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Liberia's Post-War Recovery: Key Issues and Developments

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Liberia's Post-War Recovery: Key Issues and Developments

Summary

This report, which will be updated as events warrant, covers recent events in Liberia, a small, poor West African country. It held elections in October 2005, with a presidential run-off in November, a key step in a peace-building process following its second civil war in a decade. That war began in 1999, escalated in 2000, and ended in 2003. It pitted the forces of Charles Taylor, elected president in 1997 after Liberia's first civil war (1989-1997), against two armed anti-Taylor rebel groups. It also destabilized neighboring states, which accepted Liberian refugees and, in some cases, hosted anti-Taylor forces and became targets of the Taylor regime.

Ellen Johnson Sirleaf, an economist, won the presidential run-off vote, with 59.4% of votes cast. She took office in mid-January 2006, becoming the first female president of an African country. Her run-off rival was George Weah, a former star soccer player, who conceded her win after contesting it. Most observers viewed the vote as orderly, generally well-administered, and free and fair. It fulfilled a key goal of an August 2003 peace accord, which had ended the second civil war and led to an on-going, U.S.-aided post-war transition process, which is bolstered by the multi-faceted U.N. Mission in Liberia (UNMIL). It carries out diverse peacekeeping, civilian policing, and socio-economic assistance functions. UNMIL was preceded by the U.S.-assisted deployment in August 2003 of an Economic Community of West African States (ECOWAS) military intervention force. Liberia's security situation is stable but subject to periodic volatility. Humanitarian conditions are improving. Progress in governance under the interim government was mixed; widespread corruption within it was widely reported. Liberia's economy and state structures remain devastated by war. The United States is providing extensive post-war reconstruction and security sector restructuring assistance. On March 29, 2006, former President Taylor was captured in Nigeria, where he had been given asylum in August 2003. He fled after President Sirleaf requested that Nigeria transfer him to the Special Court for Sierra Leone (SCSL) to face war crimes charges. He was then flown to Liberia and turned over to the SCSL. He pled not guilty upon arraignment.

In addition to providing substantial support for Liberia's rebuilding and peace building processes, Congress has shown continuing interest in the status of Charles Taylor. It passed laws (P.L. 108-199 and P.L. 108-106) urging that SCSL indictees, like Taylor, face trial at the court. In May 2005, Congress passed H.Con.Res. 127 (Royce) urging the same outcome. H.Amdt. 480 (Watson) to H.R. 260 (Smith) would require that the United States seek the expeditious transfer of Taylor to the SCSL for trial. P.L. 109-102 provides \$13 million for the SCSL. Congressional interest in Liberia includes immigration and debt issues: H.R. 257 (Jackson-Lee), H.R. 2092 (Jackson-Lee), H.R. 3450 (Patrick Kennedy), S. 656 (Reed); S.Amdt. 452 (Reed); H.R. 1268 (Jerry Lewis); and H.R. 1130 (Waters). H.Con.Res. 327 (Eddie Bernice Johnson) and H.Con.Res. 313 (Payne) would commend Liberia for successfully holding elections and congratulate Sirleaf for her electoral victory. S. 779 (Dorgan) would designate Liberia as a tax haven country. H.R. 4939 (Jerry Lewis) would provide \$63.8 million in FY2006 supplemental aid for Liberia.

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Liberia's Post-War Recovery: Key Issues and Developments

Recent Developments

On March 16, the House passed H.R. 4939 (Jerry Lewis), the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, as amended. As reported by the House Appropriations Committee (H.Rept. 109-388), it would provide \$50 million in Economic Support Funds and \$13.8 million in Migration and Refugee Assistance funds for Liberia. On April 5, 2006, the Senate Committee on Appropriations reported an amendment to H.R. 4939 in the nature of a substitute (see Senate Report 109-230) that maintained the same levels of assistance for Liberia as the House-passed bill. No further funds for Liberia were added to H.R. 4939 during Senate floor consideration of the bill.

Charles Taylor, Liberia's former president, was arrested on March 29, 2006, in northern Nigeria after fleeing his home exile in southern Nigeria, which had given him asylum in August 2003. He fled after Nigeria's government announced that Liberia was "free" to take Taylor "into its custody." Nigeria was responding to an early March request by Liberia's president, Ellen Johnson Sirleaf, for Nigeria to transfer Taylor to the custody of the Special Court for Sierra Leone (SCSL) to face a war crimes indictment. Taylor was subsequently extradited to Liberia, flown to Sierra Leone, and taken into SCSL custody. On April 3 he was arraigned and pled not guilty. He is to later face trial by the SCSL, as discussed below.

Taylor's arrest followed a mid-March 2006 official working visit by President Sirleaf¹ to the United States, during which she addressed a joint session of Congress (March 15) and the United Nations Security Council (March 17), and met with President Bush (March 21). Sirleaf, elected in a November 8, 2005, run-off vote, had taken office on January 16, 2006. In her inaugural address, she laid out a detailed, multi-faceted governance agenda. In late January, she announced the first of several nominees to her cabinet. Most are seen as well-seasoned technocrats and professionals, but several proved controversial. She also launched a series of actions to counter corruption. She announced an audit of the outgoing transitional government and dismissed all transitional government appointees and, later, the entire staff of the Finance Ministry, pending a screening of employees' qualifications and level of probity. She later revoked all existing timber concession contracts, which had been widely criticized for being let in a corrupt fashion and for allowing environmentally unsustainable logging practices. Recruitment and vetting of

¹ While her name is widely cited as Johnson-Sirleaf, the Liberian president does not employ a hyphenated form of her last name. See Wil Haygood, "For Liberia's 'Iron Lady,' Toughness Part of Territory," *Washington Post*, Dec. 16, 2005.

personnel to serve in a reconstituted Liberian military, a U.S.-funded effort, also began in late January.

Background

Liberia, a small, poor West African country of about 3.4 million people, is undergoing a post-conflict transition and peace-building process after its second civil war within a decade. The latter conflict burgeoned in 2000, after several minor border incursions in 1999. It pitted the forces of Charles Taylor, elected president in 1997 after Liberia's first civil war (1989-1997), against two armed anti-Taylor rebel groups: Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia. The war led to an extreme deterioration in political, economic, humanitarian, and human rights conditions. It also affected neighboring states, which accepted Liberian refugees and, in some cases, hosted anti-Taylor forces and became targets of acts of armed aggression by the Taylor regime.²

Liberia at a Glance

Geography: Small tropical coastal West African country about the size of Virginia
Population: 3.4 million (2005 est.)
Annual population growth rate: 2.64%
Exchange rate adjusted Gross National Income (GNI): \$355.18 million (2003)
GNI per capita: \$110 (2003)
External Debt: \$2.568 billion (2003)
Key Exports: Rubber, iron, cocoa, gold, coffee. There is currently a U.N. ban on timber and diamond exports
Languages: English & 29 distinct languages or dialects
Ethnic groups: 16 indigenous groups (95%) and Americo-Liberian and former slave descendants (5%)
Religions: Indigenous beliefs 40%, Christian 40%, Muslim 20%
Literacy: Male, 73.3%; Female, 41.6% (2003; est. vary)
Under-5 Mortality rate: 235 deaths/1,000 live births
HIV/AIDS adult infection rate: 8%-12%
Life Expectancy, years at birth: Male, 46.75; Female, 48.65

Sources: CIA World Factbook 2005; World Bank Development Indicators; Ethnologue.com; U.N. data for AIDS rates; see below.

A peace accord was signed on August 18, 2003, after months of international mediation. It was facilitated by two events: Charles Taylor's resignation of the presidency and departure from Liberia on August 11, after he was granted political asylum in Nigeria; and the early August deployment of an Economic Community of West African States (ECOWAS) military intervention force, the ECOWAS Mission in Liberia (ECOMIL). ECOMIL, with extensive U.S. and United Nations (U.N.) assistance, deployed to Liberia to end heavy fighting and alleviate a worsening humanitarian crisis in the wake of a failed June 2003 cease-fire. It was tasked with monitoring and securing the cease-fire, enabling the delivery of relief aid, and preparing the way for the U.N. Mission in Liberia (UNMIL). UNMIL, first authorized by the U.N. Security Council on September 19, 2003, deployed to Liberia on October 1, 2003, two weeks before the National Transitional Government of Liberia (NTGL) took office on October 14. ECOMIL was dissolved and its military forces absorbed into UNMIL, which carries out diverse peacekeeping, civilian

² This report focuses on current issues and recent events. CRS Report RL32243, *Liberia: Transition to Peace*, and CRS Report RL30933, *Liberia: 1989-1997 Civil War, Post-War Developments, and U.S. Relations*, both by Nicolas Cook, provide in-depth background on events in Liberia during recent decades.

policing, and socio-economic assistance functions in support of Liberia's transition process. UNMIL has also assumed responsibility from the U.N. Mission in Sierra Leone (UNAMSIL) for providing a military guard force for the Special Court for Sierra Leone, discussed below; UNAMSIL's mandate ended on December 31, 2005.

UNMIL has a current authorized force strength of 15,250 military troops and 1,115 police. As of February 2006, it had a total force size of 16,098. As of late February 2006, U.S. uniformed personnel in UNMIL included two troops, five military observers, and 37 civilian police. U.S. funding for UNMIL is covered in **Table 2**, below. In September 2005, the Security Council requested that UNMIL leaders recommend a force drawdown plan for UNMIL, including specific benchmarks and a planned schedule in a March 2006 report. The report, the Tenth Progress Report of the Secretary-General on the United Nations Mission in Liberia (S/2006/159, March 14, 2006), found that there was a need for a two-year "consolidation phase," but that it is "too early for a major drawdown of UNMIL." During the "consolidation period," UNMIL would implement an "adjusted mandate" defined by an 11-point agenda of "priority tasks," centering on such objectives as maintenance of a stable and secure environment; completion of ex-combatant, refugees, and internally displaced persons reintegration; security sector reform; and consolidation of state authority and governance capacity. However, the report recommended that "in the absence of an immediate armed threat within Liberia [...] an adjustment to the UNMIL military component by reducing one infantry battalion in mid-2006 and another infantry battalion in early 2007 would be appropriate." These adjustments would be "followed by a drawdown of the Mission, which should begin in early 2007, security conditions permitting." UNMIL has implemented measures to prevent, monitor for, investigate, and sanction acts of sexual exploitation and abuse (SEA), in line with recent reforms and renewed U.N.-wide regulations regarding sexual conduct, following abuses in several U.N. peacekeeping missions around the world, including in Liberia. U.N. Resolution 1626 (2005) bars SEA, and UNMIL has created a mission conduct and discipline team and investigatory capacity to ensure adherence to these rules. Between June 2004 and February 2006, two civilians and 16 military personnel had been repatriated or dismissed for SEA abuses, and three civilians had been suspended. In mid-March 2006, five crew members of a UN contractor, who had been under investigation for alleged rapes and the assault of Liberian police officers, left Liberia after being released on bond. According to UNMIL, their departure "is highly regretted and the matter is being brought to the attention of the authorities of the country concerned."³

Transition Process

The August 2003 Comprehensive Peace Agreement,⁴ signed by the three warring factions and 18 political parties, laid out a peace process, provided for the creation of the National Transitional Government of Liberia (NTGL), and allocated leadership positions within it. The NTGL was mandated to re-establish functioning government authority and prepare for national elections that were held in mid-

³ See UNMIL, "Statement on the Departure from Liberia of Five Crew Members, Employees of a UN Contractor," Mar. 14, 2006.

⁴ Accord text available from U.S. Institute of Peace [<http://www.usip.org/library/pa.html>].

October and November 2005. The Sirleaf government replaced the NTGL in late January 2006. The NTGL consisted of an executive branch, presided over by a Chairman, Gyude Bryant, and an interim parliament, the National Transitional Legislative Assembly. Bryant, a businessman and church layman who leads the Liberian Action Party, oversaw the functions of the central government and various public corporations, agencies, and commissions. The transition faced many challenges, most related to the extremely destructive effects of many years of war in Liberia. Others included the dominant role within the NTGL of the three former armed factions, which were prone to internal rivalries; political discord over the allocation of state positions and resources; very limited state capacities; and reported public sector corruption.

2005 Post-War Elections

Peaceful Senate, House of Representatives, and presidential elections were held on October 11, 2005, and a presidential run-off vote was held on November 8. The 22-candidate presidential poll led to a run-off race. It pitted George Manneh “Oppong” Weah, 39 years of age, a former professional top soccer player whose star status and rags-to riches history make him a hero to Liberian youth, against Ellen Johnson Sirleaf, 67 years of age, a Harvard-trained economist and former businesswoman who had served as Liberian finance minister and as a United Nations and World Bank official. On November 15, 2005 the National Elections Commission (NEC) declared Sirleaf the winner of the presidential race, with 59.4% of votes against Weah’s 40.6%, making her the first-ever female president of an African country. Despite its declaration in favor of Sirleaf, the NEC subsequently probed and later rejected claims by Weah, discussed below, that the election was fraudulent.

In contrast to the presidential race, election results for seats in the bicameral legislature were disparate; no party received more than 24% of seats in either chamber and none dominated in both the Senate and the House. The largest party in the 64-member House of Representatives is Weah’s Congress for Democratic Change (CDC), which won 15 seats. The Liberty Party (LP) won nine House seats, while Sirleaf’s Unity Party (UP) and the Coalition for Transformation of Liberia (COTOL) each won eight. Seven other parties each won between one and five House seats, and seven independent candidates each won a seat. In the 30-seat Senate, COTOL won seven seats and the UP won four; all other parties won between one and three seats.⁵

⁵ Full election results are available online from the NEC: [<http://www.necliberia.org/results>].

**Table 1. Election 2005 Legislative Results by Party:
Seats and Percentage of Vote Won**

Party	Senate		House	
	Seats	Vote (%)	Seats	Vote (%)
Congress for Democratic Change (CDC)	3	10	15	23.4
Coalition for Transformation of Liberia (COTOL)	7	23.3	8	12.5
Liberty Party (LP)	3	10	9	14.1
Unity Party (UP)	4	13.3	8	12.5
Independent	3	10	7	10.9
Alliance for Peace and Democracy (APD)	3	10	5	7.8
National Patriotic Party (NPP)	3	10	4	6.3
All Liberia Coalition Party (ALCOP)	1	3.3	2	3.1
Nation Democratic Party of Liberia (NDPL)	2	6.7	1	1.6
New Deal Movement (NDM)	-	-	3	4.7
National Reformation Party (NRP)	1	3.3	1	1.6
United Democratic Alliance (UDA)	-	-	1	1.6

Source: National Elections Commission of Liberia, 2005 Election Results, [<http://www.necliberia.org/results>].

Notable among the newly elected legislators were several former Taylor regime officials and leaders of former armed factions or security services. These include senators Jewel Howard-Taylor, a former wife of Charles Taylor (NPP; Bong County); Prince Yormie Johnson (independent, Bong County); and Saye-Taayor Adolphus Dolo (COTOL, Nimba County). Johnson is the former leader of a faction that splintered from Taylor's early in the first civil war, and is infamous for personally presiding over the bloody, videotaped murder of former head of state Samuel Doe. He returned to run in the election from exile in Nigeria, where he had professed to have become a born-again Christian evangelist. Dolo is a former pro-Taylor militia leader, known by the *nom de guerre* General Peanut Butter, who reportedly committed war-time atrocities and recruited child fighters, and who is said to have aggressively opposed UNMIL peacekeeping activities. In the House, they include Edwin Snowe (independent, Montserrado County) and Saah Richard Gbollie (NPP, Margibi County), and Kai G. "White Flower B-50" Farley, (CDC, Grand Gedeh County). Snowe, who was elected speaker of the House in mid-January 2006, is a former Taylor in-law, and the former head of the Liberian Petroleum and Refining Corporation (LPRC), from which Taylor regime officials reportedly diverted significant amounts of funds, some of which may have benefitted Taylor during his exile in Nigeria.⁶ Gbollie is a former Taylor fighter and Taylor administration police official accused of human rights abuses. Farley is an ex-MODEL commander and NTGL official accused of threatening the 2003 peace accord.

⁶ Coalition for International Justice, "Following Taylor's Money: A Path of War and Destruction," May 2005.

Conduct of Elections. With some minor exceptions, the election was reportedly well-administered. About 1.35 million citizens registered to vote in April and May 2005, in a process that was marred by some minor acts and threats of violence and localized disruptions but was generally peaceful. Attempts by some NTGL ministers to try to run for office in the 2005 election, in violation of the 2003 peace accord, also sparked controversy. About 1.012 million registered voters (74.9%) participated in the October elections, and over 821,000 (60.7%) voted in the run-off poll. Registration results guided decision making about the distribution of polling places and electoral materials and the composition of constituencies. The large number of presidential candidates (over 50 initial prospective candidates, of whom 22 were ultimately registered) and registered political parties (30) reportedly proved confusing for some voters. Key election issues included national reconciliation and unity, corruption, jobs, general economic growth, and social services and physical infrastructure needs.

UNMIL elections staff and U.N. agencies supported media outreach and civic education, technical tasks, and electoral security coordination, together with the national police. UNMIL aid for the elections reportedly totaled about \$8 million, and the European Union pledged \$1 million. Most of \$10 million in U.S. elections assistance supported the programs of the nonprofit democracy strengthening organizations IFES (elections technical assistance); the National Democratic Institute or NDI (civic education); and the International Republican Institute or IRI (political party training). IRI and NDI, the latter jointly with the Carter Center, deployed teams to monitor the elections, as did the African and European Unions, the U.S. and many other governments, and international organizations. Over 6,000 domestic observers, including over 3,500 from civil society groups, also monitored the vote.⁷

Weah Election Dispute. Weah, who had claimed to have been cheated in the first round, contested his loss in the second round. Citing alleged evidence that he maintained had been turned over to him by “concerned citizens,” he claimed that the election had been rigged and “not free and fair” and called for a nullification and re-run of the vote. He pursued his claim through a number of formal channels, but after the NEC dismissed his claim, after meeting with Sirleaf, and under heavy international pressure, on December 21 he agreed to drop his claim and accept the poll results. Many observers were skeptical about claims that systematic or large-scale fraud may have marred the election. U.S. officials viewed the process as having been orderly, largely well-administered, and free and fair, and such views were shared by most other governments and international entities that observed the vote. The United States nevertheless called for an investigation of Weah’s claims and for any contest of results to be carried out peacefully and through established legal channels.

In Monrovia, the capital, Weah’s claims spurred political unrest and some political street violence, largely attributed to Weah supporters, who chanted such

⁷ The author of this report observed the election as a member of the IRI delegation. In the county where he monitored the voting process, the election was well-run. Poll workers appeared well trained; voting equipment and materials were distributed on time and in sufficient quantity; and voting was peaceful and voter turnout rates high.

slogans as “No Weah! No peace!” While he called on his supporters to protest peacefully, he also made volatile statements on several occasions. In mid-December 12, for instance, after returning to Liberia following meeting presidents John Kufuor of Ghana and Thabo Mbeki of South Africa, who urged him to concede his defeat with grace, Weah was quoted as stating on his King FM radio station that “I am President of this country, whether you like it or not ... One cannot have an inauguration in January when the case we are pursuing is not resolved. ... We are seeking justice and there cannot be peace without justice.”

New Government: Prospects

Sirleaf may face challenges in meeting high voter expectations, for instance in relation to her election promise to provide public electricity in Monrovia within six months of being elected, despite the complexity and great cost of such an undertaking. Voters also are seen as unlikely to give the new government a honeymoon period, following what many see as disappointing performance by the transitional government. The public is likely to demand rapid improvements in social services and the construction of physical infrastructure, particularly in support of education, healthcare, and transportation.

Past incumbents were the beneficiaries of a long tradition of concentrated executive branch power and strong ruling party power. Sirleaf may not be able to govern as unilaterally as they did, because the electorate gave no single party a strong governing mandate. In the 22-candidate presidential first round vote, no candidate garnered more than Weah’s 28.3% of votes, necessitating a run-off presidential poll. That keenly contested election and the splintering of the legislature among many parties suggests that no party enjoys the backing of a majority of the electorate. Sirleaf’s Unity Party does not enjoy a majority in the legislature, whereas several of the parties that lost in the presidential election are comparatively well positioned to potentially wield significant political power. Many observers also believe that the legislature may take a more engaged and assertive role in policy-making than has been traditional in Liberia. The fractionalized make-up of the legislature, however, suggests that successful national policy decision making will require coalition-building and that many independents and small parties may be able to exercise substantial bargaining power within such a process. The same features could, however, produce political gridlock or political flux characterized by fluid, *ad hoc*, and possibly issue-specific alliances, rather than clear and unified policy-making trends. Given the Liberian polity’s fragmented nature; the fact that Weah’s defeat has proven a bitter outcome for his largely youthful, sometimes volatile base of support; and because of deeply felt war-related social divisions and antagonisms, many analysts also see a need for Sirleaf to rapidly initiate efforts to foster national reconciliation and rebuild national unity, goals that she vowed to strongly pursue in her inaugural address.

Sirleaf Policy Agenda. In her inaugural address, Sirleaf laid out a multi-faceted policy agenda, based on what she pledged would be “a new era of democracy” characterized by political inclusion and toleration, non-violence, and safe-guarding and promotion of constitutional and civil liberties and rights. She highlighted national reconciliation as the most “urgent” and “compelling” task facing her administration, and pledged to support and strengthen the Liberian Truth and

Reconciliation Commission (TRC). In late February 2006, Sirleaf inaugurated the TRC, which was created by the transitional legislature in 2005. It has a mandate to investigate crimes and human rights abuses committed from 1979 until 2003.⁸

Economic Renewal. Sirleaf vowed to achieve “quick and visible progress” during the first 150 days of her tenure, in coordination with donors, under five “major pillars: Security, Economic Revitalization, Basic Services, Infrastructure, and Good Governance.” She laid out plans to create a \$1 billion “multi-year economic reconstruction plan tied to a Poverty Reduction Strategy Program” to relieve Liberia “from a staggering \$3.5 billion external debt” and meet the U.N. Millennium Development Goals in Liberia, saying that details of the plan would be presented at a “partnership meeting” in May or June 2006. She said she would pursue an economic agenda emphasizing the creation of “an investment climate that gives confidence to Liberian and foreign investors,” the exploitation of Liberia’s rich natural resources, land tenure reform focused on increasing agricultural production, and expanded economic and social infrastructure rehabilitation. She vowed to make youth and reconstruction-focused job creation a high priority and to target aid toward historically economically marginalized areas. Many observers view the broad dissatisfaction, extremely high jobless rates, and economic and education disenfranchisement of Liberia’s large youth population as having been a key structural factor facilitating Liberia’s armed conflicts.

Governance. Sirleaf vowed to “forcibly and effectively” fight the “debilitating cancer of corruption” as “the major public enemy” and warned that any member of her administration who tried to “challenge us in this regard” would “do so at his or her personal disadvantage.” She promised that she and all members of her administration would lead by example, and that all key officials would be required to declare their assets, and follow a National Code of Conduct, passage of which she outlined as a prospective legislative goal. She strongly endorsed and promised to “enforce” the Governance and Economic Management Program (GEMAP, discussed below) to deal with “serious economic and financial management deficiencies” in Liberia and to achieve her policy goals and obtain foreign assistance conditional upon implementation of GEMAP. She said that these outcomes, along with the implementation of an “integrated capacity building initiative” and what she predicted would be Liberia’s “competence and integrity in the management of our own resources,” would eventually obviate the need for GEMAP. She also vowed to undertake a wholesale overhaul of the civil service, the agencies of which she said “lack clarity in mandate and have little or no linkages to our national priorities, policies, and goals” and suffer from a “seriously bloated” workforce, but also contended that civil servant pay was poor and in arrears by about \$20 million. She promised to institutionalize a meritocratic civil service system based on “qualification, professionalism, and performance.”

⁸ While many Liberians and international human rights advocates have praised the creation of the TRC, some have criticized Sirleaf’s nomination of Kabineh Janneh, the transitional government’s justice minister and a former leading member of the LURD rebel group, as a Supreme Court Justice. Critics see Janneh as responsible, in part, for violence committed by LURD fighters against civilians during the Liberian war.

Foreign Policy. Sirleaf declared peaceful regional integration and security cooperation “based upon economic partnership” and private sector-focal regional integration to be her guiding foreign policy goals. She also vowed to maintain strong international bilateral and multilateral partnerships, notably within multinational organizations and treaty frameworks to which Liberia is a party and significantly, given recent regional history, stated that “no inch of Liberian soil will be used to conspire to perpetrate aggression” against neighboring countries.

Women. Paying homage to what she said were the special efforts of women in securing her election and the peace that made it possible, even in the face of war-related “inhumanity,” “terror,” military conscription, forced labor, and rape, Sirleaf vowed to “empower Liberian women in all areas.” She promised to strengthen laws and law enforcement to protect women against rape, support the education of children, notably of girls, and to provide programs to enable women to play a key role in the economic revitalization process. Sirleaf has nominated women to head the ministries of justice, finance, commerce, and youth and sports, and the national police force, the auditing bureau, and a commission on refugees repatriation and resettlement.

In mid-April 2006, in a document entitled *150 Day Action Plan: A Working Document for a New Liberia*, the Sirleaf administration laid out the details and status of its on-going short-term, quick impact policy and project implementation efforts and achievements to date.⁹

Security Conditions

Liberia’s security situation has improved markedly since August 2003 but remains “fragile,” subject to periodic volatility and localized instability, and “anchored on the presence of UNMIL” (see S/2006/159, March 14, 2006, *op. cit.*, and previous reports of the U.N. Secretary-General on UNMIL, among other sources). Over 101,000 ex-combatants (22% women and 10.8% children), were demobilized under a disarmament program administered by UNMIL and the NTGL that ended in late 2004. Public security has periodically been threatened by criminal acts, often by ex-combatants; civil unrest related to socio-economic grievances, predominantly involving students, workers, civil servants, and jobless youth; former fighters awaiting reintegration and expressions of dissatisfaction by former members of the Liberian military relating to severance and pension payments, and members of security services not included in demobilization programs; and political groups who lost political power due to Liberia’s elections and the attendant realignment of Liberian political forces. Price increases for rice, fuel, and cement are key sources of social dissatisfaction. The presence of ex-combatants, some armed, on several rubber plantations has also been a source of insecurity, including periodic violence relating to control of plantations. Rubber workers and local residents report that former fighters rob them and coerce them into selling rubber latex at sub-market prices. Instability in neighboring Côte d’Ivoire also poses a significant external threat to the

⁹ Available online from PeaceAfrica, a project of the AllAfrica Foundation. See [<http://allafrica.com/peaceafrica/resources/view/00010785.pdf>].

stability of Liberia and to sub-regional security, according to the United Nations (S/2006/159, March 14, 2006, *op. cit.*).

U.N. and U.S. officials and many Members of Congress had been concerned about persistent, credible reports that Charles Taylor had periodically interfered in Liberian affairs from exile in Nigeria through a network of political, military, and business associates, which Taylor denied. These alleged actions were seen as destabilizing and threatening to the consolidation of peace (see section on Taylor below). There had been some speculation that former Taylor administration officials would make large gains in the 2005 elections and that he would be able to use them as proxies to influence the new government. There was no such general outcome, but several close Taylor associates were elected (see “2005 Post-War Elections,” above).¹⁰ Although there are no specific publicly reported threats against Sirleaf, the United States has provided her with a personal State Department Diplomatic Security team.

Security Sector Reform. With U.S. assistance, Liberia has begun to create a new military made up of an initial 2,000 recruits.¹¹ Selection and vetting of volunteer enlistees, for purposes of screening out human rights abusers, began in late January 2006. The State Department is administering the overall military training program through two contractors: DynCorp International and Pacific Architects and Engineers (PAE), in coordination with U.S. military trainers. DynCorp is helping to vet, recruit, and provide basic training for the new force. PAE is to provide specialized advanced training, equipment, logistics, and base services. The training package is projected to cost about \$95 million, prospectively to be drawn from a mix of FY2004 through FY2007 International Disaster and Famine Assistance, Regional Peacekeeping, and Foreign Military Assistance funds. Training is slated to begin soon. Military restructuring was hindered by a need to demobilize and verify the severance pay eligibility of over 13,000 irregular forces and Armed Forces of Liberia

¹⁰ Liberia remains under U.N. sanctions, first imposed under U.N. Security Council Resolution 1521 (2003). These prohibit trade in arms, diamonds, and timber with Liberia, and the travel of certain designated individuals, mostly members or associates of the Taylor regime. The current U.N. travel ban list includes several newly elected legislators: Jewel Howard-Taylor, Adolphus Dolo, Edwin Snowe, and Kai Farley. Many of the listed individuals are also subject to financial asset freezes mandated by U.N. Security Council Resolution 1532 (2004). For background, see CRS Report RL32243, *Liberia: Transition to Peace*, by Nicolas Cook. The Security Council may reportedly consider lifting the ban on Liberian timber exports when it next reviews the diamond and timber sanctions, due to the relative success of efforts by the Sirleaf administration to ensure transparency in the timber and other sectors. Liberia reportedly has yet to meet the criteria that the Council would require in order for it to lift the diamond sanctions.

¹¹ In mid-February, stating that “our country currently lacks the technical and tactical capacities and proficiency to provide for its own defense and national security,” President Sirleaf appointed Major-General Luka Yusuf, a Nigerian UNMIL officer, to be Liberia’s military Chief of Staff heading the rebuilding of the armed forces. This action drew criticism from former Liberian military elements, who called it unconstitutional and an insult to Liberia’s national pride. She also said that she would seek the appointment of a U.S. military advisor. See Agence France-Presse (AFP hereafter), “Liberian Leader Names Nigerian to Head Military,” February 13, 2006 and Alphonso Toweh, “Liberia Leader Gets Flak for Hiring Nigeria General,” Reuters, February 14, 2006.

(AFL) soldiers. Funds for this purpose were scarce, but most irregular and regular forces have been demobilized. Total demobilization cost estimates vary between \$15 million and \$18 million. In late April 2006, 400-500 former AFL soldiers claiming nonpayment of salary arrears and retirement benefits conducted a violent protest outside the defense ministry and clashed with UNMIL peacekeepers sent to contain the unrest.

The United States is providing Liberia with UNMIL-administered civilian police (CIVPOL) training assistance, which includes the deployment of about 20 U.S. CIVPOL advisors as members of UNMIL, as well as equipment and contractor-based logistical support. The United Nations (S/2006/159, March 14, 2006, *op. cit.*) reports that while police reform and restructuring “has made progress,” a shortfall in funding for the demobilization of ineligible officers has impeded these processes. It also reports that the “Liberian National Police urgently requires [*sic*] continued mentoring.” The Special Security Service (SSS), a roughly 1,252-member presidential protection unit that under the NTGL continued to provide executive branch and VIP close protection functions, is being restructured. About 600 SSS officers are receiving general UNMIL police training and will continue to provide VIP protection services. The remaining SSS members are slated to be decommissioned, but there is no current funding for this purpose. On May 1, 2006, UNMIL announced that 841 SSS members had accepted U.S.-funded buy-out packages and been deactivated in April. U.S. aid also supports the rehabilitation of the judicial and penal systems.

Humanitarian Conditions

Humanitarian conditions are steadily improving, although from a base of severe and widespread post-war need, and poverty remains endemic. Liberia continues to receive substantial international food aid and is highly donor-dependent. International assistance is, however, increasingly supporting resettlement and socio-economic recovery, rather than emergency humanitarian needs. According to a U.N. High Commissioner for Refugees (UNHCR) briefing note, about 200,000 Liberian refugees had repatriated by mid-February 2006. By late April 2006, over 321,000 internally displaced persons (IDPs), including over 59,000 families, had returned to their places of origin or resettled. Most had received resettlement assistance, usually consisting of basic non-food items, transport aid, and two months of food supplies. U.N. agencies, together with non-governmental organizations (NGOs) and NTGL ministries have implemented a wide range of reconstruction and capacity building projects relating to nutrition, water and sanitation, primary healthcare services, and transport infrastructure. Numerous schools have re-opened nation-wide, with extensive assistance from UNICEF.

Nearly all child ex-combatants have reportedly been reintegrated into their communities of origin, and most are receiving follow-up aid in the form of social services. In mid-March 2006, the U.N. Secretary-General reported (S/2006/159, March 14, 2006, *op. cit.*) that 65,000 of 101,495 demobilized ex-combatants had benefitted from donor-financed reintegration and rehabilitation projects, and that about 37,000 were still waiting to be placed in such programs. The Secretary-General reported that although funding was available for most of these ex-combatants, about

\$5 million was “urgently needed” to provide such assistance to some 5,125 ex-fighters.

Health Issues. Liberia faces substantial public health challenges. Malaria is endemic, water-borne stomach illnesses are common, tuberculosis cases often go uncured, and there are periodic outbreaks of diseases like Yellow Fever, measles, and cholera, but Liberia lacks an adequate health infrastructure for combating such illnesses.¹² Medical supplies and trained staff are in chronic short supply. A number of donor-backed initiatives help improve health care capacity, however. UNICEF is aiding the reopening of health clinics nation-wide, and a UNICEF/WHO polio vaccination campaign that began in October 2004 has reached some 1.2 million children. WHO coordinates a U.N./government/NGO/USAID technical group that is working to improve the national health system, notably regarding HIV/AIDS, malaria and tuberculosis (see below). WHO and FAO are also helping the government to create an avian flu surveillance and response plan.

AIDS. The threat of HIV/AIDS in Liberia is gaining increasing attention. Although no reliable national prevalence tests have been completed recently — though such efforts are underway — Liberia is estimated to have an HIV infection rate of between 5.9% and 8.2%, though some observers believe that the rate could be as high as 12% in some population sub-groups.¹³ The UNMIL HIV/AIDS Adviser’s Office is supporting public education-related AIDS prevention and national planning efforts focused on care of orphans and vulnerable children, among other activities. The World Health Organization, in coordination with other U.N. agencies and the NTGL, is developing project proposals to fight AIDS, malaria, tuberculosis and build health system capacity. The U.N. Population Fund supports several AIDS awareness and prevention programs. Liberia receives Global Fund assistance, but its application for further assistance under the Fund’s recent Round 5 funding project assessment process was reportedly rejected.¹⁴ USAID implements several AIDS-related programs in Liberia on behalf of the Office of the U.S. Global AIDS Coordinator (OGAC). These include the first post-war demographic health survey, in partnership with other donors, which includes HIV surveillance; targeted behavior change efforts focusing on youth and other groups; and support for home-based care and related assistance. In her inaugural speech, in which she cited the 12% infection rate,

¹² War-related psycho-social trauma is also seen as widespread. The preliminary findings of a September 2005 WHO/Liberian government sexual and gender-based violence survey found that 91.7% of women and girls interviewed had been the victims of multiple violent acts during Liberia’s war (Security Council, S/2005/764, Dec. 7, 2005). The transitional legislature made all rape illegal in December 2005 (only gang rape had previously been illegal) and laid out punishments for rape-relation violations, but activists say increased sexual violence-related law enforcement is needed. See U.N. Integrated Regional Information Networks (IRIN hereafter), “Liberia: Sexual Abuse of Children Still Rampant, Report Says,” Feb. 22, 2006, *inter alia*.

¹³ IRIN PLUSNEWS, “Youth Not Putting HIV Prevention Lessons into Practice,” Oct. 27, 2005 and USAID, Health Profile: West Africa-HIV/AIDS, n.d.

¹⁴ For background on the Global Fund, see CRS Report RL31712, *The Global Fund to Fight AIDS, Tuberculosis, and Malaria: Background and Current Issues*, by Raymond W. Copson and Tiaji Salaam.

President Sirleaf vowed to “tackle this national scourge by updating and reinvigorating our HIV/AIDS policy within our first 150 days [and...] reconstitute and empower, along with our development partners, the National Commission on HIV/AIDS.” At a February 2006 House International Relations Committee hearing on Liberia (see below), Members suggested to USAID Assistant Administrator for the Bureau for Africa Lloyd O. Pierson that Liberia be considered for U.S. assistance under the Presidents Emergency Plan for AIDS Relief in South Africa (PEPFAR), a consideration that Mr. Pierson stated he would raise with appropriate Administration officials.

Governance

Progress in governance under the NTGL was mixed. Although it carried out most basic functions, the restoration of state authority and the rehabilitation of state institutions under its authority were hampered by central government ministry inefficiencies, widespread resource constraints, and lack of institutional and financial system capacities and trained manpower. Progress was reported in the last half of the transitional government’s tenure, however. Many revenue, customs, immigration, and local officials were deployed to sites outside Monrovia, and regional Central Bank offices opened, permitting salary payments without recourse to time-consuming travel to Monrovia. USAID is supporting the rehabilitation of administrative buildings in several key counties.

Among the most challenging issues facing governance capacity-building efforts were persistent reports of corruption within the NTGL, in some cases on a large scale. Alleged acts were particularly notable in the context of import-export transactions, government contracts and budgeting, and the issuance of commodity marketing or land, natural resource, and associated concession rights.¹⁵ The U.N. Secretary-General reported in mid-March 2005 that there was a “lack of [NTGL] transparency in the collection and use of revenues and the resistance of some government and public corporation officials to reforms and audits aimed at fighting corruption” (S/2005/177). The World Bank and bilateral donors made similar observations and called for transparency measures. National fiscal and budget obligation mechanisms and voucher record-keeping systems are described as chaotic and subject to manipulation in some cases by key officials. The agency miscellaneous expense budget account category “Other” was reportedly extremely large in many cases, and expenditures of such funds were said to have been carried out in a highly *ad hoc* manner. Actions by the transitional legislature either to appropriate for private use or pay very nominal lease fees for expensive vehicles that each legislator was given drew local and foreign condemnation. In November 2005, the U.S. Embassy in Monrovia stated that the U.S. government was

shocked and disappointed by the recent incidents of transfers of Liberian Government property and resources into private ownership. This drains vital

¹⁵ See, for instance, *The Analyst*, “NTGL’s Past Haunts Bryant, Others,” Mar. 9, 2006, regarding Liberian parliamentary investigations into the transitional government’s budget and EU audits of key Liberian parastatals, available via FrontPage Africa [<http://www.frontpageafrica.com>].

government resources that could otherwise be used for critical developmental programs, and sends the wrong signal to international donors who finance such programs. It also perpetuates the culture of abuse of public trust and impunity that has contributed to two decades of decline in Liberia. The U.S. Embassy considers these transfers unscrupulous, irresponsible, and contrary to the public interest of the people of Liberia. Liberian government resources are for the benefit of the Liberian people and should not be misappropriated for private use.¹⁶

Citing a 2004 presidential proclamation, it stated that Liberian government officials who engage in “violations of the public trust” and persons who abet such actions might, along with their families, be ineligible for U.S.-funded programs and services, including consideration for Diversity Visa, Immigrant Visa, and other visa services.¹⁷

Liberia is not eligible for African Growth and Opportunity Act (AGOA) benefits, “largely for reasons related to its poor record on economic reform, rule of law, corruption, human rights, and regional destabilization,” according to the Office of the U.S. Trade Representative (USTR).¹⁸ However, in late February 2006, the USTR announced that President Bush had reinstated duty-free Generalized System of Preferences (GSP) trade benefits for Liberia. USTR said that the action was intended to provide “strong support to recently elected President Ellen Johnson Sirleaf’s efforts to increase employment, diversify exports, and stabilize society.” It was made, according to the USTR, because Sirleaf had repealed a decree prohibiting strikes and invited the International Labor Organization (ILO) to help Liberia to conform with ILO obligations, thus making “improving worker rights a high priority.”¹⁹ In mid-February 2006, the U.S. Export-Import Bank (Ex-Im) announced that it had renewed its Short-Term Insurance Pilot Program for Africa (STIPP) for three years beginning March 31, 2006, and that Liberia had been added to the program. The STIPP helps businesses in eligible countries buy U.S.-made goods and services by insuring short-term export credit transactions involving various payment terms in countries where Ex-Im Bank is otherwise not open.²⁰ Following the USTR and Ex-Im announcements, the Overseas Private Investment Corporation (OPIC) announced that “following the election of President Ellen John Sirleaf and the

¹⁶ See U.S. Embassy-Monrovia, “U.S. Embassy Shocked and Disappointed at Abuse of Public Trust,” Press Release, Nov. 18, 2005, and Integrated Regional Information Networks (IRIN), “Liberia: Scramble for Goodies Ahead of Political Handover,” Nov. 21 2005. IRIN is an editorially independent component of the U.N. Office for the Coordination of Humanitarian Affairs. It provides news and analysis about sub-Saharan Africa and other selected global regions. It seeks to inform decision makers in host and donor governments, non-governmental and international humanitarian and advocacy organizations, academic institutions, and the media about developments in the regions it covers.

¹⁷ See Proclamation by the President, *To Suspend Entry as Immigrants or Non-immigrants of Persons Engaged in or Benefitting From Corruption*, Jan. 12, 2004.

¹⁸ USTR, *2005 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act*.

¹⁹ USTR, “U.S. Reinstates Trade Preference Benefits for Liberia,” Feb. 22, 2006.

²⁰ Export-Import Bank, “EX-IM Bank Renews, Expands Africa Short-Term Insurance Initiative,” Feb. 10, 2006.

conclusion of its long civil war,” it had “reopened its programs in Liberia for the first time since 1990” as part of an effort of “[r]eaffirming U.S. government support for Liberia.” OPIC provides political risk insurance and financing aimed at helping U.S. businesses invest in emerging markets and developing nations.²¹

Concession Deals. Natural resource and land concession contract deals drew notable attention during the NTGL’s tenure because of their financial significance and potential long-term effects on national development. U.N. experts and donor governments questioned the propriety of a March 2005 monopsony diamond concession deal with a previously unknown firm, which was later cancelled.²² Some observers also questioned the NTGL’s award of offshore oil exploration permits to three relatively obscure firms just prior to elections.

The NTGL also signed two major long-term natural resource concession deals. One, with the Firestone group of companies, extends and amends a previous series of concession agreements, first signed in 1926, giving Firestone rights to large plantation areas for the cultivation of rubber.²³ The contract was amended, in part, because Firestone contended that it was unable to exploit its holdings due to fighting over the last decade and a half, and in order to boost foreign investment in Liberia. The deal gave the Firestone group surface rental and other rights to nearly 200 square miles of active or proposed rubber plantation land for 36 years in exchange for \$.50 per acre per year and various investments, tax payments, social and infrastructure development outputs, and various other commitments. It may be extended for another 50 years after renegotiation. Another deal, with Netherlands-based Mittal Steel Holdings, provides for the rehabilitation or construction of diverse mining, administrative support, processing, and transport infrastructure intended to support the extraction and shipment of iron ore from northern Liberia. It gives Mittal a variety of surface rental, mineral license, iron ore extraction, transport infrastructure

²¹ OPIC, “OPIC Reopens Programs In Liberia,” Mar. 21, 2006.

²² Diamond deposits in Liberia are mostly alluvial, i.e., found on or near the surface after having been deposited by water flows, often far from their point of origin. In January 2006, however, the firm Diamond Fields International (DFI) Ltd. announced that it had discovered strong indications of a kimberlite, or pipes of igneous, volcanic, often diamond-bearing material, in Grand Cape County. DFI is also involved in gold exploration in Liberia. See DFI, “Diamond Fields Announces the Discovery of Kimberlite in Liberia and Progress with Gold Exploration,” Jan. 9, 2006. Several other firms are involved in diamond explorations in various counties. Diamond exports are presently banned under a U.N. Security Council resolution, as discussed above. The Liberian government is attempting to set up structures and processes required to comply with the Kimberley Process, an international regime to regulate trade in rough diamonds, a precondition for removal of the diamond embargo. As part of such efforts, it has suspended issuance of diamond mining licenses, all of which expired at the end of December 2005; diamond mining is thus effectively illegal at present. According to the U.N. Secretary-General ((S/2006/159, Mar. 14, 2006, *op. cit*) the Liberian government “has made steady progress in meeting the conditions to join the Kimberley Process Certification Scheme” but “urgently needs funding and technical assistance to support” such efforts.

²³ The agreement is between the government of Liberia and Firestone Natural Rubber Company, a U.S. limited liability firm that is an affiliate of Bridgestone-Firestone North American Tire, and its Liberian subsidiary, Firestone Plantations Company.

construction, and other rights in exchange for diverse capital investments, totaling about \$900 million, and royalty, lump sum, tax, and other payments to the government. The initial term of 25 years is extendable for additional 25-year terms, if certain criteria are met.

Both deals drew criticism from some civil society groups that contended that the NTGL lacked a legal mandate to negotiate long-term concessions, that such functions could only be carried out by a duly elected government, and that such deals should be negotiated in a manner more favorable to Liberian economic and other national interests.²⁴ The contracts were also politically controversial. The Mittal deal was the subject of rival bids by the large mining firms Global Infrastructural Holdings Limited (GIHL), BHP Billington and Real Tito, and its ratification was contested legally and in parliament. Some civil society critics have alleged that the deals were not undertaken in a transparent manner. Mittal has denied that charge, and maintains that the contract was won in a “transparent and competitive bid process” and will bring significant foreign investment and infrastructure development to Liberia.²⁵ The former U.S. Ambassador to Liberia John Blaney reportedly pushed for requirements that, regardless of what firm was awarded mining rights, a major railroad that would be rehabilitated under such a deal be made a multi-use railroad.²⁶

The Firestone contract drew attention for other reasons. Some Firestone plantation workers have complained about poor working conditions and high production quotas. Some environmental advocacy groups and residents living near Firestone rubber processing facilities have alleged that chemicals used in latex processing are polluting wells, rivers, and water life. The Firestone group also is the subject of a class action suit brought in California by the International Labor Rights Fund, an advocacy organization that says its goal is to counter child, forced, and other abusive labor practices internationally, including through litigation. The suit alleges

²⁴ A coalition of Liberian human rights groups unsuccessfully petitioned the Liberian Supreme Court to halt execution of the two contracts on such grounds and contended that the deals had been made without public input. The complainants reportedly may seek to re-file their case after the formation of the new elected government. See Morrison O.G. Sayon, “Supreme Court Places ‘Stay Order’, Firestone, Mittal Steel Agreements,” *The Inquirer* (Monrovia), Nov. 7, 2005; John Walsh, “Supreme Court Issues Stay Order On NTGL; Ja’neh Appears Today,” *FrontPageAfrica*, Nov. 7, 2005; George Bardue, “Supreme Court Stops Budget Execution and Summons NTGL Officials,” *The News* (Monrovia), Nov. 7, 2005.

²⁵ Alphonso Toweh, “Liberia Minister Wants Mittal Iron Ore Deal Revised,” *Reuters*, Sept. 14, 2005; D. Moses Wantu, “Mittal Steel Hearing Backfires,” *The Analyst* (Monrovia), Sept. 6, 2005; Economist Intelligence Unit, “Liberia: A steel?,” *Country Monitor*, Aug. 29, 2005; Steve Swindells, “Mittal Steel Defends Pursuit of Liberian Iron Ore Concession,” June 14, 2005 *Metal Bulletin News Alert Service*; *The Analyst* (Monrovia), “Bryant, Mittal Steel Flout Law,” June 13, 2005; *The Analyst* (Monrovia), “NTGL Sued in U.S. District Court - Over LIMINCO Bidding,” June 13, 2005, *inter alia*.

²⁶ A smaller former mine railroad between Monrovia and Bong County has been rehabilitated by AmLib, a mineral exploration firm, and put into use as a multi-use transport line. It has reportedly contributed to a several-fold drop in charcoal prices in Monrovia, and is increasing the supply of other farm products to the capital. Charcoal is the main cooking fuel in Liberia.

that Firestone employs children, practices forced labor, involuntary servitude, and negligent employment practices. Firestone categorically denies these charges, describing the suit as “outrageous” and “completely without merit.” It maintains that its operations comply fully with Liberian laws and asserts that its workers are all adults of legal working age, are union-represented, are paid well above prevailing wages, are provided with social services, and that Firestone is bringing much needed investment to Liberia.²⁷

NTGL Anti-Corruption Efforts. The NTGL took some steps to halt corrupt practices. It established a Task Force on Corruption and a Cash Management Committee and attempted to eliminate bribe-taking in relation to commodity imports, notably by better managing Monrovia’s port, of which UNMIL took temporary control in late April 2005. In addition, the National Transitional Legislative Assembly (NTLA) created a committee to investigate allegations of administrative and financial irregularities by its leadership, which eventually led to the removal of key NTLA leaders. Some observers, however, saw the NTGL Task Force as lacking the capacity or political will to achieve significant results, and some Liberian officials resisted donor and ECOWAS-backed transparency and audit measures. An African Development Bank loan was reportedly not disbursed in 2005 because Liberia failed to provide required fiscal data, and an ECOWAS-sponsored auditing mission was opposed by Liberian auditors and certain government officials, who cited concern over a violation of Liberian sovereignty, despite the publicly-stated support of Chairman Bryant for the audit. In July 2005, Chairman Bryant suspended two officials over their alleged diversion of funds paid by the satellite communications firm Inmarsat to several Liberian state entities, and the NTGL suspended three Bureau of Maritime Affairs officials, including the Commissioner, and Liberia’s International Maritime Organization representative for fraud.

Concerns over transparency produced a sometimes halting and highly conditional provision to Liberia by donors of pledged aid, as well as some reticence to offer new funding. This negatively affected the scale and pace of resettlement, reintegration, and socio-economic rehabilitation. Nonetheless, a network of national, international, U.N., and private development and relief organizations has made considerable progress in these areas. Most of them participate in an inter-sectoral, U.N.-coordinated initiative, the Results-Focused Transitional Framework (RFTF). An April 2005 NTGL/U.N./World Bank assessment of the RFTF found that it has been effective in “addressing short-term, stabilization priorities,” but that medium to long-term post-transition institutional and reconstruction development will require a more robust, coherent, and comprehensive strategy.

Anti-Corruption Prospects Under Sirleaf. There are indications that Liberian-donor government relations may improve under Sirleaf, in large part due to her strong policy emphasis on anti-corruption efforts. In late January 2006, she

²⁷ Femi Oke, “Is Bridgestone/Firestone Exploiting Liberian Workers?,” *Inside Africa*, CNN International, Nov. 12, 2005; Joe Bavier, “Firestone Lease an Issue in Liberia Election Campaign,” VOA News, Sept. 14, 2005; Gary Gentile, “Firestone Accused of Using Slave Labor,” Associated Press (AP hereafter), Nov. 17, 2005; and Reuters, “Labor Group Sues Bridgestone on Liberia Plantation,” Nov. 17, 2005, *inter alia*.

announced a financial audit of the outgoing transitional government, which had repeatedly been accused of corruption. In early February, Sirleaf adopted the recommendations of the Liberian Forest Concession Review Committee, an entity comprised of Liberian civil society, government agency, UNMIL, and donor government representatives. It reviewed the legality and propriety of logging concession contracts and recommended diverse logging sector reforms. Her action canceled all existing logging concessions and created a Forestry Reform Monitoring Committee to regulate future concession contracts. Her move is seen as a key step in meeting requirements for the potential lifting of U.N. timber sanctions.²⁸ Sirleaf has also suggested that she may seek a review of other public contracts and concession deals granted by the NTGL.²⁹

Sirleaf has expressed strong support for the Governance and Economic Management Assistance Program (GEMAP), an agreement agreed to and signed in September 2005 by the NTGL and the International Contact Group on Liberia (ICGL), an international policy coordinating group of donor and regional governments and multinational institutions. GEMAP provides for contract-based management of the revenue and expenditure flows of key public sector entities, notably the main port, airport, and fuel refining firm, among others, in order to strictly enforce central government controls over state revenues and to improve public fiscal capacities. It also supports diverse economic governance and judicial capacity-building measures for the government aimed at institutionalizing the good governance and management capacity-building goals and reforms envisaged under GEMAP. Elements of GEMAP that call for an external management role were

²⁸ UNMIL is assisting government implementation of reforms required before the U.N. Security Council will consider a removal of the Liberian timber sanctions. The NGO monitoring group Global Witness, which has long investigated corruption and diverse labor, legal, and war-related security sector and human rights abuses within the forestry sector and pressed for reforms, praised the move, but called for “greater support” by UNMIL “to the Forestry Development Authority ... to ensure that it is able to operate in a secure environment” prior to the removal of timber sanctions (“Global Witness Welcomes President Sirleaf’s Decision to Cancel All Forest Concession Agreements,” Feb. 9, 2006). The Forestry Reform Monitoring Committee is tasked with carrying out its functions by applying or creating for implementation land-use planning principles; a timber production and export chain of custody tracking system; a market value-based tax system timber tax system defined by “equitable sharing of the benefits with local communities;” revised contract requirements; transparent forest concession allocation procedures based on the Public Procurement and Concession Act of 2005 allowing suspension of participants who abet civil disturbances or default on their financial obligations; a regulatory and law enforcement regime aimed at countering financial and tax fraud, human rights abuses, economic sabotage, and violations of labor and other laws relating to the misuse and mismanagement of forest resources; and an Environmental Impact Assessment process. It was also given the tasks of advising on implementation of GEMAP in the Liberian Forestry Development Authority, ensuring the full and transparent participation of communities and civil society in forest management, conducting a full review of the forestry laws and regulations, and recommending legislation to implement forestry reforms. See “Liberia, Forest Sector Reform (Executive Order #1), Feb. 7, 2006 [<http://www.elaw.org/resources/text.asp?id=3051>].

²⁹ Katharine Houreld, “Liberian Leader Says to Review Govt Contracts,” Reuters, Feb. 20, 2006.

initially opposed by some in Liberia as an intrusion on national sovereignty, but donor governments, including the United States, pushed for strict conditionality for future assistance to Liberia. International financial and monitoring experts have reportedly assumed duties at the Central Bank of Liberia, where the international GEMAP expert has co-signing authority, and on the Cash Management Committee, a Ministry of Finance-led body that manages all government funds. Similar personnel are expected to fill positions in key ministries, notably the Ministry of Lands, Mines, and Energy and the Bureau of Budget, and revenue-earning sources, including ports, airports, customs offices, and the forestry sector. GEMAP is overseen by an Economic Governance Steering Committee (EGSC) chaired by President Sirleaf, assisted by representatives of the United States, the European Union, the African Union, ECOWAS, and the International Monetary, World Bank, and U.N. agencies.³⁰

The United States has sent several Treasury Department advisors to Liberia in the areas of budget and tax policy, management, and administration; central bank operations and fiscal policy and regulation; and has assessed Liberia's financial enforcement (financial crime and corruption) capacity. A resident U.S. legal advisor and a temporary duty team of prosecution experts have been deployed to Liberia to assist in building Liberia's judicial capacity.

Taylor Indictment

Charles Taylor, Liberia's former president, was arrested at a border checkpoint on March 29, 2006, in the northern Nigerian state of Borno, while trying to cross by road into Cameroon. He was apprehended after fleeing the southern Nigerian city of Calabar, where he had lived with an entourage of aides and family members since August 2003, when he was given asylum by Nigeria. He reportedly fled on March 27, two days after Nigeria's government had announced that Liberia was "free" to take Taylor "into its custody," while not specifying how that end could or would be achieved, or moving to arrest him. The Nigerian statement came in response to an early March request by President Sirleaf for Nigeria to transfer Taylor to the custody of the Special Court for Sierra Leone (SCSL) to face an 11-count indictment³¹ charging him with war crimes, human rights abuses, and other crimes.³² After his

³⁰ See IRIN, "Liberia: Foreign nationals step into government positions to combat graft," Mar. 3, 2006 and S/2006/159, *op cit.*, among others.

³¹ The original indictment, dated March 3, 2003, approved on March 7, 2003, and unsealed on June 4, 2003, charged Taylor with 17 counts of war crimes, crimes against humanity, and other serious violations of international humanitarian law. The indictment was amended on March 16, 2006, to 11 counts to "ensure a more focused trial," according to a statement by the prosecutor.

³² In early March 2006, published news reports alleged that the Liberian government had made a request to Nigeria for Taylor's extradition, but neither government initially would publicly confirm that such a request had been made. However, on March 16, 2006, Representative Jim Kolbe stated on the House floor that President Sirleaf had verifiably informed Representative Nita Lowey and himself that she had requested that Nigeria extradite Taylor (see *Congressional Record* (House), pp. H1097-H1098, Mar. 16, 2006). Nigeria later acknowledged that the request had been made. See Nico Colombant, "Nigeria

(continued...)

capture, Taylor was extradited to Liberia in a Nigerian presidential jet. He was then immediately flown by UNMIL helicopter to Sierra Leone, where he was taken into SCSL custody. On April 3 he was arraigned and pled not guilty, though he qualified his plea by questioning the SCSL's "jurisdiction over me, as the 21st President of the Republic of Liberia."³³

Potential Transfer to the Hague. Taylor is to later face trial by the SCSL, possibly sitting in the premises of the International Criminal Court (ICC) in the Hague, the Netherlands, for reasons of security and to prevent potential instability in Sierra Leone and Liberia, where his trial could prove politically controversial and emotive. Member states of the ICC would have to assent to the use of ICC facilities by the SCSL, which would retain legal and institutional control over the trial.³⁴ The SCSL is reportedly in talks with the Dutch Foreign Ministry regarding Taylor's potential transfer to the Hague. The U.N. Security Council would need to authorize the SCSL to hold Taylor's trial there, so that Taylor could be tried under the institutional and legal aegis of the SCSL and its unique statute, rather than in Dutch courts. The Dutch government has also reportedly conditioned the transfer of Taylor's trial to the Netherlands on the willingness of an as-yet-undetermined third country's agreement to imprison him if he is convicted. Several countries have reportedly provisionally declined to do so, but Sweden is said to be considering the request. Sweden's government has submitted legislation to its parliament, "specifically because of the Charles Taylor case," that would amend Swedish laws to enable it to imprison an SCSL convict.³⁵

There is debate over the implications for justice of such a trial transfer. Some contend that Taylor should be tried in the country where his alleged crimes took place. Such an outcome, in this view, would demonstrate both to victims and perpetrators of international human rights and laws of war violations in Sierra Leone — and by extension, neighboring Liberia — that accountability for such actions can be achieved in the same social and geographic contexts in which they were

³² (...continued)

Confirms Liberia Request for Taylor's Extradition," VOA, Mar. 17, 2006, *inter alia*.

³³ The hearing judge, however, reminded Taylor that the SCSL Appeals Chamber had in May 2004 decided that heads of state could be prosecuted before the SCSL. It had ruled in response to a motion by an attorney, acting on behalf of then-president Taylor, who requested that the court quash Taylor's indictment on the grounds that the court lacked jurisdiction to indict Taylor because he was a head of state at the time he was indicted. At Taylor's April arraignment, a court-appointed defense attorney for Taylor also requested that he be tried in Sierra Leone, to facilitate the logistics of bringing defense witnesses resident in the sub-region before the SCSL and to prevent their possible denial of visas to travel to a venue held in Europe. See IRIN, "Transcript of Charles Taylor's Plea on First Court Appearance," Apr. 4, 2006.

³⁴ IRIN, "Liberia-Sierra Leone: Taylor trial could go to Europe," Mar. 30, 2006; BBC, "Sweden considers Taylor detention," Apr. 6, 2006; Michelle Faul, "International community determined to move former Liberian president's trial to The Hague," AP, Apr. 4, 2006; and Karl Ritter, "Sweden, Austria considering request to imprison Charles Taylor after trial," AP, Apr. 5, 2006, among others.

³⁵ IRIN, "Sierra Leone: Taylor Prison Location Holding Up Trial," May 4, 2006.

committed. Similarly, some contend that the didactic and symbolic value for the region of a local public trial would be greater, in part because it would allow more direct and proximate access to the court proceedings by the local population, which lacks widespread access to television and print media. Other factors cited in favor of holding a trial locally include concerns about the logistical, legal, financial, and bureaucratic barriers that an overseas venue might pose for witness participation in the trial, as well as for its general organization and staging. Others argue that any factor that might spark political unrest or conflict — such as Taylor’s trial — should be avoided if at all possible, given the relatively fragile and recent transition to peace in Liberia and Sierra Leone, both of which have extended histories of political instability. In this view, moving the trial to the Hague would lessen the immediacy of any political controversy prompted by Taylor’s trial and undercut his ability to directly appeal to or rally his potentially armed followers, should he attempt to use the trial as a political platform. Some also maintain that holding the trial in a distant location would help Sierra Leoneans and Liberians overcome the legacies of war. A local trial, according to this point of view, might present too visceral a reminder of the wartime suffering that so many in these countries have recently begun to overcome. Many local residents are tired of war and its effects and want to “move past” their experiences of wartime brutality and focus on peace and socio-economic reconstruction.³⁶

Controversy Over Arrest and Extradition. Nigeria’s transfer of Taylor and the manner in which it was achieved were a matter of some controversy, and the facts surrounding his flight prior to his arrest remain unclear. Taylor was arrested at the remote customs and immigration checkpoint of Ngala, on the border with Cameroon. He was traveling in a jeep carrying diplomatic license plates and had with him two large boxes or sacks of U.S. and European currency. He was accompanied by a female relative, a child, a driver, and a local guide.³⁷ How he was able to travel to the northern frontier post from his compound in Calabar remains the subject of speculation. Calabar, the capital of the southeastern state of Cross River, was his place of exile for nearly three years. Cross River state officials had been charged by Nigeria’s federal government with hosting Taylor and ensuring his protection, and had insisted just prior to Taylor’s flight that he was well-monitored.³⁸ Journalists,

³⁶ Such sentiments might undercut calls made by some for a special court to try crimes committed during Liberia’s civil wars. See Catherine Maddux, “Hague Trial Could Mean Justice for More West African War Victims,” VOA News, Apr. 10, 2006 and IRIN, “Liberia: Youths Petition for War Crimes Court,” Apr. 11, 2006. Some observers have suggested that Sirleaf does not, in general, support prosecuting those who committed war time atrocities during the 1989-2003 civil wars. See Jeremy I. Levitt and J. Peter Pham, “Liberia Must Confront its Past If It Wants a Brighter Future,” *The Baltimore Sun*, December 8, 2005, which quotes Sirleaf as stating consistently that she does “not support any war crime tribunal in Liberia,” because such tribunals might reignite old antagonisms and conflict.

³⁷ IRIN, “Taylor Captured By Nigerian Police,” Mar. 29, 2006 and Abdullahi Bego, Joe Oroye, and Basseya Ita, “How Charles Taylor Was Arrested,” Daily Trust (Nigeria), Mar. 30, 2006, among others.

³⁸ George Onah, Charles Ozoemena, John Ighodaro, and Tunde Sesan, “Taylor Escapes,” (continued...)

however, reported that in the days before Taylor fled, members of his entourage had begun to depart the Taylor compound in Calabar and that Nigerian security personnel who had normally guarded it had left their posts.³⁹ Taylor's flight, Nigeria's Information Minister said, had "shocked" President Obasanjo, who later stated that the act was an "abuse of our hospitality" by Taylor, who he characterized as "neither a friend of the President of Nigeria nor that of its people."⁴⁰ Obasanjo reportedly responded to Taylor's getaway by ordering the arrest of Taylor's aides, the detention of 22 police officers charged with guarding him, and an "aggressive and comprehensive search" for Taylor to ensure that he did not depart Nigeria. He also appointed an investigatory and advisory panel to probe Taylor's "disappearance," though it was disbanded after Taylor's capture.⁴¹ There have been reports, some based on claims by Taylor's spiritual adviser, Kilari Anand Paul — and all categorically denied by the Nigerian government — that rogue or corrupt agents of Nigeria's State Security Service (SSS) aided the escape. Another account suggests that Taylor arranged a phony, staged attack on his convoy, providing cover for his escape. Both accounts appear to relate to an incident in which a guarded vehicle convoy that was transporting Taylor from Calabar to an airport in the nearby city of Port Harcourt was halted. Paul has also alleged that the putative SSS assistance to Taylor was part of a Nigerian government plot to assassinate Taylor during his escape, a charge characterized by a Nigerian government spokesman as an "absolute falsehood."⁴²

Some of the speculation over the circumstances surrounding a potential Nigerian government role in Taylor's flight may be attributable to its long-standing reluctance to commit to transferring Taylor to the SCSL. When the Nigerian government, under U.S. and other international pressure, agreed to provide him with refuge in August 2003, it had stated that it was doing so to aid the Liberian peace process and would

³⁸ (...continued)

Vanguard, Mar. 29, 2006; John Ighodaro, "Taylor's Escape No Surprise to Foreign Observers," Vanguard, Mar. 29, 2006; and Mail and Guardian, "Nigeria orders arrest of Taylor's aides," Mar. 28, 2006.

³⁹ Anietie Akpan and Francis Obinor, "Taylor's relations, aides leave Calabar," The Guardian (Nigeria), Mar. 24, 2006 and Robyn Dixon and Hans Nichols, "Taylor to Face War Crimes Charges," Los Angeles Times, Mar. 29, 2006. As late as March 23, there were reportedly as many as 66 Taylor aides and extended family members at the compound. John Ighodaro, "Charles Taylor, 66 Aides Counted," Vanguard, Mar. 27, 2006.

⁴⁰ *Statement by His Excellency, President Olusegun Obasanjo, GCFR, President, Federal Republic of Nigeria on the Circumstances Surrounding the Disappearance of Mr Charles Taylor*, Washington DC, Mar. 29, 2006.

⁴¹ Michelle Faul, "Ex-Liberian Warlord Disappears in Nigeria," AP, Mar. 28, 2006; Mail and Guardian, "Nigeria orders arrest of Taylor's aides," Mar. 28, 2006; Vincent Nwanma, "Nigeria Orders Agents Arrested Over Taylor's Disappearance," Dow Jones Newswires, Mar. 28, 2006.

⁴² Michelle Faul, "Ex-Liberian Warlord Disappears..."; Michelle Faul, "Evangelist: Charles Taylor says Nigerians told him to flee, Nigeria's Obasanjo betrayed him," AP, APR. 2, 2006 and IRIN, "Taylor Captured By Nigerian Police," Mar. 29, 2006; and Felix Onuah, "Nigeria rejects Taylor death plot allegation," Reuters, Apr. 5, 2006, among others.

not countenance later pressure to extradite Taylor.⁴³ It also later stated that it would only agree to turn Taylor over to an elected Liberian government at the latter's request, and not to the SCSL directly.⁴⁴ Many human rights groups took issue with these positions. They argued that Nigeria, a member of the SCSL's management committee, had an obligation to cooperate with the court, and that Taylor's continued asylum perpetuated a "culture of impunity" for human rights abusers in Africa.⁴⁵ Pressure for extradition grew as reports emerged that Taylor, who was living in what many accounts described as luxurious circumstances, had extensively violated a Nigerian requirement that in return for asylum, he disengage from involvement in Liberia's politics and internal affairs, either directly or through proxies.⁴⁶ Such pressure, including more direct U.S. admonitions in favor of extradition, increased

⁴³ In a March 30, 2006 statement while in the United States, Obasanjo stated that "I took great political risk in offering to host Mr. Taylor on behalf of the international community and humanity to avoid continued bloodshed in Liberia even in the face of allegations of his [Taylor's] complicity in the death of some Nigerians in his country." *Statement by His Excellency...*, Mar. 29, 2006.

⁴⁴ Nigeria, speaking on behalf of ECOWAS also contended that any decision relating to Taylor's extradition would require the assent of governments in the region. In mid-2005, at least three members of ECOWAS, Sierra Leone, Liberia and Guinea, had formally urged that such consultations occur. In July 2005, the three countries, acting in their capacity as the constituent members of the Mano River Union, issued a joint communiqué suggesting that Nigeria should review the terms of Taylor's asylum or refer consideration of his status to the ECOWAS Heads of State. See AFP, "Backed by Neighbors, Liberia Requests Taylor Handover to Sleone War Court," July 29, 2005. The role of non-African members of the international community regarding Taylor's case was contested by some. In mid-November 2005, ECOWAS peace mediator and former Nigerian head of state Abdulsalami Abubakar rejected a call by the European Union, a major donor to Liberia, for the Sirleaf government to call for Taylor's transfer. He stated that any decision on Taylor's status was "beyond the scope of the European Union" and that such a proposition did "not meet the support of ECOWAS." See Hans Nichols, "Liberian President to Ask Nigeria to Hand over Charles Taylor to War Crimes Court," AP, Jan. 20, 2006; AFP, "Taylor's Indictment Not Immediate Priority: Sirleaf," Jan. 27, 2006; SAPA-DPA, "Sirleaf Addresses Taylor War Crimes Issue," Nov. 20, 2005; BBC News, "Liberian Taylor's Fate Discussed," Nov. 30, 2005; and Ann Curry, "Interview: Liberian President Ellen Johnson Sirleaf Discusses Her Election and Plans for Liberia," NBC News: *Today*, Jan. 16, 2006.

⁴⁵ Other observers of Liberian affairs argued that Taylor's asylum in Nigeria remained the best way to ensure continued stability in Liberia. Further background and information about debate surrounding Taylor's extradition and the case against him are contained in CRS Report RL32243, *Liberia: Transition to Peace*, by Nicolas Cook. It provides background on Taylor's indictment; issues pertaining to his departure from Liberia and political power; and his alleged involvement in illicit diamond trading and links with Al Qaeda. The latter issues are also covered in CRS Report RL30933, *Liberia: 1989-1997 Civil War, Post-War Developments, and U.S. Relations*, and CRS Report RL30751, *Diamonds and Conflict: Background, Policy, and Legislation*, both by Nicolas Cook.

⁴⁶ Taylor was reported on multiple occasions to have been in cell phone-based contact with political and business allies in Liberia, and to be have been involved in efforts to influence political events and outcomes in Monrovia and call in old business and political debts. See Douglas Farah and Shaoli Sarkar, *Following Taylor's Money: A Path Of War And Destruction, Coalition for International Justice*, May 2005, as well as multiple U.N. and press reports.

following Liberia's successful conduct of peaceful elections, but Nigeria's reluctance to surrender Taylor remained steadfast until he fled. Its position was highlighted after it acceded to Liberia's formal request for Taylor's extradition. Following Nigeria's announcement that Liberia was "free" to take Taylor "into its custody," human rights groups and other interested parties, including some members of Congress, called on Nigeria's government to secure Taylor and prevent him from fleeing. The SCSL prosecutor also again formally requested that Nigeria's government arrest Taylor. The Nigerian government, however, contended that it had not received such a request, and refused to arrest Taylor; a Nigerian presidential spokesperson stated that "our job is done" and that "Taylor is not a prisoner here."⁴⁷

The main reasons that the Nigerian government has cited for its position include a desire to uphold its right to state sovereignty, its assertion that Taylor's asylum agreement was purely voluntary on his part, and that the agreement governing his departure from Liberia included no provisions for the future withdrawal of asylum. A government spokesman was quoted as saying that no country could "just order us to surrender him [Taylor] to them, [*sic*] that is unacceptable and would not happen."⁴⁸ Femi Fani-Kayode, an aide and spokesman for Obasanjo, also implied that the Nigerian government takes no position on the indictment against Taylor. He stated that

The people that are charged with that responsibility [of taking custody of Taylor from Nigeria] are those people that are making those allegations and not Nigeria. And those allegations are being made by Liberia and by the Sierra Leonian government. It is for them to place him before that tribunal and not for us. What we were required to do was to simply allow the situation to ripe [*sic*] whereby the Liberian Government, a free Liberian Government, under a democratically elected president could come over to Nigeria and take him to wherever they wanted to take him. And we agreed to do that to honour our obligation. [...] But what we were not prepared to do was to take Charles Taylor to Liberia ourselves or take him to Sierra Leone, because that was never part of the agreement. He came to our country as a consequence of the fact that he was part and parcel of the peace process in Liberia and African Union; the ECOWAS heads of government came together, together with the Americans and the European Union and prevailed on Mr. President to allow him to come here so that peace could return to his country and he came here as our guest.⁴⁹

Some observers believe that President Obasanjo's position may have been driven by an aversion to altering his original commitment to Taylor, then a fellow elected regional head of state, possibly due to a fear that in the future other leaders might doubt Obasanjo's word. Others suggest that Obasanjo did not want to establish or help to legitimate a precedent that might facilitate the indictment on international

⁴⁷ Michelle Faul, "War tribunal urges Nigeria to arrest Liberian warlord Charles Taylor," AP, Mar. 25, 2006; AFP, "Obasanjo agrees to surrender Charles Taylor: official," Mar. 25, 2006; and AFP, "Nigeria Rebuffs Call to Detain Taylor, Says: 'Our Job Is Done'," Mar. 27, 2006, among others.

⁴⁸ Olusegun Adeniyi, "Nigeria, US, Liberia in Diplomatic Intrigues," This Day, Mar. 29, 2006.

⁴⁹ Ibid.

human rights violations of other African heads of state, as a matter of principle, given that many African governments are accused of serious human rights abuses. Another interpretation of Obasanjo's motives, given his government's extensive involvement in regional conflict mediation and management efforts, is that he did not want to create a precedent that might cause belligerents in future conflicts, including those accused of human rights abuses, to become averse to accepting negotiated ends to their disagreements.⁵⁰

Another factor that some believe may have played a part in Taylor's capture was the possibility that a scheduled meeting on March 29, 2006, between President Obasanjo and President Bush would have been cancelled. According to some reports, the fact that Taylor had disappeared on Nigerian territory — after the Liberian government, backed by the United States (see below), had requested his extradition — had imperiled the meeting.⁵¹ Several Members of Congress issued statements calling on President Bush to cancel the meeting if Taylor were not produced. Taylor's capture, however, was announced hours before the meeting was to begin, and it was held as scheduled, a fact that some analysts suggest may be more than coincidental, though none have offered evidence proving, as they imply, that the Nigerian government may have stage-managed Taylor's detention.

U.S. Views. The United States strongly supports the SCSL's mandate to try those responsible for war crimes in Sierra Leone. The court is also seen as providing an alternative institutional model to the International Criminal Court and is viewed as a smaller, leaner organization compared to the more administratively extensive and costly international criminal tribunals for the former Yugoslavia and Rwanda. Congress has appropriated \$22 million in funding for the SCSL, which may receive up to \$13 million in FY2006.⁵² There has been some friction, however, between the Administration and the SCSL with regard to the effect that some of the court's actions have had on political events and U.S. policy goals in West Africa. Some State Department officials in private, for instance, questioned the political prudence of certain actions taken by former SCSL Prosecutor, David Crane, such as his unsealing of the indictment against Taylor at a critical juncture during peace talks in June 2003. Some have also questioned the accuracy of his assertions that Taylor

⁵⁰ Other, more speculative interpretations have been proposed; they include the possibility that Taylor might hold information potentially damaging to the Nigerian or other governments, or that Taylor had some sort of financial relationship with key Nigerian officials.

⁵¹ In comments, a White House spokesman, while not directly addressing whether or not the meeting would be held, stated that “[W]e are looking for answers from the Nigerian government about the whereabouts of Charles Taylor... It is the responsibility of the Nigerian government to see that he is conveyed to the Special Court for Sierra Leone. We expect the government of Nigeria to fulfill this commitment.” See White House, Press Briefing by Scott McClellan, Mar. 28, 2006. According to an account by a former SCSL official, National Security Advisor Stephen Hadley warned President Obasanjo that the meeting would be called off unless Taylor was apprehended.

⁵² The conference agreement accompanying P.L. 109-102 (H.R. 3057/Kolbe), the FY2006 foreign operations appropriation, designates \$13 million in Economic Support Funds for the SCSL. P.L. 109-102 states that these funds “should” be made available for the SCSL.

abetted Al Qaeda operatives' purchases of Sierra Leonean diamonds; that Taylor sponsored the January 2005 attempted assassination of President Lasana Conté of Guinea; and that Taylor had traveled outside of Nigeria while in exile. Such reservations may, in part, explain the SCSL's failure to obtain authority under Chapter 7 of the U.N. Charter, which would oblige U.N. member states to cooperate with the SCSL. However, on November 11, 2005, the U.N. Security Council passed Resolution 1638, which authorized UNMIL to arrest Taylor were he to return to Liberia, as it did on March 29.

After Taylor was given asylum in August 2003, the Bush Administration periodically called for Taylor to "face justice," usually in response to questions from the press. Administration spokesmen maintained that the Nigerian and U.S. governments were "engaged" in talks about Taylor and his activities and about how "to address the matter," but generally offered few specific or concrete suggestions on how Taylor might be "held to account for the crimes he has committed."⁵³ In 2006, the United States began to pursue this goal more urgently, explicitly, and directly. During a telephone call to congratulate Sirleaf on her electoral victory, President Bush reportedly expressed support for bringing Taylor to justice so that "he can no longer threaten the people of Liberia and the region of West Africa," though he did not specify a venue where such a goal could be achieved.⁵⁴ At a February 8, 2006, House Committee on International Relations hearing on Liberia entitled *The Impact of Liberia's Election on West Africa*, State Department Assistant Secretary for Africa Jendayi Frazer stated that "the U.S. Government has consistently maintained that Taylor must be brought to justice before the Special Court" and had relayed that message to the Sirleaf administration. She added that the time for his extradition "is now," following the establishment of a duly-elected Liberian government. However, she also portrayed Taylor as a largely spent political force. At a February 16, 2006, House Committee on International Relations Hearing on the Fiscal Year 2007 International Affairs Budget, Secretary of State Condoleezza Rice portrayed him as representing a more pressing potential threat. She stated that

we believe very strongly that he ought to be brought to justice and that he ought to be brought to justice as soon as possible. We will work with all parties concerned to see that happen. He is a danger. He needs to be brought to justice

⁵³ See, e.g., State Department, Daily Press Briefing, May 5, 2005 and White House Press Briefing, May 5, 2005. In 2005, at least one State Department official did publicly call on Nigeria to hand Taylor over to the SCSL directly (Daniel Balint-Kurti, "Wanted for War Crimes, Liberia's Ex-president Hunkers down in Nigerian Exile," AP, May 31, 2005). Some had suggested that the United States should honor Nigeria's conditions for accepting Taylor after it agreed to accept Taylor following President Bush's publicly stated contention in 2003 that "Taylor must go" (White House, Press Conference of the President, "President Bush Discusses Top Priorities for the U.S.," July 30, 2003), and defer to Nigeria's views on the matter, given its central role as a regional peacekeeping and political mediating power. Howard F. Jeter, former U.S. ambassador to Nigeria, stated that "President Obasanjo acted with our full knowledge and concurrence" in testimony before the House Committee on International Relations at a hearing entitled *Confronting War Crimes in Africa* on June 9, 2004.

⁵⁴ State Department, "Bush Congratulates Liberian President-Elect," *Washington File*, Nov. 30, 2005.

[...] not just for reasons of reconciliation and justice, but because we don't want him in a capacity or a capability to come back. And so I think there's a very strong interest and there should be a very strong interest in the Liberian government — also the African states that helped to arrange his ouster — to see this resolved. And so you can be sure that it is the policy of the United States to pursue that.

Sirleaf and the Taylor Case. Taylor's SCSL case and extradition are delicate matters for President Sirleaf, because her government was not party to his asylum deal or indictment — but was charged with resolving issues arising from them — and because her government is intent on ensuring political stability. That goal could potentially be undermined if Sirleaf were to alienate or anger the supporters of Taylor, a former warlord whose troops had a reputation for brutality and who won the presidency with 75.3% of the vote in 1997. Prior to her mid-March 2006 visit to the United States, Sirleaf had stated that her administration would eventually seek the repatriation of former president Charles Taylor from Nigeria or his transfer to the SCSL under certain conditions. These included consultations with and the assent of “regional leaders who managed the process of leading to his exile;” accommodation for certain unspecified timing considerations; and a transfer process that would “not undermine the security” of Liberia. She also reportedly said that she did not view it as an immediate priority. She specifically stated that any solution would have to have the concurrence of the European Union, the African Union, and West African leaders, with whom she met during a regional pre-inauguration consulting tour, in part aimed at addressing “certain national and regional sensitivities.”

Notwithstanding these statements, in early March 2006, published press reports suggested that the Sirleaf administration was in talks with the Nigerian government regarding Taylor's possible extradition from Nigeria and that President Sirleaf had made a formal request toward that end to the Nigerian government. Her government, however, publicly denied that a formal extradition letter had been given to the Nigerian government — though Liberian Information Minister Johnny McClain confirmed the existence of a “briefing note” on this topic.⁵⁵ At various fora during a mid-March state visit to the United States, however, Sirleaf confirmed that a request had been made. She also said that his extradition would need to happen promptly, given the fragility of Liberia's peace and the potentially significant influence of Taylor in Liberia, and that any decision taken by the international community would have to “ensure that the safety of the Liberian people and the stability of our nation is not undermined.” She also observed that “Taylor was not indicted in a Liberian court ... he was indicted in the [SCSL] supported by the United Nations. This is why we say the resolution of this must be in accordance with the United Nations and the international community.”⁵⁶ She further stated that

⁵⁵ Tom Ashby and Alphonso Toweh, “Liberia denies asking Nigeria to extradite Taylor,” Reuters, Mar. 13, 2006.

⁵⁶ Some observers, including the Special Assistant to the SCSL Prosecutor and human rights activists, asserted that there was no need for Nigeria to consult African Union or Economic Community of West African States (ECOWAS) leaders regarding the potential extradition, as the Nigerian government had contended was necessary. See Robyn Dixon, “Liberia (continued...)”

international pressure “constraining our effort to ... raise the resources that we need for our development” had, in part, motivated her to request that Nigeria extradite Taylor.⁵⁷ She said, however, that such pressure had been “unfair” and that the Nigerian government and international community should have resolved the issue “long before” her administration took office.⁵⁸ In a March 30 statement to the Liberian people on Taylor’s transfer to the SCSL, Sirleaf welcomed the return to Liberia of the members of Taylor’s entourage of supporters who had lived with him in Nigeria, and warned that anyone who attempted to use Taylor’s transfer as the basis for insurrection would be dealt with harshly.⁵⁹

U.S. and Congressional Focus

U.S. First Lady Laura Bush and Secretary of State Rice, among other prominent U.S. guests, attended President Sirleaf’s inauguration. Their presence, Sirleaf stated in her inaugural speech, “manifests a renewal and strengthening of the long-standing historic special relations which bind our two countries and peoples.” She also stated that it “reflects a new partnership with the United States based on shared values” and that Liberians are “confident that we can continue to count on the assistance of the United States [...] in the urgent task of rebuilding of our nation.”

Sirleaf undertook an official visit to the United States, beginning the week of March 13, 2006, during which she addressed a joint session of Congress on March 15⁶⁰ and met with President Bush on March 21. She has reportedly closely consulted with U.S. officials regarding her priorities for Liberia and the status of Charles Taylor. During a pre-inaugural December 2005 trip to the United States, Sirleaf met with National Security Advisor Stephen Hadley and his Africa deputy, Cindy

⁵⁶ (...continued)

Seeks Extradition of Indicted Ex-Leader,” *Los Angeles Times*, Mar. 18, 2006.

⁵⁷ Prior to confirmation of Sirleaf’s extradition request to the Nigerian government, some in Congress had suggested that the continued provision of substantial U.S. development aid to Liberia would need to be conditioned upon her making such a request. During the February 8, 2006, House Committee on International Relations hearing on Liberia, Representative Royce, after outlining diverse reasons why Taylor should be promptly extradited, stated that “[t]his friend of Liberia has very little interest in providing more [U.S. assistance] money to rebuild Liberia until its President brings Taylor — a known force for destruction — one step closer to justice by calling on Nigeria’s President to send him to the Special Court.” He voiced similar sentiments during consideration of H.R. 4939; (*Congressional Record* (House), Mar. 16, 2006, p. H1097). Royce introduced H.Con.Res. 127, passed in May 2005, which urges that Nigeria transfer Taylor to the SCSL.

⁵⁸ U.N., “Press Conference by Liberia’s President,” Mar. 17, 2006. Some have echoed Sirleaf’s views, criticizing what they see as the unfair conditioning of assistance to Liberia on the Sirleaf government’s request for Taylor’s extradition, given that the Sirleaf administration was not a party to Taylor’s indictment or to the arrangements leading to his exile in Nigeria. Interview with Emira Woods, Institute for Policy Studies, *BBC World News*, Mar. 17, 2006.

⁵⁹ Nation-wide Address By Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia, Mar. 30, 2006, via [<http://AllAfrica.com/>].

⁶⁰ *Congressional Record* (House), pp. H996-H998, Mar. 15, 2006.

Courville, Secretary of State Rice, Treasury Secretary John Snow, and selected Members of the House and Senate, including the Congressional Black Caucus and Majority Leader Bill Frist, as well as World Bank President Paul Wolfowitz (former Deputy Secretary of Defense).⁶¹

Congress has long monitored developments in Liberia. Most recently, on February 8, 2006, the Subcommittee on Africa, Global Human Rights and International Operations of the House Committee on International Relations held a hearing on Liberia entitled *The Impact of Liberia's Election on West Africa*. Congress has shown continuing interest in the status of Charles Taylor and has generally, with a few exceptions, shown strong support for the SCSL. It passed laws (P.L. 108-199 and P.L. 108-106) urging that SCSL indictees, like Taylor, be transferred to the court, and in May 2005, the House and Senate passed H.Con.Res. 127 (Royce), which urges the same outcome.⁶² P.L. 109-102, the FY2006 Foreign Operations Appropriations bill, reaffirms congressional support for the court. It would limit some types of assistance under certain conditions for countries in which SCSL indictees are "credibly alleged to be living" unless such countries cooperate with the SCSL, including by transferring such indictees to the SCSL. It also requires U.S. support for that goal within the U.N. Security Council. It specifically would, after a period, bar assistance to Nigeria unless the President reports to the Committees on Appropriations on steps taken in FY2003 through FY2005 to obtain Nigeria's cooperation in surrendering Taylor to the SCSL and a strategy and time line for achieving that purpose. H.Amdt. 480 (Watson) to H.R. 2601, the FY2006 - FY2007 foreign relations authorization act, would require the Administration to seek the expeditious transfer of Taylor to the SCSL for trial.

Congress also provided substantial support for Liberia's rebuilding and peace building processes; U.S. assistance is summarized in **Table 2**. An Administration Economic Support Fund (ESF) FY2006 budget request for \$75 million for Liberia, however, was not included in P.L. 109-102 (formerly H.R. 3057, Kolbe, the FY2006 foreign operations appropriations bill, which mandates special congressional notification for the expenditure of funds used to assist Liberia). Additional FY2006 ESF funding for Liberia may, however, be provided under H.R. 4939 (Jerry Lewis), the *Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006*. Both the House- and Senate-passed versions of H.R. 4939 provide \$63.8 million in assistance for Liberia, in the form of \$50 million in ESF and \$13.8 million in Migration and Refugee Assistance funds. The ESF funds were added as a result of actions taken during a March 8, 2006, House Appropriations Committee markup hearing on President Bush's FY2006 Emergency Supplemental request for other humanitarian assistance. The committee adopted by

⁶¹ Reed Kramer, "Showered With Enthusiasm, Liberia's President-Elect Receives High-Level Reception in Washington," *AllAfrica.com*, Dec. 11, 2005, *inter alia*. During a March 20 appearance with Sirleaf, World Bank President Paul Wolfowitz reportedly announced that the World Bank would provide \$25 million for a road-building fund for Liberia and stated that he was seeking debt forgiveness for Liberia by the World Bank, the IMF, and the African Development Bank. See VOA, "World Bank Commits \$25 Million to Liberian Infrastructure Fund," Mar. 21, 2006.

⁶² The European Parliament passed a similar resolution in February 2005.

voice vote an amendment offered by Representative Jesse Jackson, Jr., that would provide \$50 million in Economic Support Fund (ESF) assistance for Liberia. The committee recommended that of the ESF funds, \$30 million be used for emergency employment activities to strengthen security and build roads; \$10 million be used to establish an electricity grid; and \$10 million be used for demobilization and reintegration of ex-combatants. The House passed H.R. 4939, as amended, on March 16. On April 5, the Senate Committee on Appropriations reported an amendment to H.R. 4939 in the nature of a substitute (see Senate Report 109-230) that maintained the same levels of assistance for Liberia as the House-passed bill. No further funds for Liberia were added to H.R. 4939 during Senate floor consideration of the bill, which was passed by the Senate on May 4 with non-Liberia-related amendments. On the same day, the Senate insisted on its amendment and asked for a conference, to which it appointed conferees.

Other congressional interest in Liberia focuses on Liberia-related immigration and debt issues, and several other matters. H.R. 257 (Jackson-Lee), H.R. 2092 (Jackson-Lee), H.R. 3450 (Patrick Kennedy), and S. 656 (Reed) would give permanent U.S. residence status to qualified Liberians resident in the United States, among other measures, as would S.Amdt. 452 (Reed) to H.R. 1268 (Jerry Lewis).⁶³ H.R. 1130 (Waters) would enact various measures intended to reduce the national debts of certain poor countries, including Liberia, and encourage their governments to fund social services. Two concurrent resolutions, H.Con.Res. 327 (Eddie Bernice Johnson) and H.Con.Res. 313 (Payne), would commend Liberia for successfully conducting elections and congratulate Sirleaf for her electoral victory. S. 779 (Dorgan), A Bill to Amend the Internal Revenue Code of 1986 to Treat Controlled Foreign Corporations Established in Tax Havens as Domestic Corporations, would designate Liberia as a “tax-haven country,” allowing the Internal Revenue Code to treat certain foreign corporations created or organized under Liberian law as U.S. domestic corporations for tax purposes.

⁶³ In August 2005, the Department of Homeland Security extended the designation of Liberia for Temporary Protected Status (TPS) by 12 months, from October 1, 2005, until October 1, 2006. TPS is a temporary “safe harbor” immigration status granted to qualified nationals of some countries affected by ongoing armed conflict, natural disaster, or other difficulties. See CRS Report RS20844, *Current Immigration Policy and Issues*, by Ruth Ellen Wasem and Karma Ester.

Table 2. U.S. Assistance to Liberia, FY2004-FY2007

(\$ millions; actual, estimate, supplemental, or request levels; errors due to rounding)

Account	FY2004 Act.	FY2005 Act.	FY2006 Est. ^d	FY2006 Supp. ^f	FY2007 Req.
Child Survival and Health Program (CSH)	2.82	3.97	3.16	-	3
Development Assistance (DA)	-	6.85	23.93	-	29.5
Economic Support Fund (ESF)	-	24.8	42.72	50	40
Foreign Military Financing (FMF)	-	2.98	1.98	-	1.6
International Disaster & Famine Assistance (IDFA)-Supplemental	200	-	-	-	-
IDFA Regular ^b	-	9.71	-	-	
Int. Narcotics Control & Law Enforcement (INL)	0	5	0.99	-	0.8
Int. Military Education and Training (IMET)	0	0	0.2	-	0.25
Nonprolif., Antiterrorism, Demining & Related Projects-Small Arms & Light Weapons (NADR-SALW)	0.16	-	-	-	-
Africa Regional Peacekeeping (PKO)	-	25	20	-	14.8
P.L. 480, Title II [Emerg. Food Aid] ^a	22.5	22.55	15.19 ^b	-	-
Transition Initiatives (TI)	4.1	2.53	5.6 ^c	-	-
Migration and Refugee Assistance (MRA) ^a	27.89	28.19	-	13.8	-
Democracy and Human Rights Fund	-	.05	-	-	-
Special Self-Help Fund	-	.07	-	-	-
Totals - Bilateral and Emergency Aid	257.47	131.69	113.77	63.8	89.95
U.N. Mission in Liberia (UNMIL)/ Contribs. to Int. Peacekeeping Account (CIPA)	290.34	230.06 ^c	157.18	-	150
Totals - All Funding	547.81	361.75	270.95^f	63.8^f	239.95

Sources: State Department, *Congressional Budget Justification for Foreign Operations, and International Affairs (Function 150) Budget Request*, FY2007 and other fiscal years; and information from USAID/OFDA, State/PRM, and State/Political-Military Affairs officials.

- a. Funding under some accounts, such as P.L. 480, Title II, IDFA, and MRA, often rises during a given fiscal year because these accounts are appropriated in a global lump sum and allocated throughout the year in response to emergent needs.
- b. Levels to date. FFP entry reflects level as of March 14, 2006. The FFP levels are expected to rise to \$19.8 million by the end of April 2006.
- c. UNMIL FY2005 figure reflects payments to date; assessments from the U.N. total \$235.42 million; the amount for FY2006 reflects the appropriated level.
- d. P.L. 109-102, the foreign operations FY2006 appropriation act, which was signed into law on November 14, 2005, does not specify aid levels for Liberia, though it requires that the Committees on Appropriations be notified if funds appropriated under the act are used to assist Liberia. FY2006 assistance levels for Liberia have not yet been finalized pursuant to requirements in the Foreign Assistance Act of 1961 relating to Administration aid allocation decisions, which are arrived at, in part, through consultations between the executive branch and congressional appropriators.
- e. FY2006 budget is \$5.6 million; as of mid-March 2006, OTI had spent \$2.7 million in TI.
- f. The House-passed and Senate Appropriations Committee-reported versions of H.R. 4939 (Jerry Lewis) allocate the same FY2006 supplemental appropriation amounts for Liberia. The Administration requested \$13.8 in MRA funds for Liberia but did not request \$50 million in ESF support. If the above supplemental assistance is authorized, regular and supplemental FY2006 appropriations for Liberia will total \$334.75 million.

Figure 1. Map of Liberia



Source: Map Resources. Adapted by CRS. (K.Yancey 2/10/06)

Appendix 1: Acronyms Used in this Report

AFL:	Armed Forces of Liberia
AGOA:	African Growth and Opportunity Act
CDC:	Congress for Democratic Change, Liberian political party
CIPA:	Contributions to International Peacekeeping Account
CIVPOL:	Civilian police
COTOL:	Coalition for Transformation of Liberia, Liberian political party
CSH:	Child Survival and Health Program Fund
DA:	Development Assistance Account
ECOMIL:	ECOWAS Mission in Liberia
ECOWAS:	Economic Community of West African States
ESF:	Economic Support Fund
FMF:	Foreign Military Financing Account
GEMAP:	Governance and Economic Management Assistance Program
GIHL:	Global Infrastructural Holdings Limited
ICC:	International Criminal Court
ICGL:	International Contact Group on Liberia
IDFA:	International Disaster & Famine Assistance Account
IDP:	Internally displaced person
IFES:	Elections technical assistance organization formerly known as the International Foundation for Election Systems
INL:	International Narcotics Control & Law Enforcement
IRI :	International Republican Institute
LP:	Liberty Party, Liberian political party
NADR-SALW:	Nonproliferation, Antiterrorism, Demining and Related Projects-Small Arms and Light Weapons
NDI :	National Democratic Institute
NEC:	National Elections Commission (of Liberia)
NGO:	Non-governmental organization
NTGL:	National Transitional Government of Liberia
NTLA:	National Transitional Legislative Assembly
OFDA:	USAID Office of U.S. Foreign Disaster Assistance
OGAC:	U.S. Global AIDS Coordinator
P.L. :	Public Law
P.L. 480, Title II :	Humanitarian food aid
PKO :	Regional Peacekeeping Account
PRM:	Population, Refugees & Migration Bureau, State Department
RFTF:	Results-Focused Transitional Framework
SCSL:	Special Court for Sierra Leone
SDN:	Specially Designated National
SSS:	Special Security Service (of Liberia)
TI:	Transition Initiatives Account
U.N.:	United Nations
UNAMSIL:	U.N. Mission in Sierra Leone
UNICEF:	U.N. Children's Fund
UNMIL:	U.N. Mission in Liberia
UP:	Unity Party, Liberian political party
USAID:	U.S. Agency for International Development
USTR:	Office of the U.S. Trade Representative