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Version 2 Final report

**"Short Term Technical Assistance to the Truth and Reconciliation Commission (TRC) of the
Republic of Liberia for Conflict Mapping Project"**



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The opinions expressed in this document represent the authors' points of view, which are not necessarily shared by the European Commission or by the authorities of the countries concerned.

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Final Statement from the Commission

Nearly three and half years ago, we embarked upon a journey on behalf of the people of Liberia with a simple mission to explain how Liberia became what it is today and to advance recommendations to avert a repetition of the past and lay the foundation for sustainable national peace, unity, security and reconciliation. Considering the complexity of the Liberian conflict, the intractable nature of our socio-cultural interactions, the fluid political and fragile security environment, we had no illusion of the task at hand and, embraced the challenge as a national call to duty; a duty we committed ourselves to accomplishing without fear or favor.

Today, we have done just that! With gratitude to the Almighty God, the Merciful Allah and our Lord and Savior Jesus Christ, we are both proud and honored to present our report to the people of Liberia, the Government of Liberia, the President of Liberia and the International Community who are “moral guarantors” of the Liberian peace process.

This report is made against the background of rising expectations, fears and anxiety. The vast majority of us who are victims or survivors of the massive wave of atrocities induced by the conflict, expect that all the recommendations contained in this report will be implemented and reparations in the forms of compensation, policy and institutional reforms, specialized services, restitution or financial relief, will address all our social, economic, cultural, civic and political rights issues, ensure accountability, undermine impunity and foster national healing and reconciliation.

The few of us who commanded the force of arms, financed, resourced and provided political and ideological guidance to several warring factions, we fear alienation, prosecutions and other forms of public sanctions which may undermine our current socio-economic and political stature acquired during the conflict period.

Though this latter group of us equally desire national healing and reconciliation, it should be accomplished without any cost to our current standing and prestige. Bygones must be bygones. Having no regard for the rule of law, we ignored the TRC Process and when we opted to cooperate and appear before the Commission, we deliberately lied and failed to speak truthfully about the scale of our participation and deeds as a show of remorse and contrition which acknowledges the pains and sufferings of victims and triggers the national healing and reconciliation

we profess to desire.

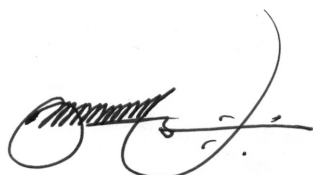
A true transitional justice process, as the TRC of Liberia, is never a perfect human endeavor; and will not satisfy all segments of our society. It is equally true that the TRC may never meet all the expectations or allay all the fears of contending interests it naturally arouses. Expectations, fears and anxieties, justifiably so, are products of the TRC process and not its outcome. The process is what justifies or legitimizes the product or the outcomes.

The outcome in this report is the product of deliberate planning and engagement with all segments of our society centering on all 15 counties of Liberia and the Diaspora. Capturing over 22,000 written statements, several dozens of personal interviews and over 500 hundred live public testimonies of witnesses including actors, perpetrators, and direct victims; a national regional consultation with county stakeholders and a national conference on reconciliation and the way forward provided the Commission a national perspective of the conflict, its causes, trends, impacts and the vision and aspirations of the people of Liberia for a better future. The Commission incorporated desk research, media publications and human rights reports of very prominent international and local human rights institutions into its work. So guided and informed, the Commission is well poised to make this report and draw the conclusions and make the recommendations contained in this report which in four volumes documents the comprehensive work of the Commission.

We extend appreciation to all, locally and internationally, who supported and worked with the Commission to ensure it succeeds at its mandate. We mention the Government of Her Excellency, Ellen Johnson-Sirleaf, the National Legislature including the House Standing committee on Peace and Reconciliation, The International Contact Group on Liberia (ICGL), Minnesota Advocates for Human Rights and the hundreds of volunteers across the USA, the media and dozens of civil society institutions, who were very interested and supportive of the process and lastly but not the least, the people of Liberia everywhere, not only for their support but most importantly for their abiding faith and confidence in the process and our ability to successfully navigate and pilot suavely through the many turbulences we encountered along the way.

We call on all to view this report and use it as a tool, blueprint and foundation for carving a better, brighter and more secured future for posterity. The purpose of our work was not necessarily to please anyone

but to objectively and independently execute the mandates of the TRC realistically and objectively in patriotic service to the nation in unraveling the truth of our national nightmare. This report is our roadmap to liberation and lasting peace which means that reconciliation in Liberia is never again an elusive goal. It is both a possibility and a reality we must achieve by opening our hearts and accepting the realities and consequences of our national existence and move forward. This report is a contribution to that process and it is our prayers that all Liberians will see it that way and work for the full implementation of the recommendations without fear or favor or respect for any man. When we do this, the love of liberty “which brought us here” will “bring us together” under God’s Command so that this sweet and glorious land of liberty will forever be ours.



Jerome J Verdier, Sr.
Counselor-at-Law
Chairman

Dated in Monrovia this 30th day of June A.D. 2009

ABBREVIATIONS

CECEP	Community Engagement and Civic Education Programme
CPA	Comprehensive Peace Agreement
CDF	County Development Funds
LACE	Liberia Agency for Community Empowerment
LURD	Liberians United for Reconciliation and Democracy
MODEL	Movement for Democracy in Liberia
NCMP	National Conflict Mapping Project
NGO	Non-Governmental Organisation
NPFL	National Patriotic Front Liberia
PRS	Poverty Reduction Strategy
RUF	Revolutionary United Front (Sierra Leone)
TA	Traditional Authority
TRC	Truth and Reconciliation Commission
ULIMO	United Liberation Movement for Democracy in Liberia

1. INTRODUCTION

1. INTRODUCTION¹

The Accra Comprehensive Peace Agreement (ACPA) brought Liberia into a period of relative calm for the first time in 14 years.

As part of the overall strategy to bring sustainable peace to Liberia, the ACPA established five Commissions designed to address some of the underlying causes of the country's civil war. These are the:

- National Elections Commission (NEC)
- Contracts and Monopolies Commission (CMC)
- Governance Reform Commission (GRC)
- Independent National Human Rights Commission (INHRC)
- Truth and Reconciliation Commission (the TRC).

The TRC is the government institution that is specifically mandated to work towards the transformation of conflict. Its mandate requires it to:

1. Investigate and address gross human rights violations and violations of international humanitarian law
2. Provide a forum to address issues of impunity
3. Investigate the antecedents of the Liberian civil crisis
4. Conduct a critical review of Liberia's historical past
5. Adopt specific mechanisms and procedures to address the experiences of women and children during the war.
6. Map current and looming conflicts in order to mitigate the potential for future unrest

The National Conflict Mapping Project (NCMP) provides the TRC with technical assistance to meet the final of these requirements.

¹ The Terms of Reference restrict the main text of this report to a maximum of 20 pages

² Signed in 2003

2. NATIONAL CONFLICT MAPPING PROJECT

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2.1 Objectives

The NCMP is required to provide *'conflict sensitive' policy recommendations that aid in the application of Liberia's poverty reduction strategy.*³

'Conflict sensitive' policy recommendations are defined by the project as measures that improve the effectiveness of policy and programme initiatives in contributing to conflict prevention and reduction in Liberia.

2.1.1 Policy Framework

The policy framework is provided by the Liberia Poverty Reduction Strategy (PRS). As the framework for national development, the PRS elaborates a 'Vision for Liberia's Future' which commits the Government to 'building the capacity of leaders and institutions to develop and implement conflict sensitive policies and programmes' informed by 'an understanding of conflict issues and methods for addressing them.'⁴

2.2 Methodology

The project deployed research teams in each of Liberia's 15 Counties, and conducted research in 46 of the country's 64 districts between March and July 2008. Approximately 6,000 respondents participated in focus group and key informant discussions.

With the exception of the Team Leader, the process was managed and implemented by Liberian staff, including a Project Manager, five Research Supervisors and forty Researchers equipped with rain boots and notebooks.

2.3 Approach

Project staff developed a research framework and guidelines during a 3-day training and design workshop held in Monrovia. An overarching research framework was provided by the Team Leaders, and then transformed in to 'user-friendly' guidelines that focussed research on:

1. Predominant local conflicts
2. Conflict histories and contending groups / individuals
3. Categorisations (including land / politics / social relations / natural resources etc.)
4. Previous resolution strategies (success of / otherwise)

³ The NCMP Terms of Reference are attached as Annexe 1

⁴ 'Building Peace in Liberia', PRS, p21

5. Suggested resolution strategies
6. External factors
7. Strategies to promote 'national unity'

2.4 Respondents

The NCMP engaged a broad spectrum of opinion, including:

1. Government of Liberia Ministry representatives
2. International development agency representatives
3. Social and political commentators
4. County and District-level Administrations
5. Traditional authority (TA) representatives
6. Civil Society Groups
7. Social and economic focus groups and key informants at national, county, district, sub-district and village levels.

3. EXECUTIVE SUMMARY

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3.1 *Predominant themes*

Respondents were asked to describe the major causes of disorder and conflict in their locale. Analysis of data for 46 districts identified the five most prevalent themes as:

1. Voice and accountability in local governance and decision-making processes
2. Land and property disputes
3. Identity conflicts
4. Youth-related issues
5. Incomplete disarmament

3.2 *Summary Findings*

The main points from each theme include:

3.2.1 **Voice accountability**

1. There is a widespread perception that Traditional Authorities and elders dominate a “narrow channel” of communication between citizens and local government.
2. Common concerns about a lack of transparency and accountability in management of resources and information
3. Allegations of resource misappropriation and distortion of information in relation to Government County development Funds.

3.2.2 **Land and property disputes**

1. Boundary disputes were reported as the main source of conflict in each of the 46 Districts surveyed. Respondents typically attribute problems to two factors:
 - a) The inability of Land Surveyors to assist them to accurately delimit boundaries
 - b) The fraudulent practice of “double selling” land and property
2. Inter-generational tensions between aspiring youth and land-holding elders, where young people’s inability to establish long-term secure tenure over land (for cash-crop agriculture), rather than simply getting access to land, is reported as the main problem.
3. Land disputes in Nimba, Lofa and Bong warrant particular attention. They overlie intercommunal divisions that, if escalated to violence, would assume ‘ethnic’ dimensions, rapidly spread to neighbouring counties, have repercussions in Monrovia, and be likely to result in cross-border militia clashes.

3.2.3 Identity conflicts

1. The prevalence of 'ethnic', 'tribal', 'religious', cultural' and "native / settler" conflicts undermines prospects for reconciliation and stability.
2. The problem is historical; rooted in the failure to accompany the development of the Liberian State with the development of the common principles that serve as the basis of nationhood.
3. Instead, constitutional dualism afforded different degrees of rights to "aboriginals" and "settlers", creating divisions that persist today; popular discourse around 'national identity' invariably focuses on what divides, rather than unifies, Liberians.

3.2.4 Youth dimensions

1. Youth emerged as the most forthright and vocal group in expressing concerns. Elders complain that youth attitudes have changed, and that they now have "disrespect" for elders. The war seems to have fundamentally changed the pre-war social order that was characterised by:

*"(Its) emphasis on stability and order (where) hierarchy, obedience, deference and respect are taught, expected and enforced both explicitly and subliminally."*⁵

2. The degree of agency exercised by many of the country's young people during the war appears to have undermined the culture of deference that would previously have suppressed discontent about exclusion from decision-making processes, or security of tenure.
3. Young people are now more demanding of recognition, participation and accountability than at any time previously. The 'genie' of Liberian youth will not, willingly, be put 'back in the bottle.'

The challenge of harnessing this dynamic, and incorporating it in to the process of remaking the social and institutional infrastructures of the state, emerges as a matter of policy priority:

*"Although stability and order are desirable values in every society, in Liberia they threaten to overshadow and overwhelm other ingredients vital for a healthy political community."*⁶

⁵ Yoder, 2003, p133.

⁶ Ibid,p133.

3.2.5 Incomplete disarmament⁷

1. Militia groups and enclaves of former service personnel remain, either entrenched with trans-border ethnic affiliates in western Côte d'Ivoire and Guinea, or in remote locations in Liberia (some of which UNMIL has identified, and refers to as 'hot spots').
2. Unless demobilized, dispersed and integrated in to the social and economic landscape, these groups will remain a predatory element threatening post-war reconstruction efforts in Liberia and Upper West Africa.

3.3 Summary Recommendations

3.3.1 Voice and accountability

To the Governance Commission, the Ministry of Internal Affairs, the Government of Liberia and donor partners⁸:

3.3.1.1 Policy

1. Commit the Decentralisation Programme to broadening the "narrow channel" of communication between local government and citizens at district level.
2. Institutionalise representative structures within the framework of local governance as District Advisory Boards
3. Establish the District Advisory Boards in parallel with the establishment of local County Governments,
4. Establish District Advisory Boards as the primary community interface with service providers.
5. Require community development programmes to support the development of due process in local development planning (complementary to current emphasis on provision of basic infrastructure).

3.3.1.2 Programme

1. Provide technical and financial support to the Governance Commission and the Ministry of Internal Affairs to design and implement a substantive national programme that provides information about the decentralisation process, and

⁷ These findings draw on research conducted by the Team Leaders in Liberia, Côte d'Ivoire and Guinea during 2006 / 2007 / 2008. They support the PRS observation that *'the process of retiring ex-servicemen and reintegrating ex-combatants has gone well, but some still pose a lingering security threat. There are believed to be ex-fighters who remained outside of the programme. Some reportedly went to Côte d'Ivoire and are still at large. Some have fought in Guinea and Sierra Leone and represent a continuing national and regional security threat.'* (PRS, p56)

⁸ Including, but not limited to: the European Commission; the United Nations; the United States Agency for International Development; the African Development Bank; the World Bank and the Department for International Development

engages sub-district populations in defining the structure of, and electing representatives to, District Advisory Boards.

2. Identify and train a network of CSOs and NGOs to implement the programme, and to deliver ongoing training and capacity-building support to the District Advisory Boards.
3. Identify and contract technical support to the Governance Commission to develop training materials and deliver training and mentoring support to the CSOs and NGOs.
4. Establish a Community Development Coordination Forum that requires donors and practitioners to develop common guiding principles
5. Coordinate the prioritisation, planning, management and implementation of community development initiatives through the District Advisory Boards, thereby giving them the responsibility and resources necessary to practice principles of inclusion, transparency and accountability

3.3.2 Land and property disputes

To the Land Commission, the Ministry of Lands Mines and Energy, the Government of Liberia and its donor partners.

3.3.2.1 Policy

1. Inform policy formulation through substantive and ongoing dialogue with land users at all levels.
2. Ensure dialogue is developed around a disaggregated notion of ‘community’ to ensure cross-section of stakeholder representation.
3. Prioritise need to develop training facilities and appropriate training materials for a new cadre of land surveyors and cartographers.
4. Investigate allegations of corrupt practice and “double selling” of land as a matter of policy priority

3.3.2.2 Programme

1. Provide technical and financial support to the Land Commission and the Ministry of Lands, Mines and Energy to develop a national programme to enable the Land Commission to ‘consult regularly (with) land users⁹’.
2. Identify and contract technical support to the Land Commission to design and manage the programme, and train the implementing partners.
3. Identify and train a network of CSOs and NGOs to implement the programme.
4. Through the Land Commission, establish a Land and Natural Resources

⁹ Land Commission Terms of Reference

Practitioners Forum to enhance coordination and information exchange.

5. Institute and support a Land and Natural Resources Research Unit in the University of Liberia to process data, inform policy dialogue and monitor the work of the Land Commission

3.3.3 Identity Conflicts

To the Governance Commission, the Civic Education and Civic Engagement Programme, the Government of Liberia and its donor partners.

3.3.3.1 Policy

1. Accord policy priority to nation-building initiatives as an essential component of the state-building process.
2. Provide technical and financial support to the Civic Engagement and Civic Education Programme (CECEP) to develop its policy and programme priorities, and detailed work plans.
3. Ensure policy formulation is informed by an objective and comprehensive analysis of the attitudes and issues that undermine, or support, nascent principles of 'national unity'.
4. Ensure that policy dialogue is informed by substantive and ongoing consultation, nationwide, and at all levels of society
5. Require 'conflict resolution', 'peace-building' and 'nation-building' projects to liaise with the CECEP.

3.3.3.2 Programme

1. Identify and contract technical support to the CECEP to design the framework and process of a 'national conversation' to articulate the attitudes and issues that undermine, or support, principles of national unity.
2. Assess capacities of CSOs and NGOs to manage and implement the 'national conversation'.
3. Provide technical and financial support to establish and train a network of CSOs and NGOs to manage and implement the 'national conversation'.
4. Support CECEP to develop and deliver training materials to CSOs and NGOs.
5. Within the CECEP, provide technical and financial support for the National Visioning Exercise
6. Establish regular national, regional, county and district 'Visioning Platforms' to assure public opinion that policy dialogue is informed by opinions from all levels, and locations, of Liberian society.

3.3.4 Youth Dimensions

To the Governance Commission, the Ministry of Internal Affairs, the Ministry of Youth and Sports, the Government of Liberia and its donor partners.

3.3.4.1 Policy

1. Prioritise practical opportunities for youth participation in the reform of Liberia's social and institutional arrangements. If this general condition is not met there will remain a strong likelihood of a reversion to violence.
2. Prioritise the need for the Land Commission to address youth-related security of tenure issues.
3. Prioritise support to the Ministry of Youth and Sports (supported by the CECEP) to facilitate the development of a National Youth Policy.

3.3.4.2 Programme

1. Ensure adequate youth representation on the District Advisory Boards.
2. Support the Ministry of Youth and Sports and the CECEP to assess the internal democracy of 'national youth organisation', such as the Federation of Liberian Youth'.
3. Support the establishment of new / or strengthening of existing (where found to be rooted in broad-based public support) District, County and National Youth Forums to feed in to the development of a National Youth Policy
4. Prioritise establishment of agriculture and vocational training institutes (aligned with current analyses of most viable skills markets¹⁰).

3.3.5 Incomplete Disarmament

To the Government of Liberia and its donor partners.

3.3.5.1 Policy

1. Prioritize disarmament of persistent militias and non-demobilised former servicemen

3.3.5.2 Programme

1. Identify and contract technical support to engage with, screen and register militia members in Côte d'Ivoire and Liberia, and former servicemen in Liberia.
2. Provide innovative, structured training and reintegration programmes

¹⁰ The ILO, the World Bank and USAID are currently developing analyses.

4.
**CONFLICT IN LIBERIA &
UPPER WEST AFRICA
SINCE 1980**

4. CONFLICT IN LIBERIA & UPPER WEST AFRICA SINCE 1980¹¹

This section provides a brief summary of the underlying factors and regional dynamics that fed the war. It highlights the extent to which Upper West Africa's conflicts were inter-connected. It also notes the centrality of the region's young people in executing the wars, and the importance of ensuring their involvement in the post-war development process.

Liberia was the epicentre a number of internal but interconnected armed conflicts that have destabilised the states of the Upper West African coastal region since the 1980s. The most extensively destabilised part of the region comprises the two Mano River Union countries of Liberia and **Sierra Leone**, and their immediate neighbours, **Guinea** and **Cote d'Ivoire**. These conflicts resulted from the conjunction of four distinct sets of factors:

4.1 Underlying factors

1. **Intra-elite struggles for political control of the state.** Ethnic and other social tensions (e.g. extreme contrasts of poverty and wealth) furnished these elite factions with groups of supporters. Natural resources provided readily tapped sources of income to fund the opportunists.
2. **Weak institutional frameworks.** Liberia and Sierra Leone suffer from citizen-subject dualism; e.g. 'settlers' and 'indigenes' in Liberia¹² have had different land and property rights, as have and 'creoles' and 'persons of provincial origin' in Sierra Leone. Archaic institutions governing land, labour and marriage prospects persisted in the interior of both countries, and served to alienate the younger generation from the social and institutional mechanisms of governance.
3. **Environments suited to low-cost insurgency.** Including a lack of counter-insurgency capacity in national armies, the presence of lengthy, open borders through forested terrain, and a long-established local understanding of forest guerrilla warfare techniques.
4. **International involvement.** Including Libyan plans for client states in the region, international resource competition and a complex web of regional political intrigue.

4.2 National and regional dynamics

The war in Liberia began as an intra-elite struggle for political control of the state,

¹¹ The report is required to provide a brief summary of conflict dynamics in Liberia and Upper West Africa since 1980.

¹² Liberia Poverty reduction Strategy, Government of Liberia, 2008, p14

but quickly took on a life of its own as populations became divided by violence. Normal economic activities were undermined, and young people without skills and jobs turned to militia activity in large numbers as a survival choice, and as a way of protecting their communities.

The war was initiated by the incursion of Charles Taylor's National Patriotic Front of Liberia (NPFL) from its base in Cote d'Ivoire into Nimba County in December 1989. Taylor drew support from Nimba County, the home of Thomas Quiwonkpa, a leader of the 1980 coup, who was subsequently murdered in 1995 after allegedly plotting to oust his co-coup-maker, Samuel Doe¹³. Doe's scorched earth policy among the Gio and Mano communities of Nimba County loyal to Quiwonkpa ensured ready recruits for the NPFL.

The war evolved through three phases until August 2003 when Taylor, elected president in 1997 after a peace process, but weakened by a two pronged attack from dissident groups (LURD and MODEL), left the country for exile in Nigeria. This allowed the formation of an interim government of national unity.

A UN peacekeeping force (UNMIL) deployed throughout Liberia in 2004., and disarmament of the various factions led to elections in 2005.

The wars in Liberia and Sierra Leone were greatly complicated by cross-border operations by armed factions. Fighters from Taylor's NPFL accompanied the RUF incursion into Sierra Leone. A militia force (ULIMO) made up of Liberians opposed to the NPFL then helped to stem RUF advance, re-crossing the Liberian border to oppose Taylor's forces. Taylor later assisted a revitalised RUF attack Freetown, the capital of Sierra Leone, in 1999, and a new anti-Taylor militia (LURD) invaded Liberia from Guinea and Sierra Leone in 2000.

Cote d'Ivoire had connections with the wars in Liberia and Sierra since 1987, when Charles Taylor and Foday Sankoh took part in a coup to replace Thomas Sankara with Blaise Compaore in **Burkina Faso**. Compaore's accession to power seems to have been with the approval of Cote d'Ivoire. Cadres from the incipient NPFL and RUF subsequently undertook training in **Libya**, and established rear bases in western Cote d'Ivoire to support operations in NE Liberia and eastern Sierra Leone.

Pro and anti-Taylor forces later operated cross-border into the Liberian war, with some fighters also becoming involved in militia activity in Cote d'Ivoire itself, following an army mutiny in 2002, as a result of which the country was divided between the northern mutineers the (Forces Nouvelles) and forces loyal to President

¹³ Ellis, 1999

Laurent Gbagbo. The Taylor-linked MPIGO aligned itself with the northern army mutineers.

President Gbagbo responded by assisting MODEL, an anti-Taylor militia recruited mainly among Liberian ethnic Krahn from Grand Gedeh County who had sought refuge in western Côte d'Ivoire from Taylor-sponsored anti-Krahn purges. Entering southeast Liberia from Cote d'Ivoire at the same time as LURD was attacking Monrovia from the northwest, MODEL contributed to the military destabilization of the Taylor regime in 2003.

The PRS also picks-up on this issue. Tracing the origins of the conflict, the document notes that *'significant portions of society were systematically excluded and marginalised from institutions of political governance and access to key economic assets.'*¹⁴

From a conflict-sensitive policy perspective, it is crucial that this generation of young people is fully involved in the process of re-building the Liberian state; in particular, reforming exclusionary institutions of local governance, and decision-making.

¹⁴ Liberia Poverty reduction Strategy, Government of Liberia, 2008, p14

5. FINDINGS & RECOMMENDATIONS

5 Findings & Recommendations

5.1 Voice and accountability¹⁵

The primary task of post-war development in Liberia is to re-launch the state and polity based on principles of social and political inclusion. A fundamental benchmark will be the extent to which the decentralisation process can address the widespread mistrust of local governance processes:

“Liberian citizens have come to perceive public officials at the local level as neither legitimate nor effective agents of public order, nor as providers of public services, nor as representatives of community interests vis-à-vis central authorities and foreign aid agencies. As a result, local government has become only marginally relevant to the lives of the Liberian people.”¹⁶

Limited opportunities for popular participation feed negative perceptions about the quality and integrity of local government, undermining its legitimacy, and fuelling concerns about lack of accountability in the management of information and resources.

Findings reveal widespread concerns that resources flowing from centre to periphery get diverted from their intended purpose, being misallocated or misappropriated as they pass through “the long chain¹⁷” of local government. Similar concerns are expressed about the flow of information between local government and citizens; specifically, that information is frequently manipulated or withheld.

Much of the discontent focuses on the so-called “narrow channel” of traditional authority figures that act as interlocutors between citizens and local government, particularly in relation to resources for local development priorities.

Youth emerged as the group most vocal in expressing their concerns about the perceived mismanagement of the County Development Funds, specifically that:

1. Youth views about local development priorities are seldom, or only nominally, sought. If offered, they are frequently not lodged with the appropriate authorities.
2. There is a lack of transparency in the prioritisation of development needs, and limited accountability in the expenditure of County Development Funds

Whether there is any factual basis for these complaints is less important than the existence of the negative *perception*. Against a backdrop of poverty, limited opportunity and a tendency to resort to violence to ‘resolve’ grievances in recent years, *it is the*

¹⁵ A discussion of Voice and Accountability concepts is attached as Annexe 2

¹⁶ Helling, 2007, p2

¹⁷ Common phrase used to describe the structure and process of local governance in rural areas.

perception of exclusion and corruption that must be addressed.

Respondents were asked to suggest how this could be achieved. The majority of suggestions focused on the need to broadening the “narrow channel” by including representation from other social groups alongside the Traditional Authority representatives.

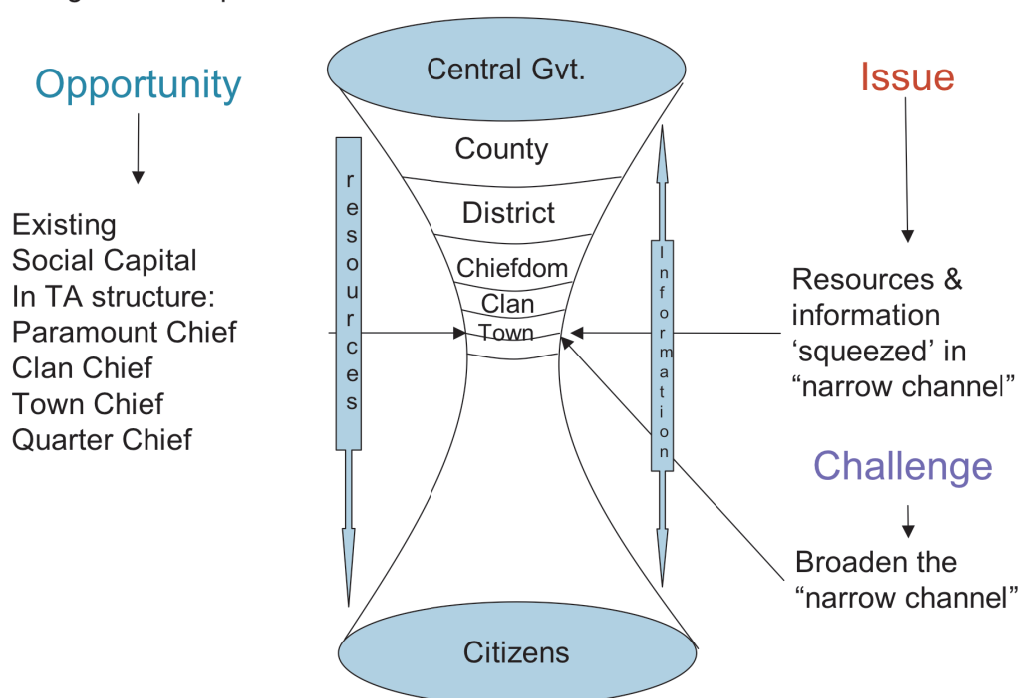
5.2 The “narrow channel” of representation

“The lack of equity and participation in government processes was a significant contributing factor to the conflict. To address these issues, the structure of government and the culture of citizen participation must be reformed.”¹⁸

Achieving this objective requires engagement with the primary interface between citizens and local government at sub-district levels. **Figure 1** (below) illustrates the “narrow channel” of representation that respondents described. It shows the issues, challenges and opportunities presented by the *status quo*.

1. **Issue:** Flows of resources and information get distorted as they pass through the “long chain” of local government and the “narrow channel” of Traditional Authority representatives.
2. **Challenge:** Broadening the “narrow channel” of representation.
3. **Opportunity:** Complement the strengths of the Traditional Authority representatives to create the foundations of the “culture of citizen participation”.

Fig.1 Status quo



¹⁸ Liberia Poverty reduction Strategy, Government of Liberia, 2008 p.85,

5.3 Resources for participation

Much development policy in post war or conflict environments is founded on the belief that violence leaves nothing but chaos and destruction in its wake, and that the work of post war development is to fill this void with designs of what governance, order, infrastructure and economy should look like.

But wars are not wholly destructive; they also accelerate change; people live with and survive them to forge new politics and economies from their harsh materials.

The Second World War created and honed the institutions and ideologies that underpin the western world. The US and Soviet superpowers – and the military-industrial powerhouses at their economic hearts -the international financial system, the United Nations, NATO, the European Union, belief in the universalism of human rights and political and economic freedoms -are all legacies of the profound changes wrought by the internal wars of the western world in the first half of the 20th century.

All of this was fashioned from the political and economic raw materials of Racism, Imperialism, Fascism, Communism, genocide and total war.

Effective Post-war development policy should do more to work with the transformative effects of war, rather than emphasising rehabilitation and restoration of pre-war norms. Liberia is a prime case in point; the Government and the people have an opportunity to create a state and a polity from the ashes of war, and from the resilience of its people and organisations.

Liberian social capital is strong; the social organisations that sustained people through the war, or which were re-made as people returned to their home communities, constitute the ‘raw materials’ from which the “culture of citizen participation” should be crafted.

The Liberia Decentralisation Policy provides the framework within which this can occur.

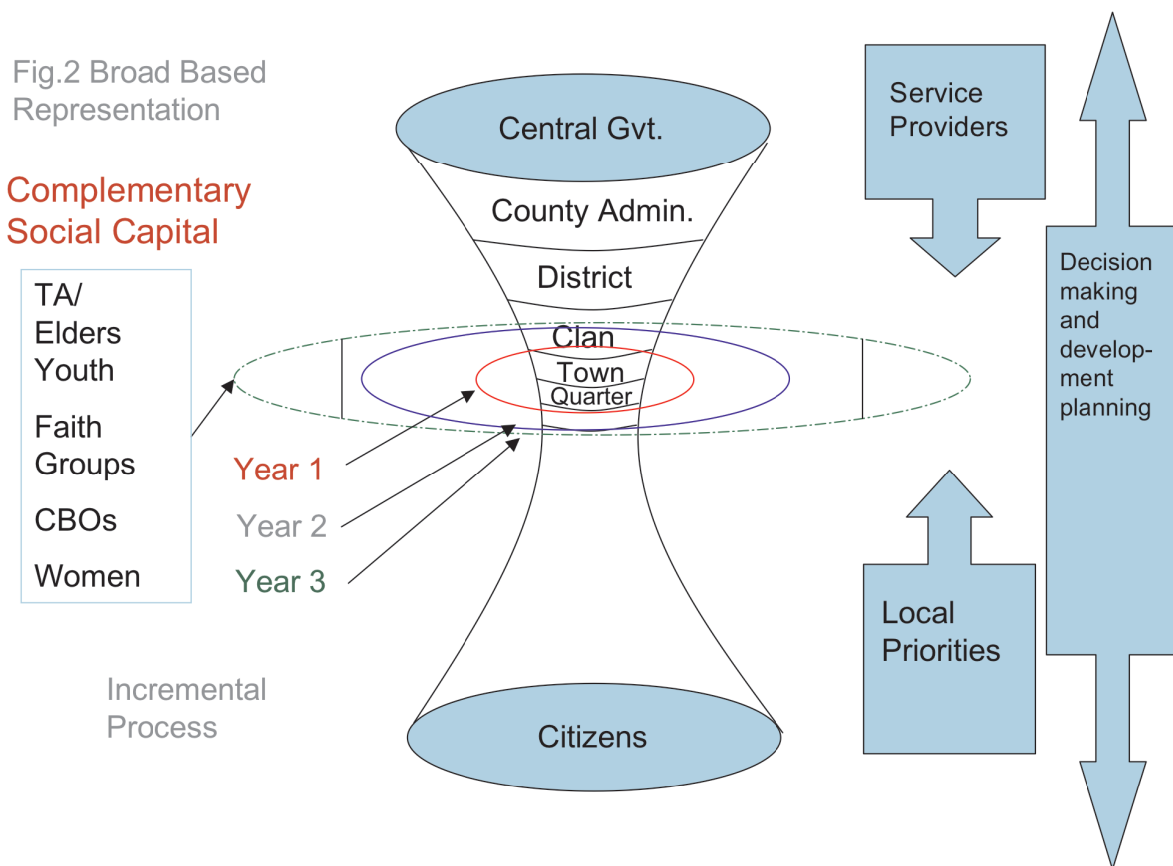
A key question is through what mechanism and process can this be achieved?

5.4 Mechanisms for participation

Figure 2 illustrates the resources, the structure and the process to create a ‘culture of participation’. It shows:

1. Types of social capital groups that would complement the existing structure of

- representation.
- 2. The role of the structures as the primary interface between citizens and service providers (local government, development initiatives, private sector companies etc.)
- 3. As the decentralisation process will be an incremental one, suggested timescales for the establishment of the representative groups.



5.5 Policy Recommendations

To the Government of Liberia, the Governance Commission, the Ministry of Internal Affairs and the international donor community:

5.5.1 Broad-based representative structures

Recommendation 1	Commit the Liberia Decentralisation Programme to broadening the “narrow channel” of communication between local government and citizens at district and sub-district levels.
Risk 1	Failure to enhance popular participation risks a reversion to the pre-war status quo, reproducing past dysfunctions, alienating the population from local governance, undermining the decentralisation process, fuelling public discontent and increasing general instability.

5.5.2 Incorporate as District Advisory Boards

The structures should be empowered as representatives of public choice, and proponents of accountability and transparency in local governance and decision-making processes.

This requires that they be institutionalised within the framework of local governance. This would most appropriately be achieved by incorporating them as the District Advisory Boards described in the August 2008 Draft of the Liberia Decentralisation Policy¹⁹.

Recommendation 2	Empower representative structures by institutionalising them within the framework of local governance as District Advisory Boards.
Risk 2	Failure to institutionalise the groups will mean that broad-based representation has no formal recognition in local governance processes.

5.5.3 Establish District Advisory Boards in parallel with County Governments

The decentralisation process will be incremental. ‘Carefully sequenced steps’ will progress by initially shifting the locus of power from central to county *and then* district levels.

However, people (youth in particular) are pressing for tangible reform of the institutions and mechanisms of governance that failed them in the past; *change must be seen to be happening*.

A conflict sensitive policy approach would adopt timely measures to address the *perceptions* of exclusion and lack of accountability in public decision-making.

A policy commitment is required to establish the District Advisory Boards in parallel with, rather than subsequent to, the establishment of the local County Governments.

Enacting this commitment will sensitise citizens about the decentralisation process, and actively engage them in creating the structures through which they will interact with the process as it progresses through county and district levels to the sub-district units.

It will also prepare the groups to assume a pivotal role as the recognised channel through which service providers (such as local government and development initiatives) connect with local development priorities.

¹⁹ “Each district shall elect a volunteer advisory board, which shall meet at least four times each year, advise the district commissioner regarding chieftdom and clan conditions and needs, and provide input for the district planning process.”

Recommendation 3	Commit to tangible and timely reform of local institutions by establishing District Advisory Boards in parallel with establishment of local County Governments.
Risk 3	Failure to enact timely and tangible institutional reform risks alienating the public from the process, and allowing the “return of old politics.”

5.5.4 Establish Guiding Principles for CDD

Community development initiatives²⁰ have a crucial role to play in empowering the District Advisory Boards and County Legislative Assemblies. These funds provide the material resources with which local governance and decision-making structures can develop and practice principles of accountability and transparency.

Effectively, the role of community development initiatives is as much about developing due process, as it is about developing infrastructure.

This role will only be fulfilled if the various initiatives coordinate effectively and commit, *in practice*, to developing local capacities to plan, manage and implement development activities.

In an effective CDD approach, the process is as much an output as the infrastructure.

Recommendation 4	Require donors and implementing partners to establish common guiding principles that ensure CDD accords importance to the development of due process in decision-making equal to the importance of provision of infrastructure
Risk 4	Failure to support due process will prolong negative perceptions of exclusionary decision-making and the re-emergence of the ‘old politics’ of patronage-based access to resources and opportunities.

5.6 Program recommendations

5.6.1 National programme to establish locally-appropriate District Advisory Boards

“The Liberian people must be prime contributors to the architecture of the new governance system to ensure legitimacy, sustainability, understanding and ownership.”²¹

Realising this objective requires that the District Advisory Boards must be developed

²⁰ Examples include the Government’s Community Development Funds, the Liberia Community Empowerment Programme (World Bank, via LACE); Community-Based Recovery Programme (UNDP / SIDA); Community rehabilitation Component (EC, via Cardno Agrisystems) and the Liberia Community Infrastructure Program (LCIP, USAID)

²¹ PRS, p86

in the context of Liberia's social and institutional diversity.

An acceptable representative structure may be constituted differently in the more hierarchically organised societies of the north and northwest (such as the Kpelle, Gola and Vai) than in the more decentralised, egalitarian societies of the southeast (such as the Kru, Bassa and Krahn).

A national programme is required to assist sub-district populations to develop locally appropriate District Advisory Boards.

Recommendation 5	Provide technical and financial support to the Governance Commission and the Ministry of Internal Affairs to design and implement a substantive national programme that provides information about the decentralisation process, and engages sub-district populations in defining the structure of, and electing representatives to, District Advisory Boards.
Risk 5	Imposition of uniform structures of representation will result in limited public ownership; undermine the legitimacy and sustainability of the new local governance system, and risk the "reassertion of past forms of local leadership (and) reproducing past dysfunctions." ²² .

5.6.2 Train implementing partners

Recommendation 6	<ol style="list-style-type: none"> 1. Identify and train a network of CSOs and NGOs to implement the programme, and to deliver ongoing training and capacity-building support to the District Advisory Boards. 2. Develop and deliver training materialsSupport
Risk 6	Lack of implementation capacity will undermine the process

5.6.3 Establish Community Development Coordination Unit

Community development initiatives must transcend "the ad hoc manner in which rural-based development has been undertaken"²³ in recent years.

Government should require donor agencies to establish a Community Development Coordination Unit (within the Ministry of Internal Affairs), and charge it with the responsibility to develop common principles and objectives that will underpin community development in Liberia, and align it clearly with the objectives of the decentralisation program and the PRS.

²² Helling, p2

²³ Sawyer, 2005, p92

Recommendation 7	<ol style="list-style-type: none"> 1. Establish Community Development Coordination Unit that requires donors and practitioners to develop common guiding principles 2. Require donors and practitioners to coordinate planning, management and implementation of community development initiatives through the District Advisory Boards, thereby giving them the responsibility, and resources, to practice principles of inclusion, transparency and accountability.
Risk 7	Failure to establish a coordination forum and agreed principles risks maintaining the ad hoc approach to local development that undermines due process, and community capacities to plan and implement local development.

5.7 Land and property conflicts

"A range of Issues related to land and property ownership continue to pose security threats. Communal land and boundary disputes between ethnic and clan groups have historically been a source of inter-ethnic conflicts."²⁴

Land and property disputes emerged as the predominant source of conflict in each of the 46 districts surveyed. The issues fall in to four main categories:

1. Boundary and ownership disputes
2. Land disputes as a national and regional security concern
3. Allegations of fraud in relation to surveying, management of title deeds and land sales
4. Inter-generational land relations and security of tenure issues

5.7.1 Boundary and ownership disputes

Inter-communal boundary disputes were reported as the main source of conflict in each district.

This contradicts a recent report that '*Communities are already actively clarifying and entrenching the boundaries of their respective community land areas in inter-community agreements*' and that '*Communities have amply demonstrated they are able to manage inevitable disputes and arrive at shared agreements.*'²⁵

Findings reveal boundary disputes to be at the heart of a widespread breakdown in inter-communal relations²⁶. Previously harmonious inter-communal relations are under intense pressures as a result of boundary disputes. In many instances communities are engaged in standoff scenarios, no longer interacting, and no longer

²⁴ PRS, p55

²⁵ Alden-Wily, p255

²⁶ Instances such as those described in this section were reported every district surveyed.

free to pass across each other's lands. Violence is common, and injuries or deaths are increasingly frequent; recent 'high-profile' incidents include those in Margibi and Maryland Counties, but the NCMP had recorded many less high-profile instances.

Though most of the disputes are local, recent incidences illustrate the potential for them to escalate and spread rapidly. In October 2004 a land dispute in Monrovia was a factor in sparking a wave of intercommunal violence that swept through the city before spreading to other parts of the country, leaving scores of dead, hundreds injured and properties looted and destroyed. As recently as June 2008, land disputes in Maryland County, and on the borders of Margibi and Grand Bassa have left scores of people dead.

5.7.2 Land disputes threaten national and regional security

Land disputes in the border counties of Nimba, Lofa and Bong pose a potential threat to national and regional security.

Land disputes in these counties overlie a volatile context of inter-communal divisions that were engineered by political and military opportunists, and compounded by the inter-communal violence that erupted during the war.

If land disputes in either of these counties escalate to violence it is practically certain that broader 'ethnic' dimensions would quickly come to the fore. Violence would spread to neighbouring counties, other locations (such as Monrovia and Kakata), and would be likely to result in militia-type intervention from across the Guinean or Ivorian borders (depending on location)²⁷.

This would rapidly become a national, probably regional, security problem.

5.7.3 Inter-generational tensions, tenure and security issues

Another issue with potentially far-reaching security implications

According to a recent report "*Land relations within communities (are not) troubled; communities appear to have these under control. They and their neighbours within the broader customary community are also able to work out their differences.*"²⁸

Again, NCMP findings appear to contradict this, indicating that tensions between youth and elders are widespread. Young people who aspire to agricultural activities beyond subsistence level say that they are frustrated by the attitudes of elders who

²⁷ This conclusion is informed by extensive research in to trans-border militia groups conducted by the Team Leader and Project Manager under other project

²⁸ Alden-Wily, p267

“want to hold on to the land.”

Access to land is not the problem that young people complain of; it is the inability to obtain the secure, long-term tenure over land that would enable them to establish cash-crop businesses.

‘Having rock-solid tenure security becomes not just a matter of human rights in the modern agrarian world, but a socio-economic necessity in order to progress.’²⁹

For many rural youth, leaving for the urban centres is becoming the only option ‘to progress’.

The PRS notes that *‘Unequal access to, and ownership of, land and other resources have contributed significantly to economic and political inequities throughout Liberia’s history, and have exacerbated tensions and conflict.’³⁰*

This is again becoming the case, but the post-war context is significantly, and importantly, different from the pre-war context. The culture of deference that would previously have quelled youth unrest over this issue has been changed, probably irreversibly, by the war. It is now very unlikely that young people will simply acquiesce and accept frustrated ambition as ‘their lot’ in life, as previous generations may have done.

NCMP findings indicate that security of tenure issues are fuelling tensions in rural areas, alienating young people from local social frameworks and, ultimately, undermining Liberia’s prospects for peace and stability.

5.7.4 Allegations of fraud in relation to surveys, land deeds and land sales

Many respondents attribute boundary disputes to fraudulent practice such as “double selling” of land. The PRS acknowledges that, in relation to land matters, ‘fraud is common and entrenched’. Where boundary disputes are concerned, it is a foundational problem.

Legitimate acquisition of land requires that the land be surveyed, and that public announcements be made to inform, for example, holders of adjacent land, in case of any contestation. The deed, if uncontested, passes through the Probate Court, the Centre for Registration and is finally deposited in the National Archive. Notionally, therefore, a system of checks and balances does exist.

However, the various functions and mandates to uphold the system are fragmented

²⁹ *ibid*, p268

³⁰ Liberia PRS p67.

between the Ministry of Internal Affairs, the Traditional Authorities relevant to the land in question, the Ministry of Lands, Mines and Energy, the Probate Court, the National Archive, the Centre for Registration and the Office of The President.

This fragmentation of functions and responsibilities leaves the system vulnerable to fraud, crucially, in relation to land deeds. Under Liberia's laws, land cannot be deeded twice; if cases of multiple deeds arise, it is the oldest deed that prevails.

The NCMP records multiple complaints about suspected collusion between Land Surveyors, Traditional Authorities and National Archive staff to manipulate and alter deeds, enabling them "double sell" lands already deeded to individuals.

This is a fundamentally important problem. If it is not directly addressed as a matter of policy priority it will undermine the credibility of the Land Commission, the Ministry of Lands, Mines and Energy, and relevant local governments. It will render their efforts, in the words of one key informant, as "nothing more than window dressing".

5.8 Policy recommendations

5.8.1 Institutionalise link between public consultation and policy formulation

The Land Commission provides the policy vehicle to address these issues.

The complex nature of the issues requires that policy is informed by substantive, ongoing dialogue with stakeholders at all levels of society.

It is vital that the regional public consultation processes that informed the establishment of the Land Commission be institutionalised and extended as the primary means through which the Land Commission will fulfil its duties to '*consult regularly (with) land users' and 'foster broad-based public discussion and understanding of the land policy issues and the measures to address them.*³¹

Basing consultations and recommendations on generalised notions of 'community' would be a flawed approach. There is a critical need to disaggregate the notion of 'community', and to ensure that all social groups are given equal opportunity to express their views directly (rather than through proxy 'community representatives').

³¹ An Act of the Legislature to Establish the Land Commission, Draft, 13th May 2008

Recommendation 8	<ol style="list-style-type: none"> 1. Formulation of land policy and law must be informed by substantive, systematic and ongoing consultation with land users at all levels, including sub-district populations. 2. Consultation and recommendations should be based on a disaggregated notion of 'community' to ensure cross-section of stakeholder opinion.
Risk 8	Policy developed in a vacuum will alienate the public from the work of the Land Commission and result in state / citizen confrontation.

5.8.2 Rebuild technical capacity of Ministry of Lands, Mines and Energy

Respondents generally attribute boundary disputes to lack of technical competence of the part of County Surveyors, or corruption (see below). Lack of technical capacity within the Ministry of Lands, Mines and Energy to support communities in demarcating boundaries is a major impediment to resolving many of the reported disputes. It will also impede the implementation of the planned land cadastre.

Recommendation 9	Prioritise identification of funding for the establishment of training facilities, and the development of appropriate training materials and curricula, for a new cadre of land surveyors and cartographers.
Risk 9	Failure to strengthen technical capacity will undermine the credibility of the Land Commission and the Ministry of Lands, Mines and Energy, erode public confidence and exacerbate land-related insecurity.

5.8.3 Address allegations of corrupt practice

The work of the Land Commission, the Ministry of Lands, Mines and Energy and other organisations and institutions working on land and natural resource issues will be undermined if the allegations of corruption and collusion between surveyors, 'traditional people' and staff in the archive are not addressed.

Recommendation 10	Investigate and eradicate corrupt practice as a matter of policy priority
Risk 10	Failure to address, as a matter of policy priority will erode public confidence in the Land Commission and the Ministry of Lands Mines and Energy.

5.9 Programme recommendation

5.9.1 Design and implement a Land Policy Consultation Process

A programme of financial and technical support is required to enable the Land Commission to design and establish the mechanisms through which it will fulfil its duties to *'consult regularly (with) land users' and 'foster broad-based public discussion and understanding of the land policy issues and the measures to address them.'*

To reiterate a point made in the previous section, basing consultations and recommendations on generalised notions of ‘community’ would be a flawed approach. There is a critical need to disaggregate the notion of ‘community’, and to ensure that all social groups are given equal opportunity to express their views directly (rather than through proxy ‘community representatives’).

Recommendation 11	Provide technical and financial support to enable the Land Commission to design and establish the mechanisms through which it will fulfil its duties to ‘consult regularly (with) land users’.
Risk 11	Failure to engage public opinion at sub-district levels will undermine the legitimacy of the Land Commission and the policy recommendations it formulates.

5.9.2 Establish national implementation and management capacities

Recommendation 12	Identify and contract technical support to the Land Commission to design and manage the programme, and train the implementing partners
Risk 12	Over-dependence on implementation capacity of external agencies fails to build national capacities.

5.9.3 Establish national research capacity

Recommendation 13	Institute and support a Land and Natural Resources Research Unit in the University of Liberia to: <ol style="list-style-type: none"> 1. Collect, collate and analyse data to inform policy dialogue. 2. Monitor and evaluate the work of the Land Commission.
Risk 13	Lack of independent policy, monitoring and evaluation capacities will undermine the legitimacy of the Land Commission and the Ministry of Lands, Mines and Energy.

5.9.4 Establish technical training facilities and develop training materials

Respondents attribute boundary disputes to either corruption (reported in previous section), or the limited technical capacities of County Land Surveyors responsible for assisting them to demarcate boundaries.

No Government training facilities for land surveyors and cartographers currently exist. To establish the requisite national technical capacities to:

1. Assist communities to demarcate boundaries
2. Support the work of the Land Commission and Ministry of Lands, Mines and Energy
3. Mitigate current and future land conflicts

4. Prepare for the planning and implementation of a land cadastre It is recommended that:

Recommendation 14	Government and donors prioritise the establishment of technical training facilities for a new cadre of land surveyors and cartographers
Risk 14	Insufficient technical capacities will fundamentally undermine Government's objective to establish 'a working system to promote the reconciliation of land disputes during the PRS period.' ³²

5.10 Identity conflicts

The third major theme encompasses a range of conflicts categorised by respondents as 'ethnic', 'tribal', 'social', 'religious' or 'cultural'. The project has categorised them as a grouping of 'identity conflicts'.

The notion of 'identity' has been problematic since the inception of the Liberian state in the mid-19th century. It has had profound, and tragic, consequences. One recent assessment of the war concludes:

"This was first and foremost a war over the questions of what it meant to be a Liberian, and how the polity of the country should be constituted and resources distributed...exclusionary practices...shaped politics and control of state institutions as a zero-sum game [so that] the task for stakeholders...is...for the first time, constructing a state and a polity based on the principle of inclusion instead of exclusion"³³

Defining policy and programme responses requires thinking beyond the standard distinctions applied to the problem (i.e. between "natives" and "those who do not belong to Liberia"³⁴), in order that we can address the origins of the problem.

5.10.1 Comprehending and addressing the 'identity' problem

Conflicts over 'identity' are the product of an incomplete convergence between a settler state (envisaged along constitutional lines) and a diverse range of African polities in which rights and freedoms were guaranteed by the protections offered by powerful patrons to their clients.

As the state expanded during the 19th and 20th centuries, it adopted a dualistic approach to the application of the constitution. Constitutional government (and associated rights and opportunities) applied to settlers, whilst the "rule of aboriginals" continued under those local patrimonial customs that the state was prepared to license.³⁵

³² PRS, p67

³³ Boas & Hatloy 2008, p 37

³⁴ Typically, "Americo-Liberians", "Congo", "Mandingoes" etc.

³⁵ Richards, Archibald et al, Liberia Rapid Social Assessment, 2005, World Bank, p40

The notion of Liberian identity has, therefore, ‘a problem of political history, or a history of power relationships among Liberians, a history of who has gotten what, when and how (over) the years.’³⁶

The effects continue to be felt today; the discourse about ‘national identity’ is generally negative, focusing on who “belongs to Liberia” and “does not”. Transforming this discourse in to a more positive, constructive dialogue requires:

- (a) An objective analysis of the fundamental problems
- (b) Practical mechanism to involve citizens in defining their resolution

A critical factor to consider is that ‘the Liberian state (the political unit) preceded the development of the nation, where the nation is taken to mean:

‘... the root of the feeling of nationalism, (a) social and cultural concept. It is a people’s sense of collective destiny through a common past, and a vision of a common future (it is) the glue that holds together people, territory and sovereignty.’³⁷

By this definition, any sense of Liberian national identity is currently absent.

However, NCMP findings reveal a population brimming with determination, positive intent and constructive ideas for addressing the problem. In response to questions about ‘how to promote national unity’, the most common suggestions include:

- (a) Change the national motto and symbols
- (b) Revise the constitution
- (c) Rewrite the country’s history
- (d) Adopt and teach a national dialect (Kpelle)
- (e) Revise the school curriculum
- (f) Promote equality in all rights
- (g) End tribalism

There is clearly a public willingness, and the requisite ideas, on which to found a nation-building process.

5.11 Policy recommendations

The policy framework for these recommendations is provided by The Governance Commission’s Mandate on Civic Education, which deals with:

³⁶ Dunn, 2008, p2

³⁷ Ibid, p4

The formulation of policies that will help with civic education processes with a view to strengthening a sense of common community, national identity and nationhood.³⁸

5.11.1 Nation-building as a policy priority

The standard trajectory of post-conflict development prioritises state building³⁹, the provision of infrastructure, and economic regeneration. The lessons from Iraq and Afghanistan indicate the importance of placing an equal degree of emphasis on the task of nation building.

This is particularly relevant to Liberia, where the continued absence of agreement on a shared Liberian ‘identity’, and collective values and principles, will continue to undermine social cohesion, fuel division and leave the country vulnerable to a reversion to violence at times of social stress.

Recommendation 15	Government and donor partners should give policy priority to nation-building initiatives as an essential supportive component of the state-building process.
Risk 15	Failure to establish and support this priority risks repeating the mistakes of the past in allowing ‘the state to precede the nation’.

5.11.2 Support Civic Education and Civic Engagement strategy development

Recommendation 16	Provide technical support to the CECEP to develop policy and programme priorities, work plans and approaches
Risk 16	Lack of strategic framework will undermine attainment of objectives

5.11.3 Articulate challenges and opportunities

The ideas and attitudes described in the previous section are the raw materials of nation building. However, there is a darker, less comfortable discourse that is equally important; there are areas of the country where talk is of “finishing” other ethnic groups, or “chasing them from the country”. Ignoring this reality would be a dangerous option to choose.

The task of ‘*strengthening a sense of common community, national identity and nationhood*’ must be founded on an objective and comprehensive articulation of the problems that undermine social cohesion and national unity.

To plot the course of progress, Liberia must know where it currently stands, and where it has gone wrong in the past.

³⁸ Section 1.3.6

³⁹ Establishing and strengthening the formal institutions of state

Recommendation 17	Establish an objective, comprehensive articulation of the attitudes and issues that undermine, or underpin, social cohesion.
Risk 17	Failure to establish and support this priority will undermine the ability of the Governance Commission, and Liberian society, to contribute to ‘strengthening a sense of common community, national identity and nationhood.’

5.11.4 Coordinate relevant activities through the CECEP

Recommendation 18	Require nation-building and ‘conflict resolution’ initiatives, including the proposed Liberia Peace Building Office within the Ministry of Internal Affairs, to coordinate activities through the CECEP
Risk 18	Failure to coordinate will prolong the current ad hoc approach to ‘peacebuilding’, and contribute little to a concerted nation-building effort.

5.12 Programme recommendations

The Governance Commission’s Civic Engagement and Civic Education Programme will provide the implementation framework within which to enact the policy recommendations. The planned National Visioning Exercise should be regarded as an operational project with fundamental tasks and operational requirements, including:

5.12.1 Design and implement a ‘National Conversation’

‘Visioning’ is, by necessity, discourse-based; establishing a ‘national vision’ for Liberia requires the National Visioning Exercise to engage public opinion *at all levels of Liberian society*. The basis of this engagement should be a substantive ‘national conversation’, designed and driven by Liberians, which, over a minimum 12-month period, develops the ‘clear and objective articulation of the attitudes and issues’ that is required to inform policy formulation.

Recommendation 19	Provide the requisite technical and financial support to enable the National Visioning Exercise to design and implement a ‘national conversation’
Risk 19	Failure to support the mechanisms for engaging public opinion at all levels of Liberian society (i.e. by only counselling opinion at, say, regional level) will result in a superficial understanding of popular attitudes and opinions, and an incomplete National Visioning Exercise.

5.12.2 Develop implementation capacity

Experience of designing and implementing the NCMP indicates that the CECEP and National Visioning Exercise will provide technical support to design and implement National Conversation. As Liberian institutions should drive the process, capacity building efforts should focus on a cadre of local civil society and non-governmental organisations selected on the basis of their capacity to deliver, and to train local agents

at sub-district levels.

Recommendation 20	Provide technical and financial support to the CECEP and the National Visioning Exercise to: <ol style="list-style-type: none"> 1. Assess CSO & NGO capacities 2. Establish and train a network of local civil society and nongovernmental organisations to implement the National Conversation and process the data.
Risk 20	Insufficient implementation capacity will undermine the work of the CECEP and the National Visioning Exercise.

5.12.3 National and regional 'Visioning Platforms'

The data generated at sub-district levels should be used to inform policy dialogue through a network of regular regional and national 'Visioning Forums'.

Recommendation 21	Provide the National Visioning Exercise with the necessary technical and financial support to establish regular regional and national 'Visioning Platforms' at specified intervals to ensure that policy dialogue is seen to take place not solely in Monrovia.
Risk 21	Failure to establish regional 'Visioning Forums' will create perceptions of exclusionary / Monrovia-based policy formulation, and undermine the work of the National Visioning Exercise.

5.13 Youth Dimensions

Commentators agree that a large number of poorly educated under-employed young people (especially young men) is a predisposing conflict factor. Two views have dominated debate.

According to one interpretation war in Upper West Africa is the work of an urban-based criminal underclass (Abdullah 1997, Mkandawire 2002). Why these groups should shift from crime to war in the first place, and why their armed struggles proved so enduring is unclear.

Other analysts suggest that war begins as an intra-elite political (or economic) project, but that as war becomes more general many people, particularly young people, join militia groups as a rational survival option.

In Liberia, Boas & Hatloy (2008) and Archibald, Mulbah & Kantelberg (2008) find that that fighters were indistinguishable in socio-economic background from the generality of rural youth; most fought not because they were young criminals, but to protect themselves and their families from the escalating violence. Humphreys & Weinstein (2004) provide broadly similar results for Sierra Leone; ex-combatants were mainly impoverished rural young people recruited when war spread into their area.

In short, war engaged a cross-section of the poorer, more vulnerable and marginalised members of society, typically rural dwellers denied schooling and employment opportunities.

5.14 Policy recommendations

It is imperative that this generation of young people is fully incorporated into the process of reforming Liberia's social and institutional arrangements. If this general condition is not met there will remain a strong likelihood of a reversion to violence.

5.14.1 Practical inclusion of youth in reform process

Recommendation 22	Prioritise practical strategies for youth participation in the reform of Liberia's social and institutional arrangements.
Risk 22	If this general condition is not met there will remain a strong likelihood of a reversion to violence.

5.14.2 Address tenure security

Recommendation 23	Address young people's inability to obtain secure tenure over agricultural land for commercial activities as a matter of policy priority
Risk 23	Failure to accommodate and encourage young people's aspirations to development risks significant social and political unrest, and increases their vulnerability to militia recruitment.

5.14.3 Develop a National Youth Policy Recommendation 24

Recommendation 24	Prioritise support to Ministry of Youth and Sports and CECEP to develop a National Youth Policy
Risk 24	Failure to engage youth in policy dialogue risks alienating them from post-war state-building process

5.15 Programme recommendations

5.15.1 Youth representation in local decision-making

Recommendation 25	Ensure adequate youth representation on District Advisory Boards
Risk 25	Failure to engage youth in policy dialogue risks alienating them from postwar state-building process

5.15.2 Assess youth organisations & support forums

Recommendation 26	<ol style="list-style-type: none"> 1. Support CECEP and Ministry of Youth & Sports to assess internal democracy and capacities of national and local youth organisations 2. Support / strengthen Youth Forums at national, regional, county and district forums
Risk 26	Failure to check integrity, as well as capacities, of civil society organisations risks supporting politicised groups.

5.15.3 Emphasise need for vocational and educational training provision

Recommendation 27	Prioritise establishment of agriculture and vocational training institutes (aligned with current analyses of most viable skills markets ⁴⁰).
Risk 27	As previously; failure to accommodate and encourage young people's aspirations to development risks significant social and political unrest, and increases their vulnerability to militia recruitment.

5.16 Incomplete DDR⁴¹

Liberian militias have been at the eye of the storm of conflict that engulfed Upper West Africa. Despite the DDR process, militia groups and enclaves of former Liberian state security service personnel remain, either allied with trans-border ethnic affiliates in western Côte d'Ivoire, or entrenched in remote locations in Liberia, some of which have been identified by UNMIL and labelled as 'hot spots'.

These groups threaten national and regional stability; experts in forest guerrilla warfare, they have flowed effortlessly between countries in a zone ideally suited to low-cost insurgency (lack of counterinsurgency capacity in national armies, and lengthy, open borders through forested terrain). The danger now is that, if left isolated, they will become permanently pitted against the wider society, and excluded to a point where reversion to violence becomes the only rational option.

It is important to recognize their socio-economic background; militia members are indistinguishable from the wider population of marginal rural youth. This is crucial; whilst commentators often disagree about the 'causes' of West Africa's wars, there is agreement that a large number of poorly educated, unemployed young people (especially young men) is a predisposing factor.

Having a sustainable livelihood is to have a stake in society, and to have a means

⁴⁰ ILO and World Bank both developing analyses

⁴¹ This section is informed by extensive research conducted amongst militia groups by the Team Leaders throughout Liberia and western Côte d'Ivoire during 2006, 2007 and 2008.

whereby a young person can measure his/her social worth. The failure to provide education, vocational technical training and livelihood opportunities for a large youth underclass has undermined social cohesion and fed war in Upper West Africa.

Unless demobilized, dispersed and integrated in to the social and economic landscape, these groups will remain a predatory element threatening post-war reconstruction efforts in Liberia and Upper West Africa. Innovative policy initiatives are required to draw these groups out of isolation, incorporate them in to the social and economic mainstreams, and nurture their commitment to the wider society.

A key means of doing this is to harness their organizational capacities, equip them for productive life, facilitate their transition into spheres of legal economic activity, and support the development of the markets in to which they will integrate.

5.17 Policy recommendation

5.17.1 Prioritise completion of DDDR

Recommendation 28	Prioritize disarmament of persistent militias and non-demobilised former servicemen.
Risk 28	They will remain a threat to national and regional stability.

5.18 Programme recommendations

5.18.1 Research and screen entrenched groups

Recommendation 29	Contract research and technical capacity to engage, screen and register militia members in Côte d'Ivoire and Liberia, and former servicemen in Liberia.
Risk 29	Failure to engage groups leaves them isolated and volatile.

5.18.2 Innovative RR programmes

Recommendation 30	Provide innovative, structured training and reintegration programme.
Risk 30	Tokenistic training and reintegration will undermine the prospects for regional peace and stability.

RESOURCE MATERIALS

RESOURCE MATERIALS

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ANNEXES

ANNEXE 1

Terms of Reference

(Abridged)

Short Term Technical Assistance to the Truth and Reconciliation Commission (TRC) of the Republic of Liberia for Conflict Mapping Project

1. BACKGROUND

Country background

With a population of nearly 3 million of diverse ethnic backgrounds, Liberia in recent times experienced a period of political, social, economic instability and civil war extending over two decades during which institutions and governance considerably weakened and basic physical infrastructure and services left in ruins. Incessant conflict and mismanagement have taken Liberia to the bottom of the Human Development Index whilst the potential for future conflict remains potentially very high. The roots of the conflict in Liberia are multi-faceted and require further empirical study and analysis to clarify looming conflicts, make effective interventions and prevention remedies possible thereby avoiding the outbreak of violence in the future.

Several events land marked Liberia's conflict history and it is not yet known how far their effect did determine the past civil war and how far these events of civil strife will continue to determine future conflicts and in what manner. These events include: the Rice Riots of 1979, the bloody Coup D'Etat of 1980 that brought the military to power and a streak of political violence and killings ensued throughout the decade of the 80's; NPFL invasions from 1989 and the capture and killing of President Doe in 1990. In the following years, civil war continued to rage in the country and several rebel factions were formed including NPFL, ULIMO-K, ULIMO-J, LPC, etc. Peace initiatives were brokered several times and broken. Elections were held in 1997 but this did not end the civil war.

All through Liberia's conflict history, the role of ECOWAS and the international bodies such as the UN has been instrumental in searching for sustainable peace in the country. These international entities brokered the Accra Comprehensive Peace Agreement in 2003. All warring factions and Government of Liberia forces signed to a ceasefire that was rapidly implemented with the deployment of 15,000 UN Peace Keepers (UNMIL). A disarmament and re-integration process of over 100,000 ex-combatants followed this from all warring factions to the conflict including the Armed Forces of Liberia (AFL) i.e. the national army. Over 5,000 ex-militia and military service men have also since been demobilized and retired from the national army and other security entities.

A Comprehensive Peace Agreement (CPA) signed in 2003 brought Liberia into a period of relative calm for the first time in 14 years. The CPA mandated the creation of a national Truth and Reconciliation Commission (TRC), and the TRC Act was passed into law by the National Transitional Legislative Assembly in June 2005. Commissioners were appointed in October of the same year and commissioned in February 2006 following the Inauguration of Her Excellency, President Ellen Johnson-Sirleaf as winner of the democratic general elections of 2005.

Sustained peace, successful reconstruction, rehabilitation and the future development of Liberia are most likely to be achieved through the restoration of a functioning and representative democracy, adherence to the principles of good governance and prudent economic and financial management. The restoration of democratisation processes and rule of law in Liberia demands a complimentary effective conflict management and peace building deliberated processes.

In addition to the UN peacekeeping troops that were deployed in Liberia (UNMIL), major international donors and aid agencies together with non-governmental organisations have maintained presence in Liberia providing a wide range of humanitarian, development and service-delivery oriented services. Various donors are providing direct assistance to enhancing government capacity in good governance and democratisation processes.

Current state of affairs in the relevant sector

As part of the overall strategy to bring sustainable peace to Liberia, the Accra Comprehensive Peace Agreement (ACPA) established five Commissions designed to address some of the underlying causes of the conflict. These are the National Elections Commission (NEC); Contracts and Monopolies Commission (CMC); Governance Reform Commission (GRC); Independent National Human Rights Commission (INHRC) and a Truth and Reconciliation Commission (TRC).

With a past ridden with violent approaches to managing conflicts and prevalent social, economic and political exclusion and abuse experienced by many Liberians, it is important to examine the conflict in totality and map out the factors, issues and actors of Liberia's conflict dynamics. An in-depth understanding of current and looming conflicts will enhance an inclusive and sustainable process of national reconciliation, unity, security and healing and respect for human dignity and rights in order to ameliorate the potential for future violent conflict and civil unrest.

The conflict in Liberia has always been defined at a macro level. More often than not it is viewed within the context of political and military struggle between two or more parties. In the recent past, the Liberian conflict had assumed the character of a contest

for power between Government and warring factions or militias on the one hand, and between warring factions on the other. These factional conflicts have mainly been addressed through political settlements. The inadequacies of this approach led to over fourteen peace agreements during the Liberian conflict. Conflicts in Liberia go beyond factional military and political struggles; conflicts in Liberia also encompass tensions among parties within communities and tribes; between communities and between tribes. Some of these tensions span generations and tend to fuel national conflict. To address conflict continuum in the country, it is important that all levels of conflict be understood in their specific contexts and dynamics so as to develop a road map incorporating tools and strategies in addressing them.

The TRC is the focal government institution that is specifically mandated to work towards the transformation of conflict and build lasting peace, through mechanisms that promote truth saying, justice and reconciliation. In the ACPA, the establishment of a Truth and Reconciliation Commission is recommended by Article XIII. The Commission is responsible to provide a forum for addressing issues of impunity as well as allowing victims and perpetrators an opportunity to share their experiences in order to facilitate genuine healing and reconciliation.

As part of its mandate to promote peace, security, national unity and reconciliation, the TRC is also charged with investigating and addressing:

a) gross human rights violations and violations of international humanitarian law; **b)** providing a forum that will address impunity; **c)** investigate the antecedents of the Liberian civil crisis; **d)** conduct a critical review of Liberia's historical past and; **e)** adopt specific mechanisms and procedures to address the experiences of women and children during the war and

The TRC, following all its fact-finding activities, is required to compile a comprehensive report of its findings containing recommendations that will address issues of justice, human rights, the root causes of the conflicts, peace building and institutional reforms that will enable the country avoid the out break of violent conflicts in the future and depart from the legacy of past abuses.

The TRC process has been on-going since 2006. However challenges exist including the need for enhanced technical capacity of the Commission. In *Article IX, Section 32* of the TRC Act the TRC is empowered to retain as many professionals as it desires to fulfil its mandate:

"Section 32. A National Secretariat shall be established to render technical, professional, administrative and clerical assistance to the TRC; it shall comprise such sections or units and staff of diverse professional background relevant to the work of the TRC in the areas of finance,

investigation, law, women, children and vulnerable groups, psychosocial and trauma counselling, amnesty, reparation, statement taking and in as many other disciplines as the TRC deem desirable.”

Currently the TRC has re-started country wide activities within the framework of an elaborate Work Programme made up of major activities including: Media and public outreach, Statement taking, Diaspora activities in USA and West Africa, Psychosocial services support, Reconciliation work, Hearings, Research and investigations, Database and documentation, Report writing and Follow up including Reparations strategy development.

The TRC process is further supported within an International Contact Group on Liberia (ICGL)/TRC Working Group whose Secretariat is at ECOWAS. The purpose of the Working Group is to fast track the TRC process. Its specific objectives are to provide TRC with policy guidance and advice, provide organisational support, co-ordination, reporting, monitoring and evaluation and enhance funding assistance and coordination. The Conflict Mapping Research will be conducted with Technical Assistance of the EC Delegation in Liberia and under the TRC Inquiry Process Unit.

The TRC Inquiry Process currently consists of 22 Researchers who are undertaking thematic research and investigations into major civil war and conflict events called “window cases”. It is foreseen that this Conflict Mapping Project will undertake further consultations at community level regarding live issues that contribute to the Inquiry Unit’s conflict analysis as a contribution to TRC Mandate directives.

Previous and Present EC Financed Activities at the TRC

The EC in 2006 provided a Euro 300,000 technical assistance package to the TRC which included Euro 76,000 for operational and logistical support to the TRC from fuel supply to stationeries, office equipment and machines. Under the same arrangement, the EC place both short-term and long – term technical experts at the Commission to assist in the formulation of critical policy issues from program to thematic issues impacting the capacity of the TRC to accomplish its mandate in a timely, accurate and efficient manner.

The EU Long Term Expert who was based at the TRC until December 2007, provided technical advice to the TRC Chairman and Commissioners as well as programmatic support to the TRC Secretariat. An institutional assessment of the TRC which was conducted by the Long Term Expert was essential in mobilizing institutional support to build the capacity of the TRC to perform its mandate and casting light on the institutional difficulties then confronting the TRC, ranging from administrative and personnel policy considerations to program sequencing, policy articulation, public awareness, challenges, opportunities and constraints including financial issues.

2. DESCRIPTION OF THE ASSIGNMENT

Beneficiary and Contracting Authority

The action is for the benefit of the people of the Republic of Liberia with the Truth and Reconciliation Commission (TRC) being the recipient of the action.

The Contracting Authority is the Delegation of the European Commission for Liberia and Ivory Coast. The Head of Delegation to Ivory Coast and Liberia, based in Abidjan, acts as the National Authorising Officer (NAO) on behalf of the people of Liberia. As a result, the role of the TRC with regards to the EC programme is restricted to TRC mandate policy direction and research strategy definition.

Global Objectives

The overall objectives of this contract are as follows:

To provide technical assistance to the TRC for the conduct of a conflict mapping research throughout the Republic of Liberia in support of the national peace, security, unity and reconciliation objectives of the TRC and consistent with the mandates of both the Accra Comprehensive Peace Agreement (ACPA) and the TRC Act 2005 as well as the peace building aspirations of the Government and people of the Republic of Liberia.

Specific objectives

The specific objective of this contract is as follows:

1. To understand the nature, context, dynamics and the existence of looming conflict situations and environment in Liberia that embodies the potential to threaten Liberia's long term peace and stability.
2. To support Liberia's long term recovery and peace building efforts by conflict analysis, which eventually throw light on opportunities for both intervention and prevention that will situate Liberia away from its violent legacy.
3. To help advance local and national development agenda by informing conflict sensitive development policies. Specifically, it will aid in the application of the country's poverty reduction strategy in local communities
4. To develop a road map of these conflict situations for the purpose of producing options of managing them or providing constructive response in their wake.
5. To inform peace building and other community development initiatives by local and external NGOs aimed at transforming relationships so that violent conflicts do not re-occur.

6. To complement the TRC inquiry into the root causes of the Liberian conflict with a focus on the status quo so that the findings of this process can inform the TRC Final Report recommendations for sustainable peace building.

Underlying Principles/Assumptions of the Research

1. The foundation and at the same time the consequence of prolonged national conflict could be the emergence or the existence of family, ethnic, religious and community conflicts or struggles which exacerbates and accelerates violent conflicts of national characterizations.
2. Conflict mapping is an essential post-conflict peace building mechanisms which attempts to understand social and other conflicts at all levels of the society, particularly focussing on the community level and makes recommendations aimed at constructive conflict engagement to transform relationships, and resolution through a new process of conflict prevention;
3. Conflict prevention is preferable and by far less expensive than conflict resolution when considering the wide range of processes involved with conflict resolution from painstaking negotiation of peace deals, peace keeping operations, humanitarian and relief assistance, widespread insecurity, reconstruction, etc.
4. Conflict prevention can only be attained within a framework of a concise understanding of what the conflict issues and dynamics are.
5. Conflict can be cyclical in the countries emerging out of conflict and these countries emerging out of conflict are more likely than not to lapse into conflict imbedding the potential seeds of future violence and destruction.
6. Every conflict is different and has its own dynamics which require empirical data collection and mapping to understand the conflict, what caused it and how to prevent it from escalating into full blown violent conflict - actors, resonating issues, etc.
7. Every conflict with its own dynamics may require a range of intervention strategies from security to political, legal, economic and social cultural interventions, etc to prevent escalation of violence;
8. A well documented, field-based analysis of conflict situations can positively influence and provide the strongest empirical basis ever for galvanizing the political will needed for intervention and prevention.

ANNEXE 2

Voice and Accountability

Making service providers and public agencies more accountable and responsive to citizens can promote democratic governance, inclusive growth and human development.

*Key concepts*⁴²

Accountability is ‘the obligation of power-holders to account for or take responsibility for their actions’ (World Bank 2008). To be accountable, politicians, civil servants and service providers must be answerable for their actions (they must explain or justify what they do and why they do it). It must also be possible to sanction or reward decision makers for their performance (enforcement).

Making state and service providers accountable implies that citizens and clients are able to exercise **voice**: they are able and willing to express their priorities and demand their entitlements. Citizens must not only have voice, the state and service providers must be receptive to their views and be willing and able to modify their actions accordingly. An accountable relationship is therefore one in which voice is met by responsiveness.

Types of accountability

Box 1 defines different types of accountability in more detail

Each type of accountability plays a role in creating accountable government, responsive services and an empowered citizenry.

Box 1 Aspects of accountability

Accountability can be horizontal, vertical or even diagonal.

Horizontal accountability is embodied in the checks and balances internal to a state. It is carried out by state institutions and agencies, which are designed to oversee and sanction other state institutions. These institutions might include the judiciary, parliament, anticorruption and human rights commissions, and ombudsmen.

Vertical accountability is embodied in mechanisms used by citizens and other non-state actors to hold their representatives to account. Elections are the most obvious form of vertical accountability. Other forms include direct civic

⁴² Abridged from a training input paper on Voice and Accountability for TheIDLGroup by Taylor Brown, Tim Midgley and Phil Cowling, TheIDL Group, 2008

engagement, lobbying and mass mobilisation.

Social accountability relies on civic engagement to build accountability. Social accountability mechanisms enable citizens, civil society organisations and communities to hold government officials and service providers accountable. Examples of social accountability mechanisms include: participatory planning and budgeting, public expenditure tracking, citizen monitoring of service delivery, lobbying and advocacy campaigns.

Accountability can be upward, downward or outward.

Administrators or service providers who are **upwardly** accountable are answerable to higher-level authorities (e.g. local administrators who are answerable to line ministries).

Downward accountability, on the other hand, entails accountability of higher level authorities to lower levels of authority, including the accountability of elected officials and administrators to citizens. Often the chain of accountability is upward, not downward with officials answerable only to their higher ups, not to those they are supposed to serve.

Outward accountability occurs when domestic actors including governments are answerable to external donors or development actors. In some contexts (e.g. Kosovo) there appears to be a strong drive toward external rather than internal accountability.

(Sources: World Bank 2008; Goetz and Gaventa 2001; O'Neil, Foresti et al. 2007; DFID 2008)

Why voice and accountability matter for the PRS

Improvements to voice and accountability can have direct and an indirect impacts on democratic governance, poverty reduction and other development outcomes.

Enhancing citizens' voice and improving the responsiveness of government can be an end in itself. Powerlessness—including the inability of individuals to express their views or to have them heard — is integral to poverty and marginality. As a result, responsive governments and service providers and enhanced citizen voice can contribute directly to empowerment and poverty reduction (*O'Neil, Foresti et al. 2007*).

Enhanced voice and accountability can also contribute indirectly to poverty reduction. More accountable systems of governance and service provision tend to be more **efficient and effective**. If services are demand driven (shaped by local priorities) they are more likely to contribute to **improved human development outcomes**. Moreover, if the voices of a broad range of citizens (including the poor) are included in decision-making processes, then policies, legislation and budgeting are likely to be more aligned

to their needs and priorities and therefore more effective.

Enhancing voice and accountability in local governance, service provision and decision-making processes can **bolster democratic governance**. Since the end of the cold war there has been an unprecedented increase in the number of states with democratic forms of government. However in some European and CIS countries and in other parts of the world, democracy as practiced has failed to deliver on its initial promise of more inclusive politics and economic development:

People's experience of governance in new democracies has often been disappointing. The prevalence of elite-dominated party machines, non-state militias, ethnic mafia, widespread corruption, weak service-provision, and other common features of half-formed democracies have undermined the capability, accountability, and responsiveness, and the legitimacy, of newly democratic states. (DFID 2008)

If faith in these weak democratic systems is to be restored, then accountability and voice mechanisms must be strengthened at all levels.