

Peacebuilding Commission – Liberia Configuration
Report of the Chair’s visit to Liberia 14 – 18 May 2012

I. Introduction

1. As my first visit, the overarching goal of

II. Objective 1 – Consultations with stakeholders on the Peacebuilding Priorities

5. I was able to consult a variety of stakeholders from both the international and national communities. My overall impression from these conversations is that the country has made some tremendous strides in initial recovery but as best articulated by the President in our meeting, the country stills needs to undergo a “transformation”. This “transformation” will entail some radica

9. An additional element of the legal framework is the Ministry of Defense's Strategic Plan. The Minister of Defense, Mr. Brownei Samukai, informed that a third draft is currently with him. Following efforts to streamline the document, it will be shared with a range of national and international actors for comments. The aim is to complete the Plan by the end of the year.
10. In terms of infrastructure, I was impressed by the concept of Regional Justice and Security Hub. However, management and monitoring efforts need to be enhanced.

providing accommodations as well as rotating staff. This is another topic for the Lessons Learned Workshop.

13. Alongside these issues, the importance of continued training for the LNP was raised. The President and the Minister of Defense both spoke of the need for a lead country as a means to avoid a plethora of approaches being taught to the police. The Government would like to have one doctrine informing police training. As explained by the Minister, the Government is flexible in how to achieve this result. Training could, for example, remain under the direction of UNMIL, while at the same time supported by a lead country. The example of the Emergency Response Unit (ERU) was cited as a good practice. In that case, representatives of the United States Police Force were seconded to UNPOL to lead the training in coordination with other police forces within UNPOL. A main criterion for success of this effort was the quality of the officers.
14. In addition to gaps in police training, my visit to the Gbarnga Prison starkly revealed the urgency for justice reform. On average, 80 percent of prison populations are pre-trial detainees and detention times can exceed a year. The frustrations of the detainees are expressed in attempted breakouts and riots. While there have been improvements and efforts continue to decrease pre-trial detention rates, they remain unacceptably high, and the issue should remain at the forefront of the PBC's efforts. The President, officials from the Ministry of Justice and the Judiciary, see this as a priority. A core remedial effort is the Jury Bill. This Bill, which had been submitted to the 52nd Legislature but was not passed before the session concluded, has been resubmitted by the President. Officials were optimistic that the bill would be passed during the 53rd session of the Legislature. At the same time, while this Bill will go far in rectifying fundamental weaknesses of the justice system, it is not a panacea and its implementation will be challenging
15. Efforts that would facilitate the implementation of the Law, if passed, are already being pursued, namely the training of Magistrate Judges at the Judicial Institute. This training will be critical to raising the qualifications of the Magistrates for a broader jurisdiction foreseen in the Bill. The first group of sixty-one graduates has begun to be deployed. A second class is currently undergoing training. The deployment of the first group was being obstructed due to lack of funding to permit sitting Magistrate judges' retirement or dismissal of judges due to lack of credentials or situations of unethical action(s). This is reportedly in the process of being addressed. If this proceeds according to plans, qualified Magistrate Judges would be gradually deployed throughout the country. It should take a few years to bring the more than 300 Magistrates up to qualification. Gradually, this would rectify a significant weakness in the current system that has contributed to the backlogs of cases at the Circuit Courts level. In turn, this should significantly lower pre-trial detention rates.
16. At the same time, the number of Magistrate Judges coming to the Monrovia Central Prison as part of the Magistrate Sitting Programme is to be increased from six to ten with a new afternoon session. UNMIL has also made representations to the Solicitor

17. Nonetheless, this is only a fraction of the reform needed. A discussion with the Chief Justice and four of the Associate Justices provided further insights on the scope of pending reform. In brief they cited the below issues:

- x Lack of infrastructure,
- x Harmonizing the population size and number of cases on a docket with the number of courts and county attorneys in a county,
- x Reviewing bails,
- x Adopting a practical system for the right to appeal³,
- x Updating the record keeping system and training of clerks,
- x Reviewing the right to a jury,
- x Building an effective prosecution system, and
- x Updating procedures⁴.

18. In terms of time considerations to realize needed reforms, it is important to note that many of these issues require Constitutional reform, which is only in the early phases of beginning. The discussion with the Justices did not delve into the status of efforts to remedy these issues but a few are being addressed. The Jury Bill for example would define when a jury is necessitated. Projects for the record keeping system and some court facilities are being pursued within the LPP. Some other issues, however, require difficult decisions that will likely have political ramifications such as harmonization of courts. The Ministry of Justice also raised the issue of the need to strengthen prosecution and has reportedly begun to discuss the issues with prosecutors.

19. The Law Reform Commission is equally carrying out some invaluable work. However, staffing limitations and competing tasks have hindered their ability to follow up on the conference related to the harmonization of the traditional and statutory legal systems as well as significantly engage the public to create a bottoms up approach to legal reform but they have made significant strides in reinitiating the codification of the laws. The President, the Legislature and different line-ministries have also been seeking their advice on a number of bills, such as the recently adopted law on children's rights. Work is also proceeding on revising laws the Petroleum Law and the Revenue Management Law with pro-bono support from a New York based law firm, White and Case.

³ The Associate Justice explained that presently all cases, regardless of the severity of the case or relevance to broader issues of justice, can be appealed the level of the Supreme Court. To illustrate the implications of this a case concerning a cell phone was cited as having been appealed at the level of the Supreme Court.

⁴ Current procedures date back to the 1970s.

B. National Reconciliation

20. While I was impressed by recent progress on national reconciliation, I equally gained an appreciation for the complexity of the issue. Reconciliation in Liberia will require a multitude of interventions to repair historical divides between Liberians as well as between the state and society. The Minister of Internal Affairs, Mr. Blamoh Nelson informed that the draft Roadmap for national reconciliation should be available for review within the next few weeks. The Roadmap will enumerate components of reconciliation opening a path to the development of a policy and strategy on national reconciliation. The Roadmap was being aligned with the time frame of the National Vision 2030, which in addition to a focus on economic development, addresses issues of immediate relevancy to reconciliation - national identity. The Principals of the five main national actors – Ministry of Internal Affairs, Ministry of Finance and Planning, Leymah Gbowee’s Liberia Reconciliation Initiative, Independent National Commission on Human Rights and the Governance Commission – would first review the Roadmap before it goes through a national vetting and validation process. I repeatedly underscored the importance of pursuing an inclusive vetting and validation process, which will be critical if this Roadmap and the subsequent policy and strategy are to provide a widely accepted starting point, address key issues and last the 18 years foreseen. The vetting and validation process is to conclude at the end of July at a national conference, which is already planned for the endorsement of the National Vision. Additionally, it has been proposed for the Roadmap to be submitted to the Legislature as a means to gain a national endorsement. Again, ensuring that the Roadmap is an acceptable starting point for all affected parties will also aid in enabling this strategy to deal with some of the root causes of the conflict.
21. Decentralization was put forward as a core component to facilitating national reconciliation. Minister Nelson (see para 20), whose Ministry is responsible for the implementation of the recently adopted policy on decentralization and for coordinating national reconciliation efforts, described how the history of the country combined with the experience of war has created divides in Liberian society. He sees decentralization as a core means to empower the local population to discuss issues of common interest through political processes. Decentralization has two streams. One requires constitutional change, such as to allow for the election of the county superintendent. The second is the deconcentration of government bodies from Monrovia out to the counties, such as is occurring with the security actors’ deployment to the Hubs from Monrovia. As was confirmed in discussions with local authorities in Grand Cape Mount, the process is still very early in its inception. They highlighted the management of county development funds as indicative of various issues that will need to be amended to truly empower local government⁵. It has been mentioned by UN actors that it might be

26.

31. Participation in the JSC also provided a detailed briefing on the status of implementation of other projects included in the Justice and Security component of the LPP including the preparation of a deployment strategy, the record keeping system, procurement of communication equipment and community outreach. A comprehensive approach is being taken. However, as previously noted, while it is evident that a great deal of coordination is taking place at the Monrovia level, my visit to the Hub indicated that there was insufficient engagement with concerned actors (local authorities, and security actors) in Gbarnga. This applies as much to construction matters, as to issues of reconciliation. As discussed in the above section on national reconciliation, state and society relations are torn. The Hub, if well implemented, could be a significant step forward in helping to mend that relation. However, at present local populations reportedly see the Hub as a barrack and not as a facility that will enhance their security and access to justice. Increased security presence must be part and parcel of a broader rule of law and presence and outreach component, in line with the principle of “do no harm”. These are all matters that should be considered more thoroughly in the lessons learned workshop.
32. While a trip had originally been foreseen for me to travel to Zorzor, Lofa County to visit the Land Coordination Center, weather unfortunately prevented this visit. The meeting with the Land Commissioner also was cancelled due to time conflicts. Alternatively, I met with the Chief Technical Advisor for UN-Habitat. The project is reportedly moving ahead. The Center has begun assessing the situation within the county identifying who is involved in resolving land disputes and providing these individuals with training on the Alternative Dispute Resolution system that has been agreed upon. Centers are planned to be piloted in Bong, Margibi, Maryland and Nimba Counties starting in August 2012. The process stands out as establishing structural solutions rather than ad hoc responses. I look forward to visiting the

38. Fundraising Strategy

V. Objective 4 – PBC Engagement and the New Deal

43. I have begun informing myself of the New Deal through discussion involving Government Officials in Washington, New York, Stockholm and Monrovia. The United States and Sweden have agreed to partner with Liberia in piloting the New Deal. We share a common assessment that this is an opportunity for the international community as well as Liberia. The engagement of the PBC stands out as a strong example of partnership and bodes well for piloting the New Deal in Liberia as well as strengthening the PBC's engagement. The Government of Liberia is currently reflecting on the implementation of the New Deal.
44. Liberia has been a principal leader, among other war-affected States, in formulating these PSGs as well as principles of the New Deal. This provides an ideal opportunity for Liberia to position itself in the lead for its continued recovery and peace consolidation process in line with the goals and principles established by them and which are very much in line with international standards.
45. Deliberations on specifics are still in the very initial phases. The Government supports the view that the SMC should provide a basis for the New Deal.

Recommendation for the PBC Liberia Configuration

46. **SMC Review** As the second review of the SMC is in August, I propose that we continue deliberations within the Steering Group in the coming months on this matter. We will need to work closely with the Government clearly recognizing their leading role in the implementation of the New Deal.

6 June 2012

Field visit to Grand Cape Mount County
Tuesday 15 May 2012

Time	Meeting	Venue	Attending-UNMIL	Comments /Contact
09:30-12:00	Transfer from Spriggs Airfield, Monrovia to Bo Waterside border crossing, Grand Cape Mount County (by road)			

			BCR, MoJ, Judiciary) - TBC	
13:30-13:40	Transfer to the Gbarnga Prison			Security/ PPU
13:40-14:20	Visit to the Gbarnga Prison	Gbarnga Town	DSRSG RoL Hon. Siakor-Sirleaf UNOPS HoFO GoL (LNP, BIN, BCR, MoJ, Judiciary)	Gbarnga HoFO Mr. Karimu Yorose
14:20-14:35	Transfer to PakBatt			Security/ PPU
14:35-15:05	Lunch (15 pax + Gbarnga Team)	PakBatt	DSRSG RoL Hon. Siakor-Sirleaf	Chris Dagadu (FC's Office) X:0531 C:0880874564
15:05-15:30	Transfer to Gbarnga Cari Airfield		DSRSG RoL Hon. Siakor-Sirleaf	Security / PPU
15:45-16:45	Special flight from Gbarnga Cari Airfield to Spriggs Airfield (MI-8)		DSRSG RoL Hon. Siakor-Sirleaf	Teofilo Natividad X: 5085 C: 0531 9724
16:45	Transfer to Mamba Point Hotel			Security / PPU
17:00-19:00	Refresh	Mamba Point Hotel		
19:00-21:00	Reception in honour of PBC delegation	Mamba Point Hotel	Hosted by the OiC UNMIL	Confirmed Georgina Hackman X: 4209 C: 0531 9608

Thursday 17 May 2012

Time	Meeting	Venue	Attending-UNMIL	Comments /Status/Contact
8:40	Transfer from Mamba Point Hotel			Security / PPU
9:00-10:30	Meeting with the Minister of Justice, Prosecution and security sector agencies	MoJ	DSRSG RoL UNPOL Police Commissioner	Katie Barley X: 6371 C: 088 640 7768
10:30-10:45	Transfer from the MoJ to the MoFA			Security / PPU
11:00-12:00	Meeting with the President of Liberia	Executive Mansion	OiC UNMIL	Confirmed Elizabeth Chester X: 6305 C: 088 658 1691
12:15-12:45	Lunch at the UNMIL HQ Cafeteria			Georgina Hackman X: 4209 C: 0531 9608
13:00-14:30	Roundtable with UNMIL Sections	3 rd floor conference room	OiC UNMIL DSRSG RoL	Sara Rendtorff-Smith X: 6996 C: 0531 9643
13:00 – 14:00	Meeting with the Law Reform Commission	MoFA	Tammi Sharpe, PBSO on behalf of the Chair	
15:00-17:00	PBC Joint Steering Committee	Ministry of Planning Conference Room	OiC UNMIL / DSRSG R&G	Confirmed Wilfred Gray-Johnson C: 088 664 7010
17:15-17:45	Debrief with DSRSG	Office of the DSRSG	OiC UNMIL / DSRSG R&G	Sara Rendtorff-Smith X: 6996 C: 0531 9643 arpm171.7

	Hotel			
19:00-	Cocktail	The French Ambassador's Residence, Congotown	OiC UNMIL Ambassador Haroon Ambassador Tillander Ms. Tammi Sharpe	Richard de la Falaise X: 4331 C: 0531 9468

Friday 18 May 2012

Time	Meeting	Venue	Attending-UNMIL	Comments /Status/Contact
8:15-9:00	Breakfast meeting with the EU Head of Mission (7 pax)	Mamba Point Hotel	Ambassador Tillander Tammi Sharpe EU Head of Mission German Ambassador Swedish Charge d'Affaires KatjaSvensson	KatjaSvensson C: 088 053 3215 Harmon Winham X: 4843 C: 088 655 3388 8:35-9:00 llaf [(ron om Maon 1 TDionPo Security

