



Security Council

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Second report of the Secretary-General pursuant to Security Council resolution 1408 (2002) regarding Liberia

I. Introduction

1. In paragraph 1 of resolution 1408 (2002) of 6 May 2002, the Security Council decided that the Government of Liberia had not complied fully with the demands in paragraph 2 (a) to (d) of resolution 1343 (2001).

2. In paragraph 2 (a) to (d) of resolution 1343 (2001), the Security Council demanded that Liberia take the following steps:

(a) Expel all Revolutionary United Front (RUF) members from Liberia including such individuals as are listed by the Committee established by paragraph 14 of the resolution, and prohibit all RUF activities on its territory, provided that nothing in this paragraph shall oblige Liberia to expel its own nationals from its territory;

(b) Cease all financial and, in accordance with resolution 1171 (1998), military support to RUF, including all transfers of arms and ammunition, all military training and the provision of logistical and communications support, and take steps to ensure that no such support is provided from the territory of Liberia or by its nationals;

(c) Cease all direct or indirect import of Sierra Leone rough diamonds which are not controlled through the certificate of origin regime of the Government of Sierra Leone in accordance with resolution 1306 (2000);

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

3. The present report is submitted pursuant to paragraph 11 of resolution 1408 (2002), in which the Security Council requested a report by 21 October 2002, and thereafter at six-monthly intervals from that date, drawing on information from all relevant sources, including the United Nations Office in Liberia, the United Nations Mission in Sierra Leone (UNAMSIL) and the Economic Community of West African States (ECOWAS), on whether Liberia had complied with the demands referred to in paragraph 1 of resolution 1408 (2002).

4. As requested in paragraph 11 of resolution 1408 (2002), the second report contains information provided to the United Nations Office in Liberia by the

Government of Liberia regarding measures taken by the Government of Liberia in compliance with paragraph 2 (a) to (d) of resolution 1343 (2001).

II. Information provided by the United Nations Office in Liberia, UNAMSIL and ECOWAS regarding Liberia's compliance with paragraph 2 of resolution 1343 (2001)

A. Information provided by the Government of Liberia through the United Nations Office in Liberia

5. As stated in my previous reports on this subject, the United Nations Office in Liberia still lacks the appropriate capacity to provide independent confirmation of claims by the Government of Liberia regarding its compliance with the demands contained in paragraph 2 (a) to (d) of resolution 1343 (2001). However, on the basis of information provided by the Government of Liberia, the Office has reported the following:

6. With regard to paragraph 2 (a) and (b) of resolution 1343 (2001), the Government of Liberia reiterated its earlier statements, contained in my second and third reports pursuant to that resolution, as well as in my previous report (S/2002/1183) pursuant to Security Council resolution 1408 (2002), to the effect that its policy of disengagement with RUF, which it adopted on 12 January 2001, remained unchanged.

7. While reaffirming the expulsion of Sam Bockarie prior to the adoption of resolution 1343 (2001), the Liberian Minister for Foreign Affairs quoting the Consul of Côte d'Ivoire in Monrovia, who had disclosed the presence of Sam Bockarie in Côte d'Ivoire, reinforced the earlier stance of the Government of Liberia that the former RUF rebel commander was not in Liberia. The Government further noted that almost one year after successful democratic elections were held in Sierra Leone, there had been no reports of armed hostilities in Sierra Leone that could be even remotely linked to Liberia.

8. On the issue of strengthening peace and security within the Mano River Union, the Government of Liberia stated that it continued to place a considerable premium on the Rabat process, in the expectation that a second summit at the capital of Morocco would help enhance the objectives of peace and security in the subregion.

9. With regard to paragraph 2 (c) of resolution 1343 (2001), the Government of Liberia reiterated earlier statements to the effect that the ban on the importation of uncertified rough diamonds continued to remain in force. Concerning the export of diamonds, the Government stated that it had now set in motion measures that would ensure that only diamonds produced in Liberia would be exported with the Kimberley Process certificate of origin. The measures included the organization of all licensed miners into cooperatives, a system to monitor the production of all miners under the coordination of the Ministry of Land, Mines and Energy, and the plan to computerize the system of identifying all miners while tracking their production and sales to licensed buyers.

10. The Government further indicated that its Ministry of Land, Mines and Energy had been designated as the official coordinator of the implementation of the

Certification Scheme with the Ministry of Finance and the Central Bank as partners. The office for the implementation of the scheme would be within the Ministry of Land, Mines and Energy. The office, to be known as the Mineral Appraisal and Certificate Centre, would be provided with all relevant equipment, including computers and Internet services established by the Kimberley Process.

11. The Government of Liberia further reported that, owing to mining activities by Liberians United for Reconciliation and Democracy (LURD) rebel movement in the diamond-producing areas, it was not in a position to determine which diamonds were being mined by the rebels. The Government, however, expressed the hope that through the steady implementation of the Certification Scheme in Liberia, the activities of LURD in the diamond areas would be curtailed.

12. The Government further noted that the Central Bank had been included as one of the agencies participating in the process to ensure that all cash purchases of rough diamonds were routed through official banking channels as prescribed by the banking laws of Liberia.

13. The Government of Liberia, through the Ministry of Land, Mines and Energy, divided the entire country into mining districts, representatives of the Ministry being present in each district. Every mining area was partitioned into parcels of 12 to 25 acres. As prescribed in the mining and minerals law of Liberia, mining was not allowed without a valid licence. The law was strengthened further by the amendment that took into consideration the recommendations laid out in the working documents under the Kimberley Process.

14. The Government also stated that at present there was no industrialized diamond mining in Liberia. All mining activities were undertaken by local or small-scale miners. The laws of Liberia provided for strict monitoring of the production of would-be mining companies as they did for skilled miners.

15. The Liberian authorities further disclosed that they planned to use computerized cards throughout the country when qualified miners were issued licences. The licence had been formatted to contain all personal data of each miner, including name, address, nationality and/or residence status and the area the miner was authorized to mine in for the particular licensee. Each miner would be given a unique identity number.

Certification

16. The certificate produced by the Government of Liberia for the exportation of Liberian rough diamonds met all the requirements set out by the Kimberley Process. These include:

- Watermark
- Fluorescent marks
- Rainbow printing
- Tear-off sections
- Unique numbering
- Copy/tamper-proof paper

17. The certificate also contained basic information on the shipment, including origin and destination; exporter and importer; weight; value; date of issuance; expiration date; validation of certificate by the exporting authority; number of

parcels in shipment; issuing authority; and description of shipment. A sample Kimberley Process certificate is annexed for ease of reference.

18. In my previous reports on the compliance of Liberia with the demands in paragraph 2 (a) to (c) of resolution 1343 (2001), I informed the Security Council that UNAMSIL had repeatedly stated that it did not possess the capacity to monitor compliance with that paragraph of the resolution.

19. With regard to paragraph 2 (d) of resolution 1343 (2001), the Government of Liberia stated that it had no additional information beyond the steps it had taken previously, prior to the submission of my first report to the Council, of 30 April 2001 (S/2001/424). In paragraph 14 (a) and (b) of my second report (S/2001/1025), I transmitted information on the measures that the Government of Liberia had adopted with regard to paragraph 2 (d) of resolution 1343 (2001). For the purposes of the present report, the Government of Liberia reiterated that its position on the matter remained unchanged.

B. Information from the United Nations Mission in Sierra Leone

20. For the present report, UNAMSIL stressed that it had not observed any indication of continued support to RUF by the Government of Liberia, either financially or logistically. UNAMSIL stated that note should be taken of the confirmed reports emanating from the Mapeh internment camp to the effect that some Sierra Leoneans had been recruited by the Armed Forces of Liberia.

C. Information provided by the Economic Community of West African States

21. An ECOWAS mediation and security verification mission, composed of representatives from Côte d'Ivoire, Ghana, Mali, Nigeria, Togo and the ECOWAS secretariat, was dispatched to Liberia from 7 to 11 April 2003 to verify that country's compliance with the demands contained in resolution 1343 (2001) as requested in paragraph 11 of resolution 1408 (2002). Guinea could not participate in the mission because of the objection of the Government of Liberia on the grounds that Guinea was involved in the Liberian conflict.

22. The mission met with officials of the Government of Liberia as well as with representatives of international organizations, diplomatic missions and members of civil society collectively referred to as unofficial sources.

Expulsion of members of the Revolutionary United Front from Liberia (paragraph 2 (a) of resolution 1343 (2001))

23. The Government of Liberia maintained that RUF as a rebel group no longer existed, since it had been transformed into a political party, the Revolutionary United Front Party (RUFPP), and had contested the elections in Sierra Leone in April 2002. However, unofficial sources indicated that some elements of RUF remained in Liberia. It was also alleged that Sam Bockarie and some RUF elements were engaged in the western front of the Ivorian conflict, with the connivance of the Government of Liberia.

**Financial and military support to the Revolutionary United Front
(paragraph 2 (b) of resolution 1343 (2001))**

24. The Government of Liberia discounted the existence of financial and military support for RUF, since RUF did not exist. Some unofficial sources claimed that there was some form of support, which had enabled some RUF elements to be involved in destabilization activities against neighbouring countries, namely Sierra Leone, Guinea and Côte d'Ivoire.

**Direct and indirect importation of rough diamonds from Sierra Leone
(paragraph 2 (c) of resolution 1343 (2001))**

25. The Government of Liberia claimed that there had been a ban on the import of rough diamonds from Sierra Leone. It asserted further that the Government had been incapable of extracting rough diamonds from Liberian territory because most of the diamond-producing areas were under the control of rebels. Unofficial sources could not confirm the existence of trade in rough diamonds from Sierra Leone. They confirmed, however, the inability of the Government to extract diamonds from areas controlled by the rebels.

Certificate of origin regime for trade in rough diamonds

26. The Government of Liberia asserted that it had taken measures to establish an internationally verifiable certification process and had received technical assistance from a South African company. The completed certification regime had been formally presented to the Kimberley Process committee in Pretoria for approval. After approval by the committee, the certification regime would be presented to the Security Council. An unofficial source confirmed the claims of the Government of Liberia on the issue.

**Use of Liberian territory by individuals and armed groups to prepare attacks
against neighbouring countries**

27. The Government of Liberia claimed that its territory had never been used by any individual or armed groups, with the approval or support of the Liberian Government, for attacks against neighbouring countries. On the contrary, the rebels of LURD and some Liberian mercenaries were receiving active support from Guinea and Côte d'Ivoire respectively to destabilize the Government of Liberia. Unofficial sources claimed that the Government of Liberia had links with some armed groups operating on the border with Guinea and occasionally made incursions into Guinean territory. Those activities had led to the death of several people on the Guinea side. Furthermore, the source claimed that the armed groups on the western side of Côte d'Ivoire had bases in Liberia and possibly the support of the Government of Liberia.

Importation of arms, ammunition, vehicles and equipment

28. The Government of Liberia informed the ECOWAS mission that it had imported arms and ammunition into the country for self-defence in the wake of the war that was forced on the Government by the rebels of LURD. The source added that the decision was in accordance with Article 51 of the Charter of the United Nations on the right to self-defence. The Security Council had been notified about the importation of arms and ammunition. That information was conveyed in a letter dated 20 March 2002 from the Minister for Foreign Affairs of Liberia to the

President of the Security Council. Unofficial sources confirmed that the Government of Liberia was indeed importing arms and ammunition as well as vehicles, in direct contravention of Security Council resolution 1343 (2001). However, some of the sources maintained that the arms embargo on the Government of Liberia was no longer justified in view of the current war with the rebels of the LURD.

D. Measures taken to comply with Security Council demands

29. The Government of Liberia stated that it had taken the necessary measures to comply with all the demands of the Security Council in the following areas:

- (a) Disengagement from and support for RUF;
- (b) Banning the importation of rough diamonds from Sierra Leone;
- (c) Preparation of an internationally recognized certificate of origin regime;
- (d) Non-use of Liberian territory by individuals or rebel groups to destabilize neighbouring countries;
- (e) Non-provision of financial, technical or related assistance to individuals or rebel groups to destabilize neighbouring countries.

30. On the issue of the importation of arms and ammunition, the Government explained that it had to invoke Article 51 of the Charter of the United Nations in order to defend the sovereignty and territorial integrity of Liberia in the wake of attacks by the rebels of LURD. The Government gave the mission a document entitled "Submission to the United Nations Panel of Experts on Liberia by the Government of Liberia".

31. The ECOWAS mediation and security verification mission observed that it had not found any evidence of support to RUF or any other armed rebel group by the Government of Liberia. Furthermore, the Government of Liberia, in cooperation with the Kimberley Process committee in Pretoria was preparing the internationally recognized certificate of origin regime. There was no evidence of the presence of RUF members in Liberia.

32. However, the mission drew attention to the following: on the basis of the discussions it held with the official and unofficial sources, the mission was of the view that the situation in Liberia was critical and required the immediate intervention of the international community in general and ECOWAS in particular.

E. Observations of the ECOWAS mission

33. The observations of the ECOWAS mission are based on the following:

- (a) According to the sources contacted, about 60 per cent of the territory of Liberia was under rebel control;
- (b) The situation of refugees and internally displaced persons was deteriorating and the humanitarian agencies had no access to most of them;
- (c) There was now no safe haven for internally displaced persons because they were constantly attacked and abducted by rebel groups and Government security agents and sent to the front lines;

(d) The political situation was fragile, especially because of threats to opponents of the Government and the abuse of human rights by Government agents and the rebel groups;

(e) Sanctions were being blamed for everything and used as a pretext for the Government not meeting its responsibilities to the people;

(f) All social services were in a state of disrepair and the working population had not been paid for months, in some cases for over one year;

(g) The Government was still not committed to dialogue with the rebels of LURD or the new group that has emerged under the name Movement for Democracy in Liberia;

(h) The sanctions did not appear to affect in any significant way the members of the Government and their close relatives.

34. Under the circumstances, the ECOWAS mission made the following recommendations:

(a) There is an urgent need for a ceasefire between the Government and the rebel groups. What the vast majority of the people of Liberia want is peace and they are looking to the international community in general and ECOWAS in particular;

(b) A formal dialogue and negotiation process should be established as soon as possible between the warring factions in the conflict;

(c) The possibility of confining Government security agents and rebel groups to prevent them from carrying out some of the atrocities that they have been accused of should be examined;

(d) An international force should be brought in to maintain peace and security, particularly in view of the impending presidential and legislative elections;

(e) There is the need to create safe humanitarian corridors to facilitate access to internally displaced persons and refugees;

(f) A way must be found to limit the flow of arms and ammunition to Liberia and the Mano River Union area;

(g) The leaders of Liberia, Guinea and Sierra Leone should be encouraged to pursue the peace process that was begun in Rabat in February 2002.

F. Observations

35. As members of the Council are aware and as the report of the ECOWAS mission indicates, the security situation in Liberia has deteriorated so badly that it has become extremely difficult to reach internally displaced persons and third country refugees who have now fallen victim to abductions, conscriptions and various gross violations of human rights.

36. Whatever decision the Council may take in response to the present report, it must not lose sight of the urgent need to find an early solution to the conflict in Liberia, whose deleterious effect is fast spreading throughout an already troubled subregion.

37. The recent visit to the three Mano River Union countries by representatives of the chairpersons of the International Contact Group on Liberia provides a glimmer of hope for the search for peace. The Government of Liberia has affirmed to the chairpersons its commitment to a direct dialogue with LURD, with a view to putting a ceasefire in place and thus halting the humanitarian tragedy that has affected most of the country.

38. I am encouraged by the decision of the Security Council to visit Liberia and its neighbours next month. I would urge that every effort be made to persuade Liberia and LURD to listen to the pleas of the Liberian people, renounce violence and give peace a chance.