

# LIBERIA

## 1. PRESENTATION<sup>1</sup>

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Basic Facts <sup>2</sup>	
<b>Name of Country:</b>	Liberia
<b>Capital</b>	Monrovia
<b>Population</b>	3,042,004
<b>Total Area</b>	99,067 sq km
<b>Life Expectancy (total population)</b>	39.65 years
<b>GDP Per Capita</b>	\$1,000

Community of Democracies	
Warsaw 2000	Not Invited
Seoul 2002	Not Invited
Santiago 2005	Not Invited

### Timeline of Recent Major Events in Liberia

- **2003** June – Peace talks in Ghana aimed at ending more than a decade of civil war are overshadowed by the indictment of President Taylor by the International Special Court in Sierra Leone on account of war crimes in Sierra Leone.
- **2003** August – After months of heavy fighting in Monrovia, West African soldiers arrive and restore peace. Charles Taylor leaves Liberia for political asylum in Nigeria. The interim government and the rebel forces sign a peace accord in Ghana. Businessman Gyude Bryant is chosen to head the interim administration.
- **2003** September-October – UN launches a major peacekeeping mission in Liberia (UNMIL), with more than 15,000 soldiers, at that time its largest mission.
- **2004** March–December – More than 103,000 former combatants from the warring parties are disarmed and demobilized by UNMIL. Funding shortfalls create problems with the reintegration of those fighters into civilian life.
- **2005** June – UN Security Council extends the arms embargo and a ban on Liberian diamond and timber exports, citing concerns about the regulatory capacity of the interim government.
- **2005** September – Liberia agrees to a plan which would put the country's finances under international supervision in order to counter widespread corruption.
- **2005** November 23 – Following peaceful parliamentary and presidential elections, Ellen Johnson-Sirleaf is the first woman to be elected as an African head of state. She assumes office in January 2006.
- **2006** February – The Liberian Truth and Reconciliation Commission (TRC) is set up to investigate human rights abuses between 1979 and 2003.

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<sup>1</sup> Principal author: Center for Democratic Development - Ghana

<sup>2</sup> CIA World Fact Book and country profile from [www.bbc.co.uk](http://www.bbc.co.uk).

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- **2006** April – Charles Taylor appears before the Special Court in Sierra Leone on charges of crimes against humanity. In June the International Criminal Court (ICC) in The Hague agrees to host his trial.
- **2006** October – Truth and Reconciliation Commission begins to take statements.
- **2006** November – Truth and Reconciliation Commission announces that it will suspend its statement-taking activity due to insufficient funds

## 2. BACKGROUND

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Liberia has been plagued by civil unrest since 1980 when Master Sergeant Samuel Doe overthrew the civilian government of President William Tolbert and formed a military junta (*People's Redemption Council*). The coup also brought an end to the minority rule of the American-Liberians, descendants of liberated American slaves, which for more than a century had dominated the country's political system and economy. In 1989 the Ivoirian-backed National Democratic Front of Liberia (NDFL) under the leadership of Charles Taylor conquered most of the country's territory. During the first phase of the civil war (1989-1996) more than 200,000 Liberians died and the infrastructure of the country was destroyed. Despite the military intervention by the *Economic Community of West African States* (ECOWAS), it took several diplomatic attempts until a peace agreement was signed. Charles Taylor emerged victorious from the internationally-supervised presidential elections and took office in 1997<sup>3</sup>. While Taylor took several formal steps towards the return to constitutional government, he effectively created an authoritarian and repressive presidential system<sup>4</sup>. By alienating the ethnic groups of the Krahn and Mandingo, which had formed the backbone of Doe's regime, he sowed the seeds of discontent, which culminated in the formation of the rebel group *Liberians United for Reconciliation and Democracy* (LURD) and the return to civil war in Liberia in 1999. Taylor pursued a strategy of deliberately destabilizing the neighbouring states of Guinea, Sierra Leone and Côte d'Ivoire, partially in order to use foreign resources (such as diamonds from Sierra Leone) to finance his military campaigns, but also in order to punish regional governments for assisting LURD<sup>5</sup>.

The second phase of the Liberian civil war (1999-2003) ended with the ousting of Charles Taylor and the deployment of ECOWAS peacekeeping forces (soon to be replaced by United Nation's Blue Helmets). Among the reasons for the end of the fighting was a series of political and military defeats for Charles Taylor which included the end of the civil war in Sierra Leone (and as a result the end of diamond revenue for Taylor), the failed military intervention in Guinea and the military stalemate in Côte d'Ivoire. Another contributing factor was the growing effectiveness of the international embargo on arms exports to and diamond and timber imports from Liberia. Governed by a transitional regime – incorporating representatives from the various armed groups – under the protection of the *United Nations Mission in Liberia* (UNMIL), the Liberian

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<sup>3</sup> Harris, 1998.

<sup>4</sup> Ellis, 1999.

<sup>5</sup> Smith and Wiesmann, 2003.

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people began the difficult task of rebuilding the physical and social infrastructure of the country.

Before the war, Liberia had been a relatively prosperous exporter of steel, rubber, timber and diamonds, as well as an off-shore haven for banking and other service industries. Today, the country's economy is devastated. The estimated unemployment rate is in the range of 80-85 percent and the country has constantly been ranked at the very bottom in terms of indicators for human development<sup>6</sup>. The problems posed by the resettlement of several hundreds of thousands of refugees and internally-displaced people, as well as the reintegration of more than 100,000 demobilized former combatants have been a serious challenge for development. Matters were further complicated by the fact that the transitional government, after a promising start, quickly sank into a maelstrom of economic mismanagement, questionable policy decisions and widespread corruption. Those developments led to disillusionment within the donor community and contributed to the United Nations Security Council's decision to maintain a trade embargo on key Liberian resources.<sup>7</sup>

Liberia's first democratic parliamentary and presidential elections in late 2005 were supposed to end the transition hiatus and to establish a legitimate government. After a hotly contested run-off election, Ellen Johnson-Sirleaf took office in early 2006 as the first female African head of state. While the President, a former international public servant, is seen as a credible partner for the international community, the Liberian parliament is heavily fragmented and dominated by members of the various armed movements, including known war criminals.<sup>8</sup>

Immediately after she took office, President Johnson-Sirleaf outlined her 'First 150 Days Action Plan', which outlined several tangible deliverables that her government hoped to achieve. According to the document, the four pillars of the plan, "each of equal importance", include: (1) expanding peace and security, (2) revitalizing economic activity, (3) rebuilding infrastructure and providing basic services, and (4) strengthening governance and the rule of law. Johnson-Sirleaf also embraced the *Governance and Economic Management Plan (GEMAP)* initiated by the previous administration following substantial donor pressure, which essentially established international control over key government portfolios. While most international analysts agree that the most important achievement of present-day Liberia has been the success and the peacefulness of the 2005 elections, substantial challenges remain both with regard to economic governance and security sector reform.<sup>9</sup>

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<sup>6</sup> United Nations Development Program, 2006.

<sup>7</sup> Global Witness, 2006a.

<sup>8</sup> International Crisis Group, 2005.

<sup>9</sup> International Crisis Group, 2006a.

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## 3. ANALYSIS

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During the three years since the end of the civil war in 2003, the country has been going through a period of rapid and positive political change from authoritarian rule under Charles Taylor via an intermediary period under the transitional government of Gyude Bryant to the election of reform-minded Ellen Johnson-Sirleaf in late 2005. All these changes took place under the watchful eye of UNMIL, and many political reforms of the recent past are the direct result of donor interventions. Given the high degree of dependency on international assistance and the almost complete reliance on the United Nations for security, Liberia resembles an international protectorate more than a sovereign state. Therefore it is difficult to predict to what extent the many positive changes of the past three years will be sustainable after an eventual withdrawal of the international community.

### **Democratic Institutions and Processes**

In the past three years, Liberia has taken important steps with regard to popular participation, culminating in the successful parliamentary and presidential elections of October and November 2005. This process was organized, financed and monitored by UNMIL, therefore it is too early to draw any conclusions on the future of free, fair, periodic and competitive elections in Liberia. The elections were contested by 22 presidential candidates, 206 candidates for the 30 senatorial seats and 512 candidates, representing a total of 30 political parties, two alliances and one coalition.<sup>10</sup>

With seven major political parties represented in the Liberian Congress, a multi-party political system seems to have emerged in Liberia. On political participation and elections, the country's electoral system has been classified as only partly free. The party system is extremely fragmented, although members of the wide spectrum of political parties now existing in the country operate openly and freely. However, a number of senior political leaders in the current Congress are tainted by allegations of war crimes committed during the civil war.<sup>11</sup> Liberia's political rights' rating from Freedom House has recently improved from 5 to 4 due to the fair and competitive elections for the presidency and legislature.<sup>12</sup>

### **Rule of Law**

After fourteen years of civil war, the Liberian justice system is suffering from a profound institutional breakdown. As many legal practitioners have left the country during the conflict and the remaining professionals often opt for private practice rather than for public service, this brain drain had serious repercussions for the judiciary. Many remote areas of the country are left without magistrates, while the few functioning courts

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<sup>10</sup> International Crisis Group, 2005.

<sup>11</sup> "Liberia: Figures from country's violent past cruising to legislative posts", UN Integrated Regional Information Network, 21 October 2005.

<sup>12</sup> Freedom House, 2005:

<http://www.freedomhouse.org/template.cfm?page=22&year=2006&country=7001>

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in the urban areas are struggling to deal with a growing case load. Both the physical and human resources available to the justice system are very inadequate. According to a recent study, more than half of Liberia's 300 justices of peace are illiterate, while only three of the country's 130 magistrates are trained lawyers.<sup>13</sup> Given the low and irregularly-paid salaries of the magistrates (on average 22 US\$ per month), many of them have turned to charging excessive and illegal fees to hear cases. Meanwhile court houses, police stations and detention centers were destroyed by the war, leading to a situation in which entire districts are either left without representatives of the statutory law system, or where alternatively judges try cases without adequate material and legal assistance in private houses. Liberia therefore faces serious challenges with regard to the administration and enforcement of the rule of law.

Matters are further complicated by the fact that the Liberian legal system is characterized by the co-existence of statutory law, United States common law and state-sponsored African customary law. In addition, there are local conflict resolution mechanisms beyond the oversight of the state. The almost complete breakdown of the statutory system in most of the country during the war has increased the importance of the customary system, and justices of the peace are hearing cases which are beyond their legal mandate. While these justices are often well accepted by the local communities they serve, their lack of legal training raises serious questions. Customary judges, whose brief does not extend much beyond petty theft, have been known to handle cases involving serious crimes such as rape and assault. In line with customary practices, a court settlement for these cases often involves the payment of financial compensation, rather than the prison sentences provided for by statutory law.

Given the widespread incidences of gender-based violence, rapists are often able to avoid imprisonment by paying "damages" as low as US\$6 to the victim's family, creating serious concerns about the government's commitment to the protection of women's rights and gender equality. According to recent media reports, only one single offender is currently serving a prison sentence on account of rape.<sup>14</sup> Depending on ethnic group, religion, and social status, many women continue to suffer from physical abuse and traditional societal discrimination, despite constitutionally guaranteed equality.

Justices of peace often run private detention facilities and sentence defendants to unlawful fines, raising concerns with regard to the citizens' right to freedom from arbitrary arrest. These problems extend beyond the realm of customary law and include the statutory system, where prisoners in Monrovia's overcrowded prison have been known to wait for months or even years without trial, seriously infringing on their right to a fair trial and presumed innocence.

Among the legacies of the Doe and Taylor administrations is the growth of a culture of impunity. There are indications that the transitional government of Gyude

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<sup>13</sup> International Crisis Group, 2006b.

<sup>14</sup> "Liberia: Child rapists walk free for a few dollars", UN Integrated Regional Information Network, 25 July 2006.

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Bryant (2003-2005) did little to address these issues, as several high-profile corruption cases involving the plundering of state assets were not prosecuted by the state. While UNMIL's mandate includes the restructuring of the justice and law enforcement system, the focus during the past year has been on the organization of the elections, while the reform of the justice system has not been adequately addressed by the Liberian government and the donor community.

Most Liberians remain unaware of their constitutional rights, while access to the justice system depends on the availability of sufficient funds. The brand of justice provided by the customary authorities meanwhile remains arbitrary in the absence of effective state oversight. This situation creates serious challenges for the equality before the law and equal access to it.

### Human Rights

Freedom of assembly is respected in Liberia. A multitude of civil society groups, including human rights organizations, operate in the country. Freedom of religion is guaranteed by the country's constitution. Before the outbreak of the civil war, the relations between Liberia's Christian majority and Muslim minority were by and large amiable. However, in the wake of the country's civil war, members of Muslim Mandingo minority have complained about religious persecution and have on occasion been the victims of violent pogroms.<sup>15</sup>

Freedom of the press is also guaranteed by law. However, the media is judged to be not entirely free despite the fact that journalists face far less harassment than they did before 2003. *Reporters without Borders* ranked Liberia 83<sup>rd</sup> (along with Cameroon) in 2006 and chronicled only one serious incident during the election campaign, when journalists were attacked by the supporters of one of the presidential candidates.<sup>16</sup> A large number of privately-owned newspapers are available in Monrovia and in other major cities, while a growing number of short-wave radio stations broadcast throughout the country, including stations operated by UNMIL and by the Catholic Church.

Labour rights including the right to strike, organize, and bargain collectively are guaranteed by law, but there is little trade union activism because of a lack of economic activity in the formal sector. Two union federations represent some 60,000 workers, but most of them are unemployed. Forced labour exists in rural areas, and child labour is widespread.<sup>17</sup>

The Liberian Truth and Reconciliation Commission (TRC) commenced operations in October 2006, with the assistance of UNMIL, by beginning the work of

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<sup>15</sup> "Liberia: Ethnic tensions high as returnees claim homes, land", UN Integrated Regional Information Network, 22 May 2006.

<sup>16</sup> Reporters without Borders, 2006.

<sup>17</sup> "Liberia: 15,000 child labourers are sent back to school", UN Integrated Regional Information Network, 1 August 2006.

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taking statements. However, in late November 2006, the TRC announced that it would suspend all statement-taking due to financial constraints.<sup>18</sup>

There have been some efforts towards establishing an Independent National Commission on Human Rights. President Johnson-Sirleaf was, as of December 2006, considering candidates for membership in the Commission.<sup>19</sup>

### Governance and Corruption

Liberia is regarded as one of the most corrupt countries of the world. In 2005 it was ranked 137<sup>th</sup> out of 158 countries by Transparency International's Corruption Perceptions Index.<sup>20</sup> Corruption has long been endemic, and is widely recognized as having contributed to the country's political instability and ensuing armed conflicts.<sup>21</sup> The looting of state assets by members of the political elite, combined with the total neglect of ordinary citizens, who are dependent on international agencies or private institutions for basic services such as health care and education, had not ended with the departure of Charles Taylor. Foreign diplomats and international analysts have blamed the transitional government of Gyude Bryant for both economic incompetence and corruption. In December 2005 the United Nations released a report stating that the government's financial administration was "weak with an archaic internal control system and virtually non-existing external oversight system."<sup>22</sup>

Government officials and legislators have been implicated in a number of high-profile corruption cases, ranging from the theft of public assets to shady deals involving the granting of mining licenses to foreign companies during the transition phase.<sup>23</sup> The new government of President Johnson-Sirleaf has promised to introduce measures to reduce corruption – including a substantial raise for public sector employees. In the autumn of 2006, President Johnson-Sirleaf signed into law the ratification of the African Union Convention on Preventing and Combating Corruption and the United Nations Convention against Corruption.<sup>24</sup>

### Public Order and Security Sector Reform

Following the end of conflict in 2003, the United Nations was tasked with disbanding the security apparatus of Taylor's government and to re-build the police and the armed forces of the country from scratch. As part of the Disarmament, Demobilization and Reintegration (DDR) process in 2004, more than 103,000 former combatants were demobilized. Despite many problems – among the most serious a lack of funding for the reintegration of those combatants – the process is now regarded as a

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<sup>18</sup> UN Security Council (December 2006).

<sup>19</sup> UN Security Council (December 2006) p8

<sup>20</sup> Transparency International, 2005.

<sup>21</sup> Ellis, 1999; International Crisis Group, 2004.

<sup>22</sup> "Liberia: Ex-rebel official, Taylor's former son-in-law to head new parliament", UN Integrated Regional Information Network, 13 January 2006.

<sup>23</sup> Global Witness, 2005; Global Witness, 2006b.

<sup>24</sup> UN Security Council (December 2006)

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success.<sup>25</sup> Despite the ongoing conflict in neighbouring Côte d'Ivoire and instability in Guinea, UNMIL has succeeded in keeping the peace in Liberia, even though persistent rumours in Monrovia talk about continuing links between 'demobilized' Liberian warlords and armed groups elsewhere in the region. The proliferation of small arms and light weapons across the open borders also constitutes a potential risk for public security in Liberia.<sup>26</sup>

UNMIL has been training a new police force of about 3,500 officers, while the United States has begun to support the build-up of new armed forces for Liberia with an ultimate strength of 2,000 soldiers. In both cases, applicants were carefully screened for past human rights abuses. During training, respect for human rights is a key component of the curriculum.<sup>27</sup> Human Rights Watch notes that during 2005, UNMIL peace keepers and civilian police consolidated their control throughout all major Liberian towns, which led to significant improvements in the protection of civilians. However, serious institutional deficiencies within the national police force and judicial system seem prevalent. The illegal occupation of rubber plantations by former rebel leaders who refuse to recognize the legitimacy of the Liberian government,<sup>28</sup> violent riots by ex-combatants mostly in response to delays in reintegration programs,<sup>29</sup> as well as the emergence of vigilante groups formed to combat rising crime in the face of an incompetent police force<sup>30</sup> were worrying developments during 2005.

A number of individuals known to have committed human rights abuses in the past were elected or appointed into public office. Several individuals subject to United Nations sanctions for their engagement in activities aimed at undermining security in Liberia and the sub-region, and a few former high-level military commanders against whom there are credible allegations of responsibility for serious human rights abuses were voted into office in the 2005 elections. While democratic control of the armed forces is relatively secure as long as the responsibility for public order ultimately rests with UNMIL, the abusive record of these persons raises concerns that they may in the future resort to force and other extra-legal measures to undermine the rule of law in Liberia.<sup>31</sup>

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<sup>25</sup> Paes, 2005.

<sup>26</sup> Florquin and Berman, 2005.

<sup>27</sup> Ebo, 2005.

<sup>28</sup> "*Liberia: Former fighters ordered off rubber plantation*", UN Integrated Regional Information Network, 26 May 2006.

<sup>29</sup> "*Liberia: Former rebel fighters riot to demand promised cash*", UN Integrated Regional Information Network, 27 January 2005.

<sup>30</sup> "*Liberia: Vigilante gangs patrol streets as police force rebuilds*", UN Integrated Regional Information Network, 18 October 2006.

<sup>31</sup> Human Rights Watch, 2006.

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## 4. SUGGESTIONS FOR IMPROVEMENT

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Liberia has made substantial progress on the path towards democracy in the past three years since the end of the civil war. The new government faces daunting challenges in four complex and interrelated problem clusters: (1) Rule of Law and the Judiciary; (2) Governance and Corruption; (3) Political Participation and Civil Liberties and (4) Public Order and Security Sector Reform. In addition, the government has to take steps to jump-start the country's economy and to tackle the unemployment issue in order to avoid popular dissatisfaction and possible unrest.

While international agencies have taken first steps towards the reconstruction of the country's energy and transport infrastructure as a precondition for foreign investment, on the political front the donor community had focused on the parliamentary and presidential elections in 2005. Widely seen as a resounding success, the international community now has the responsibility to assist the new government in tackling the political reform agenda. Despite visible progress in the area of political participation and civil liberties, more needs to be done in the other three fields.

The low level of transparency and accountability in Liberia is troubling and represents a real threat to the economic, social and political reconstruction of Liberia. Judicial structures need to be rebuilt, but there are not enough qualified judges to fill the positions and to ensure proper administration of the law. Despite these challenges, there is an air of optimism that Liberia is finally on the road to peace, partly fostered by the new government and also the presence of UN peacekeepers.

Liberia is dependent upon the political and financial support of the international donor community, the United States, the European Union, ECOWAS and other bilateral partners to pursue democratization and political transformation. Post-election development toward democracy is unlikely to remain constant; the need for intensive support over an extended period is essential.

The international community has high expectations with respect to the new government. The continuation of financial assistance will depend on the government's progress—especially in guaranteeing good governance, financial transparency, government and administrative accountability, effectively organizing the separation of powers, and in enforcing the rule of law and human rights.

## 5. COUNTRY STATISTICS AND INDICATORS

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World Bank Institute Governance Indicators 2005	Liberia Score	Key
Voice and Accountability	24.2	Range 0-100 (Lower value indicates weak voice and accountability; higher value indicates strong voice and account)
Political Stability and Absence of Violence	8.5	Range 0-100 (Lower value indicates weak political stability and high violence; higher value indicates opposite)

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Government Effectiveness	6.7	Range 0-100 (Lower value indicates weak government effectiveness; higher value indicates strong govt. effectiveness)
Regulatory Quality	4	Range 0-100 (Lower value indicates weak regulatory quality; higher value indicates strong regulatory quality)
Rule of Law	2.4	Range 0-100 (Lower value indicates weak rule of law; higher value indicates strong rule of law)
Control of Corruption	10.8	Range 0-100 (Lower value indicates weak control of corruption; higher value indicates strong control of corruption)

Freedom House: Freedom in the World 2007	Liberia Score	Key
Political Rights	3	Range 1-7 (Lower value indicates good system of political rights; higher value indicates bad system political rights)
Civil Liberties	4	Range 1-7 (Lower value indicates good system of civil liberties; higher value indicates bad system civil liberties)
Status	PF	3 Categories: F (Free); PF (Partly Free); NF (Not Free) / (*) Indicates electoral system

Freedom House: Freedom of the Press 2006	Liberia Score	Key
Total Score	73PF	Range 0-100 (Lower value indicates total free press; higher value indicates less freedom) / 3 Categories: F (Free); PF (Partly Free); NF (Not Free)

Bertelsmann Transformation Index 2006	Liberia Score	Key
Stateness	3.0	Range 0-10 (Lower value indicates negative democratic development; higher value indicates positive democratic development)
Political Participation	3.5	
Rule of Law	2.8	
Stability of democratic Institutions	2.0	
Political and Social Integration	2.7	
Total Score Political Transformation	3.18↓	Range 0-10 (Lower value indicates negative democratic development; higher value indicates positive democratic development) / Arrow shows trend in democratic development (↑Improved; ↓Worsened)
Total Score Political Management	3.62	Range 0-10 (Lower value indicates lower quality of political management; higher value indicates higher quality of political management)

Corruption Perceptions Index 2006	Liberia Score	Key
Total Score	2.2	Range 0-10 (lower value indicates high corruption; higher value indicates lower values of corruption)

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