



## **CDR Background Papers on Refugees and Asylum Seekers**

# **BACKGROUND PAPER ON LIBERIAN REFUGEES AND ASYLUM SEEKERS**

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This information paper was prepared in the Country Information Unit of the Centre for Documentation and Research on the basis of publicly available information, analysis and comment, and in collaboration with the UNHCR Statistics Unit. All sources are cited. This paper is not, and does not purport to be, fully exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum.

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## **PREFACE**

Liberia has been an important source country of refugees and asylum-seekers in the past few years. This paper seeks to define the scope, destination, and causes of their movement.

In the first part, the paper provides a statistical overview of Liberian refugees and asylum-seekers in Western European States, describing current trends in the number and origin of asylum requests as well as the results of their status determination. The data are derived from government statistics made available to UNHCR and compiled by its Food and Statistical Unit. This is followed by an overview of the situation of Liberian refugees in other African countries.

The second part of the paper contains information regarding the conditions in the country of origin, which are often invoked by asylum-seekers when submitting their claim for refugee status. The Country Information Unit of the UNHCR's Centre for Documentation and Research (CDR) conducts its research on the basis of publicly available information, analysis and comment, with all sources cited and available in full.

## **1. Asylum Seekers in Europe**

### **1.1 Introduction**

This Chapter provides a statistical analysis of Liberian refugees and asylum-seekers in Europe. The analysis of national asylum-seeker and asylum adjudication statistics, however, poses a number of challenges.

Firstly, there are no common standards for the recording, compilation and dissemination of these statistics. As a result, their frequency, coverage, and format differ significantly between countries. For example, a number of countries, including Denmark and France, include resettlement arrivals in the asylum statistics which influences both the number of asylum applications and the percentage of positive decisions.

Secondly, it is often not clear who is counted and who is not. Thus, the statistics may refer to adults,

principal applicants ("cases"), or all persons.

In some countries, asylum-seekers are not admitted to the normal eligibility procedures because they come from, or have transited through, a country which is considered "safe". Others are returned at the border as undocumented migrants or are denied travel to the country a result of pre-boarding checks arising from carrier sanctions. It is in most cases unclear whether asylum-seekers who are denied access to status determination procedures on these and similar grounds are included in the asylum statistics.

As countries report with a varying pace, the 1994 data have been made comparable with 1993 by using average monthly figures. The total cumulative number of asylum-seekers since 1 January 1994 has been divided by the number of months for which the data were reported. Through extrapolation, an estimate for the year 1994 can be obtained. However, as the 1994 statistics from a few countries had not been received at the time this report was prepared, the observations made for 1994 are necessarily tentative.

With regard to refugee status determination statistics, comparing national data becomes an even more daunting task. As refugee status determination procedures are based on national law and practices, the scope for comparing these statistics is limited. For instance, whereas in Sweden asylum applications from citizens of the Former Yugoslavia are individually screened, some other European countries grant these persons temporary protection on a group basis. As a result, ex-Yugoslavs, one of the largest groups of asylum-seekers in the last few years, are included in the Swedish asylum and adjudication statistics, but mostly excluded from the statistics of other countries.

Recognition rates have been calculated by dividing the number of Convention status recognitions ("Accepted") by the total of Convention status recognitions and negative decisions ("Rejections"). Humanitarian and comparable statuses have been grouped together under one heading ("Allowed to stay").

## 1.2 Overall Trends in Asylum Applications

During 1987-1993, the total number of asylum-seekers in Europe increased from 179,000 to 549,000, while a peak was reached in 1992 when 684,000 persons applied for asylum (see Table 1). During 1994, the number of asylum-seekers has been, so far, some 40 per cent less than in 1993: the average monthly number of asylum-seekers during 1994 stands currently at some 26,300, down from 45,700 during 1993. If the current trend continues until the end of year, the number of asylum-seekers may reach a total of some 316,000 persons in 1994.

As in previous years, Germany is receiving the largest number of asylum-seekers during 1994. However, the country's share in the total number of asylum-seekers has fallen sharply since 1992, when it received 64 per cent of all European asylum-seekers (438,000 out of a total of 684,000). Germany's current share, 41 per cent, is close that of the period 1988-1991 and significantly lower than in 1993 (59 per cent).

The Netherlands has been receiving the second largest number of asylum-seekers during 1994. Thus, 17 per cent of all persons seeking asylum in Europe so far during the year have been hosted by the Netherlands (4,400 out of a total monthly average of 26,300), three times as much as in 1993 (six per cent).

The United Kingdom, France and Sweden have so far received between seven and nine per cent of the average monthly number of asylum-seekers during 1994. It should be borne in mind, however, that the figures for the United Kingdom are based on the number of cases: the number of persons is about 1.5 times higher.

The major changes in the number of asylum applications submitted during 1994 compared to 1993 can be summarized as follows:

- Belgium, Denmark, Finland, Germany, Norway and Sweden have experienced, so far, a decline in the number of persons seeking asylum which is greater than average (minus 42 per cent);

- Austria, France and Spain experienced also a decline in the number of asylum-seekers, but less than the average, and
- Italy and particularly the Netherlands and the United Kingdom have experienced an increase in the average monthly number of asylum-seekers.

### 1.3 Overall Trends in Asylum Adjudication

During 1989-1993, some 171,000 asylum-seekers were recognized as refugees under the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol (see Table 2). The annual number of Convention recognitions increased from 27,500 during 1989-1990 to 47,000 in 1993. France granted refugee status to the largest number of persons (some 59,000 or 35 per cent of all refugee recognitions in Europe), followed by Germany (50,000 or 29 per cent), and the Netherlands (18,000 or 10 per cent). The other European countries granted Convention status to less than 10,000 refugees each.

During the same period, some 1.4 million asylum applications were rejected in Europe. Of these, some 59 per cent were rejected by Germany, 15 per cent by France, seven per cent by Switzerland and five per cent by Austria and the Netherlands.

Convention refugee status was granted to 11 per cent of all asylum-seekers whose applications were adjudicated in Europe during 1989-1993. While the overall recognition rate of asylum applications was around 15 per cent in 1989, it fell to around ten per cent during 1990-1993 (see Figure 1).

While there were significant differences in recognition rates between the asylum countries, these should be interpreted with care as was noted in the Introduction. Recognition rates during 1989-1993 were higher than average in Belgium (32 per cent), Sweden (29 per cent), France (22 per cent), the Netherlands (20 per cent), Portugal and the United Kingdom (16 per cent) and Norway (12 per cent), while they were lower than average in Italy (eight per cent), Switzerland (seven per cent), Germany and Greece (six per cent), Spain (two per cent) and Finland (one per cent). In Austria, the proportion of positive decisions was around the European average, while for Denmark the number of negative decisions is not available.

Some 183,000 persons were allowed to stay for humanitarian or similar reasons in Europe during 1989-1993. The highest number was admitted by Sweden (82,000 persons or 45 per cent of all persons allowed to stay for these reasons in Europe), followed by the United Kingdom (35,000, or 19 per cent), Switzerland (25,000, or 14 per cent), the Netherlands (15,000, or eight per cent), Norway (six per cent) and Denmark (five per cent).

### 1.4 Trends in Liberian Asylum Applications

Data on Liberian asylum-seekers in Europe are only available for a few countries: as they constitute only a small population, most countries of destination do not list them separately in their statistics. The available evidence is presented in Table 3. In 1992, some 10,600 Liberians applied for asylum in Europe, the highest number so far. In 1993, less than 5,000 Liberian asylum applications were recorded, whereas extrapolation of the 1994 figures would result in a total number of 2,000 new applications this year. Since 1991, Liberian asylum-seekers form around one per cent of all asylum applicants in Europe (see Figure 2).

Since 1989, Germany has been the main destination of Liberian asylum-seekers in Europe, receiving each year half or more of the number of Liberians applying for asylum in Europe. The fall in Liberian asylum applications in Germany since 1992 (from 5,400 in 1992 to a projected 950 in 1994) and in the Netherlands (from 4,300 in 1992 to an estimated 400 in 1994) seems to have had no strong impact on arrivals in the number of applications received by other countries of destination.

### 1.5 Adjudication of Liberian Asylum Applications

For the period 1989-1992, data on the adjudication of Liberian asylum applications is limited to Germany and the Netherlands, whereas for 1993 a larger number of asylum countries has been included. Between 1989 and 1991, no Liberian refugees were recognized as refugees in these two countries.

During 1991-1993, almost 7,000 Liberian claims were adjudicated in Germany, none of which resulted in a recognition (Table 4).

During 1989-1993, the number of Liberians allowed to stay for humanitarian reasons (120) was slightly higher than the number of recognized Convention refugees (70). Only in 1992 and 1993, a few Liberian were recognized as refugees, bringing the recognition rate at some one per cent (Table 5).

## 2. Liberian Refugees in Africa

**Guinea** hosts one of the largest numbers of Liberian refugees, has resettled them via "cohabitation" as opposed to placement in refugee camps (U.S. Department of State, World Refugee Report, 1992, 24). The U.S. Committee for Refugees adds that these refugees have generally integrated into the small border communities (February 1992). Guinea has not adopted a formal refugee legislation, but has operated on the basis of international refugee conventions, "adhering to the principle of refusing to repatriate persons into situations where they would be at risk" (World Refugee Report, 1992, 24). On 19 September 1994, there were reports of at least 40,000 Liberian refugees having arrived in a matter of days in Guinea, fleeing the increased fighting in Gbarnga, with aid agencies said to be preparing to receive 200,000 additional refugees (United Press International, 19 September 1994).

**Ivory Coast:** According to UNHCR's Regional Bureau for Africa, as of 12 October 1994 some 77,990 new arrivals from Liberia had entered Ivory Coast, joining the 240,000 refugees who had arrived there since the beginning of the civil war in 1989. While the U.S. Committee for Refugees points out that refugees and locals "are not only of the same ethnic groups, but are often related or have known each other most of their lives", (February 1992, 15), accommodating the new arrivals is posing a formidable challenge to humanitarian organizations and the administrative authorities, as their integration into border villages is said to be increasingly resisted by the local population, resentful of the assistance being provided by the international community to the refugees (Le Monde, 30 September 1994). Refugees in the Ivory Coast are reportedly "not subject to forced repatriation, and are eligible to receive one-year temporary resident visas every year for their first five years in the country . . . and after the fifth year they may apply for permanent residency (World Refugee Report, 1993, 29). Furthermore, while the Ivorian Government reportedly expects the majority of Liberians to eventually repatriate, it has allowed them to establish "income generating projects, loan funds, and expanded agricultural programs in areas refugees are likely to settle" (Ibid.). On 1 October 1994, however, Reuters reported that "Ivorian villagers [were] fleeing their homes along the border with Liberia following an upsurge of attacks . . . by Liberian rebels looking for food" (1 October 1994). The attackers were believed to be members of the NPFL (Ibid.).

**Ghana:** Some 25,000 Liberian refugees in Ghana are said to be largely "restricted to a refugee camp in Buduburam . . . with no reported instances of forced repatriation, but no offer of firm resettlement either" (World Refugee Report, 1992, 29).

**Nigeria:** Asylum seekers in Nigeria are required to go through a status determination process, and those approved, together with their families, are entitled to refugee status with all rights accorded under the 1951 Convention and the 1967 Protocol (World Refugee Report, 1992). Moreover, Nigerian law is said to stipulate that no recognized refugee "can be compelled to leave Nigeria unless a country of third asylum is immediately available to her or him, but the Federal Commissioner for Refugees may revoke refugee status (on an individual basis), at any time . . . [with the decision being] . . . subject to an appeal process (Ibid.).

**Sierra Leone:** Although Sierra Leone has not enacted legislation specifically dealing with refugees, the country is a signatory to the 1951 Convention, the 1967 Protocol and the 1969 OAU Convention (World Refugee Report, 1992, 1993; U.S. Committee for Refugees, February 1992). All Liberian asylum-seekers are reportedly granted refugee status, including the right to work and the right to exit and return if necessary, with emergency travel documents issued for this purpose (Ibid.). Recognized refugees are reportedly "required

to remain in the Waterloo Refugee Camp", although there are "unofficial" refugees scattered throughout the country (Ibid.). The Sierra Leone Government reportedly has not given any indication on its position regarding the permanent resettlement of the Liberian refugees (Ibid.).

### 3. Internal Situation

#### 3.1 Recent Developments

Since December 1989, Liberia has been embroiled in a civil war sparked by a rebel attack against the then-government of President Samuel Doe's Armed Forces of Liberia (AFL) position at Butuo in Nimba County. The attack was led by a former member of the Doe government, Charles Gankay Taylor, whose 100-strong National Patriotic Front of Liberia (NPFL) reportedly entered Liberia from the Ivory Coast. AFL retaliation was said to be "ferocious, slaughtering civilians and burning whole villages to the ground" (Freedom House, *Freedom in the World 1990-1991*, 1991). The affected villages were reportedly inhabited mainly by ethnic Gios and Manos, who are said to have reacted to the Krahn-based AFL brutality by joining the NPFL rebels, who in turn were alleged to have also engaged in the massacre of civilians (Africa Watch, 26 October 1990). These attacks reportedly "set a grim precedent for the character of the civil war as a whole, with the NPFL killing primarily Mandingoes (Malinke) and Krahns (seen as supporters of President Doe), and the AFL killing primarily Gios and Manos (groups identified as rebel supporters" (Ibid.).

According to Freedom House, fighting continued unabated throughout 1990, Gios and Manos were being massacred by President Doe's AFL militias, who became increasingly anarchistic, "pillaging and killing indiscriminately". In September of that year, an NPFL splinter faction headed by Prince Johnson, the Independent National Patriotic Front of Liberia (INPFL) captured and executed President Doe. In response to the crisis, the Economic Community of West African States (ECOWAS), deployed a force made up of troops from Nigeria, Ghana, Guinea, Gambia and Sierra Leone. The force was named the ECOWAS Cease-Fire Monitoring Group (ECOMOG), initially charged with a peacekeeping mission. ECOWAS and ECOMOG attempted to restore stability to the region, took control of the capital Monrovia and appointed a prominent Liberian opposition figure, Dr. Amos Sayer, as Interim President-in-Exile (*Freedom in the World 1990-91*, 1991).

At present, Liberia is governed by the Liberian National Transitional Government (LNTG), a coalition government that took office on 7 March 1994 from the Interim Government of National Unity (IGNU), headed by Dr. Amos Sawyer (Human Rights Watch/Africa, July 1994). The LNTG is composed of representatives of the IGNU, the NPFL, and the United Liberation Movement of Liberia (ULIMO) (West Africa, 14-20 March 1994). The LNTG Ruling Council is headed by the IGNU's Prof. David Kpormakpor, with the Hon. Philip Banks III as his deputy; the NPFL is represented by Isaac Musa, and ULIMO by El Mohamed Sherif and Dexter Tabyor (Ibid.).

Backed by the West African peacekeeping force (ECOMOG), the LNTG reportedly governs the capital Monrovia (Human Rights Watch/Africa, July 1994). However, Reuters reports that there is increasing debate over the authority of the Ruling Council, whose six-month term was due to expire on 7 September 1994 and has not been renewed (7 October 1994). It is said to have no mandate outside Monrovia, and the rest of the country is reportedly "divided among an array of militias fighting each other and within themselves (Ibid.).

Liberia is currently reported to be in a state of "total chaos", with the fighting in many parts of the country forcing UN observers and relief workers from the interior of the country because "food, vehicles and equipment stolen from hospitals, clinics, warehouses, offices and aid workers' homes were being used to support military operations" (Ibid.). In a statement issued in Monrovia and endorsed by 20 United Nations agencies and aid organisations, their decision to suspend operations was explained as follows:

***This suspension has been invoked because of the general breakdown of law and order, the proliferation of civil chaos (designed and spontaneous) and the disturbing increase in the number of factions and splinter groups throughout Liberia . . . In the future, UN/NGO agencies will provide humanitarian assistance in those areas within Liberia only where tangible safeguards and appropriate environments can be assured ( Ibid. ).***

In a statement of the same day, the International Committee of the Red Cross (ICRC) added that

***Panic-stricken civilians are abandoning fields ready for harvesting, and tens of thousands of refugees are streaming into neighbouring countries . . . The situation is desperate for the country's civilian population, which is now left without protection or any form of assistance ( Reuters , 7 October 1994).***

### 3.2 The Cotonou Agreement

In an attempt to bring an end to the four-year war in the country, the United Nations and the Economic Community of West African States (ECOWAS) convened a meeting of the warring factions in Geneva in early July 1993. This, they hoped, would "lead to a ceasefire . . . and the [subsequent] deployment of more troops . . . to augment the strength of the ECOMOG forces on the ground" (Reuters, 6 July 1993). Among the topics on the meeting agenda was the resumption of humanitarian aid to areas in east and central Liberia under NPFL control, where an ECOMOG embargo imposed in May 1993 affected the lives of nearly 100,000 people (Reuters, 11 July 1993).

The six-day meeting led to a draft peace accord which was to form part of an overall agreement to include refugee repatriation and interim power-sharing arrangements before free elections (Reuters, 13 July 1993). The peace accord was to be ratified at a meeting of nine members of the Economic Community of West African States (ECOWAS) in Benin (Ibid.).

At a 25 July 1993 ceremony in Cotonou, the agreement was signed by President Amos Sawyer of the Interim Government of National Unity (IGNU); Enoch Dogolea of Charles Taylor's rebel National Patriotic Front of Liberia (NPFL); Alhaji Kromah, leader of the United Liberation Movement of Liberia for Democracy (ULIMO); Abass Bundu, the ECOWAS Executive Secretary; Nicephore Soglo, president of Benin; James Jonah, U.N. Under-Secretary-General for Political Affairs, and Canaan Banana, envoy for the Organization of African Unity (OAU). Charles Taylor, fearing for his safety, did not attend the meeting (Reuters, 26 July 1993).

The provisions of this "Cotonou accord" called for "a ceasefire to begin in seven days under the supervision of the ECOMOG force and a United Nations observer mission, with a committee made up of representatives from the three parties, ECOMOG and an advance U.N. team to monitor the ceasefire until the UN mission is fully deployed and the factions disarming to ECOMOG under U.N. supervision" (Reuters, 26 July 1993). In addition, buffer zones were to be established on Liberia's borders to prevent cross-border attacks into Guinea, Ivory Coast or Sierra Leone, and the country was to be governed by a five-member council of state composed of members of the NPFL, ULIMO and the interim government (IGNU), with each faction naming three eminent Liberians who were to elect the remaining two members of the council were to be selected. There was also to be a 35-member transitional parliament with 13 members each from the NPFL and the interim government and 9 from ULIMO. Lastly, the accord was to "pave the way for the resumption of aid convoys throughout the country and included a provision for a general amnesty for 'all persons and parties involved in the Liberian civil conflict in the course of actual military engagements'" (Reuters, 26 July 1993).

Progress in disarming the various factions has reportedly been brought to a standstill due

to political infighting and renewed combat, and by April 1994 there were said to have been only 2,500 fighters demobilized out of an estimated total of 40,000 to 60,000 (Human Rights Watch/Africa, July 1994). One observer notes that this is due to the fact that "mutual suspicions run high . . . [and] . . . no group wants to be the first to disarm while old enemies retain a fighting capability" (Reuters, 26 August 1994). United Nations Secretary-General Boutros-Boutros Ghali was subsequently quoted as saying that "there is strong evidence that of the few who have disarmed so far a large proportion have already rearmed, there are also clear signs of [a] breakdown in the command structures of the largest factions . . . [which] . . . means a significant danger of widespread and unpredictable violence" (Reuters, 31 August 1994).

The Cotonou Agreement also called for elections to be held on 7 September 1994. Instead, Liberians were reported to be still fighting, with more armed factions now than the three (NPFL, ULIMO and the AFL) who signed the July 1993 peace accord (Reuters, 7 September 1994), and the transitional government in Monrovia was said to be powerless even to call off the elections (Reuters, 7 September 1994). Moreover, "militia leaders who rule their areas like feudal monarchs are wary of submitting to elections that may leave them with nothing" (Reuters, 26 August 1994).

### 3.3 The Akosombo Accord

On 12 September 1994, the leaders of the three largest rebel factions, Charles Taylor (NPFL), General Hezekiah Bowen (AFL) and G.V. Kromah (one faction of ULIMO), reportedly signed an "amendment" to the Cotonou Agreement in the Ghanaian town of Akosombo (Inter Pres Service, 13 September 1994). The 'Akosombo Accord' reportedly resulted from six days of negotiations brokered by former U.S. President Jimmy Carter, Ghanaian President Jerry Rawlings (current Chairman of ECOWAS), as well as United Nations representatives (Ibid.). The talks allegedly excluded Roosevelt Kennedy's wing of ULIMO and the Liberian Peace Council (Ibid.).

The Akosombo Accord reportedly vested executive powers in a five-member ruling council whose members were to be drawn from the AFL, NPFL and ULIMO, as well as two others "representing unarmed Liberians [to be] chosen from among prominent Liberians" (Ibid.). The council would rule the country until the inauguration of an elected government: general and presidential elections were scheduled for 10 October 1995, with inauguration to take place on the first Monday of 1996 (Ibid.).

The Accord reportedly included a clause whereby the leaders of the three factions "agree and fully commit themselves to the encampment of their combatants and maintenance of command and control in encampment centers" (Ibid.). A further clause stated that

*In the event of any party, new armed group or splinter group and/or individuals refuse to desist from acts of violation of the agreement, the transitional government, in collaboration with ECOMOG, shall have power to use the necessary force to compel compliance.*

The Akosombo Accord allegedly gave rise to concerns about the "institut[ion] of military government in Africa's oldest republic", as well as complaints by members of the current transitional government about being "cut out of the deal" (Reuters, 27 September 1994), although two weeks later opposition was said to be subsiding, with Liberian politicians proposing amendments to the Accord (Reuters, 27 September 1994).

However, at the end of September 1994, the Akosombo Accord, the eleventh since the start of the civil war in 1989, was said to be "already dead . . . just waiting . . . to be buried", while "men and boy[s] loyal to the rival militias or their splinter groups are fighting and dying in various parts of the country" (Reuters, 29 September 1994).

### 3.4 Contending Armed Groups in the Conflict

#### Economic Community of West African States Monitoring Group (ECOMOG)

[http://www.unhcr.ch/refworld/country/cdr/  
cdribr.htm](http://www.unhcr.ch/refworld/country/cdr/cdribr.htm)

A multi-national force organized by the Economic Community of West Africa (ECOWAS), it was sent to Liberia on a peacekeeping mission and is said to operate out of Monrovia, trying to implement the various peace agreements signed by the warring factions (Human Rights Watch, World Report 1993, 1993). In 1993 it reportedly switched to an offensive posture, and has thus been accused of "impeding relief efforts directed at Liberians in the interior . . . conducting attacks against non-combatant, neutral targets (particularly medical facilities" in NPFL territory (U.S. Department of State, Country Reports on Human Rights Practices for 1992, 1993; Human Rights Watch/Africa, June 1993). ECOMOG has also been severely criticised for "allying itself with the AFL and ULIMO, groups known to have been responsible for grave human rights violations, without making adequate efforts to control the behavior of its 'allies'" (Ibid.).

#### **The Armed Forces of Liberia (AFL)**

Led by Hezekiah Bowen, they are the remnants of President Samuel Doe's army, which was reportedly "totally discredited by its gross abuses during the 1980's and especially during the war in 1990" (Human Rights Watch/Africa, July 1994). It is said to be composed of Krahn and Mandingoes (Office fédéral des réfugiés (Suisse), janvier 1994). Nominally subordinate to the previous Interim Government of National Unity (IGNU), but said to have close ties to ULIMO. At the start of the civil war in 1989, the AFL army reportedly consisted of 7,800 soldiers, but has been reduced to around 2,000 men after desertions or deaths during combat (Ibid.). It is now considered little more than a tribal militia (Reuters, 7 October 1994). In early 1993 it reportedly left its bases in order to join forces with ECOMOG militias fighting the NPFL (Office fédéral des réfugiés (Suisse), janvier 1994). In late 1993, a U.N. investigation found the AFL responsible for the June 1993 massacre of more than 500 displaced civilians at the Firestone plantation near the town of Harbel (Country Reports, 1994).

#### **National Patriotic Front of Liberia (NPFL)**

Led by Charles Gankay Taylor, the NPFL surfaced in December 1989 in an attack against a frontier outpost, which marked the beginning of the civil war in Liberia. Its Black Scorpions combatants, mainly from the Gio and Mano ethnic groups, are said to be responsible for a number of atrocities committed against members of the Krahn and Mandingo ethnic groups (Office fédéral des réfugiés (Suisse), janvier 1994). Until September 1994 the NPFL controlled several central and southern counties, but attacks by ULIMO and AFL militias together with dissident NPFL factions have weakened Charles Taylor's position as undisputed leader of the NPFL (Reuters, 29 August 1994). Another component of the NPFL, the Small Boys Unit, is reportedly composed of forcibly conscripted minors, and was used in the front line of the October 1992 NPFL attack on Monrovia (Office fédéral des réfugiés (Suisse), janvier 1994).

#### **United Liberation Movement for Democracy in Liberia (ULIMO)**

Led by Alhaji Kromah, it was founded on 29 May 1991 in Conakry (Guinea) and was composed of Mandingo and Krahn soldiers who had served in Samuel Doe's army. It reportedly split into two factions in 1992: the first one, based in Sierra Leone, is led by Raleigh Seekie and Tarty Teh; the second faction is based in Guinea and is headed by Alhaji Kromah, who signed the July 1993 peace treaty on behalf of ULIMO (Office fédéral des réfugiés, Suisse, janvier 1994). In March 1994 Kromah's ULIMO reportedly split into two factions, one Mandingo and the other Krahn. ULIMO's Krahn faction is said to be led by Roosevelt Johnson.

#### **Liberian Peace Council (LPC)**

Led by George Boley (a former adviser to President Samuel Doe), it was founded in June 1990. It is said to be largely Krahn-based and to include many former AFL soldiers. It allegedly participated in ULIMO's founding in May 1991. Starting in the middle of 1993 it reportedly began a series of attacks on NPFL positions in Grand Gedeh county, and in 1994

it is reported to have stepped up its attacks against civilians, especially those suspected of supporting the NPFL (Office fédéral des réfugiés (Suisse), janvier 1994; Human Rights Watch/Africa, July 1994).

#### **Lofa Defense Force (LDF)**

Led by Francis Massaguoi, it emerged in protest against ULIMO offenses against civilians in Lofa County. It is said to be fighting ULIMO in the northwest (Reuters, 7 September 1994).

#### **Liberia New Horizons (LNH)**

Founded by William Glay and Charles Julue, both ethnic Krahn, this new AFL splinter group reportedly surfaced in May 1994 describing itself as "an organisation of technical and professional Liberians . . . committed to preserving and promoting [their] cultural and traditional heritage, to expose Liberian professionals who are committed to finding lasting solutions to the present Liberian conflict, and to developing economic policies for implementation in post-war Liberia" (West Africa, 16-22 May 1994). Condemning the former interim civilian government and the present Liberian National Transitional Government for their failure to achieve a lasting peace, the group proclaimed its belief in a "strong military-style government, in collaboration with ECOWAS' peace-keeping force, [as] the only viable alternative for putting Liberia back on course" (Ibid.). On 15 September 1994 a group of LNH militias, led by Charles Julue, staged an unsuccessful 14-hour coup d'état by occupying the Executive Mansion, currently used by the five-man Council of State of the Transitional Government and were expelled by ECOMOG forces (West Africa, 26 September-2 October 1994; British Broadcasting Corporation, Summary of World Broadcasts, 17 September 1994).

#### **Nimba Redemption Council of Liberia (NRCL)**

Led by Kerper Dwayem (whose parents were reportedly executed by NPFL rebels), it was founded on 16 January 1993. Based in Nimba County, it is composed of Gio and Mano combatants and has carried out several attacks against NPFL positions (Office fédéral des réfugiés (Suisse), janvier 1994). The group is said to be made up of about 1,000 fighters, and that in its attacks against NPFL posts it has not spared civilians in the process (Agence France Presse, 14 March 1993).

#### **Black Berets**

A unit created in Guinea by the Interim Government of National Unity (IGNU), it is composed of soldiers belonging to different ethnic groups. It is said to have first surfaced in Monrovia in 1992 (Office fédéral des réfugiés (Suisse), janvier 1994).

#### **Executive Mansion Guard (EMG)**

This is the presidential guard created by President Samuel Doe. Trained by Israeli advisers until the start of the civil war, it is still attached to the AFL (Office fédéral des réfugiés (Suisse), janvier 1994).

#### **Special Anti-Terrorist Unit (SATU)**

This was reportedly the AFL's special anti-terrorist unit, also trained by Israeli advisers, and is believed to have been responsible for massacres carried out in Nimba County at the beginning of 1990, which contributed to the rapid escalation of the conflict (Office fédéral des réfugiés (Suisse), janvier 1994). It has reportedly been dissolved (Ibid.).

#### **Independent National Patriotic Front of Liberia (INPFL)**

Formed by Prince Johnson in 1990, after splitting from the NPFL. Originally 1,000-men strong, of which more than 200 were once members of the NPFL elite units, it was

dissolved in October 1992, whereupon a number of them rejoined NPFL ranks (Office fédéral des réfugiés (Suisse), janvier 1994).

## 4. Human Rights Situation

### 4.1 National and International Legal Framework

According to the U.S. Department of State, an ad hoc Supreme Court was the only institution still working across faction lines in 1993, with full jurisdiction provided by the 1984 Constitution (Country Reports on Human Rights Practices for 1993, 1994). This ad hoc Supreme Court was said to have "continued hearing a variety of civil and criminal cases in 1993 but, like the rest of the court system, tended to avoid controversial cases arising from the violation of law and human rights during the civil war" (Ibid.).

Liberia has acceded to the Convention Relating to the Status of Refugees (CSR51) and the 1967 Protocol; the Convention Relating to Stateless Persons; the Convention on Discrimination Against Women; the Convention on Elimination of Racial Discrimination, and the Convention on the Suppression of the Crime of Apartheid. It has signed the International Covenant on Civil and Political Rights (ICCPR); Protocol I of the Geneva Conventions, and the International Covenant on Economic, Social and Cultural Rights. It has also ratified the Convention on Prevention of the Crime of Genocide; the Convention on the Rights of the Child; the Convention on Crimes Against Protected Persons; the OAU Convention on Refugee Problems in Africa, and the African Charter on Human and Peoples' Rights.

Liberia is not a state party to the Convention on the Political Rights of Women; the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

### 4.2 General Respect of Human Rights

#### Arbitrary arrest/detention

Article 20 of the Constitution of the Republic of Liberia states that

*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 and 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 equity, in courts not of record, under courts-martial and upon impeachment, the parties shall have the right to trial by jury.*

The U.S. Department of State reported that the practice of arbitrary detention prevailed throughout all of Liberia during 1993. For example, in Monrovia, the only area under IGNU control, police officers were given discretionary power to make arrests, an authority they frequently abused as arrests were made without cause, detainees were not informed of the charges against them, or charges went unrecorded, with many suspects held incommunicado or coerced into making confessions (Country Reports, 1994).

Arrests by ECOMOG forces were also alleged to be short of "constitutional or internationally recognized standards" and it was believed that at year end "charged and uncharged pretrial detainees formed a sizable portion of the total incarcerated population, believed to be in the hundreds" (Ibid.).

Incidents of arbitrary arrests were also said to be commonplace in NPFL territory, which has been ruled under martial law regulations since the war began (Ibid.). NPFL soldiers and police are said to exercise their power often and at random, "detaining hundreds of

persons on spurious grounds or without charge for periods ranging from several hours to several weeks . . . [with] . . . detainees . . . rarely informed of their legal rights" (Ibid.). In addition, the NPFL is said to have "refused to relinquish custody of over 250 orphans abducted from a Monrovia suburb in 1992, despite UN and other humanitarian entreaties" (Ibid.).

The AFL is also said to have detained "over a dozen suspected NPFL supporters", whose fate was still unknown at the end of the year (Country Reports, 1994). An unnamed human rights organization reportedly described the living conditions of these detainees as "deplorable", with occasional harassment by cell guards (Ibid.).

#### Use of excessive force

In describing the nature of the "fighting" between factions in Liberia, the U.S. Department of State further reported that "the warring factions inflicted more harm on noncombatants than on each other" and that "AFL, NPFL and ULIMO fighters indiscriminately ransacked villages, abused populations, and confiscated scant food supplies" (Ibid.).

Human Rights Watch stated in its World Report 1994 that there was "increasing concern about ECOMOG air attacks on NPFL territory . . . [with] targets includ[ing] the port of Buchanan and areas around Gbarnga, Kakata, Harbel and Greenville, as well as border areas in the Ivory Coast" (World Report, 1994). It added that there had been reported attacks on hospitals such as Phebe Hospital outside Gbarnga, F.J. Grante Hospital in Greenville and the Firestone Hospital, in violation of medical neutrality conventions (Ibid.).

The AFL was found guilty by a UN investigation team of committing the June 1993 massacre of "over 500 displaced persons, mostly women and children, at a settlement on the Firestone plantation at Harbel" (Country Reports, 1994). The victims were reportedly "shot, beaten or hacked to death, and mutilated" (Human Rights Watch, World Report 1994). In January 1993, AFL soldiers allegedly murdered a British scientist and his wife, long-time residents of Liberia, whom they accused of NPFL sympathies. Afterwards, the AFL soldiers reportedly went on a looting spree, taking whatever they could carry from the laboratory (Country Reports 1993, 1994; Human Rights Watch, 1994).

NPFL soldiers in turn are believed to have massacred over 200 civilians in separate incidents in Montserrado and Margibi counties, north of Monrovia, and they are suspected of having killed another 200 displaced persons in Camp Todee (Country Reports, 1994). Most of the NPFL offenses are said to have occurred in the Grand Gedeh County, where "Gio and Mano NPFL fighters exacted revenge against their Krahn ethnic rivals", and military operations against the Krahn-dominated LPC allegedly resulted in many civilian deaths (Ibid.).

The Krahn-dominated LPC is also believed to be responsible for abuses against suspected NPFL supporters as well as members of other ethnic groups (Country Reports, 1994). In March 1993 the LPC reportedly attacked a village near the port of Buchanan, looting food and medicine warehouses operated by Medecins sans Frontières (Le Monde, 13 March 1994).

ULIMO forces are said to have committed numerous human rights abuses in Lofa County, such as the execution of several village elders "for being alleged supporters or harbouring the NPFL in their villages . . . [whom] the victims . . . had been forced to accommodate . . . under threat of bodily harm" (Country Reports, 1994). There are reports of both ULIMO and the NPFL "execut[ing] innocent civilians, usually young men, on the mere suspicion that the victims belonged to a rival group" (Ibid.), and in April 1993 14 young men suspected of supporting the NPFL were executed in Zorzor (Human Rights Watch, 1994).

ULIMO and AFL allegedly targeted "former members of the NPFL and the Independent National Patriotic Front of Liberia, a defunct breakaway group of the NPFL . . . and that they occasionally roamed sections of the city searching for Gio and Mano tribe members from

## **Nimba County, whom they would torture and kill (Country Reports, 1994)**

### **Forced conscription**

The U.S. Department of State reports that both ULIMO and the NPFL "exploited minors as fighters . . . [and that] . . . during the first half of the year, the NPFL continued its program of involuntary conscription, including children, in Nimba County and southeastern Liberia . . . beat[ing] and tortur[ing] persons who refused to join their ranks and local government officials who refused to implement the conscription program (Ibid.).

### **Incidents of rape**

In a 12 May 1994 radio message reportedly intercepted by ECOMOG, a retreating NPFL official, John Richardson, is said to have told Charles Taylor that "specific instructions went out from us to raze to the ground Dolo Town, Peter Town . . . Even where there are any little girls, they should be raped, so there is going to be some terror in that area today because everybody was worried about the refugees and we said to hell with them" (The Guardian, 21 May 1994). The U.S. Department of State indicated that AFL, NPFL and ULIMO fighters indiscriminately ransacked villages, abused populations and regularly committed violence against women, including rape (Country Reports, 1994)

### **Torture**

The U.S. Department of State reported that in 1993 ECOMOG soldiers "beat criminal suspects and harassed individuals" at their checkpoints in Monrovia, citing the case of Monrovia politician Peter Boner Jallah who was arrested on suspicion of aiding NPFL forces in 1992 and, as evidenced by his impaired hands, was tortured by both ECOMOG and IGNU intelligence officers (Ibid.). NPFL forces are also said to have beaten and tortured civilians, especially those suspected of being ULIMO sympathisers, who were frequently forced to disrobe or endure other forms of intimidation for extortion purposes (Ibid.). Most of these incidents are said to have occurred in Grand Gedeh County, home of the late president Samuel Doe and his Krahn ethnic group (Ibid.).

ULIMO forces are said to have inflicted inhuman treatment on civilians in the areas under their control: checkpoint guards and roving bands reportedly harassed and beat civilians if they resisted extortion, and in June several villages were raided with beatings and threats on villagers considered to be NPFL supporters (Ibid.).

### **Summary execution**

In its annual report covering events in 1993, Amnesty International, lists a series of incidents attributed to the ULIMO forces. For example, Liberian refugees who had fled to Guinea were either "forcibly returned to Liberia or executed in Guinea after perfunctory investigations by an illegal tribunal of Liberian exiles based in Macenta and apparently linked to ULIMO" (Report 1994, 197). In July ULIMO allegedly executed nearly 300 opponents in Voinjama, all member of the Lorma ethnic group; in October, ULIMO fighters allegedly "killed large numbers of people from the Kissi ethnic group in Foya district" (Ibid.). Furthermore, there were reports, albeit unconfirmed, of ULIMO's Mandingo forces "executing or generally harassing citizens of Lofa County because of religious and ethnic differences (Country Reports, 1994).

### **4.3 Specific Groups at Risk**

According to Human Rights Watch/Africa, a characteristic of the Liberian civil war is that "civilians suffer the most and are killed in far greater numbers than combatants" (July 1994). Thus, civilians who happen to be living in a particular territory when it changes hands from one armed faction to the other, are likely to be branded "collaborators" of the enemy by the new faction in control, an accusation often leading to their murder (George, K., 17 June 1993).

## Displaced Persons

In July 1994 the situation of the approximately 500,000 displaced civilians, residing mainly in central and northern Liberia, was said to be desperate as relief supplies had been effectively cut off since late 1992, with only some food and medicines arriving through Ivory Coast (Human Rights Watch/Africa, July 1994). Relief groups found up to 700,000 endangered civilians in NPFL territory, of which 200,000 were already suffering starvation (Ibid.). On 30 August 1994 African peacekeepers escorting an aid convoy reportedly fired on approximately 300 militias from ULIMO's dissident Krahn faction as they attempted to seize the food shipment (Reuters, August 30, 1994). The trucks were reportedly carrying 150 tons of rice for starving refugees and displaced persons in the territory west of Monrovia controlled by the attackers, who allegedly complained about never receiving any of the food themselves (Ibid.).

## Children

According to the U.S. Committee for Refugees, one of the most tragic consequences of the civil war has been its effect on children (February 1992). Many became orphaned when their parents were brutally killed in front of them, while others became separated from their families when they were caught in the fighting (Ibid.).

In addition, Human Rights Watch/Africa indicates that "a very disturbing characteristic of the Liberian war has been the use of child soldiers", a practice forbidden under the Protocols of the Geneva Conventions and the United Nations Convention on the Rights of the Child (Human Rights in Africa and U.S. Policy, July 1994). UNICEF estimates that children under the age of fifteen make up 10 per cent of the approximately 40,000 to 60,000 combatants in Liberia, with an added 20 per cent being under the age of eighteen (Ibid.). Most are said to have been consistently recruited by NPFL and ULIMO forces (Ibid.), although there are new reports that children are also being used by a new faction, the Liberian Peace Council (Africa Report, July/August 1994). Whereas John T. Richardson, a spokesman for the NPFL, has reportedly explained that "[the NPFL] never conscripted children by force . . . [but that] . . . the kids in the NPFL insisted they wanted to fight and would get in no matter what" (Ibid.), a counsellor working with former child combatants has alleged that children are used because "they are obedient and do not question orders, because they are easier to manipulate . . . [and because kids can be convinced] . . . to fight for almost nothing, with small promises of money and loot . . . They are easy prey for the factions" (Ibid.).

As seen by another observer, part of the extreme violence in Liberia has been due to the fact that significant numbers of children are bearing arms but are given little leadership (Salm Randall, 1991). In the view of Human Rights Watch/Africa,

*[M]any thousands of children in Liberia have suffered during the war; many have been killed or wounded, or have witnessed terrible atrocities. Moreover, many children have themselves committed atrocities, killing, maiming or raping civilians, and looting homes (July 1994).*

## Ethnic Groups

Liberia observers point out that the country has not been traditionally afflicted by inter-ethnic strife, with members of different ethnic groups living next to each other and with frequent intermarriage between them (Africa Watch, 26 October 1990; Nelson, Harold D., 1984). However, they note that while ethnic tensions did increase with the arrival of the Americo-Liberians in the early nineteenth century, a situation that was best described as a case of "indigenous" versus "outsider" than of loyalty to a specific ethnic group, "ethnic difference only became a serious problem with Samuel Doe's accession to power, his privileging of the Krahn, and his severe mistreatment of Gios and Manos" (Ibid.).

Krahns - Practicing traditional religions, they have been historically a hunter/gatherer culture (Nelson, Harold D., September 1984). They were privileged by President Samuel

Doe, himself an ethnic Krahn, and are now targeted by Charles Taylor's NPFL forces, in retaliation for abuses against Gios and Manos under the Doe presidency (Country Reports, 1994) Mandingoes (Malinke) - Predominantly Muslims, they are reportedly the only recognized ethnic group that is geographically dispersed, yet one of the most culturally, linguistically and religiously unified of all ethnic groups. They constitute most of the business/merchant class in Liberia (Nelson, Harold D., September 1984). Affiliated with ULIMO, they are said to be the targets of NPFL violence (Country Reports 1993, 1994).

Gios and Manos - Both groups practice traditional religions (Nelson, Harold D., September 1984). Together with other residents of Nimba County, they allegedly have been the targets of torture or killings by ULIMO (Mandigo) and AFL (Krahn) soldiers roaming sections of Monrovia in their search (Country Reports, 1994). They were also reportedly mistreated by Samuel Doe's Krahn government (George, K., 17 June 1993; 9 June 1993).

Americo-Liberians - Predominantly evangelical Protestants (especially Methodist or Baptist) (Nelson, Harold D., 1984), they reportedly dominated the political, economic and cultural life of the country for over 150 years (Country Reports 1993, 1994). Though practically vanished from the news since the late 1980s, they reportedly might still be targets of traditionally hostile AFL and ULIMO, as well as NPFL units, whose leadership includes many Americo-Liberians who might not look kindly on their not actively supporting Charles Taylor (George, K., 17 June 1993; 9 June 1993).

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