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Dangerous Liaisons:

The continued relationship between Liberia's natural resource industries, arms trafficking and regional insecurity

A briefing document submitted by Global Witness
to the UN Security Council, 08 December 2004

Recommendations

The UN Security Council should:

- Maintain the current embargoes on the export and transport of Liberian timber and diamonds, and their import into other countries, for a further twelve months with a six-month interim review. The embargoes should remain in place, with no exceptions for freezing of sanctions, until it can be demonstrated that timber and diamonds no longer contribute to conflict in Liberia, Côte d'Ivoire and elsewhere, and that government control meets the requirements for lifting sanctions as found in Security Council Resolution 1521 (2003).
- Extend the mandate of the Panel of Experts on Liberia for a further twelve months, to continue their investigation and documentation of the security situation, reform process and violations of sanctions.
- Deploy United Nations Mission in Liberia (UNMIL) and United Nations Operations in Côte d'Ivoire (ONUCI) peacekeeping troops to better secure the border between Liberia and Côte d'Ivoire and prevent cross-border movement of mercenaries, weapons and natural resources. Coordinate intelligence sharing and strategic planning among the UN's regional peacekeeping missions and offices, to develop better flow of information and a stronger regional strategy.
- Leave a larger UN peacekeeping presence in Sierra Leone until military reform is complete and the Sierra Leone Army is capable of independently handling internal and border security.
- Clarify and support the mandate of the UNMIL to ensure that Civilian Police (CivPol) have the ability to carry out effective law enforcement, both in coordination with and independent from local authorities where necessary.
- Apply additional financial and/or travel restrictions to individuals or governments found to be financially or militarily supporting armed non-state actors in Liberia and the region.

The UN Mission in Liberia (UNMIL) should:

- Strengthen its deployment strategy to help the Liberian government secure and maintain control over its territory, especially its borders and areas rich in natural resources.
- Monitor any existing and likely cross-border land, air and sea-based smuggling routes, especially those along the border with Côte d'Ivoire, deploying peacekeeping troops to major border crossing points and increasing patrols of border regions.
- Coordinate more closely with the Liberian Forestry Development Authority (FDA), to support the deployment of FDA foresters and ensure that peacekeepers and CivPol help prevent violations of current logging regulations.
- Mainstream ethical purchasing policies for timber products used for reconstruction and development into all UN and non-governmental organisation (NGO) activities, to ensure that no illegally-sourced or conflict-funding timber is being used.

The National Transitional Government of Liberia (NTGL) should:

- Ensure that socially, economically and environmentally sustainable forest use policies are developed, and that FDA reforms are given full political and administrative support and carried out in a timely fashion.
- Monitor the logging industry and its relationship with local populations, in order to identify, prosecute and prevent future violations of domestic forest-use and human rights laws, and to sever any links between the Liberian logging industry and destabilising actors.
- Appoint an independent monitor to monitor the logging industry and provide independent verification of the reform process' progress.
- Agree to set a cap on the export of diamonds from Liberia at known production levels.
- Deploy government representation throughout the country, providing them with adequate staffing, financing, logistics and law enforcement support.

- Work closely with donors and the UN to implement proper revenue collection and accounting procedures, including anti-corruption safeguards.

The International Community should:

- Ensure that UNMIL, the World Food Programme (WFP), UN High Commissioner for Refugees (UNHCR) and other aid agencies are fully supported logistically and financially, providing them funding for specific projects as well as unallocated funds for use on an ad hoc basis as needs arise.
- Make sure that, unlike disarmament, the rehabilitation and reintegration phase of the Disarmament, Demobilisation, Rehabilitation and Reintegration (DDR) process is not rushed or ended prematurely, and ensure that an adequate number of programmes are designed, financed and implemented as soon as possible and maintained for as long as is necessary.
- Enforce UN Security Council travel bans and asset freezes, working with the banking sector and customs and immigration agencies to ensure full compliance and assistance to UN Security Council and Expert Panel requests for information.
- Ensure that all countries enforce the Liberian and Ivorian arms embargoes, and further adhere to the ECOWAS Moratorium on the Import, Export and Manufacture of Small Arms and Light Weapons.

The Kimberley Process should:

- Conduct a pre- and post-implementation assessment of Kimberley Process procedures in Liberia, and ensure that best practice procedures are used in the implementation of the Kimberley Process.

The Donor Community should:

- Ensure that a complete independent, retrospective and internationally verifiable audit of the Liberian logging industry and Liberian government finances is carried out as a priority, looking to both improve accounting systems and identify the manners by which revenue was previously misappropriated. This should be required as part of assistance provided for forest sector reform, and all results should be made accessible to the public.
- Provide adequate oversight of current and planned projects, and require clear auditing and accountability procedures to help ensure transparency and prevent misappropriation of funds.
- Ensure that the Liberia Forest Initiative (LFI) has adequate political and financial support, and that pressure is placed on the NTGL to follow through with necessary forestry sector reforms in a timely manner.
- Improve transparency and information-sharing with other governments and donor agencies, to prevent overlap and ensure proper coordination of activities.



Liberian child soldiers, 2003.

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Acronyms

AWLC	Ana Woods Liberia Corporation – timber company based in Buchanan
CivPol	Civilian Police – part of UNMIL, tasked to work with Liberian National Police (LNP) on law enforcement and security issues
DDRR	Disarmament, Demobilisation, Rehabilitation and Reintegration programme
FDA	Forestry Development Authority – government agency with primary oversight of the logging industry
LFI	Liberia Forestry Initiative – coordinated group working to reform the forestry industry, includes the US government, World Bank, European Commission, Conservation International, Fauna and Flora International, and the Environmental Law Institute
LNP	Liberian National Police
LURD	Liberians United for Reconciliation and Democracy – former rebel group
MILOBS	UN Military Observers
MODEL	Movement for Democracy in Liberia – former rebel group
MWPI	Maryland Wood Processing Industries – logging company based in the Harper, in the southeast
NTGL	National Transitional Government of Liberia
ONUCI	United Nations Operations in Côte d'Ivoire
OTC	Oriental Timber Company – logging company based in Buchanan.
TTCO/LLWPC	Togba Timber Company/ Liberian Logging and Wood Processing Corporation – logging company based in the east near the Côte d'Ivoire border
UNMIL	United Nations Mission in Liberia
UNAMSIL	United Nations Mission in Sierra Leone
WFP	World Food Programme

Executive Summary

Uncontrolled logging and diamond mining in Liberia remains a threat to regional peace and security, as stalled reforms and inadequate government control enable armed non-state actors to profit from natural resource sales. Moreover, the lack of proper customs and immigration agents at key border checkpoints, and the insufficient monitoring of border areas by UN peacekeeping troops, allows for continued cross-border trafficking of resources, weapons and mercenaries. There are consistent reports of sanctions-violating timber exports to Guinea and Côte d'Ivoire, and the use of timber revenue by the warring parties in Côte d'Ivoire¹ is likely to result in increased trafficking of timber from Liberia. Having failed to meet the requirements set forth for the lifting of sanctions by Resolution 1521 (2003), the sanctions regime should be renewed at the Security Council's upcoming meeting in December.

The situation in Liberia is highly unstable, made worse by the government's continued lack of control over its natural resources, interior and borders, and the continued threat posed by the uncontrolled Liberian timber industry to regional peace and security, particularly in neighbouring Côte d'Ivoire. There are continuous reports of sanctions-violating exports and fundamental reforms of the Forestry Development Authority (FDA), the government agency tasked with managing Liberia's logging industry, have yet to be completed. Basic projects including a Concession Review and forensic audit of logging industry revenue have stalled and will not be completed until 2005. Moreover, the Liberian government has yet to implement Kimberley Process requirements for the control of its diamond industry. Until Liberia's timber and diamond industries are reformed so that they no longer contribute to conflict, they will pose a threat to Liberia's security and must be sanctioned accordingly.

- There are continued reports of sanctions-violating exports of timber to Guinea and Côte d'Ivoire, with growing concern over the potential role of Liberian conflict timber fuelling war in Côte d'Ivoire.**

There are consistent reports of timber crossing the border into Guinea and Côte d'Ivoire. There is also concern about the possibility of timber being trafficked via containers at Monrovia Freeport. The escalating violence in Côte d'Ivoire is likely to increase the illegal export of timber from Liberia, as timber traffickers exploit the Ivorian government and Forces Nouvelles' use of timber revenue to fund the war there². (See Reports of sanctions violations, page 13)

- Armed ex-combatants continue to profit from timber sales while the Forestry Development Authority (FDA) has little control over the logging industry.**

While the FDA has recently trained 165 new staff, they have not been fully deployed and lack basic facilities including vehicles, radios, salaries and offices in which to work. Staff also face security threats as much of the ongoing logging activities are carried out by armed ex-combatants. Moreover, basic reforms of procedure have yet to be completed to ensure the industry no longer fuels conflict. The Concession Review process, which is fundamental to determining which companies have legal claims to logging areas and should be allowed to operate in the future, is not due to be completed until March 2005. A review of Liberian forest-law and development of long-term forest-use strategies will also not be done until 2005. The UN Panel of Experts has determined that the FDA still has not demonstrated a credible ability to ensure that funds are not misappropriated³. (See SECTION 1: The timber industry, armed ex-combatants and destabilisation, page 8).

- Violence by ex-combatants and continued cross-border weapons trading is threatening domestic and regional security, even though disarmament and demobilisation has officially ended.**

There is continued trafficking of weapons along Liberia's borders with Guinea and Côte d'Ivoire. While the official end of the disarmament and demobilisation phase of DDRR was 31 October 2004, given logistical set backs and lack of UNMIL presence in a number of counties the deadline was postponed in some areas until 24 November. While over 100,000 combatants and other war-related persons have registered for DDRR⁴, only around 28,000 weapons have been collected⁵. Ongoing discovery of arms caches, and weapons seized in the aftermath of recent riots in Monrovia, demonstrate there is still much work to be done to ensure Liberia is weapons-

free. Delays in designing, funding and implementing rehabilitation programmes, combined with poor living conditions in ex-combatant camps, have led to unrest among ex-combatants and resulted in some former fighters being recruited to fight in Côte d'Ivoire. (See Missing and trafficked weapons , page 11)

- The Liberian government has minimal control over its interior, borders and natural resources, with armed ex-combatants extorting money from civilians.**

After one year in power, the National Transitional Government of Liberia (NTGL) has not significantly extended its authority outside the capital Monrovia. Border areas with Guinea and Côte d'Ivoire have few immigration or customs officers, and those that are deployed are often sent with inadequate support. Some border agents have been unable to assume their duties as ex-combatants from Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) have assumed control of key crossing points, and have extorted money from travellers, often within view of UN peacekeeper troops. Reports of such harassment continue, especially along the border with Côte d'Ivoire. Despite the danger this poses to regional security, UN Mission in Liberia (UNMIL) peacekeepers have not yet been deployed to important border crossings and their current irregular patrols of interior and border regions provide inadequate oversight. (See SECTION 2: Security threats and lack of control over Liberia's borders, page 16)

- The National Transitional Government of Liberia (NTGL) is still operating with insufficient transparency, and its failure to manage its accounts has weakened donor confidence.**

There are continued reports of poor management and corruption within the NTGL, and the government's failure to function effectively has delayed donor aid and debt restructuring. The NTGL's continued refusal to fully and publicly account for the handling of large resource deals, such as the US\$10 million sale of iron ore to a Chinese company, has further undermined public and international confidence in the government's commitment to operate in a transparent and accountable manner. (See SECTION 3: Unreformed governance and uncoordinated international response undermine progress, page 18)

- Restarting commercial-scale logging operations and exports now will increase the threat posed by the timber industry to Liberia and the region's stability, and risks returning Liberia to full-scale war.**

Restarting logging and diamond exports before industry and government reforms are fully implemented will undermine progress made to this point and put Liberia's security in jeopardy. Such a move will open up Liberia to the abusive logging company militias, increased illegal arms imports, exploitative company employment practices and criminal actors that helped fuel conflict previously and created Liberia's current humanitarian crisis. As the FDA has failed to properly manage and oversee logging industry activities, any attempts to restart exports even for an interim period will lead to increased profiteering by armed ex-combatants and criminal elements. Given the lack of secure borders, and use of timber revenue by Ivorian warring parties to fuel their conflict, timber exports to Côte d'Ivoire will increase and further enflame the crisis there, with likely spill-over violence into Liberia. (See The consequences of lifting prematurely lifting sanctions, page 9)

- Liberian civil society wants sanctions to remain, given the negative socio-economic implications of lifting sanctions.**

The NGOs Coalition for Liberia, a consortium of 13 indigenous legal, human rights, environmental and governance NGOs issued an Open Letter to the UN Security Council on 6 December 2004, asking that the sanctions regime be maintained. The Coalition states that the lifting of timber and diamond embargoes poses a threat to the internal stability of Liberia, as it would open up Liberia to those criminal elements that previously violated UN sanctions, and would further undermine the reform process by taking away the incentive to reform. The Coalition highlighted the continued lack of proper financial controls and the widespread support of sanctions among the Liberian public who feel that the NTGL has not met the Security Council's conditions of control and accountability. (See Annex III: Open Letter by the NGOs Coalition for Liberia to the UN Security Council, against lifting sanctions, page 23)

Introduction

One year after the creation of the NTGL progress has been made toward creating peace, but the country's overall security situation still remains fragile. Liberia's interior and borders are still largely controlled by armed ex-combatants who maintain their ability to trade in natural resources and weapons. The NTGL has not implemented key good governance reforms, and does not have a functioning judiciary or law enforcement capability. Moreover, Liberia's poorly executed disarmament programme and UNMIL's failure to provide adequate internal and border security has resulted in both weapons and mercenaries crossing back into Côte d'Ivoire to further escalate the conflict there.

Given the role that natural resources have played in Liberia's 14-year long conflict, controlling areas rich in resources is fundamental to securing lasting stability and peace for Liberia and its neighbours. The UN recognised the integral role natural resources played in the conflict by first sanctioning the export of Liberian diamonds in 2001⁶, and later sanctioning the Liberian logging industry in May 2003⁷. Much like with diamonds, revenue from the logging industry supported violent armed groups, and some elements of the timber trade actively facilitated weapons imports, their transfer up-country to rebel strongholds, and other sanctions violations⁸. The two western Ivorian rebel groups, the MPIGO^a and MJP^b, were launched from timber areas in eastern Liberia and some fighters were housed in logging company bush camps along the border with Côte d'Ivoire. Ongoing unrest in Côte d'Ivoire, where conflict timber also funds the warring parties⁹, will likely lead to increased exports of timber into Côte d'Ivoire in violation of UN sanctions, and further undermine Liberia's security.

The UN gave UNMIL an expansive mandate that specifically tasks it to help the NTGL regain control of its resources. Yet armed non-state actors still maintain access to Liberia's lucrative natural resources – timber, gold, and diamonds. With unmonitored frontiers and buyers willing to violate UN sanctions, the mechanisms with which armed groups can profit from conflict resources remain strong. The level of logging^c has skyrocketed over the last year, and there

have been consistent reports of timber crossing the border into Guinea and Côte d'Ivoire. Former MODEL fighters are mining gold in Sapo National Park, and there are significant diamond mining operations near the border with Guinea. Meanwhile, these industries remain largely unregulated by the NTGL. While reforms have begun, there have been few concrete achievements and momentum is lacking.



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

^a MPIGO – Popular Movement of the Ivorian Great West.

^b MJP – Movement for Justice and Peace.

^c Ongoing references to 'logging', unless otherwise specified, refer to non-commercial scale logging commonly referred to as 'pitsawing'. This logging activity is carried out by small to medium-sized groups of individuals, often composed of armed ex-combatants, using chainsaws and other non-commercial scale equipment. The FDA is mandated to control all logging activity, and while on 1 November it officially banned un-licensed logging, it has not been able to enforce this. Prior to 1 November, while not issuing permits for logging, the FDA issued permits to haul sawn timber to market, an inconsistent and self-defeating policy. While it is incumbent on legal timber processors to purchase legally-sourced logs, absent effective enforcement of FDA regulations processors will be vulnerable to having their products tainted by illegally-sourced timber.

In order to meet the requirements put forth by the Security Council for the lifting of sanctions, the Liberian government must take control over its territory and resources and must ensure that revenue derived from timber and diamond sales does not contribute to conflict. At the same time, the UN and international community should ensure that they do everything possible to help the NTGL gain the authority it requires, providing additional technical expertise where appropriate as well as additional funding, contingent on there being adequate accountability measures to prevent financial misappropriation. The FDA must institute transparency and accountability into its operations, working with the international community to ensure that it has adequate capacity to manage the logging industry; the government must also ensure implementation of Kimberley Process requirements for its diamond industry. UNMIL should re-deploy its troops to better secure key interior and border areas, and the heads of UN peacekeeping missions in the region should coordinate their activities to create a stronger, regional approach to security. Until such improvements to governance and security are made Liberia and the region will remain under threat, and until the NTGL can demonstrate that timber and diamond revenue is no longer fuelling armed elements and destabilisation, the sanctions must remain in place.

SECTION 1: The timber industry, armed ex-combatants and destabilisation

The onset of the Liberia timber sanctions, combined with the rainy season and ongoing conflict, significantly reduced the timber trade throughout 2003 and cut off a major source of support for the warring parties. Soon after the timber sanctions came into force the warring parties began peace talks, signed the Comprehensive Peace Agreement and formed the NTGL, which celebrated its one-year anniversary in October 2004.



Liberian child soldier and militia members, 2003.

In the intervening year, however, there has been a resurgence of logging for the domestic market. This has mainly been carried out by smaller groups, often composed of armed ex-combatants, rather than commercial-scale companies as operated historically. Logging for domestic use is not in violation of the UN embargo. However, current logging activities are not properly controlled by the Forestry Development Authority (FDA)—which lacks the capacity to effectively manage enforcement of licensing, transport and timber sale regulations—resulting in ongoing illegal activities and a significant oversupply of the local timber market. Moreover, the UN Panel of Experts has stated that the FDA has not been able to ensure that funds are not misappropriated¹⁰, and Global Witness has found significant

confusion among FDA staff over its policies on what logging is licensed and how revenue is managed. As a result, the Liberian logging industry continues to generate significant amounts of unregulated revenue for armed non-state actors, further jeopardising Liberia's nascent peace and threatening regional security.

The consequences of prematurely lifting sanctions

The Security Council imposed timber sanctions as the Liberian logging industry was undermining regional security through its links to war, mercenary activities and weapons trafficking. Lifting sanctions before such links to conflict have been broken, and before the Liberian government can ensure that the industry no longer fuels regional insecurity will go against the will of the Liberian people and severely undermine the work of the UN and international community in bringing peace and stability to the region.

Liberian timber exports will fuel conflict in Côte d'Ivoire.

If sanctions are lifted, exports of Liberian timber will help escalate the conflict in Côte d'Ivoire, as both the Ivorian government and rebel Forces Nouvelles are profiting from the Ivorian logging industry^a. Payments for security, taxes collected from loggers and the costs of arranging logging operations are providing both sides important revenue that maintains their war-making capacity. Given the current lack of border security, timber and arms trafficking from Liberia to Côte d'Ivoire, and improving transport links, there will be few blocks to Liberian timber exporters raising their supply of timber to Ivorian buyers and fuelling increased conflict.

Logging company security forces will re-arm ex-combatants.

With UNMIL providing inadequate up-country security, logging companies will likely hire armed security forces to protect their investments; such forces have historically been composed mostly of ex-combatants. Elements of some logging security forces were responsible for abuses including torture, sexual exploitation, arbitrary arrest and destruction of private property^b. This poses a serious internal security threat to Liberia, with the potential to spill-over into Côte d'Ivoire, Guinea and Sierra Leone.

Lack of capacity and security will prevent FDA oversight and lead to illegal exports. Armed ex-combatants and criminal elements will profit from large amounts of misappropriated revenue.

The FDA has not monitored areas of known ex-combatant logging despite its proximity to FDA offices, and its failure to develop coherent licensing, processing and transport policies has already led to ex-combatants profiting from un-licensed logging. The lack of security in up-country areas will make it practically impossible for the FDA to prevent the introduction of illegally-logged timber into the processing stream, making otherwise law-abiding companies vulnerable to purchasing, processing and exporting illegally-sourced and conflict-fuelling timber. The UN Panel of Experts has stated that the FDA is not able to ensure adequate control over logging industry revenue generated or expended^c, and that without such oversight misappropriation of logging revenue will continue.

The reform process will be put in jeopardy.

The current sanctions regime has helped create an environment where important forestry sector reforms can take place. Concerted efforts by the NTGL and donor community should lead to some of the key reforms being implemented in 2005. However, lifting sanctions now before fundamental reforms are implemented will rob the reform process of its momentum, as well as the reasoning behind it as the government will be able to restart operations in their current, uncontrolled state.

There will not be the desired economic boost either to the country or the individual.

The Liberian logging industry will not provide a significant number of jobs for ex-combatants or revenue for the government, considering both the lack of current investment and the relatively low numbers of workers required if the industry is managed in an environmentally sustainable manner. The logging industry has historically paid no or very low wages and workers have operated in dangerous situations without the benefit of contracts, health care or adequate training. Logging and diamond mining work is also seasonal, and will remove ex-combatants from DDRR re-training programmes. Moreover, ex-combatants taking jobs with logging company security forces will be re-armed, posing a security threat.

a. 'Côte d'Ivoire : No Peace in Sight', *International Crisis Group*, July 2004.

b. For more information on abuses previously committed by Liberian logging industry security personnel, see Global Witness' previous reports including 'Logging Off', September 2003.

c. UN Panel of Experts report on Liberia (S/2004/759).

Liberian timber and the war in Côte d'Ivoire

Both the Ivorian government and the Forces Nouvelles are profiting from logging in western regions of Côte d'Ivoire^a, taking the money raised through collecting taxes, arranging logging activities and acting as security forces to sustain their war-making capacities. This makes sanctions-busting exports of timber from Liberia to Côte d'Ivoire an increasingly lucrative enterprise for Liberian exporters and Ivorian warring parties. Regardless of the status of timber sanctions in Liberia, given the willing pool of buyers in Côte d'Ivoire, the long history of Liberian timber being smuggled across and re-branded as 'Ivorian', and weak border security between the two countries, Liberian timber traders will likely increase their exports.

a. Lauren Gelfand, 'Illegal logging adding fuel to fire in conflict-torn west of Ivory Coast', *Agence France Presse*, 26 October 2004; 'Côte d'Ivoire: No Peace in Sight', *International Crisis Group*, July 2004.

Timber activity and movements

Armed and unarmed groups are actively engaged in logging activities across the country, profiting from the significant and unregulated amounts of timber and revenue they generate. There is a constant flow of large trucks transporting sawn timber to Monrovia, and according to both the FDA and Liberian environmental civil society groups current rates of cutting and processing are oversupplying the local construction market¹¹. Moreover, evidence suggests that timber is crossing into neighbouring Guinea and Côte d'Ivoire in violation of UN sanctions, and that Liberian timber may become an increasingly significant source of revenue for the Ivorian warring parties.

Every day numerous large trucks full of sawn timber drive from a logging area known as Kilometre 85 to Buchanan and onward to Monrovia. There are also timber merchants based in the villages along the route from Kilometre 85 to Buchanan, who arrange deals to procure timber in any amount requested and have sizable quantities of ready-sawn timber available for immediate purchase¹². In particular, Global Witness observed numerous trucks with the insignia 'LSC' hauling timber to Monrovia. Whist it is incumbent on the owners of LSC, and all other trucking companies, to ensure that the timber they haul is legally-sourced and is not contributing to illegal or destabilising activities, there is no evidence that the FDA is properly managing or overseeing this transport or trade. Global Witness interviewed FDA staff in Buchanan, who despite their proximity and awareness of these trading activities had made no trips to investigate between mid-July and at least the end of October 2004. This was due to both logistical shortcomings and fear of confronting armed ex-combatants who make up a significant part of the logging workforce¹³.



'LSC' truck hauling sawn timber from Buchanan to Monrovia, October 2004.

While the rate of logging and processing in Maryland is currently lower than that in Buchanan, this is likely to change as road conditions improve with the dry season and the need for timber for reconstruction increases. Better transport links, including a large new ferry that operates on the Cavalla River between Prollo and Côte d'Ivoire, will increase the ability of timber traffickers to sell timber into Côte d'Ivoire for use by the Ivorian government and the rebel Force Nouvelles¹⁴ to fuel the conflict there.

Looking to the future, the FDA has stated its intent to centralise timber production through a limited number of sawmills whose names and locations have not been specified. However, any restart of major processing operations in an environment where the FDA cannot control logging by ex-combatants or other non-permitted groups will make such processors vulnerable to the purchase of illegally-sourced logs, and could lead to the increased export of illegally-sourced and conflict timber.



AWLC sawmill, Buchanan Port, October 2004.



Sawn timber for sale along road to Kilometre 85, near Buchanan, October 2004.

Missing and trafficked weapons

With only approximately 28,000 weapons collected for 100,000 DDRR registrants, the ratio of weapons to soldier is low, and there is a worrying lack of small arms and heavy weaponry collected. UNMIL continues to uncover weapons caches^a, and there are reports of weapons being hidden in the east and southeast of Liberia, specifically the Grebo area and eastern River Gee^b. Global Witness interviewed UNMIL staff, military observers and peacekeepers, who further reported the delay in UNMIL deployment and DDRR, especially to the east, led to many weapons being moved back across the border into Côte d'Ivoire or cached in Liberia's forests for future use.

There are also consistent reports of weapons trafficking across the border with Guinea, as AK-47s are sold or exchanged in Guinea for rifles, while other weapons have been brought from Guinea to Liberia to be used for registration in the DDRR process^c. A large cache of LURD weapons also disappeared from Macenta, Guinea, in September or August 2004, with current whereabouts unknown. Similar trading with regard to Côte d'Ivoire has occurred, with worrying implications for its security. Given the UN's current lack of capacity, irregular patrols of Liberia's porous borders, and recent upsurge in violence in Côte d'Ivoire, such cross-border trade and weapons caching will continue to fuel conflict and undermine peace in the region. (See Section 2: Security threats and lack of control over Liberia's borders, page 16)

a. Global Witness interviews with Civilian Police officers, October 2004.

b. Global Witness interviews with UNMIL staff, October 2004.

c. Global Witness interview with Special Court for Sierra Leone representative, October 2004.

Players in Liberia's logging industry

The following is a selected list of timber companies that are or have previously operated in Liberia. With the exception of Ana Woods Liberia Corporation (AWLC), all have concession agreements that are currently frozen and undergoing a concession review by the FDA, where a determination will be made on the legal status of the concession, any taxes due, the prior conduct of the company and ultimately whether or not the company will be allowed to operate in the future. Until that determination is made, any industry activities by former concession-holders will be in violation of FDA regulations. Global Witness does not assert that these companies are engaged in illegal activities, and none are currently engaged in commercial-scale logging.

Ana Woods Liberia Corporation (AWLC) – According to its website, Ana Woods is a Liberian enterprise with Spanish funding created in July 2004, ‘with the objective of exporting Liberian tropical timber products’^a. AWLC is currently building a sawmill at Buchanan Port, for which it has registered with the FDA and paid registration fees. Because AWLC is a new company and not engaged in the ongoing concession review, it is permitted to process timber for the domestic market.

Oriental Timber Company (OTC) – The OTC, the most notorious logging company in Liberia, is actively pursuing re-entry into the Liberia logging industry as part of the concession review process through its representative and Resident Manager, Mark Keshan. OTC’s erstwhile President^b and owner^c, *Gus Kouwenhoven*, is on both the UN travel ban^d and asset freeze^e lists for being an ‘arms dealer’ and ‘close associate’ of Charles Taylor who supported Taylor’s efforts to destabilise Sierra Leone and gain access to illicit funds and diamonds^f. He is suspected of operating businesses in Congo Brazzaville^g, and may also have offloaded logging equipment elsewhere in West Africa^h. Joseph Wong, also described as an ‘owner’ of OTC by the UN Panel of Expertsⁱ and ‘provider of military and financial support’ for Charles Taylor, is also on the UN travel ban^j and asset freeze^k lists. In light of recent comments by OTC staff to Global Witness that Mr. Kouwenhoven and Mr. Wong may still be the beneficial owners of OTC, the FDA must further investigate whether or not they are involved in company activities and would otherwise benefit from the company restarting logging activities^l.

Togba Timber Company (TTCO) – TTCO is based in Maryland County near the border with Côte d'Ivoire and according to the UN Panel of Experts is owned by Mr. Nasir Charaffedine^m. TTCO is also seeking to re-enter the Liberian logging industry, with a Monrovia-based lawyer acting on its behalf. TTCO’s sawmill, north of Harper, is still in working orderⁿ though as its concession agreement is being reviewed the FDA has ordered it not to engage in logging or processing activities.

Maryland Wood Processing Industries (MWPI) – The president and majority shareholder of MWPI is Mr. Abbas Fawaz^o. The company is based at Harper in the southeast, where it once controlled the port^p. While the company has moved much of its equipment out of Harper, it still has some equipment there and maintains representatives in both Harper and Monrovia. MWPI staff stated they are in contact with Mr. Fawaz, who is currently in Lebanon^q. MWPI warehouses and facilities were used in 2002 and 2003 to transport weapons for the MPIO and MJP rebel groups in Western Côte d'Ivoire; rebels were also seen housed at a MWPI bushcamp in River Gbeh while MWPI was still operating there^r.

a. See www.ana-wood.com for more details.

b. ‘List of Individuals and entities subject to the measure contained in paragraph 1 of Security Council Resolution 1532 (2004) concerning Liberia (The Assets Freeze List)’, updated on 26 August 2004, available at www.un.org.

c. UN Panel of Experts on Liberia report (S/2003/779).

d. ‘List of Individuals Subject to the Measures Imposed by Paragraph 4 of Security Council Resolution 1521 (2003) Concerning Liberia’, updated 6 October 2004, available at www.un.org.

e. List of Individuals and entities subject to the measure contained in paragraph 1 of Security Council Resolution 1532 (2004) concerning Liberia (The Assets Freeze List), updated on 26 August 2004, available at www.un.org.

f. List of Individuals and entities subject to the measure contained in paragraph 1 of Security Council Resolution 1532 (2004) concerning Liberia (The Assets Freeze List), updated on 26 August 2004, available at www.un.org.

g. ‘Gus Kouwenhoven, suspected violation of UNSC Resolution 1521(Travel Ban) and impact of Resolution 1532 (Assets)’, Letter from Greenpeace International to the Chairman of the Security Council Committee, 9 August 2004; Global Witness research, 2004.

h. Global Witness research, 2004.

i. UN Panel of Experts on Liberia report (S/2003/779).

j. ‘List of Individuals Subject to the Measures Imposed by Paragraph 4 of Security Council Resolution 1521 (2003) Concerning Liberia’, updated 6 October 2004, available at www.un.org.

k. List of Individuals and entities subject to the measure contained in paragraph 1 of Security Council Resolution 1532 (2004) concerning Liberia (The Assets Freeze List), updated on 26 August 2004, available at www.un.org.

l. Global Witness interview with Oriental Timber Company staff, 29 November 2004.

m. UN Panel of Experts on Liberia report (S/2003/779).

n. Global Witness research, 2004.

o. Abbas Fawaz letter to the UN Secretary-General, December, in which he states, ‘I am the President and majority shareholder of MWPI’.

p. UN Panel of Experts on Liberia report (S/2003/779).

q. Global Witness interview with MWPI staff, 14 October 2004.

r. Global Witness research and investigations, 2002 and 2003.

Reports of sanctions violations

There are consistent reports that timber is being smuggled across the border into Guinea through Lofa and Nimba Counties, and to Côte d'Ivoire at various points along the border¹⁵. The potential for greater cross-border timber trafficking to Côte d'Ivoire is especially strong given the use of timber sales by both government and rebel forces to fund their war machines¹⁶.

There is also concern that sawn timber is being exported in containers from the Freeport of Monrovia. The over-supply of timber to the local market, large stockpiles of timber near the port and the ease of falsifying export documents for containerised shipments has increased the possibility of this occurring. The Managing Director of the FDA has also stated on numerous occasions his intent to organise a task force to investigate these reports¹⁷. As UNMIL is specifically mandated to help the government take control of its natural resources, it should play a stronger role in this regard and should assist the FDA in gaining oversight of existing logging activities. UNMIL's CivPol contingent could provide expertise in investigating and prosecuting violations of timber industry regulations, but the UN has failed to give them the authority required to properly carry out their duties. (See UNMIL's lack of policing authority is undermining security, page 17)

Forestry Development Authority (FDA) Reform

There continues to be lack of transparency, financial controls, and coherent forest management policies within the FDA. While a new group of 165 foresters were recently trained and the FDA had planned to deploy them on 1 November after the official end of disarmament¹⁸, the riots in Monrovia, continued lack of security in forest areas and lack of capacity to deploy prevented this from taking place.



FDA staff were not paid between June and at least early December 2004, and FDA regional offices still suffer from a lack basic office equipment. The main regional office in Buchanan, which is located near key logging areas, has only one useable building and is often unable to patrol as there is only one vehicle for the entire area. The Tapeta and Ganta offices had no vehicles at all up through mid October. While foresters have been deployed to Sapo National Park, there is no FDA office as construction has only just begun on what is to be the FDA headquarters there. And while the FDA has had monitors stationed at key entry points into Monrovia to track the amount of timber entering the city, they have never impounded timber or levied fines.

The international community is working to overcome this lack of capacity, although the full amount of funds necessary to equip the FDA have not yet been secured. Smaller steps, such as pushing for joint patrols with the FDA, UNMIL and civil society representatives, are positive and will serve to keep all informed of what is going on, but they are only a beginning and many more critical reforms must be carried out.

There is a lack of coherency in FDA policy on logging and revenue management

FDA staff in and outside Monrovia have provided contradictory answers to Global Witness when asked about what steps the FDA has taken to control logging activities. In October, the Managing Director of the FDA stated to Global Witness that new FDA management had not issued permits for logging since it took control in 2003, and that no tax revenue had been generated for the FDA¹⁹. However, multiple FDA representatives stationed outside of Monrovia stated that the FDA office in Monrovia had indeed issued permits for the transportation of sawn timber to market, and that tax money was received for those permits²⁰.

The Managing Director, when asked to explain the discrepancy in November, admitted the transport permits and receipt of revenue, but was unable to state how much money the taxes had earned the FDA; the important point in his opinion was not how much money was being generated but that the FDA was trying to put procedures in place. However, allowing the transport of sawn timber to market, while simultaneously failing to manage and enforce proper

regulatory policy for legal logging activities, runs counter to the FDA's mandate to control the industry. FDA staff have since reported that timber industry tax revenue is now US\$29,000 per month, a significant sum of money that could pay for training, capacity-building and salaries of FDA staff; it is critical that the FDA properly and publicly account for both the receipt and expenditure of these funds, and move to enforce clear regulations of legal logging and processing.

The critical forensic audit and Concession Review process have yet to be completed

Integral to the FDA reform process is the completion of a full, retrospective audit of the FDA and logging industry. Such a full audit is necessary to look critically at the ways in which logging industry revenue was misappropriated historically, determine how much money was misappropriated and who was involved, and devise mechanisms to help close such loopholes for the future. The European Commission had been expected to undertake this work for some time, but it recently downscaled the audit to be more of a basic systems review, and has not publicly released its final report. This change in scope is especially unfortunate as the US government funded a pre-audit of the FDA in June 2004, which showed that after eight months in power the FDA still had 'a complete lack of financial management systems'²¹, and reiterated the call for a full audit.

The audit is also necessary to settle the dispute between companies and the government over how much money is owed in overdue taxes. This determination will affect the outcome of the Concession Review, the fundamental review of which companies have legal claims to log and which of those will be allowed to operate in the future. The review has gone through two inconclusive rounds, and major disputes remain; the FDA concluded after Phase 1 of the Concession Review that it was owed over US\$26 million²², while industry representatives disagreed. A third and final round has been stalled for months, though a Technical Committee has recently been formed and deliberations are due to begin again in early December. However, the final report on the review is not due to be completed until the first quarter of 2005. Relaxing the current sanctions to allow any concessionaires to log before the Concession Review and forensic audit have been completed would undermine progress made so far.

The armed occupation of Sapo National Park

Sapo is one of Liberia's two national parks, and encompasses one of the world's 25 bio-diversity hotspots. It has also become home to hundreds of armed combatants aligned with the former MODEL rebel group, who began entering the park in early 2004 and have been illegally mining gold, hunting bushmeat and engaging in small-scale logging^a. While the presence of the combatants is well known, neither UNMIL nor the FDA have made concerted efforts to remove the combatants from the park, although the increased presence of Ethiopian peacekeepers—who on their own accord began shuttling FDA representatives in to assess the situation—has slowly led to some combatants leaving^b. What effect the recent deployment of FDA foresters to the area will have has yet to be determined, but without significant assistance from UNMIL, it is unlikely to seriously improve the situation in the short term.

Far from an isolated incident, the situation in Sapo is demonstrative of a larger lack of control over the country's timber resources and territory more generally. Sapo is the centre of conservation efforts in the country, and its continued occupation by armed ex-combatants both poses a threat to the area's security as well as undermines UNMIL authority. A strong UNMIL presence and frequent reconnaissance missions to Sapo and elsewhere in the country's timber-producing areas previously could have prevented this and similar situations, and such deployment and monitoring should be instituted now in order to redress such lack of control.

a. Global Witness interviews with UNMIL staff and representatives of Liberian environmental organisations, October 2004.

b. Global Witness research in Liberia, October 2004.

UNMIL and Liberia's natural resources

UNMIL is mandated specifically to help the Liberian government regain control over its natural resources, but whether due to a lack of priority or coordination with the NTGL, UNMIL has made insufficient moves in that direction. Timber sawing and selling have been taking place in areas where the UN has a significant presence, such as Buchanan, and while on multiple occasions UNMIL has stopped timber trucks to check for permits²³, it is unclear how often such searches take place. Given the NTGL's lack of law enforcement capacity, UNMIL stands as the only force capable of enforcing forestry management law at this point, and its strategically placed checkpoints would enable it to do so with relative ease. Education on the importance of controlling natural resource extraction and the laws currently in place to do so should become a standardised component of UNMIL peacekeeper, CivPol and civilian staff orientation programmes beginning immediately. (See UNMIL's lack of policing authority is undermining security, page 17)

UNMIL must also ensure that it is not perpetuating illegal logging activities through its own timber purchases. Global Witness, as well as the Panel of Experts, have previously expressed their concern and called on UNMIL and all NGOs in Liberia to institute a system of purchasing only legally-sourced timber²⁴. Given the role of an uncontrolled logging industry in fuelling conflict and corruption historically, and the continued threat it poses to peace and security, UNMIL must work with the FDA and local environmental groups to develop and implement a clear timber-sourcing policy.

The Liberian diamond industry

The uncontrolled Liberian diamond industry continues to pose a threat to regional security, as the NTGL does not have authority over diamond-producing areas and important control systems have not been put in place. The UN Security Council responded to the role of rough diamonds in fuelling the civil war in Sierra Leone and Liberia by imposing diamond sanctions in March 2001²⁵. The diamond embargo has been continued through to the current sanctions regime, due to the NTGL's lack of control over its diamond-producing areas and diamond industry more generally. At present, Liberia is still not in compliance with Kimberley Process (KP) requirements.

Along with this continued lack of control, there has been a boom in diamond mining taking place in Liberia, especially in the north near the borders with Guinea and Côte d'Ivoire. The UN sanctions do not ban diamond-mining activities, but rather the export of diamonds found in the process. During an investigation by Global Witness on the border with Guinea, small-scale alluvial and larger-scale mechanised alluvial mining was recorded just outside of Gbarpa, a small village between Yekepa and Saniquellie. In one location the mining pit was at least 10 metres deep with three levels; this is the operation of a company called Jungle Waters, run by Mr. Floyd Thomas, which UN staff and peacekeepers state is the largest mining company operating in the area²⁶. There are also reports of increased diamond mining activities near Zorgowee and Kahnple, also in Nimba County.

While some progress has been made toward instituting essential government controls over diamonds, such as the passing of legislation designed to implement the KP, given the historical and current lack of control over natural resources and border regions in Liberia the time is not right for diamond export sanctions to be lifted. In addition to the lack of control the NTGL has over its territory, there is currently a lack of capacity, law enforcement and civil service infrastructure to adequately deal with the establishment of a diamond-trading regime. Moreover, there remains a regional network of actors involved in the diamond trade who would be able to, and have previously, facilitated the illegal trade of diamonds from Liberia²⁷.

Like timber, restarting the diamond industry will not be a panacea for Liberia's economic problems. While diamond mining has already restarted, alluvial diamond mining and exploration in Liberia has never utilised a large artisan workforce. UN officials have suggested that demobilised fighters can swap their 'guns for shovels', but alluvial diamond mining cannot provide viable alternative employment for a large number of ex-combatants. Moreover, environmental

factors, such as the rainy season that runs from July to October, makes the work seasonal and unsustainable as a year-round livelihood for ex-combatants.

As diamonds are already being mined it is crucial that the Liberian government make concerted efforts to implement the rigorous controls required to ensure its participation in the KP. The provision of funds for the establishment of such controls should be a priority focus for the international donor community. A team from the KP is making a visit to Liberia at the start of 2005 for a pre-implementation assessment visit, and a second visit should also be carried out once systems have been put in place and before a competent decision can be made on whether to lift sanctions.

Sanctions should only be lifted when Liberia and its neighbours can prove that they will be fully compliant with the KP. The legislation passed by the Liberian government to implement the KP sets a unique precedent as it turns voluntary controls of the KP into national law, but given the history of diamonds fuelling conflict in the region the NTGL should go beyond the recommendations set out in the KP system of controls. This is not to place an undue burden on the government, but rather to protect the long-term interests of the country and region.

It is critical that the Liberian government maintains authority over its timber and diamond-rich territory, and can adequately oversee extraction and revenue management. At present armed ex-combatants and criminal elements maintain their ability to profit from natural resource trading, and without control both industries will likely continue contribute to further conflict. Taking such control will require the NTGL to implement key reforms of its resource industries and central governance, and require UNMIL to ensure security over interior areas and control of borders; something neither has yet been able to accomplish.

SECTION 2: Security threats and lack of control over Liberia's borders

There is still insufficient UNMIL deployment in key interior regions and along critical border areas and border crossing points. In those areas where it is deployed, infrequent patrols of areas outside its immediate zone of control prevent UNMIL from establishing stronger authority and preventing illegal activities by armed ex-combatants and other criminal elements.

Until at least early November 2004, many key border crossing points with Sierra Leone, Guinea and Côte d'Ivoire were under the control of armed ex-combatants from LURD and MODEL, who harassed local civilians and acted as unauthorised border agents, demanding money from travellers. LURD-affiliated fighters issued travel permits, called 'laissez-passers', at the Mano River Bridge crossing point with Sierra Leone²⁸, requiring travellers to purchase a pass and pay additional bribes to fighters located on the bridge itself. Similar extortion took place at the Prollo border crossing point with Côte d'Ivoire, where some 25 MODEL combatants profited from such activities²⁹. There are continued reports of such abuses along the border with Côte d'Ivoire, especially in areas surrounding Zwedru³⁰. Such lack of authority shown by the NTGL and UNMIL has deeply worrying implications for the safety of residents in the area, refugees fleeing violence in Côte d'Ivoire, and Liberian security more generally.



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

The large population of ex-combatants in Liberia pose a serious threat to internal and regional security. Most have not been reintegrated, and some have staged violent demonstrations to demand DDRR payments and express frustration over the slow start of rehabilitation programmes. Recent riots in Monrovia, largely composed of ex-combatants, left at least 16

people dead and hundreds injured, and caused UNHCR to suspend its planned repatriation programme of refugees from Côte d'Ivoire, stating that 'it is against our policy to repatriate refugees to a country which is not considered safe'³¹.

The ability of ex-combatants to re-ignite such violence and disrupt security, even in heavily-policed Monrovia, is an indication of the precariousness of the peace in Liberia. The continuation of a house-to-house search for weapons, which had been planned as part of DDRR some time ago, should continue and could contribute to the security situation by removing more weapons from circulation. Ultimately, however, the situation will not improve unless ex-combatants are properly engaged in a rehabilitation programme and successfully reintegrated into society. (See Annex II: How Liberia's poorly planned DDRR programme is undermining regional security and UN success, page 22)

Security implications of Liberia's porous borders

Control of Liberia's porous borders is critical to ensuring the implementation of the timber, diamonds and arms embargoes, and to prevent any spillover of violence from Côte d'Ivoire. While UNMIL maintains a 33-person strong rapid reaction force in investigating and stopping such cross-border activities, as well as the stabilising effect of 15,000 peacekeepers spread out through the country, current UNMIL deployment strategy is not providing adequate protection of Liberia's 1,585km border.

In Yekepa, near the border with Guinea, peacekeeping troops are stationed a few kilometres from the border and only make quick patrols every few days. No UNMIL troops are stationed at the border for any significant amount of time to augment the work of customs and immigration officials. When Global Witness interviewed these border agents in mid-October, they had not been paid in months (travelling to and from Monrovia to pick up salary personally was said to cost a month's wages), had no vehicles (staff were forced to either walk or hitch rides to the border in taxis or on UN vehicles), and had no uniforms, radios, computers or electricity³². Further west, at the Mano River Bridge crossing point with Sierra Leone, even with UNMIL troops stationed at the border, harassment of civilians and extortion of money from travellers continued.



Immigration office at Yekepa border, October 2004.

Increased violence in Côte d'Ivoire, the flow of refugees into Liberia, and presence of armed ex-combatants should make the area a priority for UNMIL deployment. However, while there are only two major crossing points into Côte d'Ivoire from Maryland County, one via ferry at Prollo and another farther south at Patayelay, Senegalese peacekeeping troops assigned to the area are stationed many kilometres away and had not visited the ferry crossing point until August 2004. Even with the knowledge that former-MODEL fighters there were demanding money from travellers, the peacekeepers only visited once a week for a brief time, road conditions permitting³³. NTGL immigration representatives did not even deploy to the Harper area until early November. Given the significance of the crossing point, the

history of cross-border movement of timber, diamonds, weapons and mercenaries, and the threat from increasing violence there, such infrequent and limited peacekeeping visits are insufficient to maintain control of the border.

UNMIL's lack of policing authority is undermining security

The UN Security Council gave UNMIL an expansive Chapter 7 peacekeeping mandate, tasking it to help bring peace to the country and 'assist the transitional government in restoring proper administration of natural resources'³⁴. Despite its seemingly robust mandate the UN has not

clarified the powers of UNMIL's important Civilian Police (CivPol) unit, resulting in inconsistent application of the mandate and hindering CivPol's effectiveness as a law enforcement body.

According to UNMIL representatives, CivPol cannot act on its own to arrest or detain suspects in the course of investigating crimes or otherwise preventing illegal activities from taking place. Instead, CivPol officers have been instructed to work with the Liberian National Police (LNP), which is not trusted by the general population and is regarded as corrupt, undisciplined and under-staffed. In the confusion, UNMIL has been unable to intervene in cases of criminal activity, such as the exploitation of natural resources by armed ex-combatants in Sapo National Park and uncontrolled logging activities taking place throughout the country. Moreover, coordinated investigations with the LNP have often led to LNP officers tipping off suspects of impending arrests³⁵. CivPol officers have repeatedly expressed frustration with their lack of power, and previous UN Panel of Experts reports have called for such expansion of CivPol's authority³⁶.

However, CivPol continues to demur to the LNP. Beyond concerns about corruption and poor training, the LNP lacks vehicles, radios and the staff necessary to carry out its work; as of late October, there were only 17 LNP officers for all of Maryland County, and just one duty officer for Harper's main police station³⁷. This has created a cycle of inaction, as those needing police assistance call CivPol, who refer them to the LNP, who then say that they have no vehicles or staff to handle the situation and refer the call to CivPol. As the NTGL lacks the capacity to ensure physical and administrative control of its territory, much responsibility inevitably falls to UNMIL, and its inability or unwillingness to intervene in stopping and preventing criminal activities is undermining UNMIL's credibility, and hindering the creation of a secure environment in Liberia.

SECTION 3: Unreformed governance and uncoordinated international response undermine progress

The NTGL's continued failure to function effectively has significant ramifications for the country's long-term reconstruction prospects, as well as for the security of Liberia and its neighbours. Jacques Klein, the Head of UNMIL, has called the NTGL a 'coalition of the unwilling'³⁸, and political infighting, lack of reform and corruption are eroding donor confidence and undermining its ability to govern.

Corruption and lack of transparency

Serious concerns have been raised by Global Witness, the UN Panel of Experts³⁹, and representatives of the International Monetary Fund and World Bank about the NTGL's lack of transparency and inability to properly and publicly account for the money it receives⁴⁰. High profile incidents, such as the multi-million dollar purchase of luxury jeeps for government ministers, have concerned donors and angered Liberians desperate for the NTGL to spend its resources on more pressing matters. This lack of financial control has caused many international donors to withhold aid that was pledged at the Liberia Donors Conference in February 2004, and may impede IMF plans to restructure Liberia's US\$3 billion in international debt⁴¹. While the NTGL appears to be responding previous attempts to stamp out corruption have not worked. Donors should place more pressure on the NTGL to improve its governance, conditioning their aid with requirements of transparency and accountability to ensure money is not misappropriated.



National Legislature, Monrovia, 2004.

Iron Ore and the NTGL's missing millions

The ongoing debate surrounding a US\$10 million sale of iron ore to a Chinese company, the Qingdao Trading Group Corporation, continues its slow progress through the Liberian Supreme Court^a, and demonstrates a significant failure of the NTGL to act in a transparent and accountable manner. In August 2004, a coalition of Liberian legal, environmental and good governance NGOs (the Coalition) challenged the NTGL's authority to enter into the export agreement without legislative approval, and requested details of the transaction. The government did not respond to the Coalition's initial information requests, and the Coalition subsequently filed suit in the Liberian Supreme Court on August 27th 2004, asking the Court to stay any further exports until the situation was resolved. The Supreme Court agreed to this motion, pending the outcome of a meeting scheduled for 3 September, and that meeting determined the export stay should remain in place pending the outcome of further deliberations that were ongoing at the time of publication.

While the Finance Ministry has admitted that the sale took place and asserts that it has benefited the country's finances, the government has continuously refused to publicly disclose how the deal was managed and how the revenue has been accounted for. The government has also not provided any documentation to the public from the relevant port authorities relating to the arrival and departure of the cargo ships that carried the ore to China. The government's continued refusal to make public the details surrounding the sale and the manner in which revenue was handled calls into question the NTGL's commitment to operating in a transparent and accountable manner.

a. Global Witness research and interviews with Liberian environmental lawyers, 2004



Iron ore ready for loading, Buchanan Port, October 2004.

and return of Liberians from Côte d'Ivoire, will exacerbate the situation. Moreover, UNMIL staff have complained that much of the donor money pledged was for discreet projects, and has not left a large enough sum of unallocated funding for less-high profile, but equally fundamental, projects such as reforming the penal system and paying police salaries. Without such reforms, which are essential to restoring law and order to Liberia, the success of UNMIL and other donor work will ultimately be undermined.

Lack of Funds for the NTGL and UN

While the lack of reform and good governance in the NTGL is the responsibility of Liberian representatives to correct, the international donor community could more effectively fund UNMIL and Liberia's reconstruction. The donor community has not adequately supported the work of the World Food Programme (WFP), which has cut its daily food rations to below minimum requirements⁴², citing a \$20 million shortfall for its West Africa coastal operations⁴³. This lack of food security poses a serious threat to Liberia, as nearly a third of Liberia's population, or 942,000 people, will be dependent on food aid next year in 2005⁴⁴. The influx of Ivorian refugees,

Freezing assets and closing borders

In addition to sanctions on arms and natural resources, the UN Security Council has established a travel ban list for persons 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’^a. The Security Council has also established an asset freeze list, to prevent certain individuals from using ‘misappropriated funds and property to interfere in the restoration of peace and stability in Liberia and sub-region’^b. It is incumbent upon all nations and institutions to uphold UNSC resolutions as international law; however, the process has been continuously undermined by lack of implementation.

The travel ban has been continuously violated, and the asset freeze, in particular, has been slow to take effect. Only recently has the Liberian government itself begun to move toward freezing the assets of persons on the list. The asset freeze list includes a number of individuals involved in the logging industry, such as Joseph Wong and Gus Kouwenhoven of the Oriental Timber Company, as well as high-profile Liberians like Emmanuel Shaw, the former economic advisor to Charles Taylor, and Benoni Urey, former head of the Bureau of Maritime Affairs^c. As one of the few methods necessary to hold those responsible to account, it is critical that the international community—governments, banks and businesses alike—fulfil their obligation to uphold the UNSC travel ban and asset freeze.

a. Security Council Resolution 1521 (S/2003/1521).

b. Security Council Resolution 1532 (S/2004/1532); ‘List of Individuals and entities subject to the measure contained in paragraph 1 of Security Council Resolution 1532 (2004) concerning Liberia (The Assets Freeze List), updated on 26 August 2004’, available at www.un.org.

c. List of Individuals and entities subject to the measure contained in paragraph 1 of Security Council Resolution 1532 (2004) concerning Liberia (The Assets Freeze List), updated on 26 August 2004, available at www.un.org.

CONCLUSION

Liberia is still in the early stages of its transition from a source of regional instability to a country that possesses a transparent government and economy that benefit all citizens. The disarmament phase of the DDRR programme has ended⁴⁵, UNMIL has its full force of 15,000 peacekeepers and the warring parties have officially dissolved their militaries to help pave the way for elections scheduled for October 2005⁴⁶. Yet the situation remains highly unstable, as security threats and poor governance threaten to undermine the peace process. While the international community has a concurrent responsibility to assist this transition process through distribution of donor aid and technical support, for long-term stability and peace in Liberia it is critical that the reform process be led by a Liberian government committed to principles of transparency and accountability.

The NTGL has yet to take a strong leadership role in this regard, and after one year key reforms have yet to be implemented and the much of the country remains outside government control. The government has been beset by political infighting and has failed to properly account for donor funds and revenue from natural resource sales. The NTGL’s presence in the interior of the country is minimal, and representation along its borders inadequate. The FDA has not completed fundamental internal reforms and still lacks the capacity to oversee the country’s logging industry, a situation that has perpetuated unregulated logging and the generation of revenue for armed ex-combatants. The government has also failed to prove its ability to implement the requirements of the Kimberley Process, as large-scale diamond mining takes place in the absence of government supervision. The UN, for its part, has failed to adequately prepare for and implement the DDRR process, and has not provided necessary internal and border security, especially along the border with an increasingly volatile Côte d’Ivoire.

Armed ex-combatants have exploited this lack of control, and continue to harass and extort money from civilians, spark violent riots within Liberia and threaten regional security by crossing into Côte d’Ivoire to fight. Moreover, the continued lack of Liberian internal and border security allows armed ex-combatants to operate with relative impunity and profit from cross-border trafficking of weapons, timber and diamonds. In its unreformed and unsecured state, Liberia’s natural resources remain a threat to international security. The NTGL has not met the requirements as set forth by Security Council Resolution 1521 (2003) for the lifting of sanctions,

and the Security Council should renew the sanctions regime at its meeting in December for one year with a six month review. While sanctions should not be necessary forever, they have been put in place to protect Liberia and its neighbours from further violence and promote peace; given the lack of stability and progress in Liberia, and the explosion of violence in neighbouring Côte d'Ivoire, that protection is needed now more than ever.

ANNEXES

Annex I: Regional Security Issues and Their Effects on Liberia

The current political turmoil in Côte d'Ivoire, fragility of the government in Guinea and the impending withdrawal of UNASMIL from Sierra Leone reinforces the need for an awareness of the effects of the situation in Liberia on the region, and vice versa. The recent surge in violence in Côte d'Ivoire, and the prospect of a return to full-scale war despite a new UN arms embargo⁴⁷ is a direct security threat to Liberia. Moreover, the region is still awash with weapons and ex-combatants, including those waiting to disarm in Côte d'Ivoire and those in Liberia that are still awaiting rehabilitation training courses and employment. Given the historical cross-border movement of natural resources, weapons and mercenaries, and reports of re-recruitment of ex-combatants from Liberia to fight in Côte d'Ivoire⁴⁸, any return to conflict in Côte d'Ivoire will threaten Liberia and draw more Liberians back into war.

The fighting in Côte d'Ivoire has already caused an increased number of Ivorian refugees and Liberian returnees to come to Liberia and has strained already over-stretched humanitarian aid programmes. At least 19,000 refugees have crossed over so far⁴⁹, and some border towns in Liberia have swelled to over double their original size⁵⁰. As nearly one third of Liberia is dependent on food aid, any additional pressure on vital food resources may result in reductions of food rations. As Rudd Lubbers, Chief of the UNHCR, stated in early November, 'At such a difficult and fragile stage in the rehabilitation of Liberia, a large influx of new refugees from Côte d'Ivoire would be detrimental, creating further poverty and instability'⁵¹.

Likewise, the political and security situation in Guinea is also fragile, with ethnic clashes in Guinea Forestier region, continued uncertainty over succession plans for President Lansana Conte, and cross-border movement of weapons and former LURD fighters. Such weapons trafficking and disappearance of a LURD weapons cache from Macenta⁵² pose a threat to both Guinea and Liberia, and reinforces the need for a more integrated approach to weapons tracking and collection.

Sierra Leone has made progress toward lasting peace, but its progress is still jeopardised by the instability of Guinea, Liberia and Côte d'Ivoire. Sierra Leone is being heralded as a success as the UN plans to withdraw most of its troops by mid 2005, but the country has only been officially at peace since January 2002 and conducted its first post-conflict election in May 2002. The retraining of the Sierra Leonean army and police force is still ongoing, and the army's ability to respond effectively to cross-border violence from Liberia or Guinea remains untested. Moreover, many of the fundamental issues which led to conflict, including the distribution of wealth, inadequately-controlled diamond sector, high level of unemployment and endemic corruption, remain unresolved and continue to threaten Sierra Leone's progress.

Also, many of the high profile people the Special Court is prosecuting maintain supporters within Sierra Leone, posing a potential threat to the Court and domestic security. This threat will become more acute if the Court successfully brings Charles Taylor to trial. While important for the long-term prospects of peace and security within the region, bringing Taylor to Freetown for trial, and keeping the country safe while he is awaiting and undergoing trial, will take significant coordination among a sizable number of well-trained troops.

Annex II: How Liberia's poorly planned DDRR programme is undermining regional security and UN success

The successful completion of the Liberia Disarmament, Demobilisation, Rehabilitation and Reintegration (DDRR) programme is fundamental to helping break the cycle of violence and mercenary activity seen in West Africa. The disarmament and demobilisation phase of DDRR is now over, and it is clear that the entire process has suffered from under-funding by the international community, lack of planning by its designers and an accelerated deadline for completion that has undermined its effectiveness and continues to jeopardise its potential success.

A Rushed Process

The original deadline for the end of the disarmament and demobilisation components of DDRR was December 2004, but this was moved forward by UNMIL leadership to 31 October 2004. This move was initially met with protests from the NTGL, which felt the October deadline to early, but eventually the deadline was extended for some eastern parts of Liberia to 24 November 2004⁵³. Bringing forward the completion date has meant that disarmament was rushed and poorly planned in many areas, particularly the east and southeast of Liberia⁵⁴. The disarmament camp in Harper, which is important due to its proximity to Côte d'Ivoire and MODEL strongholds, was not due to open until November, but the process was expedited and sensitisation programmes began only one day before the camp, though incomplete, was opened. Not surprisingly, resulting turnout was far lower than expected⁵⁵, and there remain legitimate concerns about former MODEL combatants who remain armed and unregistered in the area⁵⁶.



By 24 November 2004, over 100,000 combat related persons had registered for DDRR⁵⁷, far above the anticipated number of 38,000⁵⁸, and as a result much of the DDRR budget was spent on disarming and providing resettlement grants. There was no comprehensive list of fighters⁵⁹ and no successful method with which disarmament sites could crosscheck names of registrants, leading to the possibility that some combatants may have registered multiple times and that non-combatants may incorrectly registered and received benefits. This has left inadequate funds for the crucial rehabilitation and reintegration programmes that form the backbone of a successful long-term demobilisation strategy⁶⁰.

The Lack of R & R

There is a severe shortage of Rehabilitation and Reintegration (RR) programmes available to ex-combatants. Many former fighters have been discharged from DDRR camps after only a few days of observation, with their initial cash payment of \$150 and some food, and told to check in at a later date when there may be an RR programme ready to begin. According to official UNMIL statistics from early November, there are at least 71,400 ex-combatants eligible for RR programmes, but only 23,400 spots available⁶¹. This shortage, compounded with the lack of available employment and poor living conditions in containment camps, has created significant resentment within the ex-combatant community, who were promised training programmes upon the completion of disarmament. The longer it takes for RR programmes to become operational the more likely it is that ex-combatants will cause additional unrest in Liberia and cross into Côte d'Ivoire to fight as mercenaries.

Annex III: Open Letter by the NGOs Coalition for Liberia to the UN Security Council, against lifting sanctions

December 6, 2004

H.E. Ambassador Abdallah Baali, President of the UN Security Council
H.E. Ambassador Munir Akram, Chair of the Liberia Sanctions Committee
United Nations Security Council
United Nations Headquarters
New York

Reference: Open Letter from the NGOs Coalition for Liberia calling on the UN Security Council to maintain timber and diamond sanctions at its December review.

Your Excellencies:

The Non-Governmental Organizations (NGOs) Coalition for Liberia, a consortium of indigenous Liberian non-governmental organizations working on diverse issues associated with natural resources in Liberia, presents its compliments to Your Excellencies and members of the United Nations Security Council [1].

The Coalition wishes to bring to your attention a range of critical issues pertinent to your ongoing deliberations on the Liberian sanctions regime. The summary presented below is not an exhaustive list of issues that need to be considered during your discussions, but it provides a basis for Your Excellencies to understand the wishes of the overwhelming majority of ordinary Liberians who are in favor of maintaining the current sanctions regime.

Liberians from all walks of life have spoken out persistently and emphatically against a premature lifting of the timber and diamond sanctions on Liberia. Opinion polls conducted and facilitated by the members of the United Nations Panel of Experts on Liberia at different times in Liberia all bear witness to this fact. Throughout 2004, numerous radio programs and call-in talk shows facilitated and aired on the United Nations Mission in Liberia official radio station (UNMIL Radio) have been dominated by calls to maintain the current sanctions regime on Liberia.

The majority of Liberians believe that the National Transitional Government of Liberia (NTGL) has not made significant progress in implementing the measures, agreed to by all stakeholders, which are necessary to satisfy the reform mandated by Security Council Resolution 1521 of December 2003. The resolution requires the NTGL to reclaim authority over its territory and natural resources, and to ensure that the Liberian timber and diamond sectors no longer fuel insecurity and conflict.

The presumption that the lifting of sanctions will support economic recovery, provide thousands of jobs in the natural resource sector, and mitigate the humanitarian impact of the sanctions is misguided. Public opinion continues to support maintaining sanctions for the following reasons:

1. Ongoing reforms in the timber and diamond sectors are at a critical stage and the prospects of lifting sanctions serve as the key incentive for the NTGL to reform. By prematurely lifting the sanctions, the UN Security Council will take away that incentive while providing the NTGL with an opportunity to abandon ongoing reform initiatives altogether. Furthermore, this will be construed by criminal elements within and outside of Liberia as an endorsement of the continued plunder of Liberia's natural resources, and a directive to return to business as usual.

For example, the ongoing forestry concession review seeks to identify concessionaires who actively participated in the violations of various UN Security Council Resolutions, especially the embargo on weapons imports into Liberia, and determine whether or not they should be allowed to re-enter the industry. Without completing the concession review, identifying and punishing those concessionaires who actively participated in fuelling conflict and violated UN Security Council Resolutions on Liberia and Sierra Leone, the natural resource sector remains vulnerable to criminal enterprises that have taken advantage of weak natural resource governance in Liberia.

Furthermore, financial and management systems are insufficient and such reforms are still ongoing. The system for granting concessions, which was compromised during the past regime, has not been

reformed to ensure that natural resource concessions are negotiated and agreed to in a manner that meets minimum international standards.

2. The NTGL has not established its full control and authority over key timber and diamond producing areas as required by the Security Council in Resolution 1521. The law enforcement capacities of government agencies tasked with the management of these sectors are seriously diminished and international [donor] assistance aimed at rebuilding their capacities has not been fully realized. For example, the Forestry Development Authority has in the past months clearly demonstrated its inability to enforce forestry laws by failing to deal with the high level of armed groups in timber-rich areas and illegal pit sawing presently occurring throughout Liberia. Illegal diamond and gold mining operations ongoing in Nimba, Sinoe, Rivercess, Bong and Gbarpolu counties are all indicators of the NTGL's lack of control and authority over natural resources and its inability to enforce law in these areas.

3. The NTGL has not yet put into place the necessary measures to ensure that revenue generated from timber, diamonds and other natural resources are used for the benefit of the Liberian people and not to fuel conflict in the sub-region. There are compelling evidences pointing to a lack of respect for the rule of law, as demonstrated by the NTGL's refusal to honor a Supreme Court judgment, placing an injunction on the export of Liberian iron ore.

In view of the above, the NGOs Coalitions for Liberia insists that the sanctions regime remain in effect until ongoing reforms in the natural resource sector are successfully concluded. This is the only guarantee that Liberia's natural resources will never again be used to fuel conflict in the region, but rather for the benefit of Liberians.

Your Excellencies, we ask you that in the interest of peace, democratic and political development as well as Liberia's post-conflict economic recovery, maintain the sanctions regime as a demonstration of support for well-meaning local and international efforts aimed at rebuilding our nation.

Sincerely yours,

Ralph A. Woods
National Coordinator
On behalf of the NGOs Coalition for Liberia

[1] The NGOs Coalition for Liberia comprises of thirteen (13) indigenous organizations working on environmental, human rights, law enforcement and governance issues directly associated with natural resources in Liberia.

¹ 'Côte d'Ivoire: No Peace in Sight', *International Crisis Group*, July 2004.

² 'Côte d'Ivoire: No Peace in Sight', *International Crisis Group*, July 2004.

³ UN Panel of Experts on Liberia report (S/2004/792).

⁴ 'Disarmament finally ends nearly a month behind schedule', *Irinnews.org*, 24 November 2004

⁵ 'DDRR Consolidated Report Phase 1,2 & 3', *National Commission on Disarmament, Demobilization, Rehabilitation and Reintegration (NCDDR)*, 7 November 2004.

⁶ UN Security Council Resolution 1343 (S/2001/1343).

⁷ UN Security Council Resolution 1478 (S/2003/1478).

⁸ For more information on the historical role of the Liberian logging industry in fuelling conflict in West Africa, please see previous Global Witness reports and briefing documents: 'Resource Curse or Cure: Reforming Liberia's governance and logging industry', *Global Witness*, September 2004; 'Liberia: Back to the Future-What is the future of Liberia's forests and its effects on regional peace?', *Global Witness*, May 2004; 'Against the People, For the Resources: The need for stronger enforcement of UN timber sanctions and prevention of plunder', *Global Witness*, September 2003; 'The Usual Suspects: Liberia's weapons and mercenaries in Côte d'Ivoire and Sierra Leone', *Global Witness*, March 2003; 'Logging Off: How the Liberian timber industry fuels Liberia's humanitarian disaster and threatens Sierra Leone', *Global Witness*, September 2002; 'Taylor-made: The pivotal role of Liberia's forests and flag of convenience in regional conflict', *Global Witness*, September 2001.

⁹ 'Côte d'Ivoire: No Peace in Sight', *International Crisis Group*, July 2004.

¹⁰ UN Panel of Experts Report on Liberia (S/2004/752).

¹¹ Global Witness interview with Dean Eugene Wilson, Managing Director of the Forestry Development Authority, October 2004.

¹² Global Witness investigations in Buchanan, Liberia, October 2004.

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- ¹³ Global Witness investigations in Buchanan, Liberia, October 2004.
- ¹⁴ 'Côte d'Ivoire: No Peace in Sight', *International Crisis Group*, July 2004.
- ¹⁵ Global Witness interview with UNMIL staff, October 2004.
- ¹⁶ 'Côte d'Ivoire: No Peace in Sight', *International Crisis Group*, July 2004.
- ¹⁷ Global Witness interviews with Dean Eugene Wilson, Managing Director of the Forestry Development Authority, 11 October 2004 and 30 November 2004.
- ¹⁸ Global Witness interviews with Dean Eugene Wilson, Managing Director of the Forestry Development Authority, 11 October 2004.
- ¹⁹ Global Witness interviews with Dean Eugene Wilson, Managing Director of the Forestry Development Authority, 11 October 2004.
- ²⁰ Global Witness interviews with FDA representatives in Buchanan, 1 September 2004 and October 2004.
- ²¹ Panel of Experts on Liberia report (S/2004/752).
- ²² Panel of Experts on Liberia report (S/2004/752).
- ²³ Global Witness research, 2004.
- ²⁴ Panel of Experts on Liberia report (S/2004/752).
- ²⁵ UN Security Council Resolution 1343 (S/2001/1343).
- ²⁶ Global Witness interview with Bangladeshi UNMIL peacekeepers, October 2004; interview with UN staff, November 2004.
- ²⁷ Global Witness research, 2004.
- ²⁸ Global Witness research and investigation, 2004.
- ²⁹ Global Witness research and investigation in Harper, October 2004.
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- ³¹ 'Riots kill 16, delay repatriation of refugees', *Irinnews.org*, 1 November 2004.
- ³² Global Witness interview with immigration and customs officials at Yekepa, Liberia, 8 October 2004.
- ³³ Global Witness interviews with UNMIL peacekeepers in Yekepa and Plebo, October 2004.
- ³⁴ 'The Mandate of the United Nations Mission in Liberia (UNMIL) Established Pursuant to Security Council resolution 1509 (2003) of 19 September 2003', available at www.un.org.
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- ³⁷ Global Witness interview with Civilian Police officers, 12 October 2004.
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