



Security Council

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First 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 has complied with the demands referred to in paragraph 1 of resolution 1408 (2002).

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

Liberia, information provided by UNAMSIL on links between RUF and the Government of Liberia, and also information provided by ECOWAS 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 from 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 as follows.

6. With regard to paragraphs 2 (a) and (b) of resolution 1343 (2001), the Government of Liberia reiterated its earlier submissions, contained in my second and third reports pursuant to that resolution, to the effect that its policy of disengagement with RUF, which it adopted on 12 January 2001, remained unchanged. The Liberian authorities reaffirmed the expulsion of Sam Bockarie prior to the adoption of resolution 1343 (2001), and the Liberian Minister of Information stated that Sam Bockarie is in Ghana, with the consent of the Government of Ghana.

7. The Government further noted that Sierra Leone had just successfully held free and fair elections with the full cooperation and participation of RUF, which had since transformed itself into a political party. It further pointed to the absence of any armed hostilities in Sierra Leone for most of 2001 and 2002 as sufficiently indicating that the Government of Liberia harboured no plans to destabilize Sierra Leone or any other State in the subregion.

8. The United Nations Office in Liberia has confirmed that the Government of Liberia has studiously participated in all joint security meetings held under the auspices of the Mano River Union both prior to and after the first Rabat Summit of the heads of State of the Mano River Union, held on 27 February 2002. The Government of Liberia has also regularly participated in all other preparatory meetings, held at the level of Foreign Ministers, aimed at enhancing confidence within the Mano River Union and at preparing an appropriate agenda for the second summit of the heads of State, under the Rabat process, which has been scheduled for November 2002.

9. With regard to paragraph 2 (c) of resolution 1343 (2001), the Government of Liberia reaffirmed its ban on the importation of uncertified rough diamonds and the related ban on the export of Liberian diamonds, adding that the ban was being vigorously pursued through the Ministry of Finance, as well as through customs and security personnel of the Ministry of Justice who have been stationed at every port of entry.

10. In addition to those measures, the Government of Liberia reported that the Ministry of Lands, Mines and Energy was currently engaged with the High Diamond Council, which has now formally drawn up a draft plan of action for Liberia's diamond certification regime, under the Kimberly Process, with a view to putting in place a certificate of origin regime for Liberia. In this regard, members of the Security Council sanctions Committee on Liberia will recall that the Minister of Lands and Mines of Liberia had, early in October 2002, been granted a waiver of the travel ban to facilitate his official visit to South Africa in pursuance of the above-mentioned objective.

11. 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 outlined the measures that the Government of Liberia had adopted with regard to paragraph 2 (d) of resolution 1343 (2001).

B. Information from the United Nations Mission in Sierra Leone

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

13. For the present report, UNAMSIL reported that it had not observed any indications of the Government of Liberia's continued support of the Revolutionary United Front Party (RUF), financially or logistically. This reference to RUF by UNAMSIL, as the members of the Council are aware, stems from the fact that the RUF rebel group no longer exists in Sierra Leone, having been supplanted by RUF for the legislative and presidential elections that were held in that country in May 2002.

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

14. An ECOWAS Mission, composed of Ghana, Guinea, Mali, Nigeria and the ECOWAS Executive Secretariat, was dispatched to Liberia from 29 September to 4 October 2002 to verify Liberia's compliance with the demands contained in resolution 1343 (2001) as requested in paragraph 11 of resolution 1408 (2002).

15. The Mission met with officials of the Government of Liberia. It also met with representatives of international organizations, diplomatic missions and members of civil society groups, collectively referred to as independent sources.

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

16. According to the Government of Liberia, all known ex-RUF members have been expelled from Liberia. About 12,500 Sierra Leonean refugees in Liberia have been repatriated, and 25,000 more are awaiting repatriation with the cooperation of UNHCR and the Government of Sierra Leone.

17. Independent sources indicated that there was no evidence of the presence of RUF members in Liberia. Some sources however alleged that some RUF members may have been integrated into the security service of Liberia.

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

18. The Government of Liberia indicated that the question of financial and military support to RUF was no longer relevant because RUF had been disarmed and was no longer in existence as a fighting force. It had been transformed into a political party and had participated in the Sierra Leonean elections.

19. The personalities and organizations consulted could not provide any proof of Liberian Government support to RUF.

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

20. The Government stated that most of the diamond-producing areas were in the combat zone in north-eastern Liberia and that it was closer and easier to get diamonds to Sierra Leone than to Monrovia. Furthermore, the Liberian economy did not have the capacity to sustain the diamond trade.

21. Independent sources indicated that there was no proof of direct importation of rough diamonds to Liberia from Sierra Leone. There was consensus that the Government of Liberia received taxes from diamond concessions but had no control over the diamond trade. Those sources indicated that there was now a reverse flow of indirect trade in diamonds from Liberia to neighbouring countries.

Freezing of funds and assets of the Revolutionary United Front in Liberia (paragraph 2 (d) of resolution 1343 (2001))

22. The Government stated that it was not aware of any funds or assets belonging to RUF in Liberia. The only known account belonging to Foday Sankoh, with an amount of US\$ 500, had been frozen.

23. Independent sources contacted quoted the Government of Liberia as stating that it had frozen all RUF financial resources in Liberia, amounting to \$500 found in the bank account of Foday Sankoh. However, it was not possible to verify this information because of the confidentiality of banking transactions.

Certificate of origin regime for trade in rough diamonds (paragraph 15 of resolution 1343 (2001))

24. The Government of Liberia has tried to comply with the Security Council resolution on the issue of a certificate of origin for rough diamonds. The Government alleges that its efforts have been stalled by some powerful interests in the Security Council. Consequently, the Government has not been able to establish a certificate of origin. However, Liberia has continued to participate in the Kimberly Process and efforts are ongoing to reach agreement on the certificate of origin.

Embargo on arms and ammunition (paragraph 5 (a) of resolution 1343 (2001))

25. The Government reminded the Mission that the Security Council, the ECOWAS Mediation and Security Council and the African Union had all acknowledged that there is a war in Liberia. It therefore considered that the arms embargo against Liberia was not in consonance with Article 51 of the Charter of the United Nations. It claimed that, because of the war, there were now more arms in the subregion than before.

26. Independent sources believed that the Government of Liberia had continued to import arms and ammunition. The sources underlined the legitimate right of the Government to self-defence in a war situation. An aircraft suspected to be carrying arms was said to have crashed near Robertsfield airport in Monrovia on 15 February 2002.

D. Conditions for peace and security in the Mano River Union area

27. The Mission, after reviewing all the information received and recognizing that peace in Liberia was indispensable for stability in the subregion, made a number of recommendations, the most salient of which are:

- Urges the three countries of the Mano River Union to consolidate the progress achieved towards the restoration of peace and stability in the Mano River basin, since the Rabat Summit held on 27 February 2002.
- Encourages the three member countries to continue to work for the restoration of confidence through dialogue at all levels.
- Calls on the three member countries to scrupulously respect the Treaty on Non-Aggression and Security Cooperation which they signed in 1986.
- Encourages the Government of Liberia to create a favourable environment for an all-inclusive national dialogue by holding a truly national reconciliation conference in which all groups of Liberian society, both at home and abroad, will participate.
- Urges the Government of Liberia to make efforts to provide security guarantees and promote the fundamental freedoms enshrined in the Charter of the United Nations as necessary conditions for peace and the return of donors and foreign investors to Liberia.
- Urges the international community to assist Liberia in establishing a certificate of origin regime for the trade in rough diamonds.
- Calls on the international community to assist the Joint Commission of the Mano River Union to build institutional capacity to deal with the problems of dissidents.

III. Observations

28. There is no doubt that the ongoing conflict continues to take a huge toll on the Liberian population, in terms of the growing numbers of dead and wounded, population displacements and the attendant human suffering. Recent reports that the

Government of Liberia has proposed the allocation of half of its 2002/2003 budget to defence and security requirements is a powerful indication that no immediate relief is in sight. The recent crisis in neighbouring Côte d'Ivoire, which already hosts a huge Liberian refugee population, is likely to complicate the security situation in the subregion.

29. Given the urgent need to find an early solution to the Liberian conflict, I welcome all efforts, including the recent establishment of the International Contact Group on Liberia, the continuation of the Rabat process and the reaffirmation by the Security Council of its support for ECOWAS initiatives. I do not believe that sustainable solutions to Liberia's multiple challenges can be found through military means. I therefore regard as encouraging a recent indication by the Government of Liberia that it is prepared to engage in dialogue with dissidents of the movement Liberians United for Reconciliation and Democracy (LURD), as long as they agree to stop fighting.

30. In conclusion, I wish to urge the Security Council again to remain engaged with Liberia and its people. Peace in Liberia is vital not only for efforts to put an end to the suffering of the Liberian people but also to help consolidate the important gains made in Sierra Leone within the wider framework of promoting sustainable peace and security in the subregion.
