

2003

## TAYLOR'S LIBERIA AND THE U.N.'s INVOLVEMENT

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### Recommended Citation

Woodward, Levi (2003) "TAYLOR'S LIBERIA AND THE U.N.'s INVOLVEMENT," *NYLS Journal of Human Rights*: Vol. 19 : Iss. 3 , Article 14.

Available at: [https://digitalcommons.nyls.edu/journal\\_of\\_human\\_rights/vol19/iss3/14](https://digitalcommons.nyls.edu/journal_of_human_rights/vol19/iss3/14)

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## TAYLOR'S LIBERIA AND THE U.N.'s INVOLVEMENT

All power is inherent in the people. All free governments are instituted by their authority and for their benefit and they have the right to alter and reform the same when their safety and happiness so require. In order to ensure democratic government which responds to the wishes of the governed, the people shall have the right at such period, and in such manner as provided for under the Constitution, to cause their public servants to leave office and to fill vacancies by regular elections and appointments.

—Constitution Of The Republic Of Liberia<sup>1</sup>

Liberia, once a promising American colony on the northwest coast of Africa, is now a country torn apart at the seams. Since 1989, Liberia has been under continuous civil war and savagery, as well as economic and social strife. Liberia has a tradition marred with subjugation of non-American Liberians, barbaric conflicts amongst rivaling tribes, unstable economic conditions and vast high level governmental corruption and despotism. The United Nations' ("U.N.") latest Resolution regarding Liberia, Resolution 1343, fails to squarely address many of these elements underpinning Liberia present upheaval. Due to this failure, Resolution 1343 is inept to deal with the severe human rights abuses currently occurring in Liberia. At best, Resolution 1343 is an initial step that, after two years, seriously needs to be modified.

### I. BIRTH OF THE CONFLICT

At the beginning of the nineteenth century, conservative Americans north of the Mason-Dixon line viewed free slaves as an ever-growing problem. As a result, freed slaves were sent across the Atlantic Ocean to the newly formed American colony of Liberia.<sup>2</sup>

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<sup>1</sup> LIB. CONST.

<sup>2</sup> Library of Congress, *History of Liberia: A Time Line*, available at <http://memory.loc.gov/ammem/gmdhtml/libhtml/liberia.html#onmp> [hereinafter *History of Liberia*] (last visited May 16, 2003). Initially Robert Finley, a Presbyterian Minister concerned with uneducated freed slaves ability to integrate into 19th century

By 1841, the colonists had become self-sufficient; Joseph Jenkins Roberts became the first governor of the colony of Liberia, a Constitution was drafted, and Liberia became a recognized Republic.<sup>3</sup>

Beginning with World War I, Liberia entered prosperous times. Firestone Tire and Rubber Company opened a one million acre rubber plantation in Liberia, becoming the nation's primary financial generator.<sup>4</sup> The United States provided Liberia with needed revenue to expel hostile natives and continue exploration inward from the coast.<sup>5</sup> In return, Liberia allowed the U.S. to build strategic bases.<sup>6</sup>

In May 1943, William V. S. Tubman, a member of the True Whig Party, was elected president of Liberia.<sup>7</sup> Tubman called for drastic restructuring of Liberia, both nationally and internationally. Tubman's administration revitalized the nation's economy by successfully encouraging and securing foreign investments, such as the iron-ore mining industries in northern Liberia.<sup>8</sup> The creation of jobs instigated a nationalistic movement, which in turn led to the integration of indigenous tribes with Americo-Liberians and the illegalization of racial discrimination.

In 1971, Tubman died in his seventh term and William R. Tolbert Jr., the Vice President, came into power and pushed for further improving economic conditions.<sup>9</sup> As part of his economic ref-

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American society, proposed the idea of returning the freed slaves to their homeland. However, the American Colonization Society including George Washington's nephew, Bushrod Washington, Daniel Webster, Francis Scott Key, and James Monroe, had different motives for sending out the freed slaves, primarily fear of potential revolutionaries. *Id.*; see also MICROSOFT ENCARTA ONLINE ENCYCLOPEDIA 2003, *Liberia*, available at <http://encarta.msn.com/encnet/refpages/RefArticle.aspx?refid=761565772&pn=3#s24> [hereinafter ENCARTA ONLINE] (last visited May 16, 2003).

<sup>3</sup> ENCARTA ONLINE, *supra* note 2. The Constitution however did not recognize indigenous tribal people who were forced into labor. *Id.*

<sup>4</sup> *Id.* In 1931 the prosperity received a tremendous social blow when the League of Nations disclosed that Americo-Liberians had been using forced labor at the plants. *Id.* The scandal was mapped right through the government to the highest officials causing the President and Vice President to resign. *Id.*

<sup>5</sup> *Id.* The United States provided support for Liberia by negotiating with other European Countries, primarily Great Britain, who failed to recognize Liberia's boundary inflation. *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *History of Liberia*, *supra* note 2.

<sup>8</sup> ENCARTA ONLINE, *supra* note 2.

<sup>9</sup> *Id.*

ormation, Tolbert accepted aid from the former Soviet Union in 1974, consequently straining relations with the U.S.<sup>10</sup>

Tolbert's ability was first put to the test during what later became known as the Rice Riots. On April 14, 1979 police killed forty demonstrators in the capital of Monrovia who were protesting the forty percent price increase of rice—the main source of food for Liberians. Further rioting and looting broke out in Monrovia. Tolbert made an agreement with Guinea, who flew in troops to quickly suppress the uprising. The University was closed and habeas corpus was suspended. Under pressure, Tolbert reduced rice prices and provided amnesty to all rioters.<sup>11</sup> A year later Tolbert was openly criticized for his nepotistic regime. Tensions arose between Tolbert—an Americo-Liberian—and the indigenous tribes of Liberia. In an attempt to maintain his office, Tolbert arrested many opposition leaders. On April 12, 1980, the True Whig's one hundred year rule came to an end as Master Sergeant, Samuel K. Doe, a Krahn tribesman, led a coup and ordered the seizure of Tolbert and his family.<sup>12</sup> On April 22, 1980, Doe's People's Redemption Council (PRC) televised the public execution of fourteen of Tolbert's high officials at a local beach.<sup>13</sup> Doe seized control of Liberia, suspended the Constitution and implemented martial law.<sup>14</sup>

Shortly after the coup, Doe reduced diplomacy with the former Soviet Union and forged greater alliances with the U.S. under the Reagan Administration. The United States recognized Doe as the new leader of Liberia and increased aid.<sup>15</sup>

Doe's presidency, however, quickly became embedded with controversy. Doe's head of General Services Administration, Charles Taylor, fled to the United States after he was accused of embezzlement.<sup>16</sup> Later, Amos Sawyer, leader of the Liberia People's Party (LPP) and a professor at the University of Monrovia was arrested for allegedly conspiring against Doe.<sup>17</sup> Monrovia stu-

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<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *History of Liberia, supra note 2; see also* ENCARTA ONLINE, *supra note 2.*

<sup>13</sup> ENCARTA ONLINE, *supra note 2.*

<sup>14</sup> *Id.*

<sup>15</sup> *See id.*

<sup>16</sup> *See* Norimitsu Onishi, *In Ruined Liberia, It's Despoiler Sits Pretty*, N.Y. TIMES, Dec. 7, 2000 at A1. Taylor was later captured and imprisoned in the United States, however, while awaiting extradition he escaped. *Id.*

<sup>17</sup> *See* Human Rights Watch, *Liberia*, at <http://www.hrw.org/reports/1989/WR89/Liberia.htm> (last visited (May 16, 2003)); *see also* *Liberian Crisis 1980-1996*,

dents protesting the arrest were killed by Doe's military.<sup>18</sup> Additionally, Doe's own advisor, Colonel Quiwonkpa, was executed after he attempted to assassinate Doe. Moreover a dismal economic decline began and Doe was publicly scorned for skimming tens of millions of dollars from U.S. aid to Liberia. Then, in the late eighties the U.S. dollar plummeted, Liberia's external debt escalated to a billion and a half dollars and the Liberian America-Swedish Mining Company (LAMCO), Liberia's largest employer, pulled out of the country, leaving fifteen thousand Liberians without work.<sup>19</sup>

## II. TAYLOR'S REVOLUTION

Christmas Eve, 1989, marked the beginning of a bloody revolution.<sup>20</sup> Charles Taylor, the once exiled member of Doe's government, led the National Patriotic Front of Liberia (NPFL) into northern Liberia from the Ivory Coast.<sup>21</sup> Doe's military, consisting of Krahn tribesman, initially repelled Taylor's forces, however Taylor's forces grew stronger as Gios and Mano tribesmen enlisted, gal-

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at <http://pages.prodigy.net/jkess3/Civilwar.html> [hereinafter *Liberian Crisis*] (last visited May 16, 2003). Sawyer, was arrested for being part of a "socialist plot" to overthrow the Liberian Government. *Liberian Crisis*, *supra* note 17.

<sup>18</sup> See *Liberian Crisis*, *supra* note 17. Doe dismissed the entire University faculty. Over 1,000 students responded to the arrest. Doe declared, "Mr. Minister of Defense, Mr. Army Chief of Staff, I want the students at the University campus to disperse without delay. Now! And you will move or remove!" Consequently, students were shot, beat, and raped. *Id.*

<sup>19</sup> Central Intelligence Agency, *Liberia*, WORLD FACTBOOK 2002, available at <http://www.cia.gov/cia/publications/factbook/geos/li.html> [hereinafter WORLD FACTBOOK 2002] (last updated Mar. 19, 2003); Friends of Yekepa Network, *Liberian History*, at <http://www.friendsofyekepa.org/LibHistory.htm> [hereinafter *Liberian History*] (last modified Jan. 16, 2003). The LAMCO railroad system, operated by foreign steel companies closed in 1989 after iron ore production ceased. *Liberian History*, *supra* note 21.

<sup>20</sup> See Derek Brown, *The Elected Dictator: Liberian President Charles Taylor*, GUARDIAN UNLIMITED NETWORK (United Kingdom), Mar. 17, 2000, available at <http://www.guardian.co.uk/sierra/article/0,2763,221878,00.html>.

<sup>21</sup> The NPFL were primarily composed of Gios and Mano tribesman. See Pyt Douma and Klaas van Walraven, *Between Indifference and Naivete, Dutch Policy Interventions in African Conflicts, A Synthesis Report*, available at [www.swp-berlin.org/cpn/main/CPlit0201.pdf](http://www.swp-berlin.org/cpn/main/CPlit0201.pdf) See also Professor D.F. Davis, *George Mason University Program on Peacekeeping Policy and World Vision International, Liberian Election Modeling*, available at <http://www.gmu.edu/departments/t-po/peace/liberia/report.html> [hereinafter *Peacekeeping Policy*].

vanized by the atrocities Doe's forces had committed against their communities.<sup>22</sup>

In hopes of bringing stability into the region the Economic Community of West African States (ECOWAS) implemented peace talks that quickly deteriorated.<sup>23</sup> Prince Yormie Johnson ("Y. Johnson"), once an ally of Taylor, led the newly formed Independent Patriotic Front (IPF) to Monrovia from the north, where they finally captured Doe in the presence of the Economic Community of West African States Cease-Fire Monitoring Group (ECOMOG), the military arm of ECOWAS.<sup>24</sup> In the presence of television cameras IPF members tortured Doe for two days until he finally died.<sup>25</sup>

After numerous failed peace agreements, on August 19, 1995, the U.N. sanctioned Abuja Accord ("the Accord") was signed.<sup>26</sup> The Accord called for a cease-fire, amnesty to warring factions and a national governmental body composed by the various heads of the warring factions.<sup>27</sup> The leaders of the warring factions, particularly Taylor and Alhaji Kromah, a former member of Doe's forces, and leader of the United Liberation Movement for Democracy (ULIMO-K), became civilian leaders of the newly formed interim government.<sup>28</sup> However, the violence continued as factions warred in the south. Roosevelt Johnson ("R. Johnson"), a Krahn tribe leader and warlord of the breakaway ULIMO-J faction, attacked ECOMOG near protected diamond mines.<sup>29</sup> Taylor and Kromah, ordered R. Johnson's arrest on murder charges, leading to what was later known as the Siege of Monrovia.<sup>30</sup> R. Johnson retreated to the military barracks of the former warring factions while the combined forces attacked the NPFL and the ULIMO-K forces in Monrovia.<sup>31</sup> After the smoke had cleared, three thousand were left for dead and

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<sup>22</sup> See Peacekeeping Policy, *supra* note 21.

<sup>23</sup> ENCARTA ONLINE, *supra* note 2.

<sup>24</sup> See Brown, *supra* note 22.

<sup>25</sup> *Id.*

<sup>26</sup> See ABUJA ACCORD, in THE LIBERIAN PEACE PROCESS 1990-1996 (1996), available at <http://www.c-r.org/accord/index.htm?lib/accord1/contents.htm> [hereinafter ABUJA ACCORD].

<sup>27</sup> *Id.*

<sup>28</sup> ENCARTA ONLINE, *supra* note 2.

<sup>29</sup> *Id.*

<sup>30</sup> See PBS, *Global Connections: Liberia: Timeline*, <http://www.pbs.org/wgbh/globalconnections/liberia/timeline/time4.html> (last visited May 16, 2003).

<sup>31</sup> *Id.*

the U.S. had removed R. Johnson from Monrovia, who had sought refuge in the U.S. embassy.<sup>32</sup>

The Abuja Accord was revised, establishing a war crimes tribunal and calling for an immediate cease-fire, disarmament and elections.<sup>33</sup> The provisions of the Accord were further strengthened by

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<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

§ A art. I CEASEFIRE:

The Parties to this Agreement hereby declare a ceasefire and the cessation of hostilities effective at 12 o'clock midnight August 26th, 1995.

§ K art. 12 SCHEDULE OF IMPLEMENTATION:

The Parties hereby agree to abide by the schedule of implementation attached to the Agreement on the Clarification of the Akosombo Agreement with such modifications in terms of dates as are required by virtue of the delay in the implementation of the said Agreement.

Part II Political Issues

§ A

Executive

i) The Parties agree that during the transitional period leading to the inauguration of an elected government, the executive powers of the Republic of Liberia shall be vested in a six-member Council of State to be composed as follows:

- a) NPFL - Mr. Charles Ghankay Taylor
- b) ULIMO - LTG. Alhaji G. V. Kromah
- c) Coalition - Dr. George E. S. Boley, Sr.
- d) LNC - Oscar Jaryee Quiah
- e) Chief Tamba Tailor
- f) Mr. Wilton Sankawulo

ii) The Chairman of the Council shall be Mr. Wilton Sankawulo. All other members of the Council shall be Vice-Chairmen of equal status. In case of permanent incapacitation a new Chairman shall be appointed within the ECOWAS framework.

iii) The Parties hereby agree that the allocation of Ministries, Public Corporations and Autonomous Agencies agreed by the Parties in Cotonou, Benin on November 3-5, 1993 shall be maintained. The Parties however, agree that the allocations for the erstwhile IGNU shall revert to LPC/COALITION. LTG Hezekiah Bowen, Francois Massaquoi, Thomas Woewiyu, Laveli Supuwood and Samuel Dokie shall be given ministerial or other senior Government positions.

ABUJA ACCORD, *supra* note 30.

Supplement to the Abuja Accord August 16, 1996

the ability to enforce sanctions upon any faction not in compliance with the terms of the peace accord.<sup>34</sup> ECOMOG forces were doubled in size and R. Johnson received a ministerial position alongside Taylor and Kromah. Immediately a program began for disarmament and incorporation of the warring tribes back into society, including a significant amount of children soldiers reported to be drugged and recruited into military forces.<sup>35</sup>

At the conclusion of Liberia's bloody revolution it has been estimated that at least one third of the country's pre-war population fled the country, over one half were internally displaced, nearly two hundred thousand lives were lost (a quarter of which were chil-

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Whereas the Abuja Accord has been endorsed by the OAU and the United Nations as the best framework for peace in Liberia, and Whereas the ECOWAS Authority has reaffirmed the Abuja Accord as the only viable means to its determination to achieve a peaceful resolution of the Liberian civil war and has reiterated its determination to fully implement the said agreement, and Desiring to effect a change in the leadership of the Council of State in order to enable it to perform more efficiently and creditably, Pursuant to Section K, Article 12 and Section D, Article 16 of the Abuja Accord, the Schedule of Implementation should have been implemented within the twelve-month lifespan of the Liberia National Transitional Government, and

Whereas the parties agreed to abide by the schedule of implementation attached to the Abuja Accord, with such modifications in terms of dates are required by virtue of any delay in the implementation of said agreement, and

Whereas the Abuja Accord needs to be revised in line with the issues raised above,

Now therefore the parties hereby agree:

1. Part II titled 'Political Issues', Section A, paragraph (ii) is hereby amended and shall read as follows:

(ii) The Chairman of the Council shall be Mrs. Ruth Perry. All other members shall be Vice-Chairmen of equal status. In case of permanent incapacitation a new Chairman shall be appointed within the ECOWAS framework.

2. To abide by the revised Schedule of Implementation attached hereto.

3. To extend the life of the transitional government in accordance with the revised Schedule of Implementation.

*See Supplement to the Abuja Accord, in THE LIBERIAN PEACE PROCESS 1990-1996 (1996), available at <http://www.c-r.org/accord/index.htm?lib/accord1/contents.htm>.*

<sup>34</sup> *Id.*

<sup>35</sup> *Id.* Approximately 21% of the combatants who were disarmed under the Abuja Peace Accords were under the age of 17. *Id.*

dren).<sup>36</sup> Fifty percent of the women in rural areas had been subjugated to female genital mutilation, and numerous reports had been made of ritualistic killing, mutilation, rape, and child abduction.<sup>37</sup> The economic condition of Liberia was left in such disaster that an estimated eighty percent of the population was unemployed.<sup>38</sup>

### III. CONDONED DESPOTISM

Today, Liberia and the international community mark the end of a long and destructive civil war. In free and fair elections, observed and supported by the international community, the people of Liberia exercised their fundamental right to choose their own leaders. I congratulate the people of Liberia on the proud and peaceful manner in which they exercised this rights two weeks ago. I congratulate President Charles Taylor and Vice-President Enoch Dogole, Jr., on their election, and on the responsibilities with which they have now been entrusted by the Liberian people.

—U.N. Secretary General, Kofi Annan, statement  
August 2, 1997<sup>39</sup>

“Free” elections highlighted 1997. Charles Taylor received over seventy percent of the votes.<sup>40</sup> It is, however, unclear whether the

<sup>36</sup> See Human Rights Watch, *World Report 2002: Liberia*, at <http://hrw.org/wr2k2/africa7.html> (last visited May 16, 2003).

<sup>37</sup> Id.; Office of the Senior Coordinator for International Women's Issues, Dep't of State, Report on Female Genital Mutilation (FGM) or Female Genital Cutting (FGC): Individual Country Report, Liberia (June 1, 2001), available at <http://www.state.gov/g/wi/rls/rep/crfgm/10104.htm>; Bureau of Democracy, Human Rights and Labor, Dep't of State, *Country Reports on Human Rights Practices 2001* (Mar. 4, 2002), available at <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8388.htm> [hereinafter *2001 Report*]; Bureau of Democracy, Human Rights and Labor, Dep't of State, *Country Reports on Human Rights Practices 2000* (Feb. 23, 2001), available at <http://www.state.gov/g/drl/rls/hrrpt/2000/af/845.htm> [hereinafter *2000 Report*].

<sup>38</sup> See *2000 Report*, *supra* note 41.

<sup>39</sup> See Press Release, UNOMIL, Statement by United Nations Secretary-General Kofi Annan on the Occasion of the Inauguration of Charles Taylor as President of Liberia (Aug. 4, 1997), available at [http://www.un.org/Depts/DPKO/Missions/unomil\\_r.htm](http://www.un.org/Depts/DPKO/Missions/unomil_r.htm).

<sup>40</sup> Encarta Online, *supra* note 2. Of the thirteen parties that contested the election, three were headed by former warring faction leaders:

elections were truly free.<sup>41</sup> There were many reports of former NPLF combatants intimidating and threatening civilians and refugees in the north and the southeast.<sup>42</sup> Thirteen political parties protested the elections, but the U.N. was anxious to progress forward and looked no further into the matter.<sup>43</sup>

Although the Liberian Constitution was re-instituted and Taylor promised of a new era for Liberia, human rights abuses persisted. Conscientious objectors, Phillip Wesseh (managing director of the *Inquirer*), Alex Redd (journalist of the *Radio Ducor*) and seven journalists of the *Inquirer* were held as prisoners without any charges.<sup>44</sup> There were reports of extra judicial executions, torture and or ill-treatment by Liberian police and ECOMOG.<sup>45</sup> Seventy detainees suspected of possessing weapons were reportedly tortured and or mistreated by ECOMOG. Liberian and ECOMOG aggressively used batons, gun butts and bullets to suppress a peaceful demonstration of 500 employees of the Firestone plantation.<sup>46</sup>

Since his inauguration, Taylor has continued to be proactive in the destabilization of West Africa<sup>47</sup> as well as his own nation. Guinea has charged Liberia with destabilizing its borders by claiming Liberia has supported insurrection and supplied rebels within

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75.3—National Patriotic Party (NPP) led by former NPFL faction leader Charles Taylor;

9.6—Unity Party (UP) led by Ellen Johnson-Sirleaf

4.0—All Liberian Coalition Party (ALCOP) led by former ULIMO-K faction leader Al-Haji Kromah

Human Rights Watch, *Liberia: Emerging from the Destruction: Human Rights Challenges Facing the New Liberian Government*, HUMAN RIGHTS WATCH, NOV. 1997, Vol. 9 No. 7(A), at § 3, available at [http://www.hrw.org/reports/1997/liberia/Liberia-02.htm#P209\\_34249](http://www.hrw.org/reports/1997/liberia/Liberia-02.htm#P209_34249).

<sup>41</sup> See Amnesty International, *Annual Report 1998: Africa: Liberia*, at <http://www.amnesty.org/ailib/aireport/ar98/afr34.htm> (last visited May 16, 2003).

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.* Samuel Dokie, a member of the transitional government as well as member of Internal Affairs, his wife and other relatives were arrested and later found dead in a burned car. *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> See United Nations Security Council, *Sierra Leone and Liberia*, at <http://www.globalpolicy.org/security/issues/slindex.htm> (last visited May 16, 2003); United Nations Security Council, *UN: Liberia Threatens Stability* (Dec. 12, 2002), at <http://www.globalpolicy.org/security/issues/liberia/2002/1216un.htm>.

Guinea.<sup>48</sup> After multiple rebel uprisings within Liberia, combat began again in northern Liberia in Lofa county, an area buttressed between the borders of Sierra Leone and Guinea.<sup>49</sup> Liberians United for Reconciliation and Democracy (LURD), primarily consisting of Krahn and Mandingo tribesman, invaded Liberia from neighboring Guinea accusing Taylor of propagating a regime of terror.<sup>50</sup> LURD's sole objective was to remove president Taylor. Moreover, Liberia became a supply line for weapons to the Revolutionary United Front (RUF) in Sierra Leone.<sup>51</sup> After speculation by the European Union, a U.N. Expert Panel on Sierra Leone reported in December of 2002 that Liberia had provided military training, weapons and logistical and communication support to the RUF in return for Sierra Leone diamonds that were secured and trafficked by rebel forces back to Liberia.<sup>52</sup> A U.N. report stated that "Charles Taylor is actively involved in fueling the violence in Sierra Leone."<sup>53</sup>

In response to the Expert Panel's findings, the U.N. promulgated U.N. Security Council Resolution 1343 (2001).<sup>54</sup> The Resolution instituted an arms embargo and prohibited militaristic deals with the RUF, import or export of Liberian Diamonds and foreign travel by Taylor, governmental officials and their families.<sup>55</sup> Taylor denied the U.N. charges, claiming that he had done everything he

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<sup>48</sup> See The Perspective, *Liberia Threatens War with Guinea*, at <http://www.theperspective.org/guinea.html> (last visited May 16, 2003).

<sup>49</sup> Human Rights Watch, *Back to the Brink: War Crimes by Liberian Government and Rebels: A Call to Greater International Attention to Liberia and the Sub Region*, HUMAN RIGHTS WATCH, May 2002, Vol. 14 No. 4(A), at 8, available at <http://www.hrw.org/reports/2002/liberia/index.htm#TopOfPage>.

<sup>50</sup> *Id.*

<sup>51</sup> *Id.* The RUF were known for committing serious atrocities against the civilians of Sierra Leone such as murdering and mutilating thousands and "establishing amputation of the hand as its signature abuse." *Id.* at 9.

<sup>52</sup> See *Report of the Panel of Experts Appointed Pursuant to Security Council Resolution 1306 (2000), Paragraph 19, in Relation to Sierra Leone*, U.N. Doc. S/2000/1195 (Dec. 2000).

<sup>53</sup> *Id.*

<sup>54</sup> S.C. Res. 1343, U.N. SCOR, 4287th meeting, U.N. Doc. S/Res/1343 (2001).

<sup>55</sup> *Id.*

2. *Demands* that the Government of Liberia immediately cease its support for the RUF in Sierra Leone and for other armed rebel groups in the region, and in particular take the following steps:

(A) expel all RUF members from Liberia, including such individual as are listed by the committee established by paragraph 14 below, and prohibit all RUF activities on its territory;

could to sever his relationship with the RUF. Moreover, the Minister of Foreign Affairs of Liberia further claimed that the U.N.'s reports were completely unsupported.<sup>56</sup>

#### IV. THE INADEQUACY OF THE U.N. EMBARGOS

In 2002, a second U.N. Panel of Experts commented on the implementation of Resolution 1343. Regarding the arms embargo the Panel said, "there is little doubt that the Government of Liberia

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(B) cease all financial and, in accordance with resolution 1171 (1998), military support to the RUF, including all transfers of arms and ammunition, all military training and the provision of logistical and communications support;

(C) cease all direct or indirect import of Sierra Leone rough diamonds which are not controlled through the Certificate of Origin regime of the Government of Sierra Leone;

(D) freeze funds or financial resources or assets that are made available by its nationals or within its territory directly or indirectly for the benefit of the RUF or entities owned or controlled directly or indirectly by the RUF;

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

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

7. (a) *Decides also* that all States shall take the necessary measures to prevent the entry into or transit through their territories of senior members of the Government of Liberia and its armed forces and their spouses and any other individuals providing financial and military support to armed rebel groups in countries neighboring Liberia, in particular the RUF in Sierra Leone;

14. *Decides* to establish, in accordance with rule 28 of the provisional rules of procedure, a committee of the Security Council, consisting of all members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations.

*Id.* at 2-5.

<sup>56</sup> See *Partnership Africa Canada, West Africa*, available at <http://www.partnershipafricacanada.org/hsdp/areas/wafrica.html>.

continues violating the arms embargo."<sup>57</sup> The Panel witnessed governmental entities as well as the Anti-Terrorist Unit (ATU) carrying brand new weapons.<sup>58</sup> They confirmed that the illicit diamond smuggling from Sierra Leone had declined, however, smuggling of Liberian diamonds out of the country has increased.<sup>59</sup> Concerning the travel ban, the panel concluded that violations of the ban had been rampant, due in part to officials frequently using multiple passports and fake identities.<sup>60</sup>

Since the implementation of the U.N. embargos, Liberia has pursued other means to generate revenue in support of its war efforts and maintenance of its regime. Under the Strategic Commodities Act, whereby the President is given "the sole power to execute, negotiate and conclude all commercial contracts or agreements with any foreign or domestic investors for all commodities," Liberia began behemoth logging operations, selling off the timber to reportedly keep Taylor in power and prepare for another inevitable revolution.<sup>61</sup> Coincidentally, two of the high-ranking individuals involved in Liberia's illicit diamond trade sat on the Board of Directors of the Liberian Forest Development Society. The clear-cutting technique being used is responsible for the destruction of the largest tract of virgin rainforest in West Africa.<sup>62</sup>

The U.S. Central Intelligence Agency has reported that Liberia has become a "transshipment point for Southeast and Southwest Asian heroin and South American cocaine for the European and

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<sup>57</sup> See *Report of the Panel of Experts in relation to Liberia: Report of the Panel of Experts appointed pursuant to Security Council resolution 1395 (2002), paragraph 4, in relation to Liberia* U.N. Doc. S/2002/470 (Apr 2002).

<sup>58</sup> *Id.* The ATU is mostly comprised of experienced Civil War loyalists. Reports have claimed that the ATU have raped, tortured as well as executed more than 200 hundred Civilians suspect of supporting armed opposition of Taylor. *Id.*

<sup>59</sup> *Id.*

<sup>60</sup> *Id.*

<sup>61</sup> STRATEGIC COMMODITIES ACT, available at [http://www.globalwitness.org/campaigns/forests/liberia/downloads/act\\_strat-com-liberia.htm](http://www.globalwitness.org/campaigns/forests/liberia/downloads/act_strat-com-liberia.htm) (last visited May 16, 2003).

<sup>62</sup> See Global Witness, *The Role of Liberia's Logging Industry on National and Regional Insecurity, Briefing to the UN Security Council* (Jan. 2001). It has been reported that 50-80% of the timber harvested by the Oriental Timber Company (OTC) is undersized. *Id.* The OTC bulldozes through villages, homes, and plantations with little warning and no compensation. Furthermore, the OTC have bulldozed areas of religious importance. *Id.* It is theorized at the current rate of deforestation much of the rain forest could be destroyed in six years, and as a result, the extinction of the endangered species, the pygmy hippopotamus. *Id.*

U.S. markets.”<sup>63</sup> Moreover the *Guardian* and the *Washington Post* reported that in 2002 Taylor received one million dollars from al-Qaida agents to hide operatives after the September 11th attacks on the U.S.<sup>64</sup> European intelligence agencies have reported that Liberia had formed a partnership with al-Qaida to funnel diamonds and weapons (in contravention of the UN Embargo) through Liberia, in an effort to hide al-Qaida finances.<sup>65</sup>

## V. HUMAN RIGHTS AFTER RESOLUTION 1343

Taylor has secured his reign through terror. Political murders are rampant as are abductions, floggings, or beatings of political opposition, students, journalists and human rights activists.<sup>66</sup> Under Executive Order, contravening a Supreme Court decision, trial by ordeal (Sassywood) is commonly implemented.<sup>67</sup> Unofficial detention centers for secret detainees have sprouted; one of which, located at the Executive Mansion, is completely off limits to NGO investigations and is alleged that they are centers of torture.<sup>68</sup> According to Amnesty International’s 2001 report, torture and beatings continue by security forces in Liberia; sedition trials remain a steady diet of the Liberian Judicial system; and press censorship in

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<sup>63</sup> See WORLD FACTBOOK 2002, *supra* note 21.

<sup>64</sup> See Rory Carroll, *West African leaders ‘in al-Qaida plot’*, GUARDIAN UNLIMITED NETWORK (United Kingdom), Dec. 30, 2002, at <http://www.guardian.co.uk/international/story/0,3604,866340,00.html>; see also Douglas Farah, *Report Says Africans Harbored Al Qaeda Terror Assets Hidden in Gem-Buying Spree*, WASHINGTON POST, Dec. 29, 2002, at A1.

<sup>65</sup> See Rory Carroll, *supra* note 68.

<sup>66</sup> See 2001 Report, *supra* note 41. In March 2001 a student rally was dispersed, later followed by the raping and beating of selected students by the police force. *Id.* In July 2001, police forces allegedly killed an immigration officer while attempting to arrest him for extortion. *Id.* In August 2001, police beat and flogged Congresswoman Ellan King and Senator Armah Jallah. *Id.* In September 2001 an army commander admitted executing an officer for killing another soldier. *Id.* In October 2001, members of the ATU detained and tortured two Nigerian men until death prevailed. *Id.* In November 2001 a Senator had allegedly beat and flogged Civilians in a southeastern village. *Id.* In December 2001, a police commander shot and killed a fourth grade boy for stealing and later police killed two students who were demonstrating the child’s death. *Id.*

<sup>67</sup> See Tom Kamara, *Diamonds, War and State Collapse in Liberia and Sierra Leone*, The Perspective, at <http://www.theperspective.org/statecollapse.html>. The form of trial by ordeal commonly implemented in Liberia is by applying heated metal to the suspect’s body to illicit the truth. See 2001 Report, *supra* note 41.

<sup>68</sup> Kamara, *supra* note 71.

Liberia is overt.<sup>69</sup> The 2002 Amnesty International Report continued to list human rights abuses such as extra judicial executions (including young boys), illegal detention, torture and sexual violence.<sup>70</sup>

Taylor's interpretation of the Liberian Constitution, principally its freedom of expression clause, is horrifyingly original. In the face of the declaration, "All persons shall be entitled to freedom of thought, conscience and religion" Taylor has managed to close media companies, take the owners and operators captive and torture and or mistreat them.<sup>71</sup> In 2001, the government arrested and charged four reporters of the *News* newspaper with espionage.<sup>72</sup> Later in September, the government detained another human rights activist, Thomas Ade-Bayor after he criticized the ATU. Prior to detaining Ade-Bayor the government detained his wife and 3- year old child as "collateral."<sup>73</sup> Police raided the offices of the *Analyst* newspaper and detained a computer technician and the managing editor for contact with exiled faction leaders. Journalist, Alphonso Toweh reported that he was flogged by police for an article he published regarding the sinking of a cargo ship. Star Radio, one of the four non-governmental radio stations was closed. Only two television stations remain operative, however, both are owned or assisted by Taylor.<sup>74</sup>

## VI. CONCLUSION

Taylor is now a paranoid fifty-two year old allegedly cannibalistic dictator who surrounds himself with the ATU.<sup>75</sup> He has seized

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<sup>69</sup> See Amnesty International, *Annual Report 2001: Africa: Liberia*, at <http://web.amnesty.org/web/ar2001.nsf/webafrcountries/LIBERIA?OpenDocument> (last visited May 16, 2003).

<sup>70</sup> See Amnesty International, *Annual Report 2002: Africa: Liberia*, at <http://web.amnesty.org/web/ar2002.nsf/afr/liberia!Open> (last visited May 16, 2003). 100 men and boys in Bong County in northern Liberia were arrested as suspected dissidents. *Id.* They were detained for one month and subjected to severe torture including being reportedly tear gassed, being doused with acid, denied water and starved. *Id.* As a result several died. *Id.*

<sup>71</sup> See generally, Human Rights Watch, *Back to the Brink*, *supra* note 53.

<sup>72</sup> *Id.*

<sup>73</sup> *Id.*

<sup>74</sup> *Id.*

<sup>75</sup> See generally STEPHEN ELLIS, *MASK OF ANARCHY* (1999). Ritual killings in Liberia, as reported by the U.S. State Department, are murders where human body parts are removed from the victim for ritualistic purposes. See *2001 Report*, *supra* note 41. According to the State Dept., the number of such victims is hard to

control of Liberia like no earlier president. Taylor continues to hold the judicial system hostage, as the legislative branch remains subject to his political pressure and corruption.

The U.N. under advisement by the Panel of Experts, extended Resolution 1343. However, Resolution 1343 alone cannot prevent the violent upheaval facing Liberia. Years of Taylor's oppressive regime building and ambivalence to his constituents have produced a conflict that is currently encroaching on Monrovia like a nightmare. Since the increase in the LURD insurgency, the citizens of Liberia have undergone torture, murder, abduction and sexual crimes like never before. Unless the U.N acts, the LURD forces will inevitably cause another civil war. All forces involved in this current crisis in Liberia need monetary and human resources to keep their "machine" operating. Displaced refugees will be continually abducted at gun-point, children will be once again drugged and armed in mass numbers and an insidious economic infrastructure will emerge, similar to the earlier illicit diamond trade, to fund the slaughter.

Since Taylor's supreme hold of the media and his affirmative dislike for NGO's, which have continually received threats or have been forced to leave the country, Liberia is riddled with ambiguities. Little is known about what Taylor is currently doing or what he actually envisions for Liberia's future. However, with such a disconcerting record, it is to Liberia's best interest if the world publicly endorsed a new Liberian regime and no longer treat Taylor's visions for Liberia with any relevance.

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ascertain, since police describe the deaths as "accidents" even if body parts have been removed. *Id.* The body parts which are most commonly removed are the heart, liver and genitals. These rituals have been reported to involve eating body parts. *Id.* There is evidence that ritualistic killings took place during the civil war in Liberia, where faction leaders sometimes ate body parts of former leaders of rival factions. *Id.* One faction leader had himself filmed while engaging in this type of ritual. *Id.* Since the Civil War, common criminals are involved in selling body parts for ritualistic purposes. *Id.* Such cannibalistic activity is described as JuJu. See generally Jon Lee Anderson, *The Devil They Know*, THE NEW YORKER, July 27, 1998. It is believed that eating parts of your enemy make you "invincible," and allegedly President Doe ate parts of General Quiwonkpa after he was killed in an attempted coup. *Id.* Taylor brought a libel suit against Stephen Ellis, a Dutch academic who alleged that Taylor currently practices juju, and the London paper that reported the allegations, which was later withdrawn for what Taylor claimed was lack of funding. See Chris McGreal, *Liberian leader drops cannibalism suit*, THE GUARDIAN NETWORK(LONDON), Feb. 2, 2001, at 19.

Compared to other countries that have committed such atrocities, Liberia receives little public light. Recommendations for resolutions regarding the Liberian conflict, continue to be astonishingly spineless. Decrees that once *demand* that Liberia cease human rights abuses or cease illicit trades for arms with neighboring countries, now only *seriously demand* that Liberia cease such activity. The U.N.'s Special Reports, noting atrocities, are not met head on by resolutions designed to eradicate such horrors. Most of all, Resolution 1343 does not directly address any human rights concerns, and with the exception of the diamond embargo, does not circumscribe any measures to stop the creative fueling projects of the hostility. The U.N. must amend Resolution 1343 and introduce to the resolution the tenacity needed to resolve such an appalling situation.

It is extraordinary that there has been such little directness by the U.N. in an area that has only just begun to recover from destabilization. In such a precarious area as Western Africa, Liberia's concerns are their neighbors' concerns. Sierra Leone's recent emergence from a bloody upheaval could quickly be inverted by further instability in Liberia. Gun running, guerilla military assistance and border fighting directly threaten Guinea. Such price of these apprehensions invariably lead to more suffering and human rights abuses. Is the price too much for the U.N? Has the world concluded inevitable implosions would be advantageous by allowing a clearing from which to rebuild? Does the U.N. simply have more significant agendas? If a contemporary extension of Resolution 1343 is the best the U.N can offer, then one may speculate that the answer to these questions could possibly be in the affirmative.

*Levi Woodward\**

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\* First and foremost, I would like to thank all my loving family as well as my fiancé for all their love and support. Without them I may not have had the opportunity to produce such work. Thanks also to my editors who have provided insight, effort, confidence, and sometimes persuasion. Finally, thank you to all the members of the New York Law School Journal of Human Rights who have all been accommodating and encouraging.