

Peacebuilding Commission – Liberia Configuration  
Report of the PBC Delegation's visit to Liberia, 12 – 17 June 2011

I. Introduction

1. This trip was the first official visit of a Delegation from the PBC Liberia Configuration to the country and the third for the Chair of the Configuration. The list of the Delegation is in Annex 1. With an aim to build upon previous missions and communications between stakeholders in Liberia and the PBC, the terms of reference for the mission were as follows:
  - Discuss with key stakeholders preparations for the upcoming review of the Statement of Mutual Commitments (SMC);
  - Initiate a review of reconciliation activities/ outputs agreed upon in the Liberian Peacebuilding Programme (LPP) as advised in the LPP; and
  - Take stock of progress achieved in security sector reform and rule of law, with a focus on the establishment of the first regional hub and civilian oversight.
2. The timing of the visit was also organized around the International Dialogue for Peacebuilding and Statebuilding to enable the Chair to participate in the Dialogue on behalf of the Organizational Committee of the PBC as well as the Liberia Configuration
3. The following report summarizes findings and advocacy efforts of the Delegation as well as agreed upon follow-up actions. The trip lasted five (5) days, out of which two (2) were devoted by Chair as well as the Liberian, American and British Officials to participate in the International Dialogue for Peacebuilding and Statebuilding. During the trip, the Delegation was able to meet with key international and national (government and non-governmental) stakeholders in the capital and in Bong County. Visits were made to security and justice facilities including educational institutions. Civil society organizations (CSOs) also featured prominently in the programme with their participation in a number of meetings as well as a demonstration of their work at the community level. The full programme is attached as Annex 2.
4. The Assistant Secretary-General for Peacebuilding Support Judy Cheng-Hopkins, who was participating in the International Dialogue, joined the Delegation on a number of occasions. Two (2) meetings were also held among individual members of the Delegation, UNMIL and Ms. Cheng-Hopkins to discuss implementation of the LPP. These meetings predominantly revolved around the PBF allocation and how to disburse these funds in a manner that could facilitate the work of the PBC in the area of fundraising as well as on advocacy.





culture of human rights. A balance should be found that will ensure that human rights considerations are factored into the reconciliation strategy. The Delegation further encourages a healthy debate to be pursued on reparations and memorials as these activities could be critical to acknowledging past human rights violations thereby dignifying the survivors and victims, which in turn can also facilitate the building of civic trust.

16. The Government also approached the Delegation seeking their support for the land compensation scheme. The PBC had shared concerns about this scheme in its comments on the LPP before the Joint Steering Committee (JSC) endorsed the document. A prevailing concern for the PBC is to ensure that such a project would not create demands that could not be met as commonly arises from such programmes. The Government agreed to share a background note with the Delegation for their further consideration.

20. Sexual gender-based violence (SGBV) was cited as one of the main incidents of

24. In terms of the “soft component” of the Hub project, the Delegation is concerned that this element has not advanced in conceptualization as quickly as the “hard-ware” component and that this could significantly jeopardize the success of the Hub. This view arises from a recognition that the extension of the Government via these Hubs could respond to some of the root causes of the Liberian civil war that continue to serve as conflict drivers. However, addressing these drivers significantly depends on engagement with the communities and implementation of accountability oversight measures for government officials. Reaffirming the Government's commitment in the SMC on community outreach, the Delegation urges the Justice and Security and the Reconciliation TAGs to bring all relevant partners together on this topic ensuring that a comprehensive approach is developed and implemented. This approach should build on current interventions such as community policing, legal assistance and rights awareness projects as well as those related to reconciliation in peace education and leadership (a number of relevant projects were implemented with the first tranche of PBF in 2008 and 2009, which could be built upon). The Delegation did not hear much on the role of the Public Service Office that has been proposed to be included in the Hub but would nonetheless encourage further reflection on this topic in discussions of community outreach to ensure that the public can refer complaints and that there is no conflict of interest between the receipt and follow-up of complaints and engagement in community outreach. Overall in developing this

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approach, attention should be given to ensure the application of “do no harm” principles.

25. The importance of security sector reform to the larger objective of national reconciliation surfaced in a number of meetings with particular focus given to past politicization of security forces. While a number of actions have been taken on this matter - vetting processes (past programmes for the Armed Forces of Liberia and the Police as well as on-going measures within the National Police Academy), a mixed ethnic composition among the soldiers and cadets in training - the Delegation found that some additional efforts were still needed in the area of civilian oversight. An assessment is currently being carried out on the capacity needs of the Defense Committees in both Houses of the Legislature. The Delegation will await this assessment before considering further how to support the Legislature's role in civilian oversight. In terms of the Army and the Ministry of Defense, outstanding strategies being finalized should ensure that proper attention is given to the issue of civilian oversight. The Delegation is impressed by the active roles being played by some national civil society actors on SSR and encourages their involvement in the development of a national reconciliation strategy to better ensure that linkages are made between the security sector and reconciliation. The National Security Advisor would also be a good partner to engage in the preparations of the strategy.

26. The Delegation also draws immediate attention to the need to complete the legal framework for the security sector, which is one of the Government's commitments in the SMC. Two important pieces of legislation are pending before the Legislature: Omnibus Security Act and Fire Arms Control Act. In view of substantive efforts that have gone into preparing the bill, in particular the recent public hearing held on the Omnibus Security Act, the Delegation advocated with the Chairs of the Defense Committees and the Speaker of the House for the Omnibus Security Act to be urgently passed. The Fire Arms Control Act should equally be a priority for the Speaker of the House.

#### IV. Rule of Law

28. Like in the Security Sector, current gaps in the law are enormous in Monrovia and even more so in the counties outside Monrovia. Long-term investments are required to complete the reform that has begun. The Delegation is of the opinion that some short term efforts could also have a significant impact and was impressed by a number of achievements that have been realized in the last few months listed below. These activities demonstrate the Government's efforts in realizing its commitments in the SMC:

- x Preparation of a zero-draft bill that in addition to looking at juror qualifications, meaning of peer and recruitment processes also examines the jurisdiction of the magistrate court;
- x Passage of the Act establishing the Law Reform Commission;
- x Development of cross-sector training jointly prepared by the National Police Academy and Judicial Institute; and
- x Adoption of a deployment scheme to allow for the temporary relocation of circuit court judges in a manner that is reflective of workloads.

29. The Delegation found that two specific types of intervention would



31. The Delegation favorably appraised the work being carried out by national and international non-governmental organizations (NGOs) in Bong County on rights awareness raising and provisions of legal aid. These projects, which were initially funded by PBF, appeared to be effective means to inform citizens of the law thereby avoiding misunderstandings of the process which can lead to security incidents. Additionally, lack of awareness allows for abuse in the system which includes individual's rights to defense being denied, preliminary exams not being undertaken and people being detained for great lengths including years before a trial is held. Individuals not appreciating the need to provide testimony to the court as witnesses also results in courtrooms sitting vacantly waiting for a witness. The Delegation was informed that since the implementation of these projects, people are increasingly seeking redress via justice systems.
32. The collaboration with the formal structures (Ministry of Justice) and traditional (Chiefs and the National Traditional Council) in developing and disseminating messages also presented itself as a solid example of how to harmonize the formal and the traditional justice systems in practice. It was clarified that the interaction with the traditional leaders is in sync with the work that the Land Commission has been pursuing with traditional leaders in resolution of land disputes. It is also understood that these activities are complementary to the work of the Law Reform Commission. With the Ministry of Justice (MoJ), the Law Reform Commission is following up on the national conference held on the topic by MoJ and the Ministry of Internal Affairs in terms of monitoring implementation of the report of this conference, which was recently finalized. The Delegation noted that traditional leaders are key agents of change, who could be instrumental in establishing systems that are in accordance with international standards but at the same time

As the Law Reform Commission is mandated to address this matter, the Delegation was further pleased to learn of the passage of the Act granting the Law Reform Commission permanent status. This is clear evidence of political will to facilitate the work of the Law Reform Commission as included in the SMC. The Delegation looks forward to continued engagement with the Commission as it begins to implement its five (5) year strategic plan.

34. On the matter of legal aid, for which there is

37. Training needs for an array of legal actors repeatedly surfaced in the discussions. With recognition of the continuity of training throughout a legal career, the Delegation took note of some impressive strides that have been made in institutionalizing legal education via the Judicial Institute and the LNBA for various justice officials from court clerks, court reporters to lawyers. This is vital in terms of sustainability and the long-term development of the legal profession. Training will also improve efficiency. A striking example of this is the training of court reporters, who when provided with the necessary training to use a voice-recorder were able to record statements at a much quicker pace thereby significantly shorten court time; presently some people speak at the pace that the clerk can type resulting in very slow proceedings. The Delegation further supports the Law Reform Commission's interest to build a relationship with the Judicial Institute in terms of assisting training on legal drafting, record management and legal research. The Delegation also commends all the training and human resource efforts and encourages the JSC to take into account the importance of these issues in overseeing the implementation of the LPP. The Delegation will also take these matters into account as it [the PBC] mobilizes resources.

38. Lastly, the Delegation would like to highlight the on-going efforts to reduce pre-trial detention cases, which is another concern in the SMC. While the Government has dedicated lots of energies to find solutions, which are decreasing the numbers, more is needed. The Delegation had the opportunity to visit the "infamous" Monrovia Central Prison and was impressed by the efforts of the Corrections Bureau in working with partners to improve living conditions and magistrate judges to adjudicate cases more rapidly via the Magistrate Sitting Programme. Nonetheless, the urgency of resolving the issue fully cannot be overstated. The Delegation also heard of efforts in implementing a probation program and looks forward to learning more as this work progresses and supports proposals to incorporate this into the Hub concept.

## V. Conclusions

39. The Delegation has confidence that the first review of the SMC will document the considerable efforts that are being expended by the Government and an array of partners both national and international in reforming the security sector, strengthening rule of law and facilitating national reconciliation. At the same time, it will reveal the enormous work that remains to be completed in terms of consolidating durable peace.

40. As indicated in the report, there are a number of activities that are in progress and that merit continued and prioritized attention by all national and international actors working on SSR, rule of law and national reconciliation. The Delegation advises the PBC to remain engaged with partners monitoring progress on the issues below:

- x Preparation of a national reconciliation strategy that is inclusive of a range of actors including those from the justice and security sectors;
- x Review of accountability and oversight mechanisms of justice and security institutions;

- x Establishment of the case management system;
- x UNMIL transition preparations;
- x Adoption of the legislation on ~~jud~~ and magistrate jurisdiction;
- x Continued decrease in pre-

Annex 1

Members of the Delegation

- x H.R.H. Prince Zeid Ra'ad Zeid Al Hussein, Ambassador, Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations,
- x H.E. Ms. Marjon V. Kamara, Ambassador, Permanent Representative of Liberia to the United Nations,
- x H.E. Mr. Frederick D. Ba

## ANNEX 2

### Programme

Delegation: H.E. Prince Zeid al Hussein (Jordan); H.E. Ms. Marjon V. Kamara (Liberia); H.E. Rick Barton (USA); Minister, Augustine Ugochukwu Nwosa (Nigeria); Mr, Nicholas Hævey (United Kingdom); Mr. Yuriy Vitrenko (Ukraine); Mr. Masayasu Tsuzuki (Japan); Mr. Andrei Shkourko (UN secretariat); Mr. Ebo Adedeji (UN secretariat); Ms. Tammi Sharpe (UN secretariat), Mr. Milbert Shin (UN secretariat), Ms. Mariette Robinson (consultant)

Logistical contact points for this mission: Wilfred Gray Johnson – Liberian Peacebuilding Support Office (Tel: 06647010); Kazimierz UMMIL (Tel: 05319468)

DAY 1: Sunday 12 June 2011				
Time	Respondent/Organisation	Comments	Venue/Contact Person	Status (confirmed/not confirmed)
17:45	Arrival at RIA	Travel to hotel.	Cape Hotel	Confirmed
19:30-21-30	Dinner with Co-Chair of the JSC, Minister of Planning and Economic Affairs, Amara Konneh, Minister for Justice, Christina Tah and SRSG Ellen Loej	Hosted by the SRSG. Entire PB delegation to attend, plus D/SRSG Rule of Law Henrietta Mensa Bonsu, PBO Executive Director Wilfred Gray Johnson and Rory Keane ,UNMIL.	Large VIP Room Mamba Point Hotel	Confirmed
DAY 2: Monday 13 June 2011				

7:00-10:00	Trip to Gbarnga (by road)	Relevant Government officials will also be invited to participate in this field trip, including the Ministry of Justice, the Judiciary LNP, BIN and the Ministry of Finance.	Contact: Ramany, Choun Tel: 06543219	Confirmed
10:00-11:00	Meet with Bong County leadership			
11:00-12:00	Tour the Hub construction site			
12:00-13:00	Visit to Cuttington University & meeting with Dr. Saye Guanue	Meetings with relevant Government Officials (MoJ, Judiciary), become acquainted with the status of project implementation of the Hub along with the general working conditions of county security and justice officials.		
13:00-14:00	Lunch			
14:00-15:00	Visit the police station, court houses, prison			
15:00-16:00	Visit Carter Center Outreach project in Bong County, together with implementing partner - the Bong Youth Association			
16:00-17:00	Meetings with FIND and Carter Center, including Pewee Flomoku Snr Project Coordinator for TCC			
17:00-18:00	Meeting with a local branch of WIPNET in a Peace Hut	Discuss with grass root activists the recovery and reconciliation challenges in Bong County. Also discuss opportunities for para-legal services in the three counties covered by the hub.		
19:00-21:00	Dinner with traditional leaders and County Officials	Funded by the PBF		
Overnight	Krystal Hotel	Hosted by the PBC		
		Please ensure to have cash to pay for your rooms		

DAY 3: Tuesday 14 June 2011

6:30-10:00



19:00-21:00	Prince Zeid to have dinner separately with the Jordanian FPU	Protocol	Jordanian FPU	TBC
	Remainder of the delegation to have dinner with Head of ABA Office and Head of ICTJ Office	To discuss access to security and justice issues	Cape Hotel	TBC

DAYs 4 and 5: Wednesday & Thursday 15 and 16 June 2011

The official PBC Mission will break at this point as the PBC Chair and some members of the PBC delegation will participate at a two day International Dialogue Conference. The official PBC Mission will resume again once the Dialogue Conference is over. Thus, the Programme for Wednesday 15 and Thursday 16 June will be of a technical nature and solely limited to monitoring of relevant projects relating to justice, security and national reconciliation.

DAY 4 Wednesday 15 June 2011 (Day 1 of Project Monitoring)

9:00-11:00	Tour of National Police Training Academy	To gain updated insights on Police training.	Police Training Academy Contact: UNPOL	TBC
11:30-12:30	Visit local police station and magistrates court in Westpoint	To better understand the challenges on the ground	Contact : UNPOL and LJSSD	TBC
13:00-14:00	Lunch with UNPOL officials			

14:00-17:00	Extended meeting of the Technical Advisory Group on National Reconciliation	If the PBC Chair is not available this meeting will be replaced by bi-lateral meetings with Civil Affairs and Interpeace	Ministry of Internal Affairs Contact: Wilfred	TBC
19:00-21:00	International Dialogue Reception		City Hall Contact Wilfred	TBC

14:00-15:30	Meeting on Rule of Law issues with Rule of Law UNMIL and UNDP Rule of Law experts		UNMIL 3 <sup>rd</sup> Floor Conference Room Contact: Boma	TBC
16:00-18:00	Meeting with LINLEA and Search for Common Ground on SSR issues		UNMIL 3 <sup>rd</sup> Floor Conference Room Contact: Rory	TBC
19:00-21:00	Dinner US Ambassador Linda Thomas- Greenfield	Official PBC dinner hosted by Prince Zeid	VIP Room Mamba Point Contact: Marta	TBC
Day 6 Friday 17 June 2011				
9:00-10:00	Meeting with the Chief Justice and Associate Justices	Discuss status of Government commitments under rule of law in the Statement of Mutual Commitment, many of which will directly relate to the field visit to the Hub, courts and prisons. D/SRSG Henrietta Mensa Bons to attend.	Temple of Justice Contact: Katie	TBC

10:30-11:30	Debriefing with UNMIL OiC, D/SRSG Henrietta Mensa Bonsu		3 <sup>rd</sup> Floor, PAP Contact Charmaine	TBC
11:30-12:30	Press Conference		3 <sup>rd</sup> Floor PAP Contact: Yasmina	TBC
12:30-13:00	Lunch			
13:30-14:30				