information publicly available through appropriate media, including the list referred to in subparagraph (d) above;

(f) to consider and take appropriate action, within the framework of this resolution, on pending issues or concerns brought to its attention concerning the measures imposed by resolutions 1343 (2001), 1408 (2002) and 1478 (2003) while those resolutions were in force;

(g) to report to the Council with its observations and recommendations;

22. *Requests* the Secretary-General to establish, within one month from the date of adoption of this resolution, in consultation with the Committee, for a period of five months, a Panel of Experts consisting of up to five members, with the range of expertise necessary to fulfil the Panel's mandate described in this paragraph, drawing as much as possible on the expertise of the members of the Panel of Experts established pursuant to resolution 1478 (2003), to undertake the following tasks:

(a) to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the implementation, and any violations, of the measures referred to in paragraphs 2, 4, 6 and 10 above, including any violations involving rebel movements and neighbouring countries, and including any information relevant to the Committee's designation of the individuals described in paragraph 4 (a) above, and including the various sources of financing, such as from natural resources, for the illicit trade of arms;

(b) to assess the progress made towards the goals described in paragraphs 5, 7 and 11 above;

(c) to report to the Council through the Committee no later than 30 May 2004 with observations and recommendations, including, inter alia, how to minimize any humanitarian and socio-economic impact of the measures imposed by paragraph 10 above;

23. *Welcomes* UNMIL's readiness, within its capabilities, its areas of deployment and without prejudice to its mandate, once it is fully deployed and carrying out its core functions, to assist the Committee established by paragraph 21 above and the Panel of Experts established by paragraph 22 above in monitoring the measures in paragraphs 2, 4, 6 and 10 above, and requests the United Nations Mission in Sierra Leone and the United Nations Mission in Côte d'Ivoire, likewise without prejudicing their capacities to carry out their respective mandates, to assist the Committee and the Panel of Experts by passing to the Committee and the Panel any information relevant to the implementation of the measures in paragraphs 2, 4, 6 and 10, in the context of enhanced coordination among United Nations missions and offices in West Africa;

24. *Reiterates* its call on the international donor community to provide assistance for the implementation of a programme of disarmament, demobilization, reintegration and repatriation, and sustained international assistance to the peace process, and to contribute generously to consolidated humanitarian appeals, and further requests the donor community to respond to the immediate financial, administrative and technical needs of the National Transitional Government of Liberia;

25. *Encourages* the National Transitional Government of Liberia to undertake, with the assistance of UNMIL, appropriate actions to sensitize the Liberian population to the rationale of the measures in this resolution, including the criteria for their termination;

26. *Requests* the Secretary-General to submit a report to the Council by 30 May 2004, drawing on information from all relevant sources, including the National Transitional Government of Liberia, UNMIL and ECOWAS, on progress made towards the goals described in paragraphs 5, 7 and 11 above;

27. *Decides* to remain seized of the matter.

Annex VII

Proposal by the Non-Governmental Organizations Coalition for Liberia for an immediate moratorium on all commercial activities in the extractive industries in Liberia

10 July 2003

The International Contact Group on Liberia

The Mediator and Facilitators of the Ghana Peace Talks

Representatives of Governments at the Ghana Talks

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 unravelling in Liberia and the subregion. 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,

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 ongoing 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;
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 Mediator 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 memorandum; 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.

Background

During the last 14 years the Liberian civil war has claimed more than 300,000 lives and displaced more than a million people. Throughout this terrible crisis, the warring parties have financed themselves through the exploitation and export of the country's natural resources especially timber and diamonds. The revenue derived from these natural resources have permitted the warring factions to prolong and sustain the conflict further exacerbating the security and humanitarian crisis in the country and by extension the entire subregion.

Various studies have established a clear link and relationship between the exploitation of natural resources and the spread and consolidation of the civil conflict in Liberia. It is also clearly established that all of the warring factions either traded at one point in the conflict or are presently trading in natural resources to fund and sustain their war activities. Interestingly, some of the heavily contested territories are areas that are naturally endowed.

On a broader scale, natural resources especially timber and diamonds, are at the core of much competition, corruption, and conflict between citizens, various levels of government and the private sector in Liberia. Also, given their importance to household livelihoods and local level well-being, access to valuable natural resources is the bread-and-butter issue that democracy and good governance must deliver on. It has also been the single most important issue associated with the widespread abuse and violation of human rights in Liberia. As such, they offer a unique and powerful lens to promote systemic governance reforms. Hence, improving environmental governance is crucial to institutionalizing fundamental democratic principles in Liberia, such as public participation, representation, and accountability during these crucial times.

Hence, the proposal to impose an immediate moratorium on commercial activities in the extractive industry in Liberia comes against the background of past experiences and existing realities. So far, there has been no indication or reason this practice will not continue when the ceasefire agreement is finally put into place. It must be emphasized that natural resources remain Liberia's most important sources of wealth and power. They drive the national economy, corporate profits, and household incomes. Gaining access to Liberia's natural resources has always been a justification for seeking public office and considered a reward for winning public office. Once in office those same resources generate riches for the powerful and are used for patronage purposes to stay in power. We strongly believe that a peaceful Liberia requires that we put an end to this trend.

To support the search for peace and promote democracy and good governance while protecting Liberia's biological diversity, an immediate moratorium on commercial activities in the entire extractive industry is necessary so that access to these resources do not serve as a disincentive for peace.

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- 3 Global Witness interview with Global Timber Company (GTC) executive, January 2003.
- 4 UN Panel of Experts on Liberia report, S/2003/779.
- 5 Abbas Fawaz letter to the UN Secretary-General, December 2001, in which he states, 'I am the President and majority shareholder of MWPI'; UN Panel of Experts on Liberia report, S/2003/779.
- 6 UN Panel of Experts on Liberia report, S/2003/779.
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- 8 UN Expert Panel Report on Sierra Leone (S/2000/1195), 'Van Kouwenhoven is responsible for the logistical aspects of many of the arms deals. Through his interests in a Malaysian timber project in Liberia, he organises the transfer of weaponry from Monrovia into Sierra Leone.'
- 9 Kouwenhoven's official working title is unclear. UN Expert Panel on Liberia report (S/2001/1015) refers to Kouwenhoven as 'chairman'; an article on OTC and interview with Gus Kouwenhoven, as found at www.winne.com, refers to Kouwenhoven as 'President'; and Global Witness research finds Kouwenhoven referred to as 'Managing Director' of OTC.
- 10 UN Panel of Experts on Liberia report, S/2003/779.
- 11 UN Panel of Experts on Liberia report, S/2003/779.
- 12 'List of individuals to the measures imposed by paragraph 4 of Security Council Resolution 1521 (2003) concerning Liberia,' dated 16 March 2004.
- 13 See the Special Court for Sierra Leone indictment of Charles Taylor, found at www.sc-sl.org.
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- 23 'List of individuals to the measures imposed by paragraph 4 of Security Council Resolution 1521 (2003) concerning Liberia,' dated 16 March 2004.
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- 25 Abbas Fawaz letter to the UN Secretary-General, December 2001, in which he states, 'I am the President and majority shareholder of MWPI'.
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- 29 UN Panel of Experts on Liberia report, S/2001/1015.
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- 32 Abbas Fawaz letter to the UN Secretary-General, December 2001.
- 33 Kouwenhoven's official working title is unclear. UN Expert Panel on Liberia report (S/2001/1015) refers to Kouwenhoven as 'chairman'; an article on OTC and interview with Gus Kouwenhoven, as found at www.winne.com, refers to Kouwenhoven as 'President'; and Global Witness research finds Kouwenhoven referred to as 'Managing Director' of OTC.
- 34 UN Panel of Experts on Liberia report, S/2003/779, lists Kouwenhoven as part owner, with Joseph Kiai-Tai Wong, of the Oriental Timber Company (OTC) and Natura Liberia Incorporated (Natura), as well as owner of the Royal Timber Company (RTC); UN Panel of Experts on Liberia report, S/2001/1015, 'Royal Timber company (RTC)...is also run by Gus Kouwenhoven'; Interview with Gus Kouwenhoven, as found at www.Winne.com, 'I formed a new corporation, Royal Timber Company (RTC), which was a combination of several concession areas covering several different companies that I already owned'.
- 35 'Press Release SC/8033: Security Council Committee on Liberia includes additional information in travel bank list', *UN Security Council webpage*, 23 March 2004; UN Expert Panel Report on Sierra Leone (S/2000/1195), 'Van Kouwenhoven is responsible for the logistical aspects of many of the arms deals. Through his interests in a Malaysian timber project in Liberia, he organises the transfer of weaponry from Monrovia into Sierra Leone.'
- 36 UN Panel of Experts on Liberia report, S/2003/937.
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- 39 UN Panel of Experts on Liberia report, S/2003/470.
- 40 'List of individuals to the measures imposed by paragraph 4 of Security Council Resolution 1521 (2003) concerning Liberia,' dated 16 March 2004.
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- 53 Global Witness interviews with Liberian logging industry workers, 2001, 2002 and 2003; Ferricks L. Dainsec, 'In Buchanan: OTC operating Private Prison, Barracks?', *The Inquirer (Monrovia)*, 8 May 2000; Teahjay, 2001.
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