



**REPUBLIC OF LIBERIA  
TRUTH AND RECONCILIATION COMMISSION**

Volume Three:

**APPENDICES**

**Title II:**

Children, the Conflict and the TRC Children Agenda





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## Final Statement from the Commission

Nearly three and half years ago, we embarked upon a journey on behalf of the people of Liberia with a simple mission to explain how Liberia became what it is today and to advance recommendations to avert a repetition of the past and lay the foundation for sustainable national peace, unity, security and reconciliation. Considering the complexity of the Liberian conflict, the intractable nature of our socio-cultural interactions, the fluid political and fragile security environment, we had no illusion of the task at hand and, embraced the challenge as a national call to duty; a duty we committed ourselves to accomplishing without fear or favor.

Today, we have done just that! With gratitude to the Almighty God, the Merciful Allah and our Lord and Savior Jesus Christ, we are both proud and honored to present our report to the people of Liberia, the Government of Liberia, the President of Liberia and the International Community who are “moral guarantors” of the Liberian peace process.

This report is made against the background of rising expectations, fears and anxiety. The vast majority of us who are victims or survivals of the massive wave of atrocities induced by the conflict, expect that all the recommendations contained in this report will be implemented and reparations in the forms of compensation, policy and institutional reforms, specialized services, restitution or financial relief, will address all our social, economic, cultural, civic and political rights issues, ensure accountability, undermine impunity and foster national healing and reconciliation.

The few of us who commanded the forces of arms, financed, resourced and provided political and ideological guidance to several warring factions, we fear alienation, prosecutions and other forms of public sanctions which may undermine our current socio-economic and political stature acquired during the conflict period.

Though this latter group of us equally desire national healing and reconciliation, it should be accomplished without any cost to our current standing and prestige. Bygones must be bygones. Having no regard for the rule of law, we ignored the TRC Process and when we opted to cooperate and appear before the Commission, we deliberately lied and failed to speak truthfully about the scale of our participation and deeds as a show of remorse and contrition which acknowledges the pains and sufferings of victims and triggers the national healing and reconciliation

we profess to desire.

A true transitional justice process, as the TRC of Liberia, is never a perfect human endeavor; and will not satisfy all segments of our society. It is equally true that the TRC may never meet all the expectations or allay all the fears of contending interests it naturally arouses. Expectations, fears and anxieties, justifiably so, are products of the TRC process and not its outcome. The process is what justifies or legitimizes the product or the outcomes.

The outcome in this report is the product of deliberate planning and engagement with all segments of our society centering on all 15 counties of Liberia and the Diaspora. Capturing over 22,000 written statements, several dozens of personal interviews and over 500 hundred live public testimonies of witnesses including actors, perpetrators, and direct victims; a national regional consultation with county stakeholders and a national conference on reconciliation and the way forward provided the Commission a national perspective of the conflict, its causes, trends, impacts and the vision and aspirations of the people of Liberia for a better future. The Commission incorporated desk research, media publications and human rights reports of very prominent international and local human rights institutions into its work. So guided and informed, the Commission is well poised to make this report and draw the conclusions and make the recommendations contained in this report which in four volumes documents the comprehensive work of the Commission.

We extend appreciation to all, locally and internationally, who supported and worked with the Commission to ensure it succeeds at its mandate. We mention the Government of Her Excellency, Ellen Johnson-Sirleaf, the National Legislature including the House Standing committee on Peace and Reconciliation, The International Contact Group on Liberia (ICGL), Minnesota Advocates for Human Rights and the hundreds of volunteers across the USA, the media and dozens of civil society institutions, who were very interested and supportive of the process and lastly but not the least, the people of Liberia everywhere, not only for their support but most importantly for their abiding faith and confidence in the process and our ability to successfully navigate and pilot suavely through the many turbulences we encountered along the way.

We call on all to view this report and use it as a tool, blueprint and foundation for carving a better, brighter and more secured future for posterity. The purpose of our work was not necessarily to please anyone

but to objectively and independently execute the mandates of the TRC realistically and objectively in patriotic service to the nation in unraveling the truth of our national nightmare. This report is our roadmap to liberation and lasting peace which means that reconciliation in Liberia is never again an elusive goal. It is both a possibility and a reality we must achieve by opening our hearts and accepting the realities and consequences of our national existence and move forward. This report is a contribution to that process and it is our prayers that all Liberians will see it that way and work for the full implementation of the recommendations without fear or favor or respect for any man. When we do this, the love of liberty “which brought us here” will “bring us together” under God’s Command so that this sweet and glorious land of liberty will forever be ours.

**Jerome J Verdier, Sr.**  
**Counselor-at-Law**  
**Chairman**

*Dated in Monrovia this 30th day of June A.D. 2009*





# 1 INTRODUCTION

## 1. INTRODUCTION

*"I want to the TRC to help us have good health and free education for our country Liberia. I want the TRC to help us to redevelop our country Liberia and finally, I want the TRC to help us have a peaceful nation, not go back to war."*<sup>1</sup>

*"Help us children to get health and education in Liberia. Help the war affected children to restore peace, unity and love."*<sup>2</sup>

Liberia's children have a deep desire to grow up like children again. They want to feel safe, secure, and live in a stable environment, in the midst of their families and communities. The needs they express are fairly basic. Like children anywhere in the world, they want their country to deliver security, free education, clean drinking water, and health services for all, to fully develop their potential and have a life with opportunities for growth, social and professional mobility in a country they can be proud of.

However reality for Liberia's future generation has taken a different turn. Children have been battered and brutalized by the Liberian wars. They were deliberately targeted by armed groups and forcibly abducted, recruited, held as slave laborers and sexual slaves, raped, tortured and otherwise physically abused. Many of them were given guns and drugs and turned into fighters and killers themselves. The least fortunate of them were killed, either deliberately targeted or from the years of neglect, displacement and deprivation that came with more than a decade of wars. Their families and communities were torn apart and uprooted and their lives were marked by fear, flight, and widespread exploitation.

Liberian children feel like they have been forgotten by adults, in particular the adults that run the country and make decisions that impact on their lives and wellbeing. Before the war, they were let down by an inequitable system and an authoritarian yet weak state that was unable to protect them or to afford them life chances that every child has a right to enjoy. While the tradition that the entire community looks after every child in that community afforded children certain social safety nets against neglect, abuse, and deprivation, they were still seen as lesser human beings that had to be controlled by communities, bound by duties rather than entitled with individual rights.

Since the earliest days of the founding of the Liberian state, it was dominated by a

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<sup>1</sup> Statement by a girl who participated in the TRC Awareness Raising Workshop, Gbargna, Bong County, October 19-20, 2007.

<sup>2</sup> Statement by a boy who participated in the TRC Awareness Raising Workshop, Gbargna, Bong County, October 19-20, 2007.

settler oligarchy of freed slaves and their descendents that consolidated the rule of the few through authoritarianism, the control of most resources in the country, and open favoritism for descendents of settlers and their interests. Investments into infrastructure, schools, and health services were focused on Monrovia and a few coastal towns and regions. The largest part of the country remained largely underdeveloped, with the majority of the children lacking access to educational and health facilities and professional opportunities. This history of deprivation of large parts of the country and large sections of the population left many children extremely vulnerable to potential exploitation and abuse.

The open repression of the majority of the Liberian population led to increasing claims by indigenous Liberians for a share of power and rule. As the settler regime was unable to fully open up to their aspirations, Samuel K. Doe, a junior military officer took power in a military coup in April 1980, with the aspiration to fully claim the rights of the indigenous population. However, Doe's rule was marked by corruption, repression, and a growing ethnicization of politics and privilege in Liberia. After another coup attempt in 1985, Doe's regime retaliated against members from the Gio and Mano ethnic groups. When an insurgent movement led by Charles Taylor, a former government member and descendent of a settler family, attacked Liberia on December 24, 1989, it quickly found followers among the persecuted ethnic communities and all-out war ensued that pitched ethnic communities against each other and led to fierce fighting during which entire villages, including children, were targeted and terrorized for their ethnic identity. The civil war that followed saw the emergence of a large number of rebel factions as well as militias loyal to the Government. In a society where children have traditionally been considered to be willing resources in the service of adults, all the armed groups quickly started forcibly enlisting children to support their military machines as fighters, porters, cooks, or personal and sexual slaves. The first war ended in 1996 and Charles Taylor was elected President in 1997. His continued repressive and divisive policies led to renewed attack by newly formed rebel groups starting in 1999 and culminating in a fierce battle to control Monrovia in 2003, until Charles Taylor left the country and a peace agreement was signed in 2003.

The period from 1989 to 2003 thus saw tens of thousands of children be part of the war effort and hundreds of thousand affected by constant insecurity, fear, flight and displacement, hunger and disease. This decade and a half of instability has caused immeasurable damage to the country's social fabric and has left deep scars on the national psyche and in particular on the country's children. Because children were deliberately targeted and became victims and witnesses of unspeakable atrocities, but also were forced to participate in hostilities, it was evident that children's voices and views needed to be an integral part of Liberia's post-conflict peacebuilding and reconciliation efforts. The Accra Peace Agreement of 18 August 2003 highlighted the importance for the Liberian Government (at the time the National Transitional

Government of Liberia (NTGL)) to “accord particular attention to the issue of the rehabilitation of vulnerable groups or war victims (children, women, the elderly and the disabled)” and mandated in Article 12 the creation of a Truth and Reconciliation Commission “as an opportunity for both the victims and perpetrators of human rights violations to share their experiences, in order to get a clear picture of the past to facilitate genuine healing and reconciliation.”<sup>3</sup>

In light of the extent and degree of suffering inflicted upon the country's children, the Liberian Parliament tasked the Truth and Reconciliation Commission in its founding Act to specifically investigate the whole range of violations suffered by Liberia's children during its mandated period of inquiry from 1979 to 2003. Specifically, it tasked the TRC with the following:

- **Investigating gross human rights violations and violations of international humanitarian law** as well as **abuses** that occurred, including **massacres, sexual violations, murder, extra-judicial killings** and economic crime...<sup>4</sup>
- **Helping restore the human dignity of victims and promote reconciliation by providing an opportunity for victims, witnesses, and others to give an account of the violations and abuses** suffered and for perpetrators to relate their experiences...giving **special attention to... the experiences of children and women during armed conflicts in Liberia.**<sup>5</sup>
- **Adopting specific mechanisms and procedures to address the experiences of women, children and vulnerable groups, paying particular attention to gender based violations,** as well as to the issue of **child soldiers,**...
- **addressing concerns and recommending measures to be taken for the rehabilitation of victims** of human rights violations in the spirit of national reconciliation and healing.<sup>6</sup>
- **Compiling a report that includes a comprehensive account of the activities of the Commission, and its findings.**<sup>7</sup>

The TRC's mandate resonated deeply with Liberian children, who are yearning to learn the lessons from the past and to move on to construct a better country. The following statement by a boy, who participated in a TRC workshop in Grand Cape Mount County in 2007, is indicative of the high hopes and expectations that many children had for the TRC and for the role it can play in overcoming the inequalities of the past and in achieving peace and reconciliation in Liberia:

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<sup>3</sup> Peace Agreement Between the Government of Liberia (GOL), The Liberians United for Reconciliation and Democracy (LURD), The Movement for Democracy in Liberia (MODEL) and the Political Parties, Accra, Ghana, 18th August 2003.

<sup>4</sup> TRC Act, Art. IV, section 4a.

<sup>5</sup> TRC Act, Art. VII, section 26 f.

<sup>6</sup> TRC Act, Article IV, section 4e.

<sup>7</sup> TRC Act, Art. IV, section 4f.

*“The TRC should make it possible that all Liberians forget about the war. They should get the experiences of children. They should make it possible that there is no more war in this country, no conflict among tribes, no conflict among religions and there should be unity.”<sup>8</sup>*

Pursuant to these instructions, this chapter will document in detail the experiences of children during Liberia's conflict. It will first provide an overview of the measures taken and tools used by the TRC to implement the mandate given by the Liberian National Assembly with respect to documenting child rights violations during the conflict and addressing the concerns, interests, and needs of children in post-war Liberia. Subsequently, it will offer important context to the examination of wartime violations against children by analyzing the situation of Liberian children before 1979 and by discussing the legal status of children in the country under Liberian law and relevant international law. Subsequently, the chapter will discuss in detail children's involvement in the war and their suffering during the war.

Notably, it will analyze the direct impact of violent conflict on children by documenting specific violations suffered by children as victims. It will then discuss the direct impact of children's involvement in combat and their dual role as victims and actors in the war. Finally, it will take a close look at the indirect impact of the wars on Liberia's children, mainly through war's effect on their family and social environment, their socio-economic situation and on educational and health infrastructure of the country.

Two concluding sections will present findings that document children's self-expressed needs and desires for the future and provide detailed recommendations for the GOL to address those needs and concerns and to ensure that children's desire for justice is addressed, their war trauma is dealt with, their social and family environment is restored, and their social, educational, and professional opportunities are improved so that they can face a brighter future and can play a constructive role in the country's healing process.

Children's rights have been so brutally violated for so long that only a holistic strategy of systematically addressing the best interest of every child across all policy areas can help Liberia's war-battered generation to regain a sense of self-confidence and pride in their country that will allow them to build a better and more peaceful future.

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<sup>8</sup> Statement by a boy who participated in the TRC Awareness Raising Workshop, Madina, Grand Cape Mount County, 16-18 November 2007.



*Drawing by Adama Cisse on his Vision of a Peaceful and Prosperous Liberia, Submission to the TRC Children's Art Gallery.*

**2**  
**THE TRC'S MANDATE AND  
OPERATIONAL ASPECT**

## 2. THE TRC'S MANDATE AND OPERATIONAL ASPECTS

The TRC Act gave the Commission an unprecedented mandate to include children systematically throughout the entire truth seeking and reconciliation process. To fulfill this mandate and to adopt “specific mechanisms and procedures to address the experiences of...children and vulnerable group, paying particular attention to...child soldiers” (TRC Act, Article IV, section 4e) and to give “special attention to... the experiences of children and women during armed conflicts in Liberia” (TRC Act, Art. VII, section 26 f), the Commission had to ensure that its procedures and processes be in accordance with international child protection standards. It thus undertook significant preparatory work and acquired the necessary technical expertise through partnerships with a number of specialized agencies and civil society organizations.

### 2.1 Key Partnerships and Coordination

#### *The TRC and the CPA Task Force*

There are a large number of civil society organizations specializing in children's protection and advocacy for children's issues in Liberia. A small number of these organizations, notably faith-based organizations have been actively working to improve the lives of Liberian children for decades. However, a larger portion of them came into being during the war, often through their involvement in disarmament, demobilization, rehabilitation and reintegration programming, which first occurred in Liberia in 1996/97, and then at a larger and more comprehensive scale in since late 2003.

CPAs were closely involved in identifying and demobilizing child soldiers, reunifying them with their families and assisting in children's reintegration in their home communities through schooling and skills training and community assistance. Child Protection Agencies were thus a crucial partner for the TRC since they were deeply knowledgeable about children's needs and able to lend their expertise in ensuring the safety, wellbeing, social integration and psychological recovery of Liberian children. They could also rely on networks of relationships with communities as well as on staff expertise all across Liberia, which complimented quite well the TRC's strategy and efforts identifying children for statements and regional hearings.in identifying children for statements and regional hearings.

Consequently, 81 Child Protection Agencies signed a memorandum of understanding with the TRC on 13 September 2006, which mandated a select group of them to form the Liberian National Child Protection Network TRC Task Force with a goal of collaborating closely with the Commission on the implementation of its mandate



pertaining to children. Ultimately, under the leadership of the following organizations, the CPA Network assisted the TRC in the implementation of its mandate (mainly during awareness raising and statement taking) and provided the technical expertise to ensure child-friendly mechanisms and procedures were in place and were implemented across all activities involving children. The eight CPA Task Force members included:

- Children Assistant Program (CAP)
- Christian Children's Fund (CCF)
- Don Bosco Homes (DBH)
- Foundation for International Dignity (FIND)
- Helping Hand Liberia, Inc.
- Save the Children- UK
- Sustainable Development Promoters (SDP)
- Touching Humanity in Need of Kindness (THINK)

#### *Cooperation Agreement with UNICEF*

Key support to the TRC's mandate regarding children was provided by the United Nations Children's Fund (UNICEF), an international inter-governmental organization established by the General Assembly of the United Nations in 1946 with a mandate to "to advocate for the protection of children's rights, to help meet their basic needs and to expand their opportunities to reach their full potential."<sup>9</sup>

UNICEF provided key technical expertise and financial support for the TRC's children's mandate. A formal project agreement between the TRC and UNICEF was signed in December 2007 established the TRC Children Agenda Project, providing the overall framework for the TRC's efforts to achieve the participation and protection of children in the TRC process all across Liberia.<sup>10</sup>

- Under the agreement, UNICEF the TRC conducted the following activities:
- Hired a Liberian child protection specialist;
- Developed and produced child friendly interview guidelines;
- Provided specialized training for 35 child-friendly statement takers;
- Worked with CPAs to identify and prepare children for statement taking;
- Conducted one-day training for CPAs at county level on the children's agenda in September 2006;

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<sup>9</sup> See the UNICEF mission statement at [http://www.unicef.org/about/who/index\\_mission.html](http://www.unicef.org/about/who/index_mission.html), accessed 25 May, 2009.

<sup>10</sup> Project Cooperation Agreement Between the United Nations Children's Fund (UNICEF) and the Truth and Reconciliation Commission of Liberia of December 3rd, 2007, p. 1.

- Conducted 15 Awareness Raising Workshops on the TRC's children agenda for a total of 5,000 children at county level in each of the 15 counties;
- Coordinated with CPAs to mobilize and train children at district level;
- Worked with CPAs to prepare children for and accompany them to and during thematic hearings;
- Started the process of data analysis and writing of the children's chapter of the final TRC report.

Further technical expertise was provided by UNICEF to complete the children's chapter of the TRC report and to produce a child-friendly version of the final TRC report in early 2009.

### *The Children's Parliament*

The TRC forged a relationship with the Liberian Children's Parliament in an attempt to directly reach a large number of children. Children's Parliament leaders drafted a presentation before the Commission on the general impact of the war on Liberia's children and, with assistance from the National Child Protection Network and the Ministry of Gender and Development, organized and facilitated panel discussions between members of the Children's Parliament and TRC commissioners in the evenings after the Commission's regional hearings (see below).

### *Coordination Mechanisms*

To highlight the importance of the TRC's children focus, Commissioner Oumu Syllah was given the lead role within the Commission for the thematic area of children, and the TRC National Committee on Children (NCC) was established in as the main coordinating body between the TRC and its partners regarding all child-focused activities. Headed by Commissioner Syllah and assisted by Commissioners Gerald Coleman and Dede Dolopei (responsible for youth), the Committee comprised UNICEF, a representative of the Human Rights Section at UNMIL, and Don Bosco Homes as the chair of the Liberian National Child Protection Network TRC Task Force. The TRC Committee on Children set the agenda for all children-related activities and oversaw their implementation.

## **2.2 Child-friendly Procedures and Mechanisms**

### *Principles and Guidelines*

Early on, with support from UNICEF, the Commission established the following set of key principles that would guide all interactions between the TRC and child witnesses:

1. The Participation of children in the TRC process shall be guided by the best interest of the child. The Children will be treated with dignity and respect.
2. Any participation of children shall be voluntary on the basis of informed consent by subject children and guardian.
3. The safety and security of all child statement givers is paramount. Statements can only be obtained in places considered safe and friendly to the child.
4. Children must be in an appropriate psychosocial state to give statements. The taking of statements from children must ensure the protection of their physical, spiritual and psychological well-being.
5. The confidentiality and anonymity of the child shall be guaranteed at all stages of the work of the TRC. All statements given by children shall be confidential; information obtained by the TRC shall not be shared with any outside body.
6. In principle, statements shall be obtained on a one-by-one basis, with only the statement taker and the child present, except when the child wishes the presence of a social worker and/or guardian. Girls shall be interviewed by female TRC statement takers only.
7. Psycho-social and other appropriate support services shall be available for child statement givers.
8. All statement takers and designated social workers shall receive further training on taking statements from children.<sup>11</sup>

Based on these principles, the TRC and the Task Force partners developed trainings and concrete guidelines for the implementation of the children's agenda which included identifying potential child witnesses, sensitization, statement taking and hearings.

CPAs and TRC staff in the counties had to closely collaborate in their efforts to identify children who might be willing to provide testimony and to ensure their protection. CPAs designated one social worker in each county to fully support the TRC statement taking process. Technical Committees between the TRC Regional and Country Coordinators and CPA representatives oversaw and monitored the process at the regional and county levels. TRC County Coordinators briefed respective Child Protection or Child Welfare Committee members in each county on the mandate and intentions of the TRC and their desire to collect statements from child witnesses. Based on the general criteria the TRC Act, notably that statements collected should reflect the diversity of experiences of children across the entire country and covering a range of violations, TRC statement takers contacted children who had volunteered to be heard or those whom they might encounter while taking statements from adults and who were willing to share their stories. Only if the child was willing to talk to the TRC

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<sup>11</sup> A Framework for the Special Cooperation Between the TRC of Liberia and the Task Force of the Child Protection Agencies (undated), p. 2

statement takers, his or her name was forwarded to the TRC county office for the county coordinator and the CPAs to plan for the actual statement taking that ensures the safety and wellbeing of the child. Statement takers were advised to conduct the interview in a safe indoor location. The child could also request that a social worker or parent or guardian be present during the statement.<sup>12</sup>

The TRC and Task Force Partners also developed concrete child-sensitive interview guidelines based on international standards, but tailored to the Liberian context. The guidelines included provisions such as how to make children feel comfortable and how to develop trust with children; how to interpret non-verbal signals the child might send out to indicate discomfort or stress; as well as how to avoid certain taboo topics and to use language that is easily understood in their conversations with Liberian children.<sup>13</sup>

#### *Trainings:*

A variety of trainings were organized to increase the expertise on children's issues and on child-friendly procedures all across the organization drawing on the resources of the Child Protection TRC Task Force and the Child Protection Committee.

**A three-day orientation on child rights and child protection for TRC Commissioners** organized by UNICEF and the ECOWAS office in Monrovia was conducted in March 2006. Its goal was to familiarize all Commissioners with international legal instruments on children's rights and with lessons learned from the involvement of children in transitional justice processes in other countries. During the orientation, Commissioners developed a set of basic child rights principles to guide the involvement of children in the Liberian Truth and Reconciliation process and gave consideration to various tools and strategies for the implementation of the TRC's children's mandate.

**Representatives of Child Protection Agencies** also received **training on issues related to children and truth and reconciliation**. Notably, a two-day training in September 2006 facilitated by UNICEF, CPA staff learned about the TRC mandate and its objectives with respect to children's involvement in its processes. CPA staff also participated in trainings on statement taking. As the TRC's children's agenda took shape, CPAs received further orientation on their roles and procedures to follow in the statement taking process.

During a **one-week training for all initial 192 TRC statement takers** in August 2006, two days were devoted to the principles on children's involvement and child-friendly

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<sup>12</sup> See Ibid.

<sup>13</sup> See Freeman-Massa, Genevieve. *Liberian Interview Techniques for Children*. Document developed for the UNICEF training for TRC statement takers, August 2006.

statement taking. Subsequently, a group of 35 statement takers and some TRC inquiry officers and investigators received additional in-depth training on culturally sensitive child-friendly interviewing techniques and how to ensure the 'best interest of the child' throughout the entire interview process.

A **shorter training on child-focused interviewing and statement taking** and on the internal guidelines developed by the TRC for all TRC County Coordinators and Field Officers was held in January 2008 to ensure the even application of those guidelines across all counties. Two statement takers in each county office were specialized exclusively on interviewing children.

## 2.3 Child-focused Activities

### *Awareness Raising Workshops*

Children and their parents or guardians across the country expressed skepticism at first about participating in the TRC process. For example, participants at the Children's Parliament-facilitated panel discussion with TRC Commissioners in Gbargna on May 24, 2008, articulated some of the following concerns regarding the TRC:

- "Children feel reluctant because they feel that...when they are coming to talk they are putting themselves at risk; as such the parents will not allow them to go to the TRC..."
- "Some children are afraid because some people in the community are telling...that if you...talk to the TRC they will catch you and put you in jail for life time."
- "Children, because some people gave them bad advice that if you go there you will not have the chance of going to America, most of them are afraid of telling what they saw."<sup>14</sup>

To counter these fears and the spread of inaccuracies and rumors regarding the TRC's mission and objectives, the Commission launched an extensive outreach campaign to spread the message about the Commission's children agenda and the concrete steps it was going to take to roll out its child-related activities. TRC children's awareness raising workshops were conducted in each of the capitals of the 15 counties of Liberia from February 2007 to May 2008 in order to promote awareness among Liberian children and their parents or caretakers of the TRC process and its mandate related to

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<sup>14</sup> Concerns and fears regarding the TRC process voiced by children participating at the TRC Children Hearing in Gbargna, Bong County, May 24, 2008.

children and to encourage children to share information about violations they experienced during the war. The approximately 5,000 children who attended the workshops, ranging from 280 in River Cess to more than 600 in Montserrado County, received assurances from TRC Commissioners who led the workshops that their best interests and protection would be guaranteed throughout the process. They were also assured that the TRC was not a court and did not conduct criminal investigations or prosecutions. Statements would only be taken for the purpose of public record and to recommend strategies for overcoming differences and achieve long-term peace, unity, justice and reconciliation. The awareness raising workshops were supported by the CPAs, UNICEF, and UNMIL and also served as a tool to launch the children agenda in each county and to hand over further responsibility for outreach and statement taking to the TRC County Coordinators and their offices in collaboration with local CPAs and UNMIL civil affairs staff.

The awareness raising workshops thus did not only provide children and parents an opportunity to better acquaint themselves with the TRC process. They also gave TRC Commissioners and staff a better sense of which type of war experiences and their consequences were most prominent on children's minds. During the workshops, children were given the opportunity to ask questions about the process and to voice their fears and expectations of the TRC children agenda.

Specifically, some children expressed the following expectations toward the TRC:

- "I want the TRC to reunite the Liberian people and make them loving and respectful towards each other."
- "I want for the TRC to build schools for us and supply us with safe drinking water."
- "I want the TRC to protect the people of my County and their neighbors."
- "I want for the TRC to go from town to town to settle cases among people"<sup>15</sup>

### *Regional Hearings*

The TRC held three regional hearings exclusively focused on children and children's issues with young participants from all across the country. The hearings were held in Gbargna, Bong County on May 24, 2008, in Tubmanburg, Bomi County on July 5, 2008, and in Zwedru, Grand Gedeh County on September 19, 2008. Each hearing site was

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<sup>15</sup> Quotes from child participants, TRC Awareness Raising Workshops in Kakata, Margibi County, October 26-27, 2007; and from the TRC Awareness Raising Workshop in Madina, Grand Cape Mount County, November 16-18, 2007.

chosen for its central location within a cluster of counties to facilitate travel by children from neighboring counties to the hearing site. Children from Bong, Grand Bassa, Montserrado, Nimba, Margibi, and River Cess Counties gathered in Gbargna, those from from Bomi, Gbarpolu, Grand Cape Mount, and Lofa Counties traveled to Tubmanburg, and children from Grand Gedeh, Grand Kru, Maryland, River Gee and Sinoe Counties came to Zwedru.

During the first, public part of the hearings, TRC Commissioners and the Liberian public had an opportunity to listen to live witness statements in order to hear first-hand accounts of children's experiences during the conflict. After each witness had completed his or her statement, Commissioners asked for clarifications and additional details or raised follow up questions with the witnesses. To protect the child witnesses' identities, the children testified behind screens and were not visible to the audience. They were accompanied by social workers and were instructed not to disclose their names or their family members' names in order to ensure the confidentiality of the information provided. All child witnesses arrived at the hearing venue hours before the general audience and entered through a separate entrance from audience or TRC Commissioners.

In a second part, in the evening hours, the tables were turned and children had an opportunity to ask the TRC commissioners any question that was on their minds. A large number of children including members of the Children's Parliament, the children invited to the hearings and school children from surrounding community schools expressed their concerns about the TRC process and their expectations with respect to what the TRC might be able to do for the future of Liberian children. Topics broached included the TRC's mandate, the difference between the TRC and a court, and how the children's statements will be used by the TRC to advocate for a better future for children in Liberia.

The regional hearing demonstrated the importance of providing a forum for children to share their experiences and have their voices heard. Several hundred school children and some parents, caretakers, and teachers attended each regional hearing. The attending children followed with enthusiasm and expressed their gratitude to the TRC for the opportunity to speak up and share their deeper concerns about the war's impact on their lives and their prospects for the future in a high-profile public forum. A total of 128 pre-selected children who had given statements to the TRC were invited to the three hearings, 30 in Gbargna, 40 in Tubmanburg, and 38 in Zwedru, of which 32 were able to share their testimonies with the Commissioners and the public, while the others all participated in the question and answer sessions with the TRC Commissioners. Testimonies for presentation at the public hearing had been selected based on suggestions by the TRC County Coordinators by Commissioners Oumu Syllah and TRC program and inquiry staff prior to the hearing. Children participated and testified

only after consent was received from the children and their parents or caretakers.

### *Monrovia Institutional Hearing*

To complement individual children's statements, the TRC commissioned a number of expert studies on the impact of the war on Liberian children. TRC Commissioners held a three-day institutional hearing under the theme of "Children and the Liberian conflict: What does the future hold?," from September 20 to 22, 2008, in Monrovia. During the hearing, commissioners and a larger audience of approximately 300 school children, parents, teachers and other interested parties listened to expert testimony on various thematic areas of relevance to children's wellbeing. The TRC invited a number of Government institutions and CPAs to give presentations on specialty areas and to explore their findings on the causes of child abuse and child rights violations and their recommendations for future action in greater depth with the Commission. Table I below lists the expert presentations and submissions:

*Participating organizations and thematic presentations at hearing on "Children and the Liberian Conflict", September 20-22, 2008, in Monrovia:*

<b>Organization</b>	<b>Presentation Topic</b>
Action for Greater Harvest (AGRHA)	<i>Children in the Truth and Reconciliation Process</i>
Children Assistance Program (CAP)	<i>Children and the Conflict in Liberia</i>
Christian Children's Fund (CCF)	<i>Child and Family Protection for Peace</i>
Don Bosco Homes (DBH)	<i>Child Justice and the Family</i>
Liberia Children's Parliament	<i>The Effect of Fourteen Years of Conflict on the Lives Children</i>
Ministry of Gender and Development	<i>Homeless Children: Social Responsibility of Post War Governance</i>
Ministry of Health and Social Welfare	<i>Separated Children and Children in Need of Care</i>
Save the Children	<i>Recovery and Reintegration of Liberian Children</i>
Touching Humanity in Need of Kindness (THINK Inc.)	<i>Reparations in the Context of Children</i>

### *Statement Taking*

Statements from 280 witnesses aged 17 and younger at the time of the interview were taken between October 2006 and February 2008 in all 15 counties. Two trained statement takers per county exclusively focused on collecting statements by children. They worked closely with CPA social workers during the statement taking process following the guidelines outlined above. In some instances, in particular in remote



locations or if regular statement takers, while interviewing adult witnesses, met children who had particular experiences to share, interviews with children were conducted on the spot. Since all statement takers had been trained on child friendly interviewing during their general induction, they were able to have the minimum protective measures in place to ensure the safety and well-being of the child. Children who were interviewed were referred to CPA social workers after the interview for follow-up to ensure their safety and psychosocial wellbeing.

### *Children's art gallery*

Just like adults, children may have varied capacities to express themselves verbally. Some individuals are easily able to put their lived memories into words, while others choose other, non-verbal forms of communication. Verbalizing memories of traumatic experience can be challenging for any human being, in particular children. In light of the severe trauma that many Liberian children experienced during the war, the TRC decided to offer children alternative ways of expression. As part of the TRC children's agenda project, the Commission thus provided a platform for a select number of children from all counties to convey their war experiences through drawings, paintings, or other written art forms.

Consequently, in view of allowing them to portray their feelings and views of the war as well as their expectations for the future of the country in their own creative way and style, the TRC Child Protection Task Force under the leadership of Don Bosco Homes, supervised by UNICEF, and with collaboration by the Ministry of Gender and Development and the National Child Protection Network organized a Children's Art Gallery exercise. In the course of the exercise, 210 children from six counties – Grand Bassa, Grand Cape Mount, Grand Gedeh, Lofa, Montserrado, and Maryland – produced works of art in various art forms ranging from drawings and paintings to poetry and written accounts of their experience and aspirations. The children were supervised by CPA social workers who had received special training on facilitating artistic expression with traumatized children. All works of art were sent to Liberia, where a committee of 10 members selected 50 pieces of art based on the clarity of the message and regional representativeness for framing and for display during the public art gallery.

On September 28, 2008, the Children's Art Gallery<sup>16</sup> was opened at the City Hall in Monrovia in presence of a number of dignitaries including the Vice President of Liberia, the United Nations SRSG and a number of other high-ranking Liberian and international officials as well as 350 children representing the fifteen counties of Liberia. All works of art have been archived at the TRC and will remain as a record not only of

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<sup>16</sup> Several of the works of art by the young, talented Liberian artists are used as illustrations throughout this report.

the artistic skills of Liberia's young war generation, but also as a lasting reflection of their fears, needs, desires, and aspirations.

#### *Regional County Consultations and the National Conference*

To conclude its operations, the TRC organized three Regional consultations in late May 2009 simultaneously in Bomi, Gbargna, and Zwedru with representatives from stakeholder groups including members of the children's parliament from all 15 counties. During the consultations, stakeholders discussed and presented their findings from the TRC process and drafted recommendations for consideration in the TRC's final report to the Government. Representatives from the County Consultations finally met at a five-day National Conference in Monrovia from June 15 to 19, 2009 to present, discuss, and validate the findings from the County consultations and to produce a final platform. The final document adopted by Conference participants included numerous recommendations to improve the lives of Liberian children, including a call for expanded vocational education, more recreational opportunities for children, and to revise school curricula to include peace and human rights education.

#### *Children's Chapter of the TRC report*

Sifting through the rich documentation collected by the TRC including the 280 statements by children 17 years of age or younger, as well as statements made in the hearings, presentations made by Child Protection Agencies and additional secondary source material, mainly legal documents, studies and reports by Government, international organizations, and NGOs, as well as supplementary interviews conducted by the TRC with experts or affected children themselves, the inquiry section in close collaboration with the TRC Children's Expert developed a draft children's chapter of the final TRC report. To ensure that the children's chapter reflects the breadth of experiences children had before, during, and after the war, and that children's experiences and needs were seen within an international child rights framework, an international expert was hired with support from UNICEF for the finalization of the children's chapter in May and June 2009.

#### *Child-friendly Version of final TRC report*

With support from UNICEF, a child-friendly version of the final TRC report will be developed with input from as many children as possible in an effort to disseminate as widely as possible the historical lessons learned from the TRC process and its findings and recommendations. The child-friendly TRC report is expected to be widely used by the Government and child protection agencies in child-specific outreach activities and can be used by teachers as classroom material for history and civics lessons.

# 3 BACKGROUND

### **3. BACKGROUND: The Status of Children in Liberia before the Conflict and International Child Rights Standards**

#### **3.1 Legal Definition and Status of Children**

Liberian statutory law generally accepts the common definition of a child as an individual below the age of 18. For example, Liberian electoral law stipulates that all Liberian citizens 18 years of age or above are eligible to vote in elections.<sup>17</sup> However, other laws do not always consistently use the same standard. For example, the Liberian Domestic Relations Act uses a different definition, referring to individuals less than 21 years of age as a child. This exception will be remedied in the new Children's Law.<sup>18</sup> Similarly, the age of marriage as stipulated by the National Inheritance Law was 14 until 2003, when it was increased to 16 years.

There have always been discrepancies between statutory and customary law with respect to the age of majority. According to customary law, maturity is determined by the onset of puberty, in particular for girls. As a consequence, the Liberian Hinterland act allowed for marriage of girls at age 14. All these provisions will be superseded by the new Children's Law, which will make Liberia child-friendly and fully compliant with the legal provisions of the Convention on the Rights of the Child and explicitly introduced the notion of children's rights. The Children's Act was adopted by the Liberian House of Representatives in April 2009 while its adoption by the Senate is pending.

Traditionally Liberian law had not accepted the notion of a child as a rights holder. The predominant view was that children were resources to adults, who in turn benefit from adults' benevolence. This way of thinking about children as resources is reflected in many traditional practices, such as the payment of bride price for girls and young women at marriage as well as the widespread practice of child labor. Adults, in turn, have been deeply skeptical of the notion of according children individual rights, since they fear that it will encourage children to be disobedient.<sup>19</sup>

#### **3.2 Socio-cultural Practices**

These legal traditions that so far had not allowed children to be considered fully equal citizens and holders of individual rights are deeply rooted in the country's socio-cultural traditions. There is no long-standing tradition in Liberian society for state institutions to be responsible for children's welfare. Before the war, in addition to

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<sup>17</sup> Electoral Reform Law of 2004, section 16; New Elections Law of 1996, section 5.1.

<sup>18</sup> See section 145 of An Act of the 52nd National Legislature to Enact a Children's Law. Draft 2008.

<sup>19</sup> See Republic of Liberia. 2008. Combined Second, Third, and Fourth Country Report to the United Nations Committee on the Rights of the Child, Section II, "Definition of a Child."

parents, larger family and community norms and traditional practices provided institutional support for children's upbringing.

Anthropologists suggest that in traditional Liberian villages that live off precarious subsistence agriculture and in an environment of low life expectancy and high infant and child mortality, parents have two primary goals in child rearing: one is for children to be obedient to adults and authority; the second is to become productive members of the household early in their lives.<sup>20</sup>

Initiation societies ensured that traditional values were passed on from one generation to another. They also enforced the relatively strict social hierarchies. In the traditional realm, in particular among the ethnic groups of Western and Northwestern Liberia, traditional societies play an important role in the socialization of children. Initiation rites mark the passage of a child to adulthood, generally at a much younger age than the legal age of adulthood of 18 years.

*"In the socialization of children and young people in Liberia, the question of the Poro and Sande societies was meant to socialize boys on the one hand, and girls together on the other hand, as to the norms and values of our tradition/culture that will enable them to be productive citizens of that community as they grow up in society."*<sup>21</sup>

Traditional societies tend to reinforce existing social hierarchies, in which children are located at the very bottom, and girls even further down in the hierarchy than boys. They thus tend to perpetuate rigid gender roles and practices associated with female initiation, notably female circumcision and the early marriage of girls just after puberty, have been widely denounced as a violation of girls' rights and harmful to their reproductive and overall health.

Generally, the objective of traditional practices is to protect the child and to guide it into adulthood, imparting knowledge and rules that allow children to adjust to life in rural subsistence communities, but seem hardly in line with norms and values of urban environments and the modern state.

As in many other African societies, in Liberian society,

*"The family assumes a central place in the socialization of the child, and as an agent of change. It is within the family that the child (i) receives sustenance; (ii) observes and internalises gender*

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<sup>20</sup> See Erchak, Gerald M. 1980. 'The Acquisition of Cultural Rules by Kpelle Children.' *Ethos*, Vol. 8 (1) (Spring), pp. 40-48; see also Yoder, John C. 2007. 'Liberian Political Culture: The State, Civil Society, and Political Culture.' *Radio Free Liberia*, : <http://www.radiofreeliberia.org/yoder.htm>, accessed 23 April 2007.

<sup>21</sup> Interview conducted with Dr. Rev. Julius Nelson October 29, 2007.

roles; and (iii) learns notions of what is right or wrong....However well-intentioned they may be, traditional child-rearing practices in Africa tend on balance to be antithetical to the interest of the child. They stress subjugation, subordination, corporal punishment and sometimes extreme forms of violence, rather than communication, dialogue and participation."<sup>22</sup>

Nonetheless, customary laws and practices have traditionally provided protection for Liberian children. In particular the communal responsibility for the well-being of children provided an important social safety net against the vagaries of rural life. Communal care of children in times of increased workload for parents ensured the protection of children even if parents were temporarily absent. A variety of fostering practices were common, all aiming to ensure that children without parents or from parents without proper means would be looked after.

### 3.3 Socio-economic Situation and Inequality

The deep inequalities that Liberia was marked by – between rural and urban areas, in particular between Monrovia and a few coastal towns and the hinterland, and between descendants of settlers and members of indigenous groups – also had a profound effect on children's lives before the war. Most of the country's infrastructure that would benefit children – schools, health services and clinics, and recreational activities – were concentrated in Monrovia and in the few coastal towns in the south and southeast of the country. Although Liberian Governments have been nominally pursuing the goal of access to education for all ever since the Liberian Legislature first passed a compulsory school attendance law in 1912, the results of these efforts have been extremely uneven.<sup>23</sup> Successive Liberian Governments since the 1950s invested significantly in the expansion of educational opportunities, doubling the number of schools in the country and increasing school enrolment by 150%. However, still only roughly one third of the country's children had access to a primary school education in 1978, while only a small fraction of them attended secondary school.<sup>24</sup> As the Liberian Poverty Reduction Strategy of 2008 notes, "In the past, education has been a means by which certain groups dominated Liberian society and sustained their domination."<sup>25</sup> Liberia's political leaders considered it dangerous to increase access to education to the broader population "because they wished to avoid effective challenge[s] to their privileged position by an enlightened populace."<sup>26</sup> As a

<sup>22</sup> African Child Policy Forum. 2008. *The African Report on Child Wellbeing: How child-friendly are African governments?* Addis Ababa: The African Child Policy Forum, p. 34.

<sup>23</sup> See Cain, A.F. 1982. "Access to Education." *The Liberian Education Review*, Vol. 2 (2) (August), pp. 30-46, p. 31.

<sup>24</sup> See Beleky, Louis P. 1973. 'The Development of Liberia.' *Journal of Modern African Studies*, Vol. 11 (1) (March), pp. 43-60, p. 56; for demographic data on the 1970s, see United States Census Bureau's International Database on Liberia at <http://www.census.gov/cgi-bin/ipc/idbsprd>, accessed May 28, 2009.

<sup>25</sup> Republic of Liberia. *Poverty Reduction Strategy*, 2008, p. 175.

<sup>26</sup> Caine, A.F. 1982. "Access to Education," p. 31.

consequence, for example, while only 27 percent of all school-age children were enrolled in school in the northern and central counties (Lofa, Bong, Nimba), enrolment rates were 33 percent for the southwest (Grand Cape Mount, Montserrado, Grand Bassa). Access to education was even more limited to girls, with girls making up only 36 percent of primary school students and 27 percent of senior high school students in 1978.<sup>27</sup> Government also heavily subsidized a few elite secondary and tertiary institutions in and around Monrovia, while neglecting secondary education elsewhere. For example, the budget appropriation for higher education was higher than the appropriation for elementary education in 1976/77.<sup>28</sup> If rural parents wanted their children to have a secondary education, they had to send them to Monrovia, an option that few rural parents, most of them subsistence farmers, could afford.

This distribution of educational opportunities across the country mirrored the highly unequal distribution of health and other social services across the country. It reflects the deep inequalities inherent in Liberian pre-war society, and was translated into economic opportunities, which meant that most children from far-off counties and from rural areas had no prospects of social mobility.<sup>29</sup>

Yet, children not only experienced the urban-rural divide. Even within rural societies, children from different family backgrounds had very different opportunities for social mobility. Children from ruling or landholding families were often sent to school and frequently to Monrovia, since it was advantageous for the ruling families and for the communities as a whole to be connected to young, educated people in Monrovia who would send back remittances and possibly become influential in public life or link up with patronage networks with positive returns for the home village.<sup>30</sup> While more privileged children got a taste of modern city life, young people from less privileged backgrounds remained stuck in a strictly hierarchical rural society. Messages calling for empowerment of underprivileged groups thus resonated with children of the 1970s and 1980s and maybe even in more recent years. While many children were forced to take up arms in the Liberian wars, the power of the gun might have had a certain allure to those disadvantaged young people. Joining militias and rebel groups may have seemed like an attractive option to rapidly reverse traditional power structures and to gain access to material wealth and consumption that seemed elusive to young people in deprived rural or marginal urban communities.<sup>31</sup>

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<sup>27</sup> Ministry of Education, Department of Planning and Development. 1979. *Education in Liberia*, p. 19.

<sup>28</sup> Sawyer, A. 1980. "Imbalances of Educational Opportunities and the Implications for National Development." *The Liberian Education Review*, Vol. I (1) (May), pp. 25-48, pp. 36.

<sup>29</sup> See interview with Reverend Dr. Julius Nelson, TRC Monrovia, October 29, 2007.

<sup>30</sup> See World Bank. 2005. *Community Cohesion in Liberia: A Post-War Rapid Social Assessment*, Social Development Papers, Conflict Prevention and Reconstruction, No. 10 (January), p. 21.

<sup>31</sup> See World Bank 2005; also interview with representative of Don Bosco Homes, Monrovia, May 29, 2009

Rural destitution also allowed for new practices to take hold, in particular various fostering arrangements through which poor rural families could send their sons and daughters to Monrovia to stay with better off elite families or with relations in the city. The children were expected to work in the hosting family's household, who in turn paid for their school fees and allowed them to acquire a higher quality education. This practice became widespread in the 1950s and 60s and was beneficial for both sides: poor rural parents could offer their child an education that they could not afford otherwise and the host families got domestic help for a comparatively small price. It also allowed the strengthening of the ties between elite families in Monrovia and rural communities, which could always be advantageous in a system that was marked by widespread patronage. However, with war, displacement and poverty, the practice of fostering seems to have mushroomed. The 1999/2000 demographic survey found that more than 20 percent of children between the ages of 0 and 14 years did not live with their parents in 1999 for the country as a whole, and between 30 and 40 percent of all children resident in the southwestern counties (Bomi, Grand Cape Mount, Montserrado).<sup>32</sup>

The practice of rural-urban fostering has become even more common in post-war Liberia. However, the long war, the fragmentation of most families, and the accentuated poverty of many families in many cases have led to a breakdown of the reciprocal relationship originally envisaged. This means that in many instances now, children become merely domestic laborers without being sent to school, and, in the worst cases, are abused by their host families.<sup>33</sup>

### 3.4 *Children's Rights Instruments and Liberian law*

The United Nations Convention on the Rights of the Child (CRC) together with its two Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography are the most comprehensive international legal instruments for the protection of all basic human rights of children. The Government of Liberia signed the CRC in April 1990 and the two Optional Protocols in September 2004. The CRC was ratified by the Liberian House and Senate in June 1993 and thus became fully part of Liberian law.

The Liberian state's mandate for the protection of children and for ensuring their enjoyment of their individual rights is deeply rooted in general international human rights law. The obligation to protect children's civil and political as well as economic, social, and cultural rights ensue from the GOL's ratification of other, general international human rights instruments such as the International Convention on Civil

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<sup>32</sup> Ministry of Planning and Economic Affairs. 2000. Liberia Demographic and Health Survey: 1999/2000, Vol. II, Summary Reports, pp. 63.

<sup>33</sup> Interviews with members of the Child Protection Network, Monrovia, May and June 2009.



and Political Rights (ICCPR) and the International Convention on Economic, Social, and Cultural Rights (ICESCR) in 2004. The GOL is furthermore party to the African Convention on the Rights of the Child and the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, ratified in 2003. Liberia is also party to the African Charter on Human and Peoples' Rights<sup>34</sup> and signed and ratified the African Charter on the Rights and Welfare of the Child<sup>35</sup>, which codify international human and children's rights norms in the specific context of Africa. Specific obligations with respect to the protection of children during and after armed conflict are further rooted in international humanitarian law as codified by the 1949 Geneva Conventions and the 1977 Protocols to the Geneva Conventions.<sup>36</sup>

These international legal instruments are complemented by a large number of policy documents on the treatment of children in situations of armed conflict and after conflict has ended. The impact of war on children has been a focus of the United Nations General Assembly and the UN Secretary General since the early 1990s. Since the UN General Assembly resolution 48/157 on the "Protection of children affected by armed conflicts" and the appointment of the first UN Special Representative on Children and Armed Conflict in September 1994 which followed from it, numerous policy statements and reports have documented the severe impact violent conflict has on children's lives. The Report by the UN Secretary General to the General Assembly on the Impact of Children in Armed Conflict<sup>37</sup> of 1996, also known as the "Machel report,"<sup>38</sup> provided the first comprehensive analysis of the suffering of children during war and sketched out a comprehensive agenda to address the challenges that children face during conflict as well as the longer-term impact on children's well-being. This agenda has been continuously refined since in numerous reports by the UN Secretary General on children and conflict<sup>39</sup> and in the work of the United Nations Children's Fund as well

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<sup>34</sup> African (Banjul) Charter on Human and Peoples' Rights, Adopted 27 June 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force 21 October 1986). See <http://www.africa-union.org/root/au/Documents/Treaties/Text/Banjul%20Charter.pdf>, accessed June 1, 2009.

<sup>35</sup> OAU Doc. CAB/LEG/24.9/49 (1990), entered into force Nov. 29, 1999. See <http://www.africa-union.org/root/au/Documents/Treaties/Text/A.%20C.%20ON%20THE%20RIGHT%20AND%20WELF%20OF%20CHILD.pdf>, accessed June 1, 2009.

<sup>36</sup> All the Geneva Conventions and Protocols can be found on the website of the International Committee of the Red Cross at <http://www.icrc.org/ihl.nsf/CONVPRES?OpenView>. Accessed June 1, 2009.

<sup>37</sup> See Promotion and Protection of the Rights of Children: The Impact of Armed Conflict on Children, UN General Assembly A/51/306, 26 August 1996. See [http://www.unicef.org/graca/a51-306\\_en.pdf](http://www.unicef.org/graca/a51-306_en.pdf), accessed June 1, 2009.

<sup>38</sup> After its author, then UN Special Representative on Children in Armed Conflict and former Minister of Education of Mozambique, Graça Machel.

<sup>39</sup> For a summary of recent efforts to advance the protection of children in armed conflict and mitigate its impact on children's lives see Report of the Special Representative of the Secretary-General for Children and Armed Conflict, UN General Assembly A/62/228, 13 August 2007; <http://www.un.org/children/conflict/documents/machel/MachelReviewReport.pdf>, accessed May 25, 2009.

as a large number of other international inter-governmental and non-governmental agencies.

Together, these international legal instruments, first and foremost the CRC, and international policy documents provide a comprehensive framework of norms and advisable actions for governments to ensure children's lives, health, and well-being, in particular with respect to the following rights and principles:

- Guarantee **equal protection** under the law and in practice to all children “**without discrimination** of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status” (CRC, Article 2)
- Ensure that all actions taken concerning children by anyone or any institution within the jurisdiction of the state has to primarily be concerned with the **best interest of the child**
- **Guarantee every child's right to life, survival, and development** (CRC, Article 6)
- **Protect the child from physical and mental harm, violence, and abuse**(CRC, Article 19)
- Ensure children's **right to health and access to medical treatment and health services** (CRC, Article 24)
- Guarantee children's **right to identity, to have a name, to be registered** and to have a **nationality** (CRC, Articles 7 and 8)
- Allow the child to grow up in a family, to protect the family and ensure undue separation from parents and family (CRC, Articles 5, 9, and 18)
- Guarantee the **right to education** and equal opportunity for all children to develop their talents and capacities to the fullest, including free primary education (CRC, Articles 28 and 29)
- **Ensure a standard of living that allows the development of the child's physical, mental, spiritual, moral and social abilities**, including for the child's family and parents (CRC, Article 27)
- Guarantee that children do **not do any work that is harmful to their health and their development**, including disrupting their education (CRC, Article 32)
- Allow for children's freedom of **expression, thought, conscience, and religion** (CRC, Articles 13 and 14)
- **Protect children from any form of sexual exploitation or abuse** (Article 34) and from any other form of exploitation (Article 36) including **abduction, sale, or trafficking** of children (Art. 35)
- **Protect children from cruel, inhuman, and degrading treatment and torture** (Article 37)
- Allow for special procedures for juvenile delinquents separately from adult

delinquents (CRC, Article 40)

### 3.5 Law During Armed Conflict and Grave Child Rights Violations

State parties to the CRC are required to take all necessary legislative and administrative actions to ensure that all the rights set out in the Convention are followed and children's rights are protected against violations. The CRC is equally applicable in times of war and in times of peace. It is important to note that the CRC does not allow for the suspension of children's rights during public emergencies or during periods of armed conflict. Derogation of certain rights "is only allowed legally under very specific and strict conditions."<sup>40</sup>

Articles 38 and 39 of the CRC provide for special protections for children during armed conflict. Article 38 specifically refers to the protections afforded children in international humanitarian law, including the prohibition of the recruitment of children<sup>41</sup> into the armed forces their use in hostilities as well as an obligation to protect and provide care for children affected by violent conflict. Article 39 requires state parties to the Convention to "take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts."

As children have been increasingly targeted by and become victims of violent conflict, accountability mechanisms have started to address severe rights violations against children. International criminal justice has thus evolved within the past decade to take increasingly into account grave violations against children's right as part of its broader mission to prosecute perpetrators serious human right violations.

The Special Court for Sierra Leone (SCSL) was the first international criminal tribunal to specifically include the prosecution of crimes against children in its list of prosecutable grave violations of international humanitarian law and crimes against humanity. The statute of the SCSL specifically mentions the crimes of child abduction and forced conscription and enlistment of children into armed forces as well as sexual violence against children. In addition, the statute of the Special Court considers crimes of sexual violence, notably rape, sexual slavery, enforced prostitution, and forced pregnancy, to be crimes against humanity.<sup>42</sup> While the Special Court for Sierra Leone was an ad-hoc and temporary mechanisms, the entry into of the Rome statute

<sup>40</sup> Machel, Graça. 2001. *The Impact of War on Children*. London: Hurst & Company, pp. 141-142.

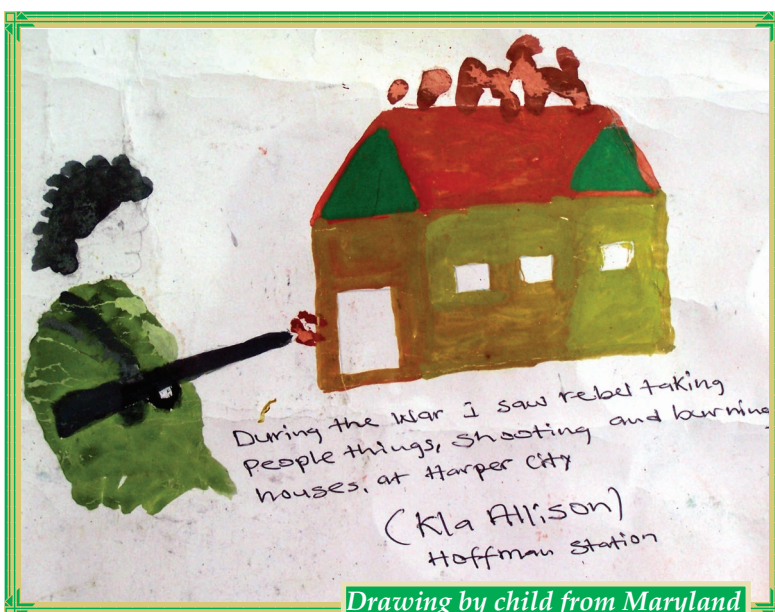
<sup>41</sup> Defined by Art. 38 as children under the age of 15. In the Optional Protocol on the involvement of children in armed conflict, the minimum age of recruitment was set at 18.

<sup>42</sup> See Statute of the Special Court for Sierra Leone, 16 January 2002, articles 2g, 4 and 5. Available at <http://www.sc-sl.org/DOCUMENTS/ImportantCourtDocuments/tabid/200/Default.aspx>, accessed June 1, 2009.

establishing the International Criminal Court (ICC) in 2002 made the criminalization of war crimes, crimes against humanity, and genocidal acts against children specific internationally punishable criminal offenses. Some of these crimes, in particular the forced recruitment of children and sexual violence, have been important aspects of the indictments the ICC has issued so far for crimes committed by various groups in the Democratic Republic of the Congo, Sudan, and Uganda.<sup>43</sup>

There have been inconsistent standards with respect to minimum age of recruitment of young people in the military and their use in hostilities. While the Rome Statute, just like the Additional Protocols to the Geneva conventions, prohibits the recruitment of children under the age of 15 into armed forces, there is an emerging norm to set the minimum age of voluntary recruitment at 18. The CRC Optional Protocol on the involvement of children in armed conflict outlaws the enlisting and use in hostilities of children under 18. Similarly, the 2007 Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups and the Paris Principles on Children Associated with Armed Forces or Armed Groups, These two documents, albeit non-legally binding, were endorsed by 58 states and suggest an emerging international consensus on setting the minimum age for enrolment in armed forces at age 18.<sup>44</sup>

The above legal norms provide the backdrop for the detailed documentation and evaluation of children's experiences during the Liberian conflicts from 1979 to 2003. They also provide the framework within which to assess efforts undertaken so far by Liberia's post-war Governments to address the egregious violations of children's rights that occurred during the war and to include children in the process of rehabilitating and reconciling the devastated country.



**Drawing by child from Maryland County submitted to the TRC Children's Art Gallery**

<sup>43</sup> See for example Warrant of Arrest, Situation in the Democratic Republic of the Congo, The Prosecutor vs. Bosco Ntaganda, 22 August 2006, ICC-01/04-02/0.

<sup>44</sup> See Paris Principles and Guidelines on Children Associated with Armed Forces and Armed Groups, February 2007, and the Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces and Armed Groups, February 2007. See <http://www.icrc.org/web/eng/siteeng0.nsf/html/paris-principles-commitments-300107>, accessed June 2, 2009.

**4**  
**VIOLATIONS AGAINST**  
**CHILDREN**

## 4. VIOLATIONS AGAINST CHILDREN

### 4.1 *Scope and Scale of Reported Violations against Children*

The 280 children who gave statements before the TRC reported being victims of 18 of the 23 types of violations identified by the TRC overall. The 18 violations include targeted and mass killings, arbitrary detention, deprivation, assault, torture, sexual abuse, rape, gang rape, multiple rape, sexual slavery, drugging, destruction of property, looting of goods, robbery, forced displacement, abduction, extortion, and forced labor. From all statements submitted to the TRC, 10,500<sup>45</sup> violations against children were reported, including all categories of violations identified by the TRC. Forced displacement was by far the most frequent violation against children. This section will focus on these reported violations, with a strong emphasis on the most egregious and systemic violations of children's rights.

The war profoundly altered social relations and turned individuals against each other. As a 2004 World Bank study put it, "*War...tended to atomize society. Neighbor turned against neighbor and children against parents in a desperate struggle to stay alive.*"<sup>46</sup> During this process children were largely at the receiving end of the worst atrocities, but in some instances also perpetrators of grave human rights violations.

Grave violations of children's rights were committed all across the country and by all armed groups, whether they were official government forces, affiliated militias or insurgent groups. This report mainly focuses on documenting violations against International humanitarian and human rights law during the periods of armed conflict, between December 1989 and August 1996, and March 1999 and October 2003. As spelled out in greater detail in Volume I of the Final TRC Report, the TRC's reporting places heavy emphasis on "gross violations of human rights law" (IHRL) and "serious violations of international humanitarian law" (IHL).<sup>47</sup> This section will focus on violations against children which occurred frequently and which indicate general

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<sup>45</sup> This number is relatively low compared to the total number of violations (163,615) reported to the TRC. This is due to the fact that only a small number of statements were taken from children, as compared to the overall number of statements of 17,416. This should not be interpreted to mean that children were less likely to be victims of grave rights violations. It is rather a reflection of the comparatively small number of statements taken from children as compared to statements from adults. Witnesses who testified first report violations they have experienced themselves.

Consequently, due to the comparatively small number of children who testified, only few violations against children were reported. In many instances (more than 50 percent of the cases for most violations), the age of the victim of a reported violation could not be determined and hence could not be coded. This means that, in fact, many more violations against children might have been recorded by the TRC, but they were not identified as such.

<sup>46</sup> World Bank. 2005. *Community Cohesion in Liberia*, Washington, DC, p. 47.

<sup>47</sup> See Truth and Reconciliation Commission of Liberia. 2008. *Final Report of the Truth and Reconciliation Commission of Liberia (TRC), Volume I: Findings and Determinations*, pp. 28.

patterns and a “preponderance of evidence” that the accused, generally armed groups in this case, are “more likely than not” responsible for the crime described.<sup>48</sup> It will specifically focus on the following violations:

“Violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment;”

“Outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution, sexual slavery, sexual violence and any form of indecent assault;” and

“Using, Conscripting or Enlisting Children in Armed Conflict.”<sup>49</sup>

Since the TRC took statements from young witnesses who were under the age of 18 mainly in 2007 and 2008, a larger number of testimonies collected by the Commission refer to more recent events, notably during the “LURD and MODEL wars’ of 2002 and 2003. However, many adult witnesses described similar systematic violations against children in the early and mid 1990s, which have also been documented by human rights organizations.<sup>50</sup>

Many of the gravest violations against children seemed to be common to all warring factions, in particular the forced conscription of children and the use as forced laborers and as child soldiers in battle, as well as systematic rape, gang rape, and sexual slavery against girls. The sample of children who testified was not comprehensive enough and other violations against children reported by adult statement givers were not representative enough to draw specific conclusions about the variations in the prevalence of these violations between different armed groups.

The first part of this section will document the gravest violations against children’s life, health, and physical or mental well-being, including murder and killings, forced labor, abduction, and cannibalism. The second part will document the systematic use of various forms of sexual and gender-based violence as a war tactic and the multiple forms it took. The third section will look closely at the forced use, recruitment, and enlistment of children in the armed forces. It will conclude with a discussion of why children, even though they committed some serious rights violations themselves, are generally not seen to be accountable for those acts due to the forced nature of their conscription.

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<sup>48</sup> For a discussion of the standard of proof employed by the TRC, see *ibid.*, p. 33.

<sup>49</sup> Additional Protocol II to the Geneva Conventions, 1977.

<sup>50</sup> See for example Human Rights Watch. 1994. *Easy Prey: Child Soldiers in Liberia*. New York: Human Rights Watch.

## 4.2 “Violence to Life, Health, Physical or Mental Well-Being”

### 4.2.1 Targeted and Mass Killings

Children were targeted and became victims of targeted killings in different ways. Some of the most notorious massacres during the war included the killing of large numbers of children. Reports by human rights agencies have documented the July 29-30, 1990, massacre of some 600 people by government soldiers at St. Peter's Lutheran Church in Monrovia including large numbers of women and children.<sup>51</sup> Similarly, the NPFL was reported to have massacred approximately 547 civilians on June 5-6, 1993, at an IDP camp outside Harbel. Witnesses of the incident reported that large numbers of women and children were among the victims.<sup>52</sup>

Some children died in crossfire, not knowing how to void dangerous situations and to stay out of harm's way. A girl from Lofa County who was 13 at the time of the incident, got caught in crossfire and saw her brother die:

*“In 2002 I was living in [our] village with my mother and my brother...when LURD entered [the nearby] city. We went into the bush for fear of the rebels and the Government Forces. Two weeks later my mother sent me to town for food, as my brother and other people were still there...When we heard heavy firing sound around the place we ran for safety but bullets caught my brother and he died.”<sup>53</sup>*

However, in most cases, children were specifically targeted, often because they belonged to specific groups or because they lived in communities seen as being sympathizers of opposing armed factions. In particular during the early 1990s, children, just like adult civilians, were frequently deliberately targeted for their ethnic identity:

*“On July 4, 1990, the first rebels entered...[our]...Town...Our house was surrounded by rebels because we are from the Krahn group, so we were hunted. When the rebels went to our house we hid ourselves under the bed. My father, my brother, and other family along with two children were all killed by the rebels after they came outside. They were killed because they were Krahn people”.<sup>54</sup>*

[and]

*“In 1994, I was a little child living with my parents in...River Gee County when the LPC rebels captured the area. Two of my older brothers...were caught and slaughtered with cutlasses*

<sup>51</sup> See Human Rights Watch. 1990. Liberia: A Human Rights Disaster, 26 October, p. 8.

<sup>52</sup> Human Rights Watch. 1994. Easy Prey: Child Soldiers in Liberia, 8 September. See report at <http://www.hrw.org/legacy/reports/1994/liberia2/>, accessed June 10, 2009.

<sup>53</sup> TRC Statement LOFA-00232.

<sup>54</sup> TRC Statement GHA-01238



by the LPC rebels because of their [Gio] ethnic background.”<sup>55</sup>



Targeted killings of young men and children because of their ethnicity were also reported from Zwedru, Grand Gedeh County, when that area fell to NPFL in 1990. Six young men and children were arrested and killed because of their tribe.<sup>56</sup> A 2004 World Bank study suggests that in particular in the area between Nimba and Grand Gedeh Counties, where hostile communities were interspersed or adjoining, “atrocities against partners and children of mixed Krahn-Gio/Mano marriages” were common.<sup>57</sup>

In some instances, the killing of children took on ritualistic aspects, as in one incident in Konola, Margibi County in May 1990, when NPFL rebels killed three children because they were ethnic Krahn. The children were beheaded, their corpses mutilated; their hearts were taken out and placed in a bag, which was then beaten by the rebels with a stick.<sup>58</sup> Another gruesome incident involving the mass killing of young children occurred in Lofa County in 1993:

*“In 1993 we were in [our town] when Taylor people attacked us...The group commander's name was General Musa...after killing my husband and his brother, they said we should follow them to go to Taylor before ULIMO comes and kills us, so we followed them. While going, they took*

<sup>55</sup> TRC Statement MRY-00953

<sup>56</sup> TRC Statement GED-00088.

<sup>57</sup> World Bank. 2005. Community Cohesion in Liberia, p. 25

<sup>58</sup> TRC Statement MON-00086.

*all the young babies and children in a house and locked it. After that they put fire on the house with the children.*"<sup>59</sup>

A particularly grisly act was reported from Grand Bassa County against the youngest of the young: babies. When that area was captured by NPFL in the early 1990s:

*"In my presence, the NPFL collected all the young babies and put them in the mortar and pounded them while these children were crying."*<sup>60</sup>

Several cases heard by the TRC also involved the specific targeting of pregnant women and their unborn children. For example, a 15-year old girl who testified at the TRC Children Hearing in Bong County, May 2008, had to witness the torture and death of her pregnant aunty:

*"My mother's little sister...was killed in Red Light, Monrovia. Her stomach was opened in my presence; at that time she was pregnant. We came from Red Light and we were going to our church...when this occurred. This took place during the MODEL war. The soldiers that committed the act were in soldier's army uniforms. They killed the woman for no reason."*<sup>61</sup>

An even more brutal and sadistic incident involving a pregnant woman and her unborn child was reported from the early 1990s in Grand Bassa County:

*"While in the village, two LPC soldiers started betting on one woman who was pregnant and said, 'that boy [or] that girl?' When the woman noticed that she was the one the two of them [were] betting on, she began with heavy cry, begging for mercy. They couldn't listen to her. They collected that pregnant woman in my presence and lay her head on [on] a log and cut her neck off...and split her stomach and took her baby out. The baby was a boy child. While arguing, the one who said the baby was a boy started telling his friend to pay him..."*<sup>62</sup>

Apart from the targeted and ritualistic killings, however, in many instances children just seemed to fall victim to general attacks and campaigns of terror directed indiscriminately against all civilians by armed groups in order to gain control of an area and to root out any real or suspected resistance. For example, the scenario described by a girl who testified at the TRC Children Hearing in Gbarnga in May 2008, and who was a small child at the time, seemed typical of many children's experiences at times when armed groups attacked their towns or villages:

*"In 1994 the LPC rebels came to our town and they were shooting and they went in our house*

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<sup>59</sup> TRC Statement LOF-00156.

<sup>60</sup> TRC Statement BAS-00185.

<sup>61</sup> Tenth Primary Witness, IRC Children Hearing, Gbarnga, Bong County, 24 May 2008.

<sup>62</sup> TRC Statement BAS-00185.

*and they shot my mother. When they shot her I was going to her and they shoot me and it hit my hand. I was crying and they went and killed my uncle wife and her two children."*

Children often seemed to have been killed for no reason other than their mere presence at the scene of an attack or a crime. Entire families were decimated, and armed groups did not stop when they encountered children or mothers with young children. This is illustrated by an exchange TRC Commissioners had at the TRC Children Hearing in Zwedru in September 2008 with an 18-year old young woman who was 13 at the time when MODEL rebels captured her and her town:

**TRC:** "Where were you when the fighter captured you?

**Witness:** I was living in River-Gee.

**TRC:** Were the fighters many that came to your town?

**Witness:** Yes, they were many.

**TRC:** How many persons the fighters killed in your town?

**Witness:** They killed about six persons.

**TRC:** Who were the people they killed?

**Witness:** The people they killed were children.

**TRC:** What the children did before they killed them?

**Witness:** They did nothing."

Even encountering very young children did not stop the fighters. Numerous published reports and statements given to the TRC have documented the apparently wanton killing of the most unthreatening human beings such as very young children and babies, as illustrated by the following killing of a toddler in Lofa County in April 2003, witnessed by the toddler's 12-year old sister:

*"We decided to cross to Guinea. While going, a LURD fighter came and grabbed my grandmother and cut off her finger...While crying...our last born...he was a crawling child...began to crawl to our mother. Just at that time a fighter of LURD shot the baby in his side and my little brother died instantly..."<sup>63</sup>*

While killings were frequently targeted or indiscriminately aimed at civilians no matter their age, many of them were also the culmination of a series of abuse, torture, and other severe rights violations.

Even if children managed to escape falling victim to murder and killings themselves, many of them had to witness the most gruesome acts of brutality and murders committed against their parents, loved ones, and friends, as illustrated by the testimony of this child:

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<sup>63</sup> TRC Statement BON-01581.

*“Right before our eyes, my uncle...was caught and forcefully knocked downed. He tried to put up some resistance but he was alone and could not fight them [the rebels] because they were many. They knocked him on the ground and used the cutlass and cut off his head.”*<sup>64</sup>

[and]

*“The Government troop was led by one General Kofi and as soon as he saw my father entering the town, he caught him, and told him to go show him the rest of the town’s people and when my father refused General Kofi began to kill him. First, he was shot and when my father dropped, he was chopped to pieces”.*<sup>65</sup>

The trauma children suffered while witnessing these unspeakable acts of terror will be immeasurable. They are certain to affect children’s future psychological wellbeing and their ability to reintegrate into society, to build meaningful social relations, as well as to take on a positive outlook on life and become productive members of society again.

In the end, the killing of young children, the most vulnerable and unthreatening human beings possible can only be explained by the brutal tactics with which the war was conducted and by the intentional use of terror against civilian populations and the widespread use of forced recruitment of young soldiers as well as the widespread use of drugs and other means to turn mainly young Liberians into killing machines. This is reflected in a statement by Morris, a boy from Lofa County, who commented on his experience during the war as follows:

*“What I really experienced was that we, the children of Liberia, were used as killing machines to kill our own brothers, sisters and other family members.”*<sup>66</sup>

#### **4.2.2 Forced Labor**

Young boys and girls were the preferred laborers that kept the military machinery of the armed forces running. A large number of children associated with the fighting forces were not recruited for combat, but rather as porters, cooks, cleaners or in other logistics or support positions. Often they had dual roles, where they did domestic work at time, and, when there was a need for manpower, they were given guns and sent into combat. Children were coerced to do work that was often physically taxing and beyond their physical abilities. If children struggled to meet the expectations of their commanders or fighters, they were beaten and otherwise physically abused.

The forced labor Liberian children experienced during the war could range from short-term, relatively safe work for armed groups when they had newly taken over a town.

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<sup>64</sup> TRC Statement MRY-00943.

<sup>65</sup> TRC Statement SIN-00589.

<sup>66</sup> TRC Awareness Raising Workshop, Voinjama, Lofa County, 23-26 November 2007.

For example, the TRC received numerous statements from young girls who were temporarily recruited to get and prepare food for fighters. A girl from Bomi County told the TRC that she was relatively lucky. She was 16 when she was asked to cook for LURD rebels staying in her town. But she was allowed to sleep at home at night, and once the rebels moved on, the assignment ended. The girl was not compensated for her labor, but was not harmed otherwise, which, among the statements received by the TRC, was the exception rather than the rule.<sup>67</sup>

Many other girls were not so lucky – they were not only abducted and forced to move around with armed groups, but also physically and sexually abused (see section on sexual slavery).

In the best cases for the victims, children were recruited on the spot for a clearly defined task and released subsequently. Although the jobs they had to do were arduous and sometimes unpleasant, they could count themselves lucky when they were released, as in the case this boy from Monrovia who was 16 in 2003:

*“When World War III intensified food business got seriously hard and General K-1 was actually killing people in the Freeport for looting. One evening I and my friend went there to look for food. Some LURD fighters met us and told us to take all of the dead bodies from the street or else we turn dead, too. We took 16 bodies, rotten ones, from the street with our bare hands.”<sup>68</sup>*

Getting recruited for a limited duration and then released was hardly the norm for most children who encountered armed groups during the war. Abduction, forced recruitment, and forced labor generally were part of the same process and many children experienced them at the same time, as the testimony by an 18-year old boy from Nimba County, who was 16 when he was captured by government forces and the forced to stay with them:

*“One day I decided to go for the weekend to [another town]. While on my way, I met some Charles Taylor fighters in a pick-up. They stopped and ordered me to get on the car. I refused...they got down from the car and told me because I refused...I should take the two RPG rockets and carry them on my head. They put them on my head...and were driving the pick up slowly while I was walking behind the car with the RPG rockets on my head. I walked with the rockets...[for] three hours and thirty minutes. When we reached [another town]...they told me to sleep with them...The next day they told me to go for water to them. I started working for them. They used to make me cook for them and wash their clothes...”<sup>69</sup>*

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<sup>67</sup> See testimony by 21-year old girl at the TRC Children's hearing in Tubmanburg, Bomi County, July 2008.

<sup>68</sup> TRC Statement MON-00460.

<sup>69</sup> TRC Statement NIM-00810.

Girls and boys were seized at the threat of their lives or the lives of their families. A 30-year old woman who was 14 in 1990 when NPFL attacked her town in Grand Gedeh County gave the following account:

*"The government soldiers in town told everybody...to leave because the rebels of the NPFL were coming...While leaving the town, the government soldiers...said as a young girl I should remain with them in the town with some other young girls so that we can cook their food...I started crying. My father begged the soldier so that I can go...The commander of the soldiers was vexed. He said if my father talked again, he would order his soldiers to kill him. So my father left the town with my mother who was pregnant..."<sup>70</sup>*

Often, the treatment included hard physical labor and abuse, as illustrated by a 17-year old boy's testimony to the TRC about his forced work as porter and scout for LURD in 2003, when he was 13 years old:

*"During the beginning of the rainy season in 2003, my family and I were captured...near Gbargna...[by] the LURD rebels...They were more than twenty in number...My brother... and I were beaten with gun butts. From the beating I got wounded on my head...We remained with the LURD rebels until the war was over in 2003. While we were with the rebels we were forced to go on patrol with them to look for food and carry loads for them. Whenever they were going to attack the government troops, my brother and I were forced to carry their ammunition on our heads. The rebels treated us this way because they wanted us to show them where the government troops were positioned."<sup>71</sup>*

The armed groups meted out severe punishment for failure to perform. In the worst cases, children faced death if they were unable to keep up with physically demanding work:

*"The GOL troops came and took us from our parents and compelled us to carry their ammunitions and other items from place to place. At the same time, they were beating us for no reason. They started threatening us that whoever will complain that he/she is tired will be killed and because of this remarks, one of my friends...said he was tired and he was immediately killed in my presence in the bush on our way with their items."<sup>72</sup>*

The armed groups' constant need for laborers and the dynamic nature of the war generated a climate of generalized insecurity in which boys and girls were never safe. Many of them felt constantly on the run and were recruited and re-recruited multiple times, as a 16-year old boy mentioned in his testimony:

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<sup>70</sup> TRC Statement GED-00088.

<sup>71</sup> TRC Statement CAP-00426.

<sup>72</sup> TRC Statement LOF-01021.

*"During the war, we traveled in far areas. The soldier people [LURD] can come tell us say we who are the boys, we should go one side. [Then] they will leave us there and go to another town and bring cattle and tell us to cross it, we will cross over the water, while we were crossing they killed my little brother. Every time they used to do it to us, they used to ill-treat us. We used to escape and they go for us again. I carried rocket on my head for the rebels even the whole gun bag I used to carry it for them."*<sup>73</sup>

### 4.2.3 Amputations and Mutilation

Unlike during the war in neighboring Sierra Leone, the amputation of limbs was not as common a war tactic in Liberia. Cases of amputations and mutilations against children were relatively infrequent among the cases heard by the TRC. Those incidents reported fit into a larger pattern of physical abuse and torture in order to intimidate, subdue, and control children. This 12-year old boy, who testified at the TRC Children Hearing in Bong County in May 2008, still carries the mark from his encounter with rebels in 2003:

*"During the war we were in [the town] and the MODEL people came in [the town] and we went in the village and my mother say go for water and the people came they say tote (carry) my load if you na [not] tote (carry) it we will kill you. I ran in the room to my ma [and] the people [rebels] came there. I was crying and the other man put the knife in the fire and put it on me. I was crying and they...The man burned me with the hot knife and the mark is there."*<sup>74</sup>

Other reported cases of mutilation were more gruesome and seemed to have involved the sadistic pleasure of some commanders and fighters, as the chilling account by this young woman illustrates:

*"I lived in my home town [in Grand Gedeh County]...On one beautiful morning I saw people running towards me with bundles on their heads...they told us that there was war in Zwedru. Hence we joined them and ran in the bushes. At the time I was small [8 years old], but I can remember everything...the LPC war broke out in 1994. One afternoon the LPC rebels entered our village and captured me and my sister...I was tied and carried to [another town] to be killed. But while we were approaching [the] town, the citizen defense forces attacked the LPC...Before I could escape, the commander...and his boys began to chop me with their cutlasses all over my body. The general cut a big flesh from behind my foot. They tortured me by picking knives on my back and other parts of my body."*<sup>75</sup>

Similarly, torture involving mutilation seems to have been one tactic to instill fear and humiliate those considered enemies, whether they were children or not. A 16-year old

<sup>73</sup> Interview with children in Gbarnga, October 19-20, 2007.

<sup>74</sup> Second Primary Witness, TRC Children Hearing, Gbarnga, Bong County, May 24, 2009.

<sup>75</sup> TRC statement GEE-00125.

gave this account to Human Rights Watch in 2003:

*"We captured this one boy and he fought with us later. He was ambushed in a car together with other government soldiers... LURD fighters cut the hands and feet off the government fighters and made them get back in the car; the boy was the only one spared. Their car was full of blood. Other boys weren't so lucky. One boy from the government side was caught near the Browerville Bridge; he had been wounded in the leg and unable to retreat. LURD caught him and tied him up attached to a stick. They then cut off his toes, fingers, nose and ears. Then they cut off his private parts and left him to bleed to death."*<sup>76</sup>

#### 4.2.4 Arbitrary Detention

As part of their arsenal of abuse of civilians, all of the armed groups frequently took prisoners they considered to be hostile or disciplined their own soldiers if they violated rules or refused to fully perform their tasks through detention. Prisons were often substandard houses or even holes in the ground and prisoners were regularly physically abused and given little or no food or water. Children, in particular young boys, were not treated any different from adults, as the statement by an 18-year old young man who was abducted and forcibly recruited by LURD when he was 14 years old in 2003 illustrates:

*"In February 2003, LURD fighters captured [the town] where I lived....we...saw ten LURD fighters...We were compelled to take arms...When I got back...I met a commander... and twelve fighters. He asked where I came from and I told him from Sierra Leone to see my parents. So he ordered his boys to tie me and beat me. Why I should leave them fighting and go to Sierra Leone? He shot me but the bullet never penetrated because I was protected...but I was beaten severely and stabbed with knife on my leg... and they put me in jail. I spent three months there and...[another] commander...came and asked what I was doing in jail...So he went to Bomi Hill and sent message that I should be released...When I came out I could not do anything for myself because I was treated bad while in jail."*<sup>77</sup>

#### 4.2.5 Forced Displacement

Between 1989 and 2003, most Liberians were displaced at one moment or another. A large share of the population, up to 50%, spent longer times in displacement. Estimates suggest that up to 800,000 Liberians became displaced between 1989 and 1996, and another 530,000 between 1999 and 2003.<sup>78</sup> Displacement could take many forms. Many people fled across the border to neighboring countries, mainly to Sierra Leone, Guinea, and Côte d'Ivoire, others stayed in camps for internally displaced persons (IDPs), with

<sup>76</sup> Human Rights Watch. 2004. *How to Fight, How to Kill: Child Soldiers in Liberia*, Vol. 16 (2A), p. 22.

<sup>77</sup> TRC statement CAP-00581.

<sup>78</sup> Government of Liberia. 2008. *Poverty Reduction Strategy*, p. 50.



relatives in other, safer parts of the country, and yet others simply hid in the 'bush' closer to their homes, where fewer fighting factions would pass through and where they could eke out a living on small-scale agriculture and wild foods.

Some estimates suggest that up to 80 percent of all displaced persons and refugees were women and children,<sup>79</sup> since adult men were more likely to be recruited by armed forces or killed immediately since they were considered enemies. In many instances also men would stay behind to try to protect property while women and children fled. Forced displacement was by far the most frequently cited human rights violation by children who gave statements to the TRC.

Since the war was marked by massive targeting of civilians, forced displacement served several strategic purposes for armed groups. In part, armed groups simply wanted to clear certain areas of the population as a strategy of conquest to be able to set up their own bases and posts. In other instances there were ethnic motivations and they intended to clear areas of residents of certain ethnic groups. In all instances, the purpose was to either eliminate or control the local population through force, violence, destruction and looting of property.

Often, families fled in anticipation of fighting. In the best cases, children managed to flee with their parents or at least with close relatives:

*"When we got information that LPC fighters were coming, we fled our home in Maryland County and were heading for the Ivory Coast for refuge, we were accompanied by my two uncles."*<sup>80</sup>

[and]

*"I was in the city of Plebo when the MODEL rebel faction captured Maryland in 2003. We were taken with our parents to seek refuge in a village...near the Cavalla River"*.<sup>81</sup>

Being on the run greatly increased the vulnerability of children. During flight, they not only suffered from physical hardship and poor nutrition, but also risked encountering armed groups and being abducted, forcibly recruited, or harassed. Still, to many children, running away was the only means to escape the abuse by armed groups, even at the price of other hardship:

*"During the war I was running from place to place to protect me self. Again I was a group of people running from the same war so there was no food, clothes and herbs and we were in the*

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<sup>79</sup> Ibid. p. 51.

<sup>80</sup> TRC Statement MRY-00946.

<sup>81</sup> TRC Statement MRY-00954

room for 5 days no water to drink.”<sup>82</sup>

[and]

*“During the war,...we were living in the bush. We were not having food, slipper, clothes and good health care. We used to eat bush yams with lolo soup. These rebels were all over Cape Mount. We suffer and suffer.”<sup>83</sup>*

The most unfortunate of the children did not only have to witness atrocities, often against their own family members, but were separated from their parents and left to fend for themselves, as this young adult told the TRC about This account when he was just 9 years old in 1993:

*“During 2003...when the LURD war came to Kakata...our mother later ran from us. My sister did not waste time to run with me for life. We took the 14<sup>th</sup> road leading to Firestone. We had decided to go to our aunty in Harbel. On our way to Harbel we saw dead bodies floating on the water...We reached a gate controlled by government forces...My sister had money we depended on to buy food, but the soldier people took it at the gate. I was tired walking and began crying, but my sister backed me for [a] portion of the distance to Harbel. We didn't eat until we reached Harbel. We slept under the Harbel market kitchen until we [found] our aunt.”<sup>84</sup>*

Almost no matter where displaced children sought refuge, they never seemed to be safe from being attacked and harassed by armed groups, who regularly raided refugee camps, or, in some instances, even orphanages, as this girl from Gbarpolu who was eight years old in 2003 experienced:

*“During the war in 2003 I was living in...the orphanage home...during the fighting we went inside because of the shooting. The Charles Taylor soldiers who were wearing green clothes...and holding black guns in their hands told us to open the door or else they will entered by force. The door was opened, at which time they entered and took all our food away...”<sup>85</sup>*

Separated or orphaned children were most vulnerable to forced recruitment or being abused otherwise, as this account illustrates:

*“In the year 2000, when LURD and Government Forces war started, the town was attacked by the rebels and we all ran helter-skelter. My small brother...and I ran in the same direction. We met a man with an AK-47 rifle and he demanded that we follow him or else we would be killed. After we walked for a while, we arrived at a village where we met a large quantity of*

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<sup>82</sup> Comment by child at TRC Awareness Raising Workshop, Madina, Grand Cape Mount County, November 16-18, 2007.

<sup>83</sup> Ibid.

<sup>84</sup> TRC Statement MAR-00581.

<sup>85</sup> TRC Statement GBA-01211.

ammunition.”<sup>86</sup>

#### 4.2.6 Cannibalism

In particular the Liberian civil war from 1979 to 1996 gained notoriety worldwide for its brutality and for reports about the use of traditional symbols and rituals to embolden warring factions' fighters and tactics, including the ingestion of opponents' body parts that were supposed to give strength to those who consumed them.

The TRC learned of a number of cases, where children were particularly targeted because they embodied youth and strength. These qualities were supposed to lie particularly within their hearts, as a 14-year old boy testifying at the TRC Children Hearing in Bong County, May 2008, suggested:

*“I will start with world war III. The government forces leaders used to line up the boys choose one and kill them and take out their heart and eat it. When he ready then they will take another boy to take the hearts.”<sup>87</sup>*

A particularly gruesome incident was reported in by a female witness in 1990 in Margibi County:

*“In 1993, one general of the NPFL was seen during the afternoon hour...with more than 20 to 25 young men tied at the back of his pickup...He told us that these boys will be sold to us as meat as soon as they returned after one hour from where we are taking them...After two hours we saw the same pickup coming back. Again everyone of us were commanded to come and buy...One after another we give money while in return parts of humans was given to us. I noticed in the back of the pickup...a white bucket full of human hearts and intestines. An elderly man...was ordered to take the bucket from the pickup to his house and cook what was in it. He [the NPFL General] ordered everyone of us to provide ingredients for his soup...After they got through cooking what was in the bucket, the general invited us to join...He said ‘watch us while we eat’.”<sup>88</sup>*

Children were not only victims of cannibalism, but also in some instances forced to ingest human flesh by their commanders, supposedly as a part of initiation and to share in the alleged reinvigorating powers of eating human organs. An NPFL General called Zigzag Marzah was reported to have been notorious for his habitual eating of human hearts. Civilians and captured rebels were his main victims. He would slaughter the victim and extract the human heart which he prepared with soup and drank it. Soldiers fighting for him including child soldiers were often instructed to

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<sup>86</sup> TRC Statement LOF-00938.

<sup>87</sup> Eighth Primary Witness, TRC Children Hearing, Gbargna, Bong County, 24 May 2008.

<sup>88</sup> TRC Statement Mon-00086.

arrest passing civilians, whom the general would detain and slaughter one at a time and drink soup made of their hearts. Some of his fighters were also made to consume the human soup. One child soldier complained that he developed a skin rash from ingesting human meat.<sup>89</sup>

#### 4.2.7 Abduction

A large number of children were abducted during the war. They were usually abducted for a specific purpose. Consequently many violations described here, notably forced recruitment, sexual slavery, and forced recruitment (see below for detailed discussion) involved the abduction of the victim, i.e. the forced or unwilling removal of children from their current location.

Abduction usually entailed for what many children described as being 'captured.' Then they were taken along with rebel groups and used and abused as laborers, fighters, or sexual slaves. For example, the following scenario described by a 17-year old boy who was 13 of the time of his abduction seemed to have been quite typical:

*"During the beginning of the rainy season in 2003, my family and I were captured...near Gbargna...It was the LURD rebels that captured us. They were more than 20 in number...my brother...and I were beaten with gun butts...While we were with the rebels, we were forced to go on patrol with them and look for food and carry loads for them...Whenever they were going to attack, the government troops, my brother and I were forced to carry their ammunition...We remained with the rebels until the war was over in 2003."*

Abduction was thus just a means to another end, namely to exploit children as laborers or sexual slaves. Even the smallest and most vulnerable children were not safe from being abducted. A young woman from Grand Gedeh County told the TRC that her life took a very different turn when she was abducted at a very young age:

*"I was very small when the NPFL war hit my home...in Grand Gedeh County...I saw the rebels shooting in our town in 1990, the year the war broke out. Everybody ran in the bush and I was left behind. One of the rebels...captured me and brought me to [another town] to his brother...where I grew up and got married...[the former rebel] narrated the whole story to me, that I was captured...but that I was a Krahn girl from...Grand Gedeh...I am an orphan, no brother and sister. I don't even know my [real] name."<sup>90</sup>*

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<sup>89</sup> Interview with former child soldier, Monrovia, January 3, 2007.

<sup>90</sup> TRC Statement Gee-00743.

#### 4.2.8 Disappearances

In the confusion of the wars many children went missing in Liberia. Many of them were just temporarily separated and found each other either through relatives or acquaintance or through active family tracing services by humanitarian organizations.

However, not all of the cases of disappearances of children have been resolved. The TRC received a number of statements from parents whose children went missing or were forcibly taken from them and never came back. This was particularly true for children who disappeared at a very young age, and would thus have little specific recollection of their home towns or how to find their parents.

*"[It has] been almost seventeen years now since my child lost from me when we were walking from Bomi to Bo waterside border. It was in 1991. He was just two years old then. I had set him along the way side and went into the bush to ease myself. When I came back he was gone. I went all over looking for him and since 17 years now I don't know his whereabouts. I don't know if he is alive or dead...I have cried and cried all the time and pray that one day I will find him."*<sup>91</sup>

In some instances, armed factions deliberately separated children from their parents and prevented parents from reuniting with their children:

*"One day in Bong while we were asleep, my sister and myself, the rebels came and put us all outside. They took away our children. One was five years old, the other was four and the other was just about two years old. The rebels put the children in the truck and asked us to walk...They took the children to one displaced camp and left them there...while walking we were captured by the LPC rebels and forced to go with them to Grand Gedeh. We were used as their wives all the time we were there...They never allowed us to leave. We used to be concerned about our children and we heard news that our children were in the camp. But when we told the LPC rebels that we wanted to go and get our children they refused and told us if we try to go they will kill us. So we were afraid. Since 1994 we have not seen our children and don't know where they are, whether they are alive or dead."*<sup>92</sup>

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<sup>91</sup> Interview with witness, October 12, 2007, Monrovia.

<sup>92</sup> Interview with victim, November 4, 2007, Monrovia.

Painting By Francis R. Wallo, submission to the TRC Children's Art Gallery



### 4.3 “Outrages upon Personal Dignity:” Sexual Violence, Rape, Gang Rape, Sexual Slavery

#### 4.3.1 Sexual Violence and Rape

Liberian girls and women suffered from sexual and gender-based violence on a massive scale during the Liberian wars. A 2003 survey among Liberian refugee women who had found refuge in Sierra Leone found that 74 percent of the women interviewed had been sexually abused or assaulted prior to being displaced.<sup>93</sup> Even though there are no specific statistics on the total number of sexual abuse and violence against women, there is overwhelming evidence that sexual abuse and rape during the conflict was predominantly targeted at girls and young women. Among all the violations reported to the TRC, rape affected most severely girls and young women, with the age groups between 5 and 19 years of age making up approximately 50 percent of all reported rape cases.<sup>94</sup>

All armed forces, government forces, affiliated militias, and insurgent groups sexually assaulted and raped girls on a large scale. Sexual assault was used as a weapon of war, namely as a form of humiliation, intimidation and symbol of subordination of local communities. An experienced counselor who worked with Liberian rape survivors told Human Rights Watch that, “[rape] is a weapon. It happens when they take over a place and they want to prove they are in control. They even rape in front of the husbands, they tie them up and make it a powerless situation, and sometimes afterward they kill the husbands in front of the wives.”<sup>95</sup>

In many instances, fighters also seemed to have considered rape to be a reward for their actions and engaged in rape simply because they were more powerful and because they could, as the below statement by a girl from Bomi County who was 13 at the time of the incident indicates:

*“One morning I went to school in 2003 with my two friends and they captured us and carried us in one building and they say they wanted to have us and we said no so they started insulting us but we said no and they started shooting in the house and they take off our cloths just so they can have us. They left and they went...they said they were going to eat when they come they will kill us. When they went to find food we managed to cut the rope and we passed over the window*

<sup>93</sup> Ward, J., and M. Marsh. 2006. *Sexual Violence Against Women and Girls in War and Its Aftermath: Realities, Responses, and Required Resources*. A UNFPA Briefing Paper prepared for the Symposium on Sexual Violence and Conflict and Beyond, June 21-23, Brussels, Belgium, p. 2.

<sup>94</sup> This figure is likely to be much higher for the total population given that only a relatively small number of girls under the age of 18 gave statements to the TRC as compared to the total population of statement givers.

<sup>95</sup> Human Rights Watch. 2004. ‘The Guns are in the Bushes’: Continuing Abuses in Liberia. New York: Human Rights Watch Briefing Paper, January.

*and we were running and they shot a rocket among us and my friend died and the rocket hit me."*

No girl seemed to have been too young to fall prey to soldiers' desires run amok. Testimony collected by Amnesty International in IDP camps in November 2003 suggested that many soldiers specifically sought out younger children "They [the soldiers] like seven to 11 year olds" and "Some can even rape baby girl if they get the chance."<sup>96</sup>

The TRC heard numerous accounts of very young girls being deliberately selected and separated from the male and older female population when rebels entered towns for the sole purpose to rape them. For example, a 25-year old woman from Grand Cape Mount told the TRC how she was raped at age 10 in 1993, as well as her ten-year old friend:

*"...it was the 1<sup>st</sup> of August 1993...[w]hen ULIMO fighters came here...they told us to form a line for inspection. We were more than 200 persons...two of the fighters came and asked us off the line. It was me and [another girl] from this town...That time I was just 11 and [she] was 10 years...He carried us in a house where their commanders were...They divided us among them...the one took [the other girl] in a room and he and I left. He told me to take off my clothes. I refused. He started beating and punching my face while at the same time tearing my clothes. He began to put his penis in my vagina. I felt it seriously because it was the first time...He spent two hours in me. When he got through, I bled and I could not even stand up...Everywhere in the town people were crying because the fighters were just raping teenage girls. It was not easy. They raped more than ten girls. Since that time, I can still feel pain in my stomach."<sup>97</sup>*

Resistance to the soldiers' demands often had dire consequences for the victims or their family. For example, on November 30, 2002 a 14 years old girl was raped at the hands of Liberian rebels in Ivory Coast, while escaping from the Ivorian town of Danané along with her mother and sisters:

*"The rebels were headed by one Commanding Officer...who sent [his boy] to come and get me over to go and sleep with them. I refused, but was later tortured and taken away by them."<sup>98</sup>*

The Liberian security forces, whether the military or the Liberian National Police (LNP), not only failed to protect girls from falling prey to sexual abuse, in many instances they blatantly abused their powers and committed the very same crimes that they were supposed to prevent, as this statement by a girl who was sodomized at gunpoint by an LNP officer during the war illustrates:

<sup>96</sup> Amnesty International. 2004. No impunity for rape – a war crime and crime against humanity, p. 8.

<sup>97</sup> TRC Statement CAP-00126.

<sup>98</sup> TRC Statement GEE-00216.



*"During war time my mother sent me in the town when I was coming back I saw one policeman. He was having a gun. He asked me, 'where you are going?' I told him the cotton tree. He said 'that's the same place I am going.' I was scared. He went in front. I thought he was gone, as soon as I reached...he put black cloth on my face and put the gun to my head and told me to lay down so he [could penetrate] my butt I was refusing he said he will kill me if I don't lay down so I did it and he [penetrated] my butt and he ran away."*

### 4.3.2 Multiple Rape and Gang Rape

*"During the war I saw...10 to 15 men lay down with one woman..."<sup>100</sup>*

Multiple rapes of individual girls were common during the war, as were gang rapes of individual girls by groups of soldiers, documented in numerous instances in statements collected by the TRC. Although there are no accurate statistics on the overall incidence of multiple and gang rape during war time, some studies indicate that the majority of rape cases were in fact cases of gang rape and multiple rape: a majority, 60 percent, of all rape victims registered by the International Rescue Committee in Montserrado County in late 2003, just after the end of the war, were victims of gang rape while 40 percent of survivors had been raped by a single man.<sup>101</sup>

Girls who suffered from multiple rape and gang rape faced severe health issues, and in some instances, even ended in death of the victim, as in this incident, reported by the younger sister of a teenage girl:

*"I, my mother and my sister were on a bush road around [Margibi County] during World Wars I and II... While my sister was easing herself in the bush a group of militia fighters spotted her. They were nine in number and so they went to my sister in the bush and raped her. When my mother heard my sister crying she hid herself in the bush to avoid being raped also. When they finished they came towards me and one of them wanted to take me away, but one said no let us leave the little girl to help her sister because we have really suffered her. My sister spent two weeks after that she died."<sup>102</sup>*

Even the youngest girls were not safe from gang rape, as documented in this case described by a relative of the young victim in Grand Bassa County:

*"...The LPC came...in 1993 under the command of one General Kofi...and took my sister's daughter...and carried her to the beach and raped her. She was about 10 years old and the soldiers that raped her were 20 in number. This rape act resulted to the death of [my daughter]*

<sup>99</sup> Interview with the child, G.Y. in Gbarnga on October 20, 2007.

<sup>100</sup> Girl attending TRC Awareness Raising Workshop, Voinjama, Lofa County, 23-26 November 2007.

<sup>101</sup> Amnesty International. 2004. No impunity for rape – a war crime and crime against humanity, p. 4.

<sup>102</sup> Interview conducted with the child, L.D., in Kakata on October 26, 2007.

*on July 15, 1994, after being sick for some time....Whenever I think about this I want to cry.”<sup>103</sup>*

In the course of the long war, many girls and young women were raped repeatedly by different armed groups, as in the case of a 13-year old girl, who was beaten and then first gang raped by 13 NPFL fighters in November 1993. Five years later, the same girl was raped in the same town, which led to her getting pregnant and giving birth to a baby girl. The mother admitted that she feels resentful and reminded of the incident each time she looks at the girl.<sup>104</sup>

### 4.3.3 Sexual Slavery and Forced Marriage

Girls associated with the armed forces suffered particularly badly. A 2004 study found that three quarters of all Liberian girls who had been associated with the armed forces were raped or experienced some form of sexual violence.<sup>105</sup> Even women who fought under the command of other women were by no means safe from being preyed upon, as a 23-year old female LURD commander interviewed by Amnesty International in 2003 confirmed:

*“I captured other girls and brought them back to Bomi...Some of the girls were ordered to cook and carry food to the front line...Girls from 11 years old...were part of my group...Many of the girls were raped when they were captured, but once I had my own girls, I wouldn't let it happen. The men didn't take the girls by force to rape them. They would have to ask me if there was a girl they liked and they wanted to take her. In many cases I agreed and the girls would go with them...”<sup>106</sup>*

In many instances, girls were abducted and forced to become what was commonly known as ‘bush wives’, i.e. attached by force or coercion to a commander or regular fighter, living a life of dependency, entirely at the mercy of the soldier's whims. Even though the relationship was generally framed in terms of bush ‘wife’ and ‘husband’ or even ‘lover,’ the actual relationships had little in common with the notions of a traditional relationship between consenting adults. Girls were forced under threat of death to become concubines, cooks, and cleaners all at the same time, as illustrated by the following account of a 17-year old girl from Sinoe County, who was 14 at the time of the incident:

*“In 2002 when MODEL rebel[s] captured...Sinoe County,...I was 14 years old at the time,*

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<sup>103</sup> TRC Statement BAS-00136.

<sup>104</sup> TRC Statement NIM-00035.

<sup>105</sup> Ward, Jeanne, and Mendy Marsh. 2006. Sexual Violence Against Women and Girls in War and Its Aftermath: Realities, Responses, and Required Resources. A UNFPA Briefing Paper prepared for the Symposium on Sexual Violence and Conflict and Beyond, June 21-23, Brussels, Belgium, p. 5.

<sup>106</sup> Amnesty International. 2004. No impunity for rape – a crime against humanity and a war crime, pp. 10.

nevertheless I appeared much bigger. As a result of how I appeared, one of the MODEL commanders...said he wanted me to be his wife. I refused because I was still small and knew nothing about men business. When I refused, [the] commander threatened to kill me. For almost 30 days [he] kept threatening me to be his lover. I finally agreed to be his lover because if not I was going to be killed. After I agreed, [he] raped me because he forced me and had sex with me. I got sick...I was treated for two days. After I finished my treatment, he took me to be his sex slave. I went with [the commander] wherever he wanted me to go. I remained with [him] as his sex slave until the war ended."<sup>107</sup>

Members of armed factions treated girls as commodities that could be acquired, owned, used and abused, and ultimately disposed of at will of those who carried guns. In particular higher-ranking commanders often systematically abducted, abused, and raped young girls, as this account by a then 12-year old girl suggests:

*"The 1990 war broke out and...the rebels captured our area and put people in long queue on the road...The rebels' commander..., a Special Forces of Charles Taylor,...killed my mother and cut her into pieces. He took me and my brothers...to [another county] where he raped me several times. There were about 25 children [this commander] abducted...He had killed the parents of some of the children and he raped other girls among the children and used all of the children as forced laborers on his farm and at home."*<sup>108</sup>

Girls were held in dependent, slave-like relationships. They had to obey orders, were abused and beaten if they refused, and made to work during the day and serve as sex objects in the evening, as illustrated in the testimony from a woman who was 14 years old in 1990 when Grand Gedeh County was taken over by the NPFL:

*"One day the commander...of the rebels told me that I was his small woman. So one night the commander called me in his room so that I can sleep with him. I said I do not know man business yet. Then he said come inside before I kill a dog like you...while in the room he started forcing me to do man business [sex] with him. I started crying. He took his big knife and showed it to me. Then he forced his private thing in me. I was not myself...the lappa [cloth] that was under me was wet with blood. The next day I could not walk. He forced me to work and bring water from the waterside. Every night the commander will force me and do man business to me. If I say the place is hurting he will say if I talk he will kill me. My friends who were going through the same thing stayed with the NPFL for two months."*<sup>109</sup>

Another 18-year old girl who appeared before the Commission at Grand Gedeh County in September 2008 tells of a similar yet even more brutal experience she had in 2003, when she was 12 years old:

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<sup>107</sup> TRC Statement MON-O3906.

<sup>108</sup> Interview at TRC November December 4, 2007.

<sup>109</sup> TRC Statement GED-00088.

*"In the year 2003 during MODEL war, we ran into the bushes. While we were in the bush, some of the MODEL fighters came there; when they came, one of them carried me by force and raped me; at the time, I did not know about man business. He used to beat on me all of the time. When he got ready to rape me, he will put his gun near us and say, if I cry or refuse, he will kill me...I stayed with him for two years... I used to work for other people for food when he is not around; each time he came from the war front and people tell him, he will rape me and beat on me."*

In the worst cases, young girls experienced sexual abuses and violence of different kinds during the course of the conflict, as illustrated by the experience of an 18-year old young woman from Lofa County who was first gang raped, just to be subsequently held in forced marriage by a rebel fighter and to end up all by herself with a child fathered by a combatant:

*"In 2002 I was living in [my] village with my mother and my brother...when LURD entered [a nearby town]...I was captured along with 4 other girls. [We] were taken to [another town] and divided among the soldiers. Five of them took me into a house and lied down with me one after another. When they left me, I was unable to walk for days and was also feeling serious pain in my stomach while white water was running out of me. A Kissi woman felt for me and treated me with herbs, as there was no hospital. After a month one of those who raped me, by the name of Junior, took me to his house as his wife. I had no choice but to agree as it was forbidden to refuse any soldier, if he asked you for anything. After spending five months with him I got pregnant and when the pregnancy was four months he was killed in battle. None them of took me in as wife since I was pregnant, so I crossed into Sierra Leone, where I lived in the camp and returned in 2004 to my village with my daughter...who is now 4 years old."<sup>110</sup>*

As this statement indicates, apart from the coercion and threat of violence if girls disobeyed or tried to leave, being in a dependent sexual relationship with one fighter was sometimes seen by girls as the smaller ill to the continued risk of rape and gang rape if caught by different armed groups. Girls were looking for protection in a lawless and insecure environment and had to make tough choices. Staying with a physically and sexually abusive commander or soldier seemed for many girls to have been a better option than falling prey to other armed groups or simply as a strategy to stay alive. In many cases, girls bore children from their relationships, which tied them even more closely to their abuser in a forced marriage arrangement and made leaving even less of a possibility. This girl from Bomi County told Amnesty International in 2003 why staying with her 'bush husband' throughout the 2003 war and after seemed like her best option:

*"I was captured on 4 February 2003 in [my home town] market where I was selling fish. The LURD fighters were shooting between themselves and one 21-year-old boy came to take me from*

<sup>110</sup> TRC Statement LOFA-00232.

*the market to be his 'wife'. I was forced to join him to save my life. I didn't receive any training but I was given a gun to fight. I fought in February, March and April, before World War I. By World War I my stomach was getting big so I fled to Monrovia. My 'husband' was fighting. I ran to [an IDP] camp... I went home and had my baby. There was no medical treatment in the village so I returned to the camp. People still point us out. My 'husband' was still in Monrovia and when he came to the camp they beat him severely and he ran away. He came back and we were thrown out of the house because we were fighters. Now we don't have anything..."<sup>111</sup>*

#### **4.4 "Using, Conscripting, or Enlisting Children in Armed Conflict"**

A large number of the gravest violations of children's rights during the Liberian war stemmed from the fact that all armed groups heavily relied on children to fulfill wide ranging tasks from being porters, cooks, and to being spies and scouts to being active combatants. Amnesty International quoted an NGO worker based in areas controlled by MODEL around Buchanan, confirmed that large numbers of the rebel group members seemed to be children: *"Most of MODEL's fighters are children. Even some commanders are young men. Those we talked to are tired of it all. Many simply want to go back to school."*<sup>112</sup>

##### **4.4.1 Recruitment and Reasons for Children to Join Armed Forces**

Recent research on why combatants joined armed groups has revealed that reasons for fighters to join are related to a complex set of pressures and motivations.<sup>113</sup> Those reasons may also vary from one armed group to another and one individual combatant can have many different reasons that weigh equally in his or her decision to join the fighting forces. For example, in the case of Sierra Leone, 88 percent of fighters for the Revolutionary United Front (RUF) insurgency were reported to be abducted, while only two percent of the combatants for the government-friendly Civil Defense Forces (CDF) reported having been recruited by force. However, 70 percent of CDF fighters said they believed in the group's political goals, while only 10 percent of RUF recruits had political motivations.<sup>114</sup>

What was true for the Sierra Leonean armed groups can be expected to be largely accurate for different Liberian factions as well. In fact, due to the close ties between the Charles Taylor and the NPFL and the RUF leadership, the recruitment methods on

<sup>111</sup> See Amnesty International. 2004. Liberia: The Promises of Peace for 21,000 Child Soldiers. 17 May, AFR 34/006/2004, p.

<sup>112</sup> See Amnesty International. 2004. Liberia: The Promises of Peace for 21,000 Child Soldiers. 17 May, AFR 34/006/2004, p. 6.

<sup>113</sup> See for a good and nuanced analysis Specht, I. 2005. Red Shoes: Experiences of girl-combatants in Liberia. Geneva: International Labour Office.

<sup>114</sup> Humphreys, Macartan, and Jeremy Weinstein. 2008. 'Who Fights? The Determinants of Participation in Civil War.' American Journal of Political Science, Vol 52 (2) (April), pp. 436-455.

both sides of the border seemed to have been largely similar. A witness who testified before the Special Court of Sierra Leone gave an account of a conversation between Charles Taylor and RUF leader Foday Sankoh, in which he suggested Taylor said the following:

*'Look, whenever you are fighting war, the strength of any revolutions, it depends on the manpower, the manner in which you carry out your recruitment. You don't have to...recruit with the bible...that's why you have the strike force...They have to recruit whoever they meet: old people, young people, young girls, young boys...and if they refuse to join, it means they are classified to be enemies. So you have to compulsorily recruit these people...The NPFL did this, you have got to do it to succeed.'*<sup>115</sup>

Indeed, the strategy Charles Taylor outlined to Foday Sankoh seemed to have been equally followed by all armed groups and militias in Liberia. In numerous statements and interviews given to the TRC, former child soldiers and children associated with the fighting forces (CAFF) reported of a systematic and large-scale effort by all major armed groups to abduct and coerce or force children into enlisting to fight.

The use of Child Soldiers by all the major warring parties in Liberia has been documented since the start of open hostilities in 1989. While the NPFL pioneered the systematic use of small boys recruited by force and trained as rebel fighters with its infamous Small Boys Unit (SBU), all fighting factions as well as government forces and affiliated militias have since widely used children.<sup>116</sup> For the period from 1989 to 1997, estimates of the number of children in the fighting forces range from a low of 6,000 to a high of 15,000.<sup>117</sup> For the period 1999 to 2003, 11,780 children were demobilized, 9,042 boys and 2,738 girls. However, analysts suggest that several thousand children may have been left out of the process and that the actual number may rather be in the range of 15,000 to 21,000.<sup>118</sup>

Forced recruitment of children usually followed a similar pattern: children were captured either by themselves or separated from their parents by force. Then they were taken along by the armed group and with or without training sent into combat. The following account by then 13-year old boy from Monrovia is thus typical of many child

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<sup>115</sup> The Prosecutor vs. Issa H. Sesay et al., 4. October 2004, Case NO. SCSL-2004-15-T, pp. 106-107, available at <http://www.sc-sl.org/Transcripts/RUF-100404.pdf>, accessed June 1, 2009.

<sup>116</sup> See Human Rights Watch. 1994. "Easy Prey: Child Soldiers in Liberia," A Human Rights Watch Report, September 8.

<sup>117</sup> See Kelly, D. 1998. The disarmament, demobilization, and reintegration of child soldiers in Liberia 1994-1997: the process and lessons learned. UNICEF/Liberia and the U.S. National Committee for UNICEF.

<sup>118</sup> See Amnesty International. 2004. Liberia: The Promises of Peace for 21,000 Child Soldiers. 17 May, AFR 34/006/2004; and Specht, I. and H. Tefferi. 2007. Impact Evaluation of the Reintegration Programme of Children Associated with Fighting Forces (CAFF) in Liberia. Monrovia, United Nations Children Fund, April, p. 6.

combatants' experiences:

*"I was actually abducted by a group of militias...of the government forces and taken to [a base near the frontline]. Without training I was armed. I was afraid to go on the front because every day the LURD rebels were advancing and strong men were dying...One day a General...came and told all of us to go to the front. LURD was in Clara and Vai towns, we were in Waterside. Anyone who refused to go was shot in his head or body or toes or leg."*<sup>119</sup>

If the children themselves or their family members resisted abduction and forced conscription, they were physically abused or threatened to be hurt or killed. An 18-year old who was abducted and forcibly recruited by LURD in 2003, tells how he was coerced into joining:

*"In February 2003, LURD fighters captured [the town] where I lived....we...saw ten LURD fighters. We were compelled to take arms. My friend Abu refused and the fighters cut his throat in my presence, so I accepted it..."*<sup>120</sup>

Forced recruitment was deliberate, widespread and systematic by all fighting factions. Even government troops who were supposed to protect the population, preyed on children and enlisted them by force, often systematically by selecting young boys and girls from schools or by raiding IDP camps to forcibly enlist new recruits. International and local child rights organizations reported that that in mid-2003 parents in Monrovia had stopped sending their children to school because children as young as nine years old disappeared on their way to school.<sup>121</sup> The common practice of recruiting children right at or near schools was confirmed by a 16-year old boy who lived in Buchanan in 2003 (when he was 11 years old):

*"One General Solo...of the government forces was living in the Corn Farm area. The Solo fighting men usually caught students whenever they saw them in their school uniforms. The fighters put the students in their car and took them to the battle front."*<sup>122</sup>

While girls were more frequently abused by armed factions in many ways, notably through rape, sexual slavery, and forced labor (see sections on forced labor, rape and sexual slavery), they were also targeted for forced conscription into the fighting forces. An adult female LURD commander, who had been abducted herself and forced to join the rebel group, provided Amnesty International with a first-hand account in 2003:

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<sup>119</sup> TRC Statement MON-00610.

<sup>120</sup> TRC statement CAP-00581.

<sup>121</sup> Watchlist on Children and Armed Conflict. 2004. Nothing Left to Lose: The Legacy of Armed Conflict and Liberia's Children, p. 27.

<sup>122</sup> TRC Statement BAS-00919.

*'I captured other girls and brought them back to Bomi. They did it to me so I had the intention of paying back. I captured nine girls, beat and tied them. I fought in Monrovia in June and July. Many of the girls died in the fighting...During World War I, I lost six girls mainly because they were not familiar with the area and were captured by government soldiers. In World War II, I lost two girls in 'face-to-face' fighting. Some of the girls were ordered to cook and carry food to the front line and were killed at that time. Girls from 11 years old were captured and were part of my group. Even the small girls fought. The youngest in the camp is now 13...I had 46 girls under my command.'*<sup>123</sup>

However, not all children were openly abducted by force. Although this was probably the case for the largest number of child recruits, a much broader set of motivations compelled young boys and sometimes girls to join. It would be wrong to conclude, however, that even those children who apparently joined armed groups 'voluntarily' did so out of their own free will. Children who find themselves in a context of war, violence, and the breakdown of social ties cannot be considered exercising free choice. Their world has been turned upside down and thus children make decisions in the context of a broad range of war-related pressures – political, economic, social, and cultural.

Few former child soldiers seemed to have openly political motivations or often even seemed to have understood which groups they were fighting for and for what cause. For example, an 18-year old who was abducted and forcibly recruited, beaten, and mistreated by LURD in 2003 at age 14, said that he did not know what caused the war: *"Everything started from Monrovia among educated people, so they know the causes of conflict."*<sup>124</sup>

However, this was not true for all children. A number of children did have something akin to political motivations. One young boy, who started fighting with government forces at age 13, invoked a sense of nationalism as a motivation: *"[we] started fighting in defense of our soil; I was against the idea of other people coming to attack our land... the bad treatment of my people [that] I saw made me to join the government troops to defend them."*<sup>125</sup>

Often, children's motivations to join armed groups seemed rooted in the inequalities inherent in Liberian society, where rural youth were caught between a lack of educational and economic opportunities in rural areas and a deep feeling of marginalization by those from underprivileged social or ethnic groups. In such an environment of deprivation and desperation, young boys in particular seemed to have developed a certain admiration for soldiers and the fighting forces as potential channels

<sup>123</sup> Amnesty International. 2004. No impunity for rape – a crime against humanity and a war crime, pp. 10-11.

<sup>124</sup> TRC statement CAP-00581.

<sup>125</sup> Nineteen-year old boy testifying at the TRC Children Hearing in Zwedru, Grand Gedeh County, September 2008.



for empowerment and social mobility.<sup>126</sup>

Consequently, a number of former child soldiers reported to have joined armed groups voluntarily, often because they wanted to emulate soldiers, to whom they looked up, and who seemed to embody a sense of freedom and empowerment that was otherwise sorely missing from their lives. A former child soldier interviewed by the TRC expressed this sentiment quite explicitly:

*“As a child I used to admire the fighters; I used to be around them always. So one General... he took me away unknowingly from my mother in Lofa County and brought me to Gbarnga. That was the first time I ever fought in 1994. I was 13 years and I fought for the NPFL.”<sup>127</sup>*

A 2004 World Bank study confirmed young people's resentments against rigid social hierarchies in traditional Liberian society as a motivating factors for young men to fight: “Youths were riled by the inequities of the traditional system: ‘everything went by what [the elders] said, even when they were in the wrong’...Resentment at traditional leadership and its privileges picked up the issue of who takes part in community work: ‘if everyone has to work the chief should also.’”<sup>128</sup>

The World Bank study goes on to argue that, “The militia are “fed” by the large number of young people in the interior no longer able (or willing) to integrate within a traditional social system based on family land and social deference. Where parents are deceased, or through poverty cannot give their children a start in life, militia membership is a major (if unstable) alternative to becoming an exploited rural client.”<sup>129</sup>

Many children interviewed by the TRC, when asked about what they considered to be the root causes of the Liberian conflict, indeed suggested that “disadvantage” was a major cause. For example, a 17-year old boy from Grand Cape Mount County suggested that, “Disadvantage caused the war in Liberia. Some people want to pay back any wrong that is done to them.”<sup>130</sup>

This ‘disadvantage’ was felt not only by children, but also by underprivileged parents. In some instances, parents even actively persuaded their children to fight out of a sense of marginalization, as this older female ex-combatant argued: “I joined the rebel forces to fight inequality in the country, and because of this issue I also encouraged my three children to join.”<sup>131</sup>

<sup>126</sup> Interviews with Child Protection Agency representatives, Monrovia, May and June, 2009.

<sup>127</sup> Interview with former child soldier at TRC, Monrovia, August 5, 2007.

<sup>128</sup> World Bank. 2005. Community Cohesion in Liberia, p. 62.

<sup>129</sup> World Bank. 2005. Community Cohesion in Liberia, p. 41.

<sup>130</sup> TRC Statement CAP-00426.

<sup>131</sup> Adult female ex-combatant, VOA Camp, Margibi County, quoted in World Bank.2005. Community Cohesion in Liberia, p. 16.

In particular during times of intense of long fighting, when many areas of the country would face severe food shortages, some children were compelled to join armed groups as a survival strategy, simply to get access to food:

*"We arrived in the Sinkor area, during World War II; there was no food to eat. The family we stayed with had nothing, we were on our own. I decided to help a general who lived near[by]. I would draw water and do other jobs to help his staff. I was shown how to use an AK-47 and we would drive around town, stealing goods to bring back to his house. We would also force people into the car, those suspected of supporting LURD, and bring them back to the yard. They were beaten and a few were killed."*<sup>132</sup>

Socio-economic marginalization and poverty were not the only motivating factors that compelled children to actively join rebel groups. War and violence generated their own social and economic dynamics and, often, produced yet more war and violence. Children, who by nature of their age and dependency on their families are generally in a more vulnerable position, thus often resorted to joining armed groups as a coping strategy in a radically changed environment shaped by the power of the gun. In this context, motivations for children to join the fighting forces thus ranged from displacement and the loss of their parents or guardians to economic hardship to taking revenge to being recruited by their own family members.

Abuse by one armed group could compel children to join an opposing armed faction, just to feel safe from the previous abuse. For example, abuse at the hands of government forces made this 13-year old boy believe that his best option was to join LURD for some sense of protection:

*"Last year before the war came here, government fighters forced me to work for them. I was made to carry things from the surrounding areas to the paved road, where they would be collected. I had to carry pieces of zinc (corrugated iron sheeting) that were very heavy; we were not allowed to rest. The soldiers didn't ask you to do this, they would force you, and there was no pay. Sometimes if you tried to run away, they would catch you and this is when they would beat you. I was beaten on the back and shoulders with the end of their rifles. When LURD came to this area, I decided it was better to join them and escape the abuse."*<sup>133</sup>

The opposite was also true: this then 15-year old boy joined a government militia in 2003 to protect his family from constant abuse by rebel groups:

*'Why did I join the government forces? To end the abuse against me and my family.*

<sup>132</sup> Cited in Human Rights Watch. 2004. How to Fight, How to Kill: Child Soldiers in Liberia, Vol. 16 (2A), p. 17.

<sup>133</sup> Human Rights Watch. 2004. How to Fight, How to Kill: Child Soldiers in Liberia, Vol. 16 (2A), p. 8.

*Government militia members would beat my uncle and force him to carry cooking oil long distances. Myself, I was made to tote [i.e. carry] large bags of cassava to distant military positions. Finally, I decided I couldn't take the abuse and forced labor anymore. Better to join them, so they would not continue to disturb my people.'*<sup>134</sup>

Violence breeds violence and stirs deep emotions among victims. A majority of children who grew up during the 1990s and early 2000s witnessed acts of brutality unimaginable to the average child who grows up in a stable society. It is thus hardly surprising that a number of children cited a desire for revenge against a particular armed group for the killing or humiliation of their family, loved ones, or friends.

A 16-year old suggested he joined MODEL in 2003 at the age of 11 because he had just lost his primary caregiver and wanted to take revenge for the killing and humiliation of his father by government troops:

*"The fighters accused him [my father] of being a spy. They tied and beat him continuously...When the MODEL group attacked, the government forces killed my father before retreating...we saw the dead body of my father lying beside the road. The fighters [had] placed a piece of paper with the inscription 'He died from stupidity.'...Out of frustration, I did join the MODEL group."*<sup>135</sup>

The loss of parents or caregivers made children even more vulnerable to being recruited and left them often no choice. The traditional security, protection, and social ties provided by the family were replaced with new social ties and hierarchies of the fighting forces.

The TRC found evidence that some children also saw enlistment in an armed group as an escape from other abusive situations. One former child combatant mentioned an abusive parent as his motivation for joining a rebel movement:

*"I lived...with my step mother. She hated me so much. Later my older brother who was already a fighter came and encouraged me to join the fighting force. I followed him willingly because I wanted to kill my step mother. I...[went to] to Bomi in 2002 to join the fighting force [LURD] at the age of 16. I was trained to shoot, assemble and disassemble a gun. I personally used only AK47...My main target during the fighting was my stepmother but later people begged me to leave her alone so I forgave her."*<sup>136</sup>

Children, once inducted into armed groups, often had difficulties getting out of the

<sup>134</sup> Cited in Human Rights Watch. 2004. How to Fight, How to Kill: Child Soldiers in Liberia, Vol. 16 (2A), p. 12.

<sup>135</sup> TRC Statement BAS-00919.

<sup>136</sup> Interview with former child combatant at TRC, Monrovia, August 2007.

fighting mode and leaving their new social context behind. They got used to feeling powerful with their guns and to imposing the rule of the gun on others, the strict hierarchy that left them dependent on their commanders, who had become surrogate parental figures, and their fellow young fighters, whom they saw as ersatz siblings.

Several children thus reported joining rebel groups multiple times over the years since the rebel life seemed more compelling to them than civilian existence, as illustrated by the testimony of a now 19-year old who fought for government forces in Lofa County since 2002, when he was 13 years old:

*"As the war was ongoing, the Government was looking for man power and when my brother was going to Lofa to fight, I personally decided to follow him. When we got in Lofa, they took us to [to the frontline] and we attacked the LURD forces and subdued them and they had to cross back to Guinea...While in Lofa, my brother decided to send me back...When I got back in Monrovia, people started encouraging me to go to school and I started attending. But where I was staying, there were many fighters and sometimes in 2003, I heard that recruitment was taking place. I left school and joined the recruits and we were taken to Bomi Hills..."<sup>137</sup>*

#### 4.4.2 Training and 'Discipline'

The reasons why armed groups relied heavily on children are obvious. Children are pliable and respond more easily to discipline and punishment. Statements given to the TRC also reflected a general sense that children had no fear and were "braver" than adults. One child, at the TRC Children Hearing in Bong County in July 2008 suggested that, *"The reason why they can give the children the gun is because they feel the children can fight more than the big people and they can even kill their own parents and they can't know what they are doing."*

Child protection workers interviewed by Human Rights Watch in the early 1990s confirmed that, in the particular cultural context of Liberia, *"Children are very obedient; it's a strong cultural trait in Liberia. The children don't question their orders; they act out of blind obedience."*<sup>138</sup> Another humanitarian worker involved in children's work agreed, that children's pliability has been mercilessly exploited by all armed groups: *"I think they use kids because the kids don't understand the risks. And children are easier to control and manipulate. If the commanding officer tells a child to do something, he does it. In this society, children are raised to follow instructions."*<sup>139</sup> And not only that, children also have less ties and fewer responsibilities that would distract them from fighting. They can be fully controlled by commanders and armed groups:

<sup>137</sup> Nineteen-year old boy testifying at the TRC Children Hearing in Zwedru, Grand Gedeh County, September 2008.

<sup>138</sup> Cited in Human Rights Watch. 1994. *Easy Prey: Child Soldiers in Liberia*. September 8. Available at <http://www.hrw.org/legacy/reports/1994/liberia2/>, accessed June 1, 2009.

<sup>139</sup> *Ibid.*

*“Children have no responsibilities at home; adults worry about their families while at the battlefield — children don't. They are easily programmed to think of war and only war. So it's easy for the factions to involve them. They are easy prey.”<sup>140</sup>*

Armed groups and their commanders showed generally little concern for the lives of civilians, and consequently little regard for the lives of their recruits. There was sense among former child combatants that they were expendable and often used as cannon fodder, as expressed in a comment to the TRC by a former child soldier: *“They forced us to take arms and they gave us drugs and they will send us in front and when there is no way then they will follow.”<sup>141</sup>*

Many child soldiers, in particular those who were captured or abducted in battle and joined armed groups during hot phases of the war when they either were frequently under attack or were had gained an advantage and were advancing rapidly, children were often given guns with little or no training. If they did receive training, they were quickly shown how to assemble and disassemble and shoot a gun, and then quickly sent to the frontline.<sup>142</sup>

A former child soldier interviewed by the TRC was forcibly recruited by LURD in 2002 suggests that it was clear from the beginning that young recruits would either have to follow the training regimen or face severe consequences: *“they cut our hair and took us to beer factory and forced us to hold gun and they taught us to shoot, they said if we refused they will kill us.”<sup>143</sup>*

The following dialogue between TRC Commissioners and an 18-year old boy who was forcibly conscripted by LURD at age 13 and who testified at the TRC Children Hearing in Tubmanburg, Bomi County, September 2008, describes a typical experience of child combatants:

**TRC:** “Where did you go to fight?  
**Witness:** In [town in Lofa County]  
**TRC:** Were there girls when they trained you?  
**Witness:** Yes there were 20 boys and 12 girls  
**TRC:** What was the training like?  
**Witness:** We used to be singing and jogging and they used to be beating us with the iron because they say we were not jogging.

<sup>140</sup> Ibid.

<sup>141</sup> Statement made at panel discussion with TRC Commissioners at TRC Children Hearing in Bong County, July 2008.

<sup>142</sup> See Human Rights Watch. 2004. How to Fight, How to Kill: Child Soldiers in Liberia.

<sup>143</sup> Interview with former child-soldier at TRC, Monrovia, October 8, 2007.

**TRC:** Did anybody die on the base?  
**Witness:** Yes three boys, they beat them and they died.”

There is no evidence that armed groups had specific training manuals or guides with respect to the training and treatment of underage recruits. The armed groups seemed to have made little distinctions between the drills and exercises or other forms of training for different groups, whether by age or gender. Except for the few instances of all-children units such as the NPFL's Small Boys Unit, children and adult combatants trained together with little regard for the much more limited physical capacity of children.

Training was often infrequent, hardly systematic and arbitrary. Training activities children described ranged from learning how to assemble and disassemble guns, shooting practice, crawling under barbed-wire, walking or jogging long distances, and physical deprivation such as forced starvation, supposedly to harden fighters for life during combat in the bush.

Due to the constant threat of harsh punishment, in some instances, witnesses, in particular young children, fearing the consequences if they fail to perform with their gun, turned to peers to get instructed in the use of the gun. For example, this boy was 12 when he was forced to join LURD. He was too small and did not know how to use the gun he was given:

*“...the gun they gave me I can't shoot it and it was just dragging on the ground. So my brother's friend said he will teach me how to shoot it. We used to go in the bush and he was teaching me how to shoot at birds.”<sup>144</sup>*

Similarly, none of the witnesses who testified before the TRC suggested that written codes of conduct or ethical guidelines for the treatment of children existed within the armed forces. As a consequence, disciplinary measures taken were at the discretion of individual commanders and were entirely arbitrary. They had more to do with loyalty, obedience, and the likes and dislikes of commanders than with actually instilling universally accepted disciplinary rules in recruits.

Therefore, coercion, violence and abuse were not only used at recruitment, but marked the entire experience of children associated with the armed forces. Commanders expected unflinching loyalty and violations of internal rules were severely punished, usually through physical abuse such as arduous exercises such as push-ups and “pump-tire (knee bends) until the day ends,”<sup>145</sup> beatings, floggings and other forms of

<sup>144</sup> Eleventh Primary Witness, TRC Children Hearing, Tubmanburg, Bomi County, July 5, 2008.

<sup>145</sup> Interview with former child soldier at TRC, Monrovia, July 2007.

corporal punishment. The physical abuse was not only a main instrument to instill discipline in the young recruits, it was also meant to make children tougher in battle and increase the fighters'<sup>146</sup> general "wickedness" or fierceness.

#### 4.4.3 Torture

Physical punishment and abuse by armed groups against children within their ranks was often so severe that it amounted to torture or an "act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as...punishing him/her for an act he/she or a third person has committed or is suspected of having committed or intimidating or coercing him/her."<sup>147</sup>

Children were made accustomed to a number of abuses at the hands of their commanders in the various fighting forces of Liberia. Torture was thus systematically used against children to compel their compliance or conformity as to the rules, whims and caprices of their commanders or groups. It made them to become obedient or risk a continuous punishment or sudden death for violating a rule or an order. Senior ranks or adult soldiers did not only target child combatants with torture, but also other children associated with the armed forces or children whom they would like to have abducted.

A child soldier who was recruited by the LPC in the 1990s and was later re-recruited by MODEL in 2003, told the TRC how he was tortured simply because he ate his commander's food. His torturer beat him severely and hung him upside down on a rope and left him hanging for a long time. He also witnessed another fighter being tortured by dragging him around the town behind a car as a punishment for harassment.<sup>148</sup>

Sometimes an offender was humiliated by telling him to undress himself and walk around the town naked. Another former child soldier said that physical punishment and torture included the tying of the victim in ropes, otherwise known as 'tabay,' which involved tying of the two arms behind the back of the victim until the two elbows joined together at the back.<sup>149</sup>

In several cases reported to the TRC, the physical punishment inflicted on children was so severe that it led to the death of the child:

*"One day, [commander] Chevy told one of the small soldiers name Amos aka 'Cat Pussy' to go*

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<sup>146</sup> Interview with former child soldier at TRC, Monrovia, August 2007.

<sup>147</sup> TRC guidelines for coding human rights violations.

<sup>148</sup> Interview with former child soldier at TRC, Monrovia, July 2007.

<sup>149</sup> Interview with former child soldier, Monrovia in August, 2007.

and get water to cook but he was not well and could not go. This angered Chevy and he tied Amos to a stick, ran up the Mines three times, came down in the pick-up and shot the boy using one magazine. He later untied the boy's body, sprinkled one bag of salt on it and threw it into the swimming pool."<sup>150</sup>

#### 4.4.4 Use of Drugs

In addition to physical and psychological intimidation and coercion, the use of drugs to make child soldiers pliable and for them to overcome their fears and reluctance to kill other human beings was common among all armed groups. The type of drugs used varied widely, but commonly included Marijuana, opiates, cocaine, alcohol, and various unidentified tablets and local concoctions of the above drugs or amphetamines. The drugs were either given by commanders directly before combat or mixed in with food.

The use of drugs had different purposes. First, certain drugs were given to increase the young fighters' endurance and to dull any pain from combat-related injuries: *"They give you 'ten-ten' in a cap. These are tablets. Once you're on the drugs, even if you are wounded, you don't feel anything."*<sup>151</sup>

In other instances, drugs were administered by traditional healers or spiritual leaders to protect combatants from bullets and make them believe that they are invincible. A former LURD fighter told Human Rights Watch:

*"We give people protection...Sometimes the medicine, it is in the food, to make you brave and strong. The Zoe [traditional spiritual leader] is in charge of protection. Sometimes we cut you with a razor blade and put medicine inside and then nothing can happen to you."*<sup>152</sup>

The ultimate purpose of giving young fighters drugs was to make them fearless and overcome their inhibitions:

*"As a child in the armed struggle we were compelled to drink alcohol and smoke marijuana, cocaine and dugee. When we smoked these, absolutely, we will do whatever we are ordered to do whether it is good or bad; that is we have to eliminate you...the things you do you cannot go because we are under the influence of drugs...so that we can be strong because we were depended upon to fight. They sent us ahead to fight because we don't know what we are actually doing. The older ones will stay behind."*<sup>153</sup>

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<sup>150</sup> TRC Statement LOF-00938.

<sup>151</sup> Statement by child combatant in Human Rights Watch. 2004. How to Fight, How to Kill: Child Soldiers in Liberia, p. 28.

<sup>152</sup> Ibid., p. 29.

<sup>153</sup> Interview with former child combatant at TRC, Monrovia, August 2007.



An 18-year old boy who was fighting for LURD in 2003 at the age of 13 described vividly the effect drugs had on him: *"Whenever I smoke [grass], I see people like ants. Then it means I should kill them and I do get rid of them."*<sup>154</sup>

A 16-year old, in his statement to the TRC, suggested he would not have been able to kill other human beings when he joined MODEL in 2003 at the age of 11 if it were not for the drugs:

*"The fighters accused him [my father] of being a spy. They tied and beat him continuously...When the MODEL group attacked, the government forces killed my father before retreating...Out of frustration, I did join the MODEL group. General Pepper was the commander...After joining them, I went at the front only one time. After taking in some drugs which they gave me, I bravely stabbed an enemy fighter with a knife..."*<sup>155</sup>

#### 4.4.5 Children as Victims or Perpetrators?

Given the prominence that some media gave to the involvement of children in fighting Liberia's wars, some may pose the question of whether children were as much perpetrators as victims and should face some degree of accountability. There is no doubt that children were at the receiving end of some of the worst atrocities, but also were involved in committing brutal acts of killing, and torture against civilians. Some of the child rights violations were even committed by children on children. In many instances, the violation of a child rights and his or her committing crimes are closely linked, in that children were first forcibly recruited, physically and psychologically coerced into submission, and then asked to commit acts that are equally heinous to those they experienced themselves against other civilians.

As described above, testimonies by children abound that detail the brutal treatment they endured by armed groups right from the moment they were recruited in order to break their resistance toward fighting and to force them into submission and blunt their senses of right and wrong. In light of the large number of children who were members of the armed forces and their use in frontline combat, the TRC heard numerous statements from former child soldiers who were themselves involved in or witnessed other children commit rights violations. In combat, child soldiers were ordered to loot, humiliate, coerce, torture, and kill those considered their enemies as well as civilians, just like all the other members of the fighting forces.

The following story of a boy who was 12 in 2003 when he was forcibly conscripted by

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<sup>154</sup> TRC Statement CAP-00843.

<sup>155</sup> TRC Statement BAS-00919.

LURD clearly illustrates the large number of violations, including lootings, forced displacement and forced labor, murder and killings, that child soldiers commonly committed during their fighting careers, but also the pressures they faced and that did not leave them much choice:

*"During 2003 while displaced in one of the camps near Monrovia, the LURD fighters entered with heavy shooting...I was caught along with three other boys. We were taken to [another IDP camp] and given AK-47 rifles to fight. My first encounter was with the government forces when the LURD forces launched an attack. Me and the other fighters exchanged fire. After the firing became heavy, I managed to escape to the swamp. I noticed that one of our men was dead; besides I saw an elderly woman [who had] dropped dead in the swamp from stray bullets. Most of the time, before leaving for the front line, we took drugs and harsh drinks to keep me numb so that I can't feel that anything is happening. There were times when I killed people on my way or looted their food stuff because I was hungry. Our commander...never one day gave us any supplies of food or medicine. During World War II, in 2003, LURD forces controlled [a large area just outside Monrovia]. On that Saturday evening, I along with the other fighters of LURD attacked the position of the government forces. While fighting, we used mortars, grenades, AK-47s and AK-60s and we seriously engaged them...on the government forces' [side] about 15 persons died...in World War III after the attack there was no food to eat. We the fighters, about 16 in number, went to [a nearby town]...At night we entered the town and looted farina, fufu, pepper, meat and fish and we forced the civilians to take the load to [our] camp."<sup>156</sup>*

Child combatants who were promoted through the ranks and a certain command responsibility over other child soldiers treated them as he was treated himself, notably when it came to disciplining them. For example, a 17-year old boy who testified at the TRC Children Hearing in Zwedru, Grand Gedeh County, in September 2008, became the commander of a unit of ten boys at age 13 in 2003. They were responsible for looting villages and towns. He admitted that he felt he himself had to punish the boys under his command to discipline them: *"I used to punish them and they never use to eat the whole day."<sup>157</sup>*

Children were even involved in rape, sometimes of older women. This 18-year old female witness was 13 when she witnessed, incredulously, the abuse of her father and brother and the rape of her mother by child soldiers:

*"It was in 2003... when the LURD attacked and my father took us in the bush and they went there and they caught my father and said he was a reconnaissance and he said he was not and they started to beat him...As they were beating him...three small, small boys went there and said they wanted to take my mother to be their wife. My brother said no they are too small to be with his mother. So they caught him and they tied him and they started beating him. Then after*

<sup>156</sup> TRC Statement CAP-008412.

<sup>157</sup> Sixth Primary Witness, TRC Children Hearing, Zwedru, Grand Gedeh County, 19 September 2008.

*they caught my mother and they have her and they ran away.*"<sup>158</sup>

It has become common practice of international criminal tribunals to exclude children under the age of 18 from prosecution for grave human rights violations. The international or hybrid war crimes tribunals of the past decade sought accountability from those who bore the greatest responsibility in ordering and directing grave violations, which excluded the prosecution of children. Neither the International Criminal Tribunal for the Former Yugoslavia (ICTY) nor the International Criminal Tribunal for Rwanda (ICTR) has indicted or prosecuted children, although their statutes do not explicitly set age thresholds for prosecutions.<sup>159</sup> While the statute of the Special Court for Sierra Leone (SCSL) gave prosecutors the option to pursue children above the age of 15, the Prosecutor of the SCSL confirmed in 2002 that the category of "those who bear the greatest responsibility" would exclude any individuals under the age of 18. He made clear that it was rather the prosecution's intention to go after those who "forced thousands of children to commit unspeakable crimes."<sup>160</sup> The Rome Statute establishing the International Criminal Court (ICC) explicitly sets the age of legal accountability at 18. Its Article 26 states that, "The Court shall have no jurisdiction over any person who was under the age of 18 at the time of the alleged commission of a crime."<sup>161</sup>

<sup>158</sup> Third Primary Witness, TRC Children Hearing, Tubmanburg, Bomi County, 5 July 2008.

<sup>159</sup> UNICEF, Innocenti Research Centre. Children and Truth Commissions. Draft April 2009, p. 36.

<sup>160</sup> See Special Court for Sierra Leone, Press Release, 2 November 2002.

<sup>161</sup> Rome Statute of the International Criminal Court, Article 26.



**5**  
**CHILDREN'S EXPERIENCES  
SINCE THE END OF THE WAR**

## 5. CHILDREN'S EXPERIENCES SINCE THE END OF THE WAR

The consequences of more than two decades of instability and more than a decade of war have been devastating for Liberia's children. They have suffered terrible hardship, abuse, and exploitation and witnessed unimaginable horrors. Children under the age of 18 make up more than 50 percent of the country's population. All the country's children who were in Liberia during the war have been affected by it in numerous ways that still reverberate today and will mark them and Liberian society for the rest of their lives.

Enormous efforts have been undertaken since the end of the war in 2003 to rebuild the country, restore security, reform its institutions, and rehabilitate all those who suffered from the war. Considerable improvements have also been made to many children's lives. For example, more than 500,000 internally displaced persons and refugees, including large numbers of displaced children, have returned to their home towns and villages and have received significant assistance in rebuilding their communities and restarting agricultural activities.<sup>162</sup> The Government of Liberia has made significant progress with respect to the restoration of basic services and the rehabilitation of some infrastructure and has managed to reestablish a renewed sense of safety and normalcy for many children in the country.

However, many basic child rights and protections are far from being guaranteed for Liberian children. Enormous gaps remain in infrastructure and service provision as well as in the child welfare system, in particular for especially vulnerable categories of children such as orphans, street children, child mothers, and children who missed out on the DDDR process. The true magnitude of the war's impact on children's physical and mental health and their socio-economic wellbeing is thus yet unknown. Its long-term impact can only be mitigated by strong and determined Government leadership on improving children's lives. Otherwise Liberia might lose out on an entire generation of productive young people with significant effects on the country's prospects for development and growth.

### 5.1 *Security Sector and the DDDR Program*

Peace and stability has returned to Liberia thanks to the Accra Peace Agreement, the deployment of up to 15,000 United Nations troops, and the complete dismantling and reconstitution of the Armed Forces of Liberia.

A crucial determinant of security and stability in the country has been the Disarmament, Demobilization, Rehabilitation and Reintegration (DDRR) program. It

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<sup>162</sup> UN News Service. 2007. UN refugee agency set to end Liberian repatriation programme, 29 June.

was key in disbanding the numerous armed groups, reducing the availability of weapons in society, and taking steps toward reintegrating all those to whom fighting and being part of a military organization had been a way of life for many years. A significant number of children were part of the DDRR process. At the final count, out of the total of 103,019 individuals demobilized, 11,780 were children (11.4 percent), including 9,042 boys and 2,738 girls. Children associated with fighting forces were disarmed, taken to cantonment sites together with adult combatants, but then transferred to child-focused Interim Care Centers, from where their families or existing relatives were traced, counseled on and prepared for reunification, which in most cases happened within a few weeks. The Interim Care Centers, as well as community-based Drop-in Centers catering to ex-CAFF who had spontaneously disarmed and did not go through the official process, also assisted children and their families through psycho-social counseling to help them break their relationships with commanders and armed groups and prepare them for reintegration into civilian life.

Children, just like adult combatants, received a \$300 Transition Support Allowance (TSA) for officially disarming and demobilizing, intended to assist the child in the transition to civilian life and to provide an added incentive for reunification with their families and reintegration in home communities. Subsequently, children could opt for schooling or a nine-month skills training program. Schools that accepted children formerly associated with armed groups received significant support through a UNICEF-funded Community Education and Investment Programme (CEIP). CEIP also funded skills training activities and apprenticeship schemes to offer employment opportunities to ex-CAFF after skills training was completed. Older children or young adults who had not had much schooling, could enroll in Accelerated Learning Programs (ALP) to allow them to catch up on schooling among peers rather than joining primary school classes.

Community structures were also strengthened through an accompanying reintegration program. The program established Child Welfare Committees (CWCs) as community-based child protection bodies with the mandate to monitor children's rights generally and to follow up on ex-CAFF in their communities. The program also assisted in the formation of community-based children's clubs to provide structured recreational and extracurricular activities for all children at the community level.<sup>163</sup>

The DDRR process was widely criticized for having been too rushed to fully take children's needs into account. The tight time schedule did not allow to properly take children's psycho-social needs into account and to completely cut ties between the CAFF and their former commanders. There was also little time to prepare parents and

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<sup>163</sup> See Specht, I., and H. Tefferi. 2007. Impact Evaluation of the Reintegration Programme of Children Associated with Fighting Forces (CAFF) in Liberia. Report Submitted to the United Nations Children's Fund Monrovia, Liberia, April.

communities for the return of the children and to advise them on how to deal with difficult situations such as behavioral readjustment, communal rejection or stigma that may arise during the reintegration process. The TSA cash incentive encouraged commercialization of the DDRR process, which led to commanders collecting guns from children to give them to family members or others whose payment they would receive. There were also instances where commanders extorted the TSA or part of it from children after they had handed in their weapons. Individual payments to ex-combatants were also seen by many civilians as a reward to those who took up arms, causing resentment against demobilized children rather than an openness to welcome them back. Finally, money alone might not be the right incentive for parents to sustainably welcome back their child after long separation.<sup>164</sup>

Despite these challenges, various evaluations of the DDRR program, in particular the rehabilitation and reintegration component, were found to have been rather effective in achieving their aims, notably in contributing to peacebuilding by cutting ties between fighters and armed groups and by assisting former combatants to reintegrate into civil life by offering opportunities for alternative livelihoods. An evaluation of UNICEF-supported rehabilitation and reintegration programs found that 99 percent of all children assisted (covering 78 percent of the total number of children that went through the DDRR process) had been reunited with their families and most of them had successfully reintegrated. It also found that the program seemed to have been successful in cutting or transforming ties with former commanders and colleagues from the fighting forces.<sup>165</sup> An evaluation by Save the Children found similar results, suggesting that of the 2,248 children supported by the organization throughout the DDRR process, 99 percent had successfully reintegrated and “were accepted by their communities and families,...had not separated from their parents, were in formal or informal education schemes and communicated and interacted easily with peers.”<sup>166</sup> A survey among 600 former combatants, children and adults combined found that 94% of those former fighters who went through the DDRR process said they had no problems being re-accepted to their communities.<sup>167</sup>

While these positive aspects of the DDRR program have been lauded, some of the program's shortcomings may also have contributed to an increased certain children's vulnerability. The most serious shortcoming had to do with eligibility and access to the program, and a significant number of former CAFF who might have been excluded

<sup>164</sup> See *Touching Humanity in Need of Kindness (THINK)*. Reparation in the Context of Children. Submission to the TRC, presented at TRC Thematic Hearing on 'Children in the Liberian conflict, what does the future hold?', Monrovia, September 22, 2008.

<sup>165</sup> See Specht, I., and H. Tefferi. 2007. *Impact Evaluation of the Reintegration Programme of Children Associated with Fighting Forces (CAFF) in Liberia*.

<sup>166</sup> Save the Children UK, *Liberia Programme. DDRR Information*, (unpublished and undated document).

<sup>167</sup> Pugel, J. 2006. *Key Findings from the Nation Wide Survey of Ex-combatants in Liberia: Reintegration and Reconciliation February-March 2006*. UNDP Liberia/Joint Implementation Unit.



from the DDRR process. Mere numbers suggest that potentially a large number of children did not have a chance to access DDRR. At the end of the war, child rights advocates estimated that up to one third of all combatants or those associated with the fighting forces might have been children.<sup>168</sup> In the end, however, many more fighters generally were disarmed than estimated – over 100,000 as compared to the 60,000-70,000 estimated - only 11 percent of whom were children. This seems to suggest that a significant number of CAFF, probably up to several thousand,<sup>169</sup> never went through the DDRR process.

The eligibility criteria for entering the process were such that they could be rather easily manipulated. While the main criterion of presenting a weapon or a certain quantity of ammunitions was relaxed for children, commanders were given a lot of influence in the process of designating beneficiaries. This led to many instances where commanders took arms from children and gave them to someone else, as this boy admitted in a conversation with TRC Commissioners:

**TRC:** “What is your age?

**Witness:** I am 17 years

**TRC:** Did you disarm?

**Witness:** No I gave the arm to my boss man.”<sup>170</sup>

Other former CAFF who testified before the TRC confirmed that they had not formally disarmed and had not benefitted from the DDRR process since they were afraid of the process and misinformed about its consequences:

*“...that's how... we returned to Grand Bassa and I was there until the DDRR process...I never disarmed because if you disarm you can't travel and my mother she was there making farm. They say if you disarm they will give you something and I was scared. I did not disarm...”<sup>171</sup>*

This 18-year old from Grand Cape Mount County who had been forcibly recruited at age 14 and then jailed by LURD expressed similar feelings toward DDRR:

*“In February 2003, LURD fighters captured [the town]... where I lived....we...saw ten LURD fighters...We were compelled to take arms...When I came out I could not do anything for myself because I was treated bad...I left for Monrovia...until disarmament. I never disarmed because I was afraid for my photo to be not taken in the computer so I gave my arm to one of my*

<sup>168</sup> See Amnesty International. 2004. Liberia: The Promises of Peace for 21,000 Child Soldiers.

<sup>169</sup> Specht and Tefferi suggest up to 4,000 CAFF may have been left out of the formal DDRR process. See Specht, I., and H. Tefferi. 2007. Impact Evaluation of the Reintegration Programme of Children Associated with Fighting Forces (CAFF) in Liberia, p. 6.

<sup>170</sup> Statement from 17-year old boy who testified at the TRC Children Hearing in Zwedru, Grand Gedeh County, September 19, 2008.

<sup>171</sup> Fourth Primary Witness, TRC Children Hearing Gbargna, Bong County, May 2008:

*friends...from Guinea so he disarmed three times.”<sup>172</sup>*

While there were many cases in which actual CAFF did not disarm, there also seem to have been some in which children benefited from the vagueness surrounding the eligibility criteria. For example, this boy from Lofa County admitted that he managed to disarm and receive DDRR benefits although he had never been associated with any of the armed groups:

*“I...did not take arm. I was with my mother and brother until the war finished. When UNMIL came and started disarming the soldier people, the soldier people started to give arms to people to disarm with and I...went and talked to one soldier boy...and he gave me the arm and I went and disarmed.”<sup>173</sup>*

Among those former CAFF who gave statements to the TRC, some complained about the quality of the skills training received and in particular about the lack of proper employment opportunities after assisted skills training ended. This 19-year old boy also suggested that quality of the training and the quality of the materials received left much to be desired:

*“When we graduated from UN-Habitat, they gave us tools, but it was very substandard; as soon as you hit anything with the hammer, it will just break. In fact, most of the students cannot perform well because we did not get the right kind of teaching as well.”<sup>174</sup>*

The quality of skills training programs provided was varied and finding employment to ensure sustained income and livelihood has been a challenge even for well reintegrated ex-combatants. This is an area that might need further attention in the future, potentially within the framework of a larger youth employment scheme.<sup>175</sup>

The greatest concern, however, remains with the potentially large group of children who slipped through the cracks of the DDRR program, and who may never have disarmed, may not have been reunified with family members, and may never have severed ties with former commanders and ex-fighter colleagues. Child Protection Agencies believe that a significant number of street children in Monrovia and a few other cities and towns are former CAFF who have never gone through the DDRR program or who may have collected their first payment after handing in their weapons, but then sold their DDR card to the highest bidder for another child to benefit from educational support or skills training.<sup>176</sup>

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<sup>172</sup> TRC statement CAP-00581.

<sup>173</sup> Boy attending TRC Awareness Raising Workshop, Voinjama, Lofa County, 23-26 November 2007.

<sup>174</sup> Ninth Primary Witness, TRC Children Hearing, Zwedru, Grand Gedeh County, September 19, 2008.

<sup>175</sup> See Specht and Tefferi, 2007.

<sup>176</sup> Interviews with CPAs in Monrovia, May and June 2009.

## 5.2 Physical Harm and Impact on Health

There are no accurate estimates of the death toll the Liberian conflict took among the general population. The exact number of children who died from immediate effects of the conflict is thus unknown. It is obvious from the TRC's inquiries that a large number of victims of targeted killings of civilians and those who died from abuse or even in combat were children. However, it is most likely that a much larger number of children died from secondary effects of the war. Studies of other conflict-torn countries have documented that the indirect death toll from conflict is far more severe than direct violence-related deaths and that children suffer from those indirect consequences disproportionately. A frequently-cited comprehensive mortality survey conducted by the International Rescue Committee in the Democratic Republic of the Congo suggests that less than one percent of all deaths were directly caused by hostilities, while 99 percent were caused by indirect effects of the conflict, notably malnutrition due to the interruption of agricultural production and displacement, and the disruption of health services. Children were the primary victims of the increased mortality rate, since they accounted for almost half of the additional deaths.<sup>177</sup> No such comprehensive study on war-related mortality has been conducted during or after the Liberian conflict, although it is obvious from the statements collected by the TRC that the indirect effects of the war on Liberian children's health has been severe and will continue to negatively affect their lives for many years to come.

Numerous children who shared their experiences with the TRC reported that they are still suffering from long-term physical effects of injuries inflicted upon them during the war. War-related injuries and impairment significantly increases children's vulnerability, and they are the source of great distress for many children, as this boy who testified at the TRC Children's Hearing in Gbargna, Bong County, in May 2008 suggested:

*"...[my] mother went to Ivory Coast and I don't know where. She is still there and [I don't know] whether she is living...my aunty brought me here...But where I am, I am feeling bad because I don't have anybody. They killed my sister and my brother...and my father they burned him in front of me and I am a disabled child and I am alone that is what is troubling me."*

In another example, this young woman tells how she has been marked for the rest of her life after being tortured with cutlasses and knives by rebels in 1994 at age 12: *"See the scars all over me. See, my fingers were chopped. I suffered in their hands...I am still feeling pain in my body. Thank God I survived."*<sup>178</sup>

<sup>177</sup> International Rescue Committee. 2008. Mortality in the Democratic Republic of Congo: An Ongoing Crisis. New York

<sup>178</sup> TRC Statement GEE-00125.

In a few cases, children lost limbs due to injuries from bullets, rockets or from stepping on ordnance. While no country-wide statistics exist on amputations, some limited evidence from JFK Medical Center in Monrovia suggests that roughly ten percent of war-related amputations in 2003 affected children.<sup>179</sup>

A large number of factors including forced displacement, interruption of agricultural production and other productive economic activities, lack of access to clean water and sanitation and the breakdown of health services all caused overall serious hardship for most children. Children who lost their family or were separated from family members faced particular challenges to survival: *"During the war two of my brothers were killed, During the Kolahun attack none of family members were around so I suffered for food, I used to work for people just for me to eat, I only had one cloth."*<sup>180</sup>

Poor living conditions in war and during displacement contributed to high mortality and morbidity rates. A today 35-year old woman described the dire health situation during the war in 1993 in Grand Bassa County, which took a heavy toll on families, in particular on the oldest and the youngest members of the family:

*"It was at the end of 1993 when ULIMO came here. This whole area was controlled by them... There was no medicine here. People started getting sick of which my mother was a victim. She got sick and died. A few weeks later my brother Junior got sick. He also died. My first son... got sick and died. Then, in 1994, one of my little brothers... Flomo died again."*<sup>181</sup>

Displacement led to acute malnutrition among a large number of children. According to surveys by humanitarian organizations in 2003, between 40 and 55 percent of children in IDP camps were malnourished.<sup>182</sup> Insufficient nutrition, in turn, made children much more susceptible to contracting infectious diseases and to dying from otherwise curable diseases, such as diarrhoea or respiratory infections. For example, Médecins Sans Frontières (MSF) estimated that the June 2003 cholera outbreak in Monrovia killed primarily children since they were already weakened from malnutrition.<sup>183</sup>

While those health conditions have significantly improved today, they still have left their mark on the overall public health statistics in the country, in particular for children. In 2006, three years after the end of the war, still 81 percent of Liberians living in rural areas were moderately (41 percent) or highly vulnerable (40 percent) to food

<sup>179</sup> Information courtesy of Record Section, JFK Medical Center, January 14, 2008.

<sup>180</sup> Statement by a boy attending the TRC Awareness Raising Workshop, Voinjama, Lofa County, 23-26 November 2007.

<sup>181</sup> TRC Statement GBA-00492.

<sup>182</sup> Watchlist on Children and Armed Conflict. 2004. Nothing Left to Lose: The Legacy of Armed Conflict on Liberia's Children, p. 12.

<sup>183</sup> Ibid.

insecurity. Only nine percent of the population was food secure and 39 percent of children under five were considered malnourished. Even in 2008, almost 40 percent of Liberian children were growth stunted, and at least 20 percent of all children and one third of children under five were underweight – the obvious consequences of years of hunger and poor nutrition.<sup>184</sup>

Health services, which were already weak and unevenly distributed across the country before the war, were almost entirely destroyed due to combat and pillaging. An estimated 83 percent of all health facilities in the country were destroyed, looted, or forced to close due to the flight of staff during the 2003 war alone. Some counties, such as River Gee or Grand-Kru, had no functioning health facility at all in 2003.<sup>185</sup> This situation had improved by 2006, with 521 existing health facilities, 300 of which were supported by international NGOs. However, of the remaining 221, 132 were not functional and 89 operated without any international assistance. Almost half of the functioning health facilities had no clean water supply.<sup>186</sup> Liberia has only 51 doctors, roughly one for every 70,000 Liberian.<sup>187</sup> With few reliable health facilities, only approximately half of all births by Liberian women are delivered by a medical professional. As a consequence, infant and maternal mortality are extremely high with 133 deaths per 1,000 live births and 580 deaths per 100,000 deliveries respectively.<sup>188</sup> Liberian children today can expect to live on average only up to age 45.<sup>189</sup>

Since the end of the war, progress in the health sector includes the restoration of health services in 350 health posts across the country and the rehabilitation of 20 clinics and some of the major hospitals and health centers. Infant and under five mortality rates have been reduced gradually over the past few years to 71 and 110 deaths per 1,000 live births respectively.<sup>190</sup> Vaccination rates against measles have reached 95 percent and the Government has distributed 125,000 treated mosquito nets, although vaccination coverage generally remains low, with only 39 percent of Liberian children between 12 and 23 months receiving all the recommended vaccines.<sup>191</sup> Training for health workers has also improved. HIV/AIDS outreach and prevention activities have targeted at-risk groups and HIV testing, treatment and care is available in some areas.<sup>192</sup>

Despite reconstruction efforts and improvements in health care delivery across the

<sup>184</sup> See Government of Liberia. 2008. Poverty Reduction Strategy, pp. 60-61.

<sup>185</sup> Watchlist on Children and Armed Conflict. 2004, p. 17.

<sup>186</sup> UN Human Rights Council, Report of the Independent Expert on Technical Cooperation and Advisory Services in Liberia, Charlotte Abaka, 14 February 2008, A/HRC/7/67, available at: <http://www.unhcr.org/refworld/docid/47d7a5762.html>

<sup>187</sup> See Government of Liberia. 2008. Poverty Reduction Strategy, p. 16.

<sup>188</sup> *Ibid.*, p. 11.

<sup>189</sup> UNICEF. Country Statistics Liberia. See [http://www.unicef.org/infobycountry/liberia\\_statistics.html](http://www.unicef.org/infobycountry/liberia_statistics.html), accessed May 22, 2009.

<sup>190</sup> Liberia Demographic and Health Survey, 2007, p. 7.

<sup>191</sup> Liberia Demographic and Health Survey, 2007, p. 8.

<sup>192</sup> GOL. 2008. Poverty Reduction Strategy, p. 19.

country, even in 2009 access to health services is still limited and not easily affordable, in particular for many rural families and their children, let alone for children who live by themselves. Numerous children who testified before the TRC reported that they are still suffering from war injuries sustained long ago, often in the 1990s, while still suffering from the consequences and without ever having received proper treatment. For example, a 16-year old girl who testified at the TRC Children Hearing in Gbargna, Bong County, in May 2008, told how she was injured from a bullet on her hand in 1994, when she was two years old. Her hand still hurts today and she has never received proper treatment.

The rampant sexual violence against girls has had dire consequences for their general and reproductive health. Girls and young women who were victims of SGBV often suffer from severe damage to their reproductive systems, which increases the risk of complications at birth and of maternal and child death at delivery. Early and forced pregnancies contribute to the frequent occurrence of obstetric fistula. Reproductive health coverage is still limited to a few urban areas and generally insufficient. The TRC collected numerous statements from girls or young women who were subject to rape, multiple rape, and gang rape during the war, and who were in serious pain, but had never received any medical treatment, as demonstrated by the following exchange between TRC Commissioners and an 18-year old woman who had been raped by LURD fighters in 2003 and subsequently hit by bullet fire when she tried to escape:

**TRC:** “Is there a mark...from the incident?”

**Witness:** If you see me you will feel sorry for me.

**TRC:** Did they take you to the hospital after the incident?

**Witness:** No

**TRC:** Is there any problem from the incident?

**Witness:** Yes after some time my stomach can hurt and this can show that the man was big for me.”<sup>193</sup>

In addition to the lack of reproductive health care, it is disturbing to note that the incidence of sexual and gender-based violence has not been significantly reduced after the war. In particular young girls, even below age ten, continue to be preyed upon in large numbers by Liberian men. An analysis of 2005 and 2006 treatment data of rape cases in a Monrovia hospital by Médecins sans Frontières showed that 85 percent of the victims were girls under 18, with roughly half of them under the age of 12.<sup>194</sup> In a 2007 study, the International Rescue Committee and the Mailmann School of Public Health at Columbia University found that 13 and 11 percent respectively of all girls under the

<sup>193</sup> Second Primary Witness, TRC Children Hearing, Bomi County, 5 July 2008.

<sup>194</sup> Cited in Warner, Ann. 2007. *Incidence of Violence against Women and Girls in Liberia: A Quantitative Study using the “Neighborhood Method”*. New York: International Rescue Committee and the Mailman School of Public Health, Columbia University, October 1, p. 5.

age of 18 interviewed for the study in Montserrado and Nimba counties reported of having been sexually abused in the previous 18 months.<sup>195</sup> Girls continue to be preyed upon in schools (see below) and even in any situation where wealthier or more powerful men would like to take advantage of their vulnerability, even among humanitarian and development workers, as a 2006 study by Save the Children found.<sup>196</sup>

The high rate of sexual abuse against girls is troubling in many ways. It does not only reflect a deterioration of social relations between men and women and a degradation of sexual practices that remind of the free-for-all for fighters during the war, but it might also have a serious impact on the spread of HIV and sexually-transmitted diseases (STD) in the country. Recent studies indicate that the HIV infection rate among pregnant adolescent girls is much higher at 5.7 percent than in the total population (1.7 percent).<sup>197</sup> Apart from the problem this poses for the young mothers and their children, it also hints at a potentially much higher infection rate among the young men, since it is unlikely that only the girls are infected.

Similarly, even after the war, the number of teenage pregnancies remains extremely high in Liberia, with 48 percent of Liberian women getting pregnant before they reach the age of 18.<sup>198</sup> Reproductive health education and family planning services are inadequate to stem the trend. Teenage pregnancies are not only problematic from a health point view, but also from social and economic point of view. Young mothers are less ready to take care of their children. Early pregnancy makes them drop out of school, yet without an education, their income opportunities are limited, which seems to condemn them and their children to lives in poverty and vulnerability.

### 5.3 *Impact on Education*

A whole generation of Liberian children lost out on education during the war. For example, a 15-year old girl from Sinoe County told the Commission at the TRC Children Hearing in Grand Gedeh County in September 2008, that she was in first grade when Government troops came to her town, killed her mother, and forced her to flee in the bush with her sister, while her father disappeared and has not been seen since. She now lives with her aunty and is struggling to survive. She has never been to school again since the war brutally disrupted her education.<sup>199</sup>

This 15-year old girls' testimony is quite typical of a wartime experience of Liberian

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<sup>195</sup> Ibid., pp. 7.

<sup>196</sup> Save the Children UK. 2006. From Camp to Community: Liberia study on exploitation of children, May. Available at: <http://www.savethechildren.org/publications/liberia-exploitation-v4.pdf>, accessed May 28, 2009.

<sup>197</sup> See Government of Liberia, PRS, p. 185.

<sup>198</sup> Government of Liberia. 2008. PRS, p. 109.

<sup>199</sup> See first primary witness, TRC Children Hearing Zwedru, Grand Gedeh County, September 19, 2008.

children. Most of the children who were born in the 1990s, in particular in rural areas, had limited access to good education even before the war, but were either seriously set back in their educational development because of war and displacement or missed out on education entirely.

Even children whose parents are still alive report lacking the means of going back to school, as this dialogue between TRC Commissioners and an 18-year old girl illustrates, who had been in 6<sup>th</sup> grade when her education was interrupted in 2003:

**TRC:** "Are your parents alive?"

**Witness:** Yes

**TRC:** Why are you not going to school?"

**Witness:** My parents don't have the hands to send me to school."<sup>200</sup>

Another 18-year old girl who appeared before the Commission at Grand Gedeh County in September 2008, who had been brutally raped and forced to be a 'bush wife' to a rebel commander when she was 12 years old, has never been to school:

**TRC:** "Are you going to school?"

**Witness:** No, I am not going to school because [we have] no money.

**TRC:** But have you been to school before?"

**Witness:** No."<sup>201</sup>

Those children who were lucky enough to be able to continue their schooling often face the dual burden of supporting themselves and their families and trying to attend schools. Another 17-year old boy from Grand Gedeh County gave the following testimony:

*"During the MODEL war in 2003...Charles Taylor's troops captured the place and caught my father...they asked him to join them, but...because he refused to join them, they killed him with a cutlass and asked me to take his head. My mother refused for me to take my father's head. The soldiers beat my mother, but God helped us and we ran in the bush. Since the war [has] finished, I am now the only one who is helping myself and my mother. I can cut palm for our survival and as well as support myself in school. Right now, we are suffering and there is no one to help me and my mother."<sup>202</sup>*

Other children who are now young adults or are reaching adulthood, are trying to catch up on a decade of missed out education. It is not unusual to see 16 or 18-year old first or second graders in post-war Liberia. The shame that many children feel for not

<sup>200</sup> Second Primary Witness, TRC Children Hearing, Tubmanburg, Bomi County, 5 July 2008.

<sup>201</sup> Eighth Primary Witness, TRC Children Hearing, Zwedru, Grand Gedeh County, 19 September 2008.

<sup>202</sup> Second Primary Witness, TRC Children Hearing, Zwedru, Grand Gedeh County, 19 September 2008.



being educated and for sharing school benches with eight-year old pupils as well as the daunting aspect of trying to catch up on the lost years as an adult, whose mental abilities and learning needs might be very different from a regular seven to ten-year old primary school student.

Following all these statements, it is hardly surprising to learn that school enrolment in Liberia, while having made significant progress since 2003, remains sub-standard. Approximately 35 percent of the total population has never attended school. Among females, the rate is worse at 44 percent. The overall illiteracy rate in the country is 56 percent, while among children and young adults it is much higher at 68 percent (55 percent for boys/men; 81 percent for girls/women). In 2008, only 45 percent of the country's classrooms were up to the standards required for a good learning environment, while only 22 percent of state-run schools had benches and only one third of public schools had functioning latrines or toilets. Twenty-seven students shared one textbook on average. These figures mask again a significant urban-rural divide in access to education and equipment, with urban schools much better off than public schools in rural areas.<sup>203</sup>

Some progress has been made in the education sector in the post-war period. Many schools have been rebuilt and have reopened across the country and the Government has provided more than 13,000 pieces of benches and desks to furnish those schools. It instituted free primary education through the Free and Compulsory Education Policy, which eliminated all formal school fees for public primary schools. As a consequence, primary school enrolment has gone up from 597,316 in 2005/2006 to 1,087,257 in 2007/2008. Similarly, Government reduced tuition fees for secondary schools, which has boosted secondary school enrolment from 132,224 to 153,467. Teacher Training Institutes have been rehabilitated and training programs have resumed. Adult literacy and Accelerated Learning Programs have allowed those who missed out on schooling during the war to acquire basic literacy and numeracy and to catch up on primary education.<sup>204</sup>

However, large gaps in realizing the goal of free primary school education for all Liberian girls and boys remain. The net primary school enrolment rate is only 37.3 percent, which means only a little over of one third of all Liberian children of primary school age are actually enrolled in the country's primary schools. Net secondary school enrolment is much weaker, with only 15 percent of all the country's children of secondary school being enrolled at the secondary level.<sup>205</sup>

Serious disparities continue to exist with respect to access to schooling. Gender

<sup>203</sup> GOL. 2008. Poverty Reduction Strategy, pp. 185-186.

<sup>204</sup> GOL. 2008. Poverty Reduction Strategy, p. 113.

<sup>205</sup> See *Ibid.*, p. 32.

differences remain stark. While girls have made up ground to boys in primary school enrolment, boys are the overwhelming majority in secondary schools. Access to education also continues to be marked by pronounced regional and urban-rural divides. For example, while net primary enrolment in the greater Monrovia region stands at 50 percent, it is only valued between 26 and 46 percent in the center and southeast of the country.<sup>206</sup>

Access to education is also closely correlated to poverty levels and household income. For example, net primary school attendance for the poorest fifth of the population is only 23 percent, while it is 66 percent for the wealthiest fifth of the population. The contrast is even starker for secondary school, with only 4.5 percent of students from households in the poorest quintile able to attend secondary school, as compared to 38 percent of children from households in the top fifth. This means that currently, income disparities are mirrored in access to education, which in turn will lead to further and deeper income disparities in the future given that educational levels are closely correlated with access to employment and many other socio-economic and even health indicators.<sup>207</sup>

Furthermore, even if school enrolment in Liberia is on the upswing, the quality of education often leaves much to be desired. Large numbers of teachers do not have the required qualifications and up to 41 percent of teachers do not even have high school diplomas themselves. Women only make up roughly one fourth to one sixth of teaching staff in primary and secondary schools respectively.<sup>208</sup>

Primary school education remains only nominally free of charge. A large number of significant informal 'fees' make schooling inaccessible to children from less well-off families. Informal fees, corruption, and abuse were widespread in Liberian schools in 2008. A recent study by Harvard Law Schools' Human Rights Program documents widespread mismanagement, corruption and abuse in the Liberian educational system:

- "School materials, including supplies provided for school-feeding programs, are routinely sold for profit instead of being delivered to students...
- Teachers demand certain payments or services in exchange for delivering passing grades for tests or classes, as well as in exchange for the release of grade sheets...
- Teachers print or copy course materials and then require students to pay exorbitant prices for these class 'packets'...
- Some teachers, particularly male teachers in secondary schools, sexually

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<sup>206</sup> See Ibid.

<sup>207</sup> Schubert, B. 2008. Social Protection Issues in Liberia. Study commissioned by the United Nations in Liberia, p. 8.

<sup>208</sup> GOL. 2008. *Poverty Reduction Strategy*, p. 14.

exploit female students, including through demanding sex in return for passing exams or grade levels.”<sup>209</sup>

These statistics indicate that the current generation of young Liberians is actually significantly less educated than the previous generation. This does not bode well for the future of Liberia. A higher level of education is directly linked with great productivity and development,<sup>210</sup> and consequently with lower levels of poverty, as well as better health indicators, fewer reproductive health issues for girls and women and greater use of family planning methods. The Liberian Poverty Reduction Strategy of 2008 thus concludes that, “Liberia’s young people lack the necessary tools to make productive contributions to the social and economic development of the nation.”<sup>211</sup> Education is thus key for the future of Liberia and the successful reconstruction of the educational system with free access to decent education for all across the country is a crucial requirement also for protecting the rights of children, and ultimately for building peace.

#### 5.4 *Psychological Impact*

Children experienced some of the worst atrocities imaginable and endured severe hardship. They saw family members and friends killed, raped, and tortured and often fell victim to acts of brutality themselves. These experiences have left deep scars on Liberian children’s psyche, and it is still too early to fully measure the extent of the trauma and the long-term effects it might have on a generation of young Liberians.

Already in 1994, four years into the Liberian civil war from 1989 to 1996, Human Rights Watch reported findings from a survey conducted in high schools in Monrovia, which found that a large majority of high school students had experienced extreme trauma with serious consequences:

*“The survey, of 334 pupils in grades nine to twelve, showed the war had caused serious psychological damage to young people.... It showed that 61 percent of students had seen someone being killed, tortured or raped, six percent had said they had taken part in violence themselves, and 77 percent had lost a close friend or relative killed in the war.... Some of the students said their experiences were constantly on their minds. Half said they had nightmares, trouble sleeping and were more easily frightened. Sixteen percent were using the tranquilizer Valium without medical supervision.”<sup>212</sup>*

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<sup>209</sup> International Human Rights Clinic. 2009. *Eliminating and Accounting for Abuses in Liberia’s Education Sector* (draft, June). Cambridge, MA: Harvard Law School Human Rights Program, p. 3.

<sup>210</sup> *Ibid.*, p. 28.

<sup>211</sup> *Ibid.* p. 186.

<sup>212</sup> Human Rights Watch. 1994. *Easy Prey: Child Soldiers in Liberia*. September 8.

The TRC received frequent complaints by child witnesses about the long-term psychological effects the war had on them. For example, a now 32-year old woman, who was abducted and raped multiple times by a rebel commander as a 14-year old in 1990, mentioned that she still, to this day, had nightmares about her abduction.<sup>213</sup> An 18-year old boy who was abducted and forcibly recruited by LURD in 2003, wounded, beaten, mistreated and incarcerated, said "I seriously suffer from nightmares almost every day."<sup>214</sup>

Despite all the upheavals that the war caused, Liberian society has not changed that fundamentally and or they are reminded simply by certain innocuous-seeming tasks, as described by this boy at the TRC Awareness Raising Workshop in Madina, Grand Cape Mount County, in November 2007:

*"...when the rebels attacked and the road closed we were left with our neighbors. They only things I experienced was running from the rebels and carrying our bundles in the bushes. The reflection it had on me is [that] anytime I see people carrying bundles I always think about the war."*

Many children also returned to the same communities or neighborhoods where they have to interact with their tormentors. They are constantly reminded of their ordeals and many times have to live next to former perpetrators and be still threatened, as this 17-year old girl testifying at the TRC Children Hearing in Bong County, May 2008, indicated:

*"Before world war one my grandpa said that he and one man had misunderstanding about land that is how I went to spend time with him before World War I and the man entered the house and killed my grandfather. When he entered the house he said I will kill you and I will kill your grand children. That how he killed my grandfather and he said he was going to kill me. He told me say after killing your grand farther I will kill you. He told me say get from here if I see you I will kill you. That how I left from there and I went to 72<sup>nd</sup> and later I went to [another part of town] and I see the man there again and he said if I see you I will kill you. Then when I go to school...I can see him and he say when he see me he will kill me."*

Children need to be protected from former perpetrators and Government will have to think carefully about how best to provide a sense of security to those already traumatized children.

Psychological or psychiatric services are seriously underdeveloped or non-existent in Liberia. It is yet unclear whether the impact the war had on most children can be

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<sup>213</sup> See TRC statement GED-00088.

<sup>214</sup> TRC statement CAP-00581.

overcome by regular reintegration measures and by recreating stable and more favorable living conditions and restoring a sense of normalcy.

As some children mentioned in their statements, they will not easily be able to let go of their experiences:

*"During the war I had so many experience which of course almost led us to frustration. My first encounter was when the rebels saw us they caught my father and beat him up. Second was my brother Benson, he got killed by those same rebels. We became confused and did not know what to do. At last my grandmother was killed in front of us. From that time I will never forget about what happened to me and my family."*<sup>215</sup>

In some cases, though, it seems obvious that children have suffered such severe trauma, that they show behaviors that their families or communities have a hard time dealing with. In those cases, parents should have access to medical or psychological professionals for help. For instance, a 14-year old child who was not able to speak due to trauma suffered as a baby, testified through a guardian at TRC Children Hearing in Bong County, May 2008:

*"...in...[my] town the fighters came and killed the people in the town, they killed them with cutlass. This girl was two years old and she was on her mother's back...they wanted to cut the mother and the cutlass touched the face of the baby. The mother ran and went to the next town and they brought her to Buchanan where they put them on plane and carry them to Ganta and did surgery on the baby. The people wanted to carry the baby and the mother said 'no' and the people said the baby will not grow normally. And what they said came to pass, the [child] behaves abnormally sometimes like she is crazy...At one point in time, she will act like a crazy person and another time, she will behave very well...and the mother...is dead."*

## 5.5 Uprooted Family and Social Ties and Lost Innocence

*"During the war I experienced people killing their friends for things, like money or valuables and running from place to place."*<sup>216</sup>

The Liberian wars turned Liberian children's world upside down. They uprooted family and community relations and restructured social bonds. Families were torn apart by flight and sometimes death or disappearance of key family members. Being a child during Liberia's wars meant to grow up in permanent insecurity and constantly shifting environments. The social networks that protected them and that children can

<sup>215</sup> Statement by a boy from Lofa County, TRC Awareness Raising Workshop, Voinjama, Lofa County, 23-26 November 2007.

<sup>216</sup> Statement by a boy at the TRC Awareness Raising Workshop, Madina, Grand Cape Mount County, 16-18 November 2007.

take for granted in stable and peaceful situations such as their family, wider clans or communities, had fallen apart. Many children found themselves on their own or dependent on people whom they barely knew, many of whom then abused them as much as they might have protected them. Children during the war felt let down and betrayed by many adults, but their families who had left them behind or who were too weak to protect them against the power of the gun, and certainly by the state, who did nothing to protect children, but rather joined in most of the abusive activities. Children thus have been taken advantage of at a large scale and they were taught that ultimately it is about 'the law of the survival of the fittest.'<sup>217</sup> which might explain why many children today seem more individualistic and self-reliant and less focused on community ties. In the words of this attitudes in communities have changed, too.

An informant in a 2006 Save the Children study explained: *"It is like the cultural tradition is not holding [any] more. People have lost the cultural values and the tradition has been broken down."*<sup>218</sup> Consequently, while children have grown wearier of the adult world and have little faith in traditional or state institutions, the informal communal structures that might have provided a secure environment for them in the past have significantly weakened. Children were often thrust into the role of main breadwinner or even head of household. Children had to grow up very fast during the war. They skipped traditional child hood as a time of personal discovery and growth, of trial and error. Instead they quickly had to assume responsibility for their own lives and safety and sometimes for their siblings.

At the same time, while children may feel further alienated from adults, adults also have to come to distrust children much more. The atrocities that children were asked to commit by rebel groups and commanders have increased the fear of adolescents, in adults.

Against the backdrop of such a fragmented social fabric, it is not surprising that more and more children today live on their own on urban streets or have a hard time fitting in again in their old communities. These broken social ties have led to an increase in child labor by children who have to look for themselves or are exploited by others since they live in the streets or separated from their families. More than one hundred orphanages and foster homes have sprung up in Liberia since the end of the war, some of them to truly care for children without parents, but many others that exploit the fractured community and family ties and try to turn a profit on the backs of vulnerable children.

It will take a long time and significant investments by communities and the state for communities to rebuild and for children to gain confidence in social or state institutions again.

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<sup>217</sup> World Bank. 2005. Community Cohesion in Liberia, p. 33.

<sup>218</sup> Save the Children UK. 2006. From Camp to Community: Liberia study on exploitation of children.

## 5.6 Socio-economic Situation

The Liberian wars had devastating effects on the country's economy and the population's productivity. Productive capital was destroyed and people's manpower significantly reduced through death, migration, and impairment. Two thirds of Liberians now live below the poverty line. The wars have made the redistribution of wealth even more unequal, where the only group that was upwardly mobile was to be found among warlords and war profiteers. Otherwise, unemployment and underemployment is the norm rather than the exception for the majority of Liberians of productive age.

Even in the socio-economic realm, children have been disproportionately disadvantaged. While 64 percent of all Liberians across all age groups lived below the poverty line in 2007, this figure is highest for the age group from 10 to 19 years at 67 percent. This compares to a poverty rate of only 60% of adults between the ages of 30 and 39. Among rural children and youth, poverty is even more pronounced, with 74 percent of all 10 to 19-year olds in rural areas living below the poverty line.<sup>219</sup>

The fractured social bonds described above have thus combined with widespread poverty and a get-rich-quick mentality fed by long years of war and insecurity that have led to much greater levels of exploitation of children and a commercialization even of domains that are supposed to provide protection to vulnerable children. Many Liberian parents are unable to find suitable employment and send their children to sell their wares in the market or in the streets. Child labor for commercial purposes is extremely common in Liberia and the streets of Monrovia and other cities are full, all day, with children peddling anything from air freshener to biscuits to windshield wipers without any obvious intervention by the state or other institutions concerned about children's rights. According to information by Child Protection Agencies, child prostitution is also on the rise in Liberia, a characteristic post-conflict phenomenon that did not exist prior to the war.

Running orphanages or foster homes in Liberia has become a true industry with the advent of war and massive displacement in the 1990s. Many of the children who find themselves in orphanages are there with knowledge of their families.<sup>220</sup> Orphanages need allegedly separated children to be able to function, receive government subsidies and charitable donations. They often provide sub-standard living conditions to children and children in many such institutions are denied their rights on a daily

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<sup>219</sup> GOL. 2008. Poverty Reduction Strategy, pp. 25.

<sup>220</sup> See Jerolinmek M. Piah. Assistant Minister for Planning and Administration, Ministry of Gender and Development. Homeless Children: Social Responsibility of Post-War Governance. Submission to the TRC, presented at TRC Thematic Hearing on 'Children in the Liberian conflict, what does the future hold?', Monrovia, 22 September 2008.

basis.<sup>221</sup> Recently, international adoptions of Liberian children have seen a rapid increase due to the lucrative and unregulated nature of international adoptions in Liberia, with suspicions that many children who are 'adopted' by couples abroad are not true orphans, but are basically sold by vulnerable and poor parents to augment the family income and potentially offer their child a better future abroad.

### 5.7 Persistent Gender Inequality: the Situation of Girls

Having long been disadvantaged in traditional Liberian society, girls also bore the brunt of the abuses and rights violations during the Liberian conflict. Traditionally, girls had to shoulder multiple burdens from an early age on due to their responsibilities in the household as caregiver and as contributor to family income. Traditional initiation practices including female genital cutting at the onset of puberty and widespread arranged marriages at ages as young as 11 or 12 have always taken a heavy toll on girls' health and physical wellbeing.

As documented above, girls were the primary targets of rape, sexual slavery and forced marriage during the war. Large numbers of girls do not only bear the psychological scars from these war experiences, they are also left with children conceived by force during the war. The number of girl-headed households and single teenage mothers has surged. Young mothers have to provide for themselves and their children while often facing stigma in their home communities. Teenage pregnancies remain extremely common, with girls frequently left without support from the fathers of the child, who common shirk their responsibilities from fathering children.

Many girls today are thus left to fend for themselves with few of the pre-war communal support systems intact or accessible to them. They miss out on educational opportunities since most girls drop out of school when they get pregnant. Teenage mothers usually neither have the means nor the time for schooling. The fact that primarily schooling is only nominally free of charge and that female students are often subject to abuse by male teachers prevents many vulnerable young girls from attending school.

Their longer-term prospects for earning a decent income are thus severely curtailed by missing out early on the qualifications and skills needed for sustainable income generation or professional advancement. Even in the subsistence sector, girls struggle to generate enough income from trade or get access to land for farming. As a consequence, they are extremely vulnerable to economic abuse and dependency. Left with few opportunities to earn a decent income, girls are extremely vulnerable to economic abuse and dependency. One manifestation of this increased vulnerability is

<sup>221</sup> United Nations Mission in Liberia (UNMIL). 2007. *Human Rights in Liberia's Orphanages*.



that the commercialization of sex has increased. A 2006 study suggests that the phenomenon of teenage girls selling sexual favors to the highest bidders has become rather common among vulnerable and poor girls.<sup>222</sup>

The apparent breakdown of social conventions regarding sexual activity means that girls continue to bear the brunt of widespread sexual abuse, which has a devastating impact on girls' general and reproductive health, as shown in greater detail above.

Liberia needs social services that specifically cater to the needs and welfare of girls. While girls may nominally have equal opportunities as boys, the Liberian system is largely stacked against girls and offers them few true chances for social advancement. Liberia is thus in danger of becoming a nation of low-skilled, sexually abused and traumatized young mothers who will be eternally vulnerable and will not be able to develop their full talents and receive and contribute at the same time their fair share to economic development.

## 5.8 Special Groups

Although there are no accurate statistics on the extent of the problem, child protection agencies suggest that there are at least several thousand children living on the streets in Liberia, mainly in Monrovia, but also in other urban areas such as Gbarnga, Ganta, or Voinjama. The Child Protection Agency Don Bosco Homes reported that its offices alone provided assistance to 1,350 street children in three Liberian counties in 2008.<sup>223</sup>

Street children are particularly vulnerable to abuse by gangs and unscrupulous individuals who exploit child labor as well as by criminal elements. Health authorities report that drug and substance abuse among young people is on the rise, although concrete statistics are lacking. Drug and alcohol abuse seem particularly widespread among street children and other particularly vulnerable children, with serious consequences for those children's health. Drug abuse is frequently tied to criminal activities and makes children even more vulnerable to fall prey to abuse and exploitation.

Adoptions have remained largely unregulated in Liberia, in particular with respect to international adoptions. There are no accurate statistics available on the number of adoptions of Liberian children due to the lack of a central registry of adoptions. There are indications, however, that Liberian adoption agencies facilitate several hundred international adoptions of Liberian children each year. Child rights advocates suggest that many of the children given up for international adoption are not orphaned and child protection agencies estimate that several thousand children in Liberian

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<sup>222</sup> Save the Children UK, 2006, *op. cit.*

<sup>223</sup> Information provided by Jerolinmek Piah, *op. cit.*

orphanages have at least one remaining parent or other living close relatives. Poor parents struggling to care for their children and sending them to school are often easily convinced that their children may have a brighter future in institutions or through adoption, not realizing the tremendous potential for abuse and exploitation of children.

In addition to the fact that most children in orphanages are not truly orphaned, child protection institutions suggest that roughly half of Liberia's 114 orphanages operate without any permit. In a 2007 study, UNMIL found that the protection of children in orphanages is far from assured and that few of the existing orphanages meet minimum child rights standards.<sup>224</sup> Children in orphanages are vulnerable to being used as street peddlers and child laborers rather than being cared for and attending school. Despite those widely publicized violations of child rights, even illegal orphanages continued to receive state subsidies in 2008.<sup>225</sup>

At the cost of more than \$10,000 per international adoption, the monetary incentives to engage in quasi-trafficking of Liberian children through an unregulated adoption system are significant. A presidential commission of inquiry was established in 2008 to look into Liberian laws and actual practices of domestic and inter-country adoption and make recommendations for regularizing the system and for ensuring that the best interest of the child is always respected.

Large numbers of Liberian children remain deprived of a family environment. Although it is widely recognized that children's protection is best assured if they grow up in a stable family environment, even five years after the end of the war many Liberian children keep growing up without their parents. This is in part due to a number of children who have fallen through the cracks of family tracing exercises at the end of the war. Organized family tracing and reunification targeted children who had been supported by national or international child protection agencies either in refugee camps or as part of the DDDR program. However, as described above, a significant number of children associated with the fighting forces may have never joined the DDDR process and may thus have never been registered as separated or orphaned.<sup>226</sup> The TRC heard numerous testimonies from such children who even today continue to struggle earning a living on their own without any help from social welfare institutions.

### **5.9 Government Leadership Needed**

In a society where traditional social support systems have largely broken down, state institutions are expected to step in to assist the most vulnerable groups, in particular

<sup>224</sup> United Nations Mission in Liberia (UNMIL). 2007. Human Rights in Liberia's Orphanages.

<sup>225</sup> See UN Human Rights Council, op. cit.

<sup>226</sup> See Jerolinmek Piah, op. cit.

children. In Liberia, there is a large gap between needs and existing institutional capacity and political will. This will not be easily overcome. The Liberian Government has yet to fully step into the gap left by the fragmentation of society and the collapse of traditional social safety networks.

Stakeholders interested in child rights have voiced their concern about the lack of leadership at the senior level in the executive and legislative branches of government.<sup>227</sup> This is not to say that progress on promoting child rights in the country has not been made. A comprehensive Child Rights Bill, which aims to explicitly and fully integrate the stipulations of the Convention on the Rights of the Child and to consolidate Liberian law with respect to children, has been drafted and was in the parliamentary process as of mid-2009. The Government has tried to show leadership in the education sector by promising that public primary education free will be free of charge. It has also shown continuous support for Liberian Children's Parliament to allow citizens under the age of 18 to have their voices heard in the political and policy making process and it has allowed for children to provide input to the 2008-2011 Liberia Poverty Reduction Strategy.

However, responsibilities for children's matters remain fragmented and coordination among different Government institutions haphazard. There has not been constant leadership on the part of the executive branch to develop a comprehensive and holistic child protection strategy. The number of staff employed by the Ministry of Gender and Development (MOGD) is limited, in particular in rural areas, with only one dedicated child protection staff per County. Policy measures are not generally vetted with respect to their child-friendliness or their impact on children's wellbeing. Urgent matters, such as the woeful state of the country's orphanages and the confusion regarding international adoptions in recent years, did not seem to have received the attention they required, to the detriment of the thousands of children caught up in or dependent on these institutions.

The Government needs to step up efforts to go beyond declaratory statements and take action to allow children to realize all their rights set out in the CRC and thus all their potential.

### **5.10 Accountability for Child Perpetrators?**

How should a post-war society deal with children who have perpetrated serious human rights violations against civilians? There is no easy answer to this question. First, the society needs to understand the complexity of the situations and pressures that children found themselves in. This report has shown that in almost all instances,

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<sup>227</sup> Interviews with CPA representatives, Monrovia, May and June 2009.

children were coerced by adults or under the direction of adults to join the fighting forces and to commit war-related crimes. They were regularly drugged and had limited control over what they were doing. Therefore an international consensus has emerged, that children under the age of 18 should not be prosecuted in international tribunals. At the national level, legal standards under domestic law and practices vary widely. It is conceivable that minors could be held liable for egregious acts of murder or rape depending on the age of criminal responsibility. Article 40 of the Convention on the Rights of the Child offers some guidance for governments on how to deal with children accused of having committed crimes. While it sets out a number of protections that children who are caught up in the criminal justice system should be afforded, it also highlights the importance of seeking alternatives to criminal prosecution. It recommends in particular that,

*“every child...accused of...having infringed the penal law to be treated in a manner consistent with the promotion of the child’s sense of dignity and worth, which reinforces the child’s respect for the human rights and fundamental freedoms of others...promoting the child’s reintegration and the child’s assuming a constructive role in society.”<sup>228</sup>*

Many of the former children associated with the armed forces who shared their experiences with the TRC showed clear feelings of regret and remorse for their deeds while serving the armed forces. For example, this young man, who started fighting at age 13 for the NPFL, shared his feelings about what he did:

*“I have wronged all kinds of people. Most of them don’t remember me now but I know them. There are some that recognize me on several occasions. I have been involved in a lot of things but what matters most now is the people who remember me, those that I wronged when I was holding arms. I want to apologize to them, to tell them I am sorry for what I did...I want this organization to stand with me to talk to these people let them give me time I can pay the money I took... I feel insecure and I can’t keep running away...The war is over. I need to empower myself, I want to go to school but if I am running away, how will I, how am I going to be a part of rebuilding my country after we have destroyed it? It bothers me so much I don’t have peace.”*

In light of the victimization of most children and the trauma they experienced in the process as well as the widespread regret and shame they have expressed, many societies have thus opted in favor of non-judicial accountability measures, which are often rooted in accepted local traditional practices that promote forgiveness and the reintegration of child perpetrators into society. As discussed above, this is also in keeping with international legal practice, according to which international criminal tribunals so far have opted not to prosecute child perpetrators.

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<sup>228</sup> CRC, Article 40. 1.

If governments choose to include children in local reconciliation mechanisms, it is important to stress the need to devise special procedures that ensure the protection of children's rights and best interest in any reconciliation and forgiveness process. The Rwandan Gacaca system is one example where former child perpetrators subjected themselves to community justice mechanisms, although Gacaca has been criticized for its lack of adequate protection afforded to children throughout the process.



# 6 FINDINGS

## 6. FINDINGS

The TRC finds that:

- The internationally guaranteed rights of Liberia's children under the age of 18 were grossly and systematically violated and their dignity and welfare disregarded during the period of investigation, in particular during the Liberian wars from 1989 to 1996 and from 1999 to 2003.
- Consisting of members from all armed factions that operated during the Liberian wars, perpetrators specifically targeted children in the commission of gross violations of international law, including gross violations of international human rights law and serious violations of international humanitarian law. These violations included targeted killings and extermination, abduction and forced recruitment, forced labor, rape and other forms of sexual violence including sexual slavery and gang rape, forced marriage, and torture.
- Children constituted approximately 10 to 20 percent of members of armed groups and were considered central to the armed groups' logistics and combat efforts in that they relied heavily on children to be porters, cleaners, cooks, scouts, domestic and sexual slaves, as well as active combatants.
- Members belonging to each of the armed groups operating during the civil war wilfully exploited children's vulnerability and impressionability. They deliberately physically and psychologically abused and tortured children and employed harmful practices to render children obedient and easy to manipulate.
- Thus abused, children found themselves both victims and perpetrators during the war. Children were routinely coerced and manipulated by commanders to commit brutal acts in violation of international law against the civilian population, including their family members and other children. These acts included abductions, killings, torture, rape and other forms of sexual violence, pillage and the destruction of property. Children were exploited and manipulated through repeated physical and psychological and frequently drugged for them to be able to commit these crimes. They were socialized into committing abuse, the routine use of violence, and the power of the gun as the central norms that ruled their lives.
- Armed groups systematically committed crimes of sexual violence, including rape, gang rape, and sexual slavery, and forced marriage against girls, some ten years of age or younger. Liberian girls suffered immeasurable physical and



psychological pain and trauma from the widespread sexual violence and rape that was widespread and systematically committed during the war. Today, girls remain routinely targeted by sexual predators. Present and past perpetrators of sexual and gender-based violence are rarely brought to justice and many former or recent victims of sexual violence still do not have access to treatment.

- Children were also targeted by members of armed groups for belonging to particular ethnic groups in the commission of violations of international law. The ethnic targeting in particular in the early 1990s, and to a lesser degree between 1999 and 2003, children from the Gio and Mano groups on the one hand, and the Mandingo and Krahn ethnic groups on the other, were specifically targeted in killings by armed groups representing ethnic interests
- Children were displaced and separated from their families and communities. War robbed them of their livelihoods and educational opportunities. Joining armed groups became a means of survival and a coping strategy in the context of war, lawlessness and the breakdown of social relations.
- Many children found themselves in vulnerable situations due to the extreme socio-economic, urban-rural, and ethnic inequalities in Liberian society. Educational opportunities and opportunities for social mobility have always been limited largely to urban areas and to children from privileged groups. Having been 'disadvantaged' was a common reason children mentioned as a root cause of the conflict, and for some a motivation to join armed groups.
- The disarmament, demobilization, reintegration and rehabilitation (DDRR) program for former combatants demobilized 11,870 children, roughly one tenth of the total number of demobilized fighters. While it is considered largely successful for those children who rightfully went through the process, numerous gaps remain. The TRC found that a significant number of children formerly associated with the armed forces who testified before the TRC never went through the DDRR process. Some former children associated with the armed forces who have never gone through the DDRR process have difficulties reintegrating into civilian life and are particularly vulnerable to exploitation and homelessness today.
- Liberia as a nation has not invested the necessary resources in its children in many decades. Many children feel that they are inferior citizens. They feel abandoned, betrayed, and abused by adults. The TRC found a clear desire among many children who have been victimized by the war to bring those who caused their suffering to justice.

- Children also expressed a desire for some form of local reconciliation and processes of forgiveness for the wrongs they know they committed during the war. Many children expressed regret and remorse and would like to have their feelings acknowledged by families and wider communities. They expect that all children be excluded from any form of criminal prosecution and they do not expect to be amnestied, since amnesty would imply that children were guilty of the commission of crimes.
- Children expect to receive reparations as an acknowledgement of their suffering, a means to make up for lost out opportunities and as concrete assistance for their rebuilding of their shattered lives. Establishing clear criteria to determine eligibility for family or individual reparations in the Liberian context where almost all children were victimized by the war would be extremely difficult. Any form of reparations needs to avoid favoring one group of children over another and to create further divisions or inequalities.
- Reparations should take forms that best remedy all the wrongs that have been inflicted on children during the Liberian wars and as a consequence of the wars. Children have strong expectations that the Government of Liberia step up its effort to provide truly equal educational, vocational, and professional opportunities for all children and young people in the country.
- The war left deep scars on Liberian children's psyche and further disadvantaged those who already had little before the conflict. Family and community bonds have broken down for many children. Where informal social institutions break down, the state is expected to step in.
- The Government of Liberia has taken some commendable steps since the end of the war to strengthen child protection and child welfare. Notably, the passage of the Rape Law of 2006, the commitment by the president to provide free primary education across the country, the passing of a new Domestic Relations Law regulating adoptions, the re-invigoration of the Children's Parliament, and the drafting of a comprehensive Children's Law, which is currently awaiting congressional approval, are all welcome measures that contribute to strengthening child protection in Liberia.
- However, many stakeholders, including children themselves, feel that the Liberian Government has not given priority to children's issues and has shown a lack of leadership on designing and implementing a comprehensive child protection strategy that effectively tackles children's war-related problems. This is confirmed by the 2008 African Report on Child Wellbeing, which assessed all African countries with respect to the child friendliness of their policies and

actions. The report found Liberia to be among the ten “least-child-friendly” countries in the world, ranked 47<sup>th</sup> out of 52 African countries. The report concluded that, “the poor performance or low score of the ‘least child-friendly’ governments is the result of the actions taken by their governments – or lack thereof – and the outcomes in terms of the wellbeing of children in their respective countries.”<sup>229</sup>

- Capacity among Liberian institutions mandated to look after the wellbeing of children is extremely weak. Government institutions in charge of the wellbeing of children, such as the Ministry of Gender and Development and the Social Welfare Division in the Ministry of Health and Social Welfare are poorly resourced and staffed. Despite recent increases in staff numbers, in particular their branch offices in the counties are heavily under resourced. Non-governmental Child Protection Agencies are heavily dependent on external funding and have few resources or longer-term strategic visions of their own. Monitoring of children’s rights violations is weak and few institutions are ready to hold the Government to account.
- The criminal justice and law enforcement systems, while having made some progress in providing child-friendly measures to deal with delinquents under the age of 18, still lacks the capacity to provide child-friendly procedures and facilities. While the establishment of the Women and Children Protection Section within the Liberian National Police and the establishment of one juvenile court in Monrovia have been extremely positive steps, there is still little expertise to properly deal with children in conflict with the law. There is only one juvenile judge in the country and there is little understanding among magistrate courts of child protection issues. There are no separate detention facilities for children in the country.
- Many gaps remain in addressing children’s needs related to war-time violations and experiences:
  - The Liberian conflict had serious negative and longer-term consequences for the physical and mental health of Liberian children. Some children reported to the TRC that their war injuries have never been properly treated and still cause them pain today. Years of deprivation, poor or insufficient nutrition, and displacement have led to widespread stunting and problems in children’s physical and mental development. Vaccination rates among children have also declined and polio has reemerged in Liberia after it was thought to be eradicated.

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<sup>229</sup> African Child Policy Forum. 2008. *The African Report on Child Wellbeing: How child-friendly are African governments?* Addis Ababa: The African Child Policy Forum, p. 8.

- In particular, the health of girls has been severely affected by the high incidence of sexual and gender-based violence. Sexual abuse, rape, multiple rape, and gang rape, and sexual slavery caused serious harm to girls' reproductive systems and have left many of them with chronic problems from obstetric fistula and sexually transmitted diseases or even infected with HIV. It is extremely worrying that the HIV infection rate among adolescent mothers is three times the average infection rate for the country. There is insufficient access to reproductive health care, HIV prevention, testing, and treatment, in particular in rural areas. Special outreach and educational programs on reproductive health and family planning are limited, although approximately half of all Liberian women give birth before they reach the age of 18.
- More than a decade of violent conflict has also severely impacted children's educational opportunities. While progress has been made in rebuilding schools and educational facilities providing access to primary education, the low quality of teaching staff and widespread abuses in the schools ranging from multiple hidden school 'fees' to sexual exploitation of girls pose serious obstacles to achieving free primary education. Secondary education is still only accessible to small minority of students, mainly in urban areas, due to its high cost. This prevents most Liberian children from reaching their full potential.
- While enrolment rates have improved in recent years, girls are still much less likely to attend school than boys. The difference is particularly among secondary school students. The educational system has not succeeded so far in creating an environment where girls would feel welcome at school and where their needs are met. Instead, their vulnerability is often exploited in a male dominated environment by teachers. Traditional practices such as initiation rites that require taking girls out of school for extended periods of time and early marriage and teenage pregnancy add to the difficulty of creating equal opportunities for girls in Liberia.
- Opportunities for vocational training remain insufficient across the country. Accelerated learning programs and supplementary adult literacy and numeracy classes for children or young adults who missed out on education during the war have had a positive impact and need to be continued and expanded for all children and young adults to be able to catch up on the many years of education they lost.
- Child labor is a serious problem in Liberia. During any time of the day or

night, children roam the street peddling all varieties of wares, work in markets, shops or garages. The loss of parents and family members or their injury and disability has made children assume the responsibility of breadwinner or heads of household in many cases. For many poorer families, sending children to make money is a matter of survival. However, it means that children are missing out on educational opportunities, which will make them more vulnerable in the future and will prevent them from advancing the future. Many jobs children do are also physically arduous and harmful to children's health.

- The increase in the number of children or young adults who live on the streets can be attributed to the longer-term effects of the war and the disruption it brought to family and community ties. Some street children have lost their parents, or have been sent to Monrovia to a negligent or abusive fostering family. Others may be former children associated with the fighting forces who have a hard time readjusting to society or who may have been rejected by their families or communities. Street children are extremely vulnerable to abusive labor practices, criminal activities, becoming dependent on drugs, or prostitution, or falling victims to child traffickers.
- The fostering of children from rural areas and underprivileged families by better off urban relatives or acquaintances has a long tradition in Liberia. However, today, the practice more frequently seems to lead to abuse of the fostered children, which leaves them vulnerable to homelessness and trafficking. A whole small industry of false orphanages and commercial adoptions has developed in Liberia, with hundreds of non-orphaned children being kept in orphanages and being sold against the knowledge of their parents. This practice urgently needs to be curbed.
- There are serious gaps in child welfare services when it comes to care for children with serious trauma and for children who live without family support and are in conflict with the law.

Contribution to TRC Children's Art Gallery by children from Hoffman Station, Maryland



Drawing by Blessing D. Wachuku on "The Future of Liberian Children", contribution to the TRC Children's Gallery



# 7 RECOMMENDATIONS

## 7. RECOMMENDATIONS

*"The TRC may be able to make every Liberian child to feel justice. This is my expectation."*

*"My expectation about the TRC is to help us children for our future tomorrow and give children their rights. I expect that TRC will also give us justice and teach us reconciliation."<sup>230</sup>*

The two children, one girl and one boy from Grand Cape Mount County, in a few simple sentences, expressed the hopes of their entire generation toward the TRC. Children, while often not able to verbalize their feelings properly, have a deep sense of feeling betrayed by their country, their history and their people. Being robbed of a proper childhood, of educational and professional opportunities, of time for exploration and for the usual emotional development that a child has to go through on his/her passage to adulthood.

How to 'give' children justice and how to make them 'feel' justice in Liberia is what the truth and reconciliation process for children should be all about. It is not a straightforward journey and there is no miracle remedy to suddenly make children 'feel' that justice has been restored to them. It is going to be a long and winding path, and it will require multiple interventions at many different levels of the political system and society, a mix of measures toward reconciliation and prosecutorial justice as well as renewed attention to offer the young war generation the opportunities they have been missing out on in terms of education, health care, opportunities to advocate for their rights and interests, to earn a living and to be master of their own normal lives, without fearing harm, insecurity, physical harassment, abduction, or displacement.

The TRC thus recommends that the Government of Liberia or other actors involved in the protection of children take the following actions to right the wrong perpetrated against Liberian children in period under consideration:

### **General:**

- The Government of Liberia needs to make investment in children an explicit national priority. Children's rights and interests need to be approached in a holistic way for children of all origins, identities, and faiths across the country. Liberia's future hinges on its children and without affording them a prospect for educational opportunities and decent living standards, reconciliation and peace building will be hard to achieve.

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<sup>230</sup> Statements from two children who participated in the TRC Awareness Raising Workshop, Madina, Grand Cape Mount County, 16-18 November 2007, when asked about their expectations for the TRC process and their future.



- It is paramount that the Government of Liberia creates an environment in which girls and boys are free from violence, exploitation, abuse, and unnecessary separation from their families. The GOL has to show leadership on children's issues to systematically amend and pass laws, mobilize resources, and implement policies that help to minimize children's exposure to risks, tackle existing vulnerability and strengthen children's own resilience.
- The GOL needs to step up its action in favor of the protection and wellbeing of children. The Government has to take proactive measures to assist Liberian children in making up for the decade and a half that children lost during the Liberian wars through toll the war took on children's emotional and cognitive development as well as on their educational and professional opportunities.
- The rights emanating from the Convention on the Rights of the Child need to be fully realized in Liberian policies and all government actions, not only in ministries and departments that are explicitly responsible for children, but all across the Government and in every policy area.

#### **Accountability and Criminal Responsibility:**

- Armed groups in the Liberian wars and those who directed their actions deliberately targeted children and were responsible for the following gross human rights violations and serious violations of international humanitarian law directed against children: extrajudicial killings and mass killings, forced recruitment, torture, rape, multiple and gang rape, sexual slavery, and forced marriage, need to be brought to account to give children a sense of justice and to remedy the sense of betrayal children feel toward the adults who exploited and abused them during the war.
- Children were among the main victims of the Liberian conflict. They were forced to participate in fighting and to commit grave human rights violations under the direction of their commanders. Refusing to take part in hostilities was not an option for children. Therefore, children under the age of 18 do not have any criminal responsibility for their actions and they cannot be held accountable for crimes committed under international human rights or international humanitarian law. Since children are not considered to be responsible for gross human rights violations and serious violations of humanitarian law, there can be no amnesty extended to children.

**Reconciliation:**

- Children need to be part of any national reconciliation and healing mechanism such as a National Palava Hut Forum. Children were eager to tell their story to the TRC and expressed a desire to have a forum where they can openly talk about the abuse they suffered, but also share the wrongs they felt they committed and that they seek forgiveness for. Every community should provide children the opportunity to participate in Palava Hut processes, under the guidance of Child Welfare Committees to ensure that children are protected in these processes and that they are conducted in a child-friendly fashion. Where children have been stigmatized by communities for their involvement in armed groups, special processes should be devised to allow those children to be fully rehabilitated and reintegrated in their communities.

**Legal Framework:**

- The Liberian House and Senate are urged to pass the pending Child Rights Bill for the President to sign into Law. Only the passage of the Child Rights Bill can provide a comprehensive child-friendly legal framework that ensures legal compliance with all provisions of the CRC. After the adoption of the Child Rights Bill, the Government has to do its utmost to quickly translate the legal framework into concrete policy action.
- The Act establishing the Independent Human Rights Commission needs to include clear provisions on the responsibility of the NHRC for monitoring children's rights.

**National Security and Prevention of Re-recruitment:**

- Strategies need to be devised to provide additional channels of reintegration for former children associated with the armed forces who were left out of the DDRR process. A significant number of former CAFF who testified before the TRC did not go through the DDRR process. Many of them are in an extremely vulnerable position today with no educational and professional opportunities, in particular if they are not living with their parents or close families. A number of them are still in close contact with former commanders and other former CAFF and are thus particularly vulnerable to re-recruitment.
- The Government needs to make the re-recruitment of former child soldiers impossible. It needs to closely monitor recruitment into the newly reconstituted Armed Forces of Liberia and ensure that none of the recruits is younger than 18. It also needs to take action to prevent the cross-border recruitment and

movement of child combatants, in particular on the borders between Liberia and Guinea and the Côte d'Ivoire.

- Former child combatants or children associated with the armed forces who have been recruited by criminal gangs and are accused of having committed criminal offenses should receive special consideration that takes into account the best interest of the child and the needs of adolescents who were socialized during the war years. These actions should stress attempts to reintegrate those children into society and to provide them with alternative opportunities.

### **Reparations:**

- Children who gave statements to the TRC overwhelmingly demanded some kind of mechanism for reparations to make up for the violations they suffered as well as the deprivation and the missed life chances that came with war. There is no easy way to administer reparations that do justice to the victims' expectations while not distinguishing between different categories of children and while creating new divisions. Any reparation scheme to be devised by the GOL needs to take the post-conflict needs of all children into account.
- Reparations should aim at repairing the consequences of violations borne by children during the Liberian conflict. There should be symbolic and material reparations for Liberia's children and young adults. Ideally, any reparation schemes will target entire communities and children as a group rather than single out individual children.

### **Dissemination of Knowledge about the War and its Impact on Children**

- Many children who gave statements to the TRC urged the TRC and the GOL to ensure that the history of Liberia and the causes of the wars as well as their terrible impact on children should be widely disseminated. One of the first tasks of the Independent Human Rights Commission should be to devise an outreach strategy targeted at children to widely disseminate the TRC's findings on children. The outreach strategy should actively engage children through the Liberian Children's Parliament and community or school-based children's clubs in the dissemination process.
- This should include the printing and distribution of a child-friendly version of the TRC report to all schools and institutions that interact with children as well as radio shows and other programs to share the TRC's findings and encourage children to discuss their consequences.

- Ultimately, the TRC's findings need to be included in regular school curricula to become part of regular history classes through from primary school through high school.

### **Memorials and Commemorations**

- Special events should be held annually to commemorate the victims of the war and the terrible impact it had on the country's social fabric, in particular its children. Potential days of commemoration could include the Day of the African Child on June 16. Lessons from the Liberian war and activities around reconciliation and peacebuilding should be woven into the internationally-driven themes in the annual June 16 celebrations.

### **Targeted Assistance to Special Groups of Victims:**

- While reparations generally should avoid targeting specific categories of children, certain groups of victims might need special attention. In particular, reparations should include specific provisions for those victims who have been falling through the cracks of specific post-conflict programs targeted at children, notably former CAFF who have not gone through the DDRR process, girls who have been victims of sexual violence, rape, and sexual slavery, children separated from their parents and family members, children with severe psychosocial trauma and children with social adaptation and reintegration problems.

#### *Victims of sexual and gender-based violence (SGBV):*

- Numerous girls who testified before the TRC about their ordeal of brutal and frequent sexual abuse, rape, and sexual slavery at the hands of members of armed groups have not received any treatment for the damage that was done to their reproductive systems, nor have they received counseling or other specialized assistance need to cope with the trauma they suffered. Specialized programs need to be established across the country to comprehensively address the needs of victims of sexual and gender-based violence, in particular for young girls. These programs need to include HIV testing, counseling, and treatment components since young SGBV victims are more likely to be HIV positive than the average female population.
- Girls between the ages of 10 to 14 remain the group most frequently targeted by sexual violence in contemporary Liberia. The GOL needs to adopt and fully implement a comprehensive strategy against sexual and gender-based violence and create strong capacity in the provision of prevention, response,

and treatment services to replace the many initiatives currently implemented by international or non-governmental agencies. This includes law enforcement and prosecutorial measures, health services to attend to the specific reproductive health needs, as well as specialized education (literacy, numeracy, vocational) for teenage mothers.

- Special services need to be provided to support child mothers and programs devised to contain the persistence of large numbers of teenage mothers. Teenage pregnancies remain a serious problem for Liberian society today. Teenage mothers are often overwhelmed with the responsibilities that come in raising children. Early pregnancies damage their reproductive systems and prevent them from pursuing educational or professional opportunities.
- Traditional practices that are harmful to girls' reproductive and general health, notably female genital cutting, as well as early and forced marriages need to be curbed. Government institutions and traditional leaders and spiritual authorities need to start a dialogue on how best to most effectively protect girls' rights to grow up healthy and with their reproductive systems intact.

*Children separated from their families:*

- A significant number of children interviewed by the TRC, three to four years after the conflict, were still separated from their parents or family members. Some of them were living by themselves, others with distant relatives or non-related caretakers. A large number of separated children reported not going to school since they were lacking the means to do so. An intact family provides the most stable social environment for children to grow up in and is more likely to allow children to pursue educational opportunities. Additional post-conflict family tracing and reunification programs need to be devised for those children who have not benefited from those programs earlier. Those programs need to take the difficult geography of the country into account and closely involve existing community resources and networks.

*Children with severe trauma:*

Specialized programs of psycho-social support need to be provided to the following categories of children:

- Evaluations of reintegration programs of children who went through the DDRR process indicate that a small number of children have difficulties

reintegrating into their communities and schools due to behavioral problems. Albeit small in number, these cases are highly disruptive to their families and communities and need specialized attention.

- A large numbers of children who testified before the TRC complained about suffering from long-term trauma manifested by frequent nightmares, inability to concentrate or general distress. While generally a stable family or community environment as well as meaningful educational or vocational activities might be sufficient for children to overcome their trauma over time, cases of severe trauma require specialist treatment. Despite the very limited capacity of psychological or psychiatric expertise in the country, resources should be sought to provide specialized programs to children with severe trauma and symptoms of severe depression.

### Education:

- Access to free and quality education was by far the number one concern of children who testified before the TRC. This goal is far from being realized for many war-affected children in Liberia.
- The Government of Liberia needs to realize the goal of free primary education for all children across the country. With a net primary school enrolment of 37.3 percent in 2007, Liberia is likely to miss the Millennium Development Goal of ensuring that, by 2015, all children, girls and boys, are able to complete a full course of primary schooling.<sup>231</sup> The gap between the quality of education offered in Monrovia and a few urban areas and rural areas seems as large as before the war. The Government needs to make sure that all children across the country are taught by capable teachers in reconstructed classrooms where students sit on benches and have access to textbooks and other learning materials. It needs to gradually replace or train the large share of unqualified or underqualified teachers and hire new entrants only on the basis of qualification.
- The Ministry of Education needs to make primary education truly free of charge by cracking down on the large number informal 'chalk fees' and other payments that teachers charge to augment their salaries. The practice of selling grades to the highest bidder seriously undermines the GOL's promise of free primary education for all. Teachers' salaries need to be sufficient to make a decent living and should be paid regularly.
- There are consistent reports about continuing sexual abuse of girls in Liberian

<sup>231</sup> See Government of Liberia. 2008. *Poverty Reduction Strategy*, p. 34.

schools. Some teachers prey on young girls and demand sex in return for passing grades. This exploitative practice has to stop and such teachers need to be dismissed and prosecuted. The teacher's code of conduct needs to be strictly enforced in Liberian schools. Overall, schools need to be turned into safe environments for girls. This should include increasing significantly the number of female teachers and access of qualified females to the teaching profession.

- The gap between girls' and boys' school enrolment rates needs to be closed further through various measures. First, parents in rural areas need to continuously be convinced of the benefits of education to girls and boys. Second, informal school fees need to be abolished to make it affordable for families to send all their children to school. Third, schools need to become girl-friendly places free of abuse, discrimination, and exploitation. Among many other measures, increasing the numbers of female teachers from less than one quarter in primary school and less than one-sixth in secondary school could be a helpful first step in that regard.
- Secondary school enrolment remains a fraction of primary school enrolment today. Significant efforts need to be deployed to make secondary school free of charge and accessible to all children across the country. The gender gap between female and male secondary school enrolment is even more pronounced in secondary school. This needs to be remedied.
- The capacity for vocational training in the country needs to be significantly expanded. Vocational schools can provide an attractive alternative with much more practical appeal to many students, in particular vocational training in agriculture in rural areas. Vocational training should be tied to other government programs supporting job creation and agricultural support and extension services to make agriculture more attractive for young people.
- Accelerated learning programs (ALPs) for children and young adults who missed out on education during the war need to continue to be offered. Numerous children or young adults who testified before the TRC mentioned that they have not had access to schooling since the end of the war since they could not afford it or had to support themselves through work. Even those children and young adults who missed out on ALPs so far need to have an opportunity to catch up on their education.

### **Health:**

- Access to healthcare for all children across the country, in particular in rural areas, needs to be significantly expanded. Rural clinics need to be adequately

staffed with trained personnel and regularly supplied with drugs and supplies.

- Numerous children who gave statements to the TRC complained about continued health problems from war-related injuries. A program should be developed as part of an overall reparations program to offer free or subsidized treatment for war-related injuries in children.
- Antenatal and obstetric care is still woefully inadequate in Liberia. To further lower the high infant and maternal mortality rates, antenatal and obstetric care across the country needs to be improved and reproductive health education and outreach needs to be systematic and cover the entire country.
- Reproductive health (RH) services need to be offered in particular in rural areas to deal with the impact of large numbers of SGBV cases. RH services also need to offer continuous outreach to girls in schools and young mothers to lower the high rate of teenage pregnancies and to offer proper advice on child health to teenage mothers. Reproductive health education with a focus on family planning should be available in all schools to teenage girls and boys.
- Vaccinations rates in Liberia are comparatively low, in particular in rural areas. Strategies need to be devised to urgently boost immunization rates across the country to save children's lives. Polio vaccinations need to cover the entire country to immediately counter its re-emergence
- Preventable diseases such as diarrhea and malaria remain the number one killers of children in post-war Liberia. Significant efforts need to be deployed to develop strong preventative health strategies all across the country, in particular with respect to continued health and hygiene education targeting mothers and children, as well as programs that increase access to insecticide-treated bednets and other easy preventative measures.
- Expertise within the health sector to deal with HIV testing, voluntary counseling and access to anti-retroviral drugs is very limited in Liberia so far. More clinics need to have trained staff and offer HIV testing and counseling as well as treatments, in particular in rural areas, and in particular in areas with a high incidence of sexual violence. Health staff needs to receive special training on how to reach out to children and treat HIV patients under the age of 18.
- Government needs to follow closely the evolution of HIV infection rates among young mothers and plan to counter rising infection rates, as well as develop strategies to counter emerging issues such as children caring for HIV positive parents as well a potentially increasing number HIV-orphans.



**Socio-economic support:**

- Poverty and parents' unemployment were cited frequently by children who gave statements to the TRC as reasons for not attending school and for continued 'suffering.' Many children asked the TRC to ensure that the Government provide assistance and employment opportunities to war-affected families.
- Vocational training in agriculture and agricultural processing needs to be significantly expanded and linked with programs of continuous support for quality agricultural inputs and loan schemes to farmer.

**Children's Participation in Public Life and Decision-making:**

- The GOL needs to continue and expand its support to the National Children's Parliament to ensure regular, free, and fair elections that include the largest number of children possible across all counties. The Children's Parliament should be consulted on a regular basis on important policy projects and decisions of importance to children. In addition to being consulted, children need the space to initiate the pronouncement of issues affecting them as a way of claiming government and other actors' attention for prompt action on issues of urgency to them.
- Children's clubs should be established or existing ones supported at the community level to provide children with a space to relax and play while developing social and creative skills. Budgetary provisions should be made to regularly support children's clubs with sports, recreational, and educational materials. These funds will have to be disbursed transparently and fully accounted for to the Children and the Children's Parliament. Children's and youth centers should be established in towns and larger villages across all counties to offer a clear focus for meaningful organized activities for young people.

**Street Children, Adoptions, and Anti-Trafficking**

- A thorough review of orphanages or foster homes and adoption practices in the country needs to be conducted. All non-licensed orphanages or foster homes, supposedly more than half of all existing fosterage institutions, need to be closed. This needs to include a review of all individual cases of allegedly orphaned or fostered children. There is an urgent need for political will to ensure such implementation. There have been numerous assessments of the dire situation of orphanages in the country with little political action taken to remedy it.

- A legal framework for international adoptions needs to be adopted. Until such a legal framework exists, all international adoptions need to be stopped.
- A comprehensive program to address the problem of street children needs to be adopted. The expertise of Child Protection Agencies should be sought in the design and implementation of such a program. The program needs to include outreach activities, counseling services, educational and vocational opportunities, and foster or other care arrangements including supervised independent living arrangements that allow children to give up life on the street and to integrate into regular community structures should be considered. Special components of the program should cater to the special needs to ex-CAFF street children, in particular those who have not been properly demobilized.
- The MOGD and the Ministry of Health and Social Welfare need to work closely together with law enforcement and customs and immigration authorities to monitor the movement of children across borders. Border authorities need to receive regular training on detecting patterns in children's movement across borders and raise alarm if trafficking is suspected.

#### **Institutions Responsible for Child Protection:**

- The GOL needs to rein in the fragmentation of responsibilities for children between different ministries and government agencies. The Ministry of Gender and Development should maintain and fully exercise the lead authority on all issues related to children protection and welfare. Regular and strong coordination mechanisms between government offices and between the MOGD and Child Protection Agencies are important to fully utilize the existing expertise among civil society actors.
- Clear leadership on policy issues needs to come from the Office of the President. Child protection expertise within the President's office is desirable in order to give child protection issues the high profile attention they deserve.
- Equally, capacity on child protection issues needs to be built up within the House of Senate to lead legislative and policy initiative and to monitor Government's progress in implementing the Children's Law.
- Strong independent monitoring of children's rights and the implementation of the National Children's Law as well as all the responsibilities emanating from the Convention on the Rights of the Child is needed to hold Government accountable to the goals it set for improving the situation of children in the

country. Monitoring responsibilities of a National Child Wellbeing Council as proposed in the pending Children's Law should ideally be integrated within the Independent Human Rights Commission. The current monitoring body, the National Child Rights Observatory Group (NACROG), located within the Ministry of Gender and Development should be integrated within the IHRC. The executive office in charge of child protection (MOGD) cannot at the same time be the monitoring body that holds itself accountable.

- The Independent Human Rights Commission will have adequate numbers of staff with expertise in children's rights and child protection. The IHRC needs to be endowed with sufficient resources to actively monitor progress on policy initiative regarding children, including the implementation of the TRC's recommendations regarding children.
- The number of staff responsible for children's issues within Government, in particular the MOGD, should be increased, in particular at the County level. Currently, only one full-time MOGD child protection staff is based in each county. Similarly, the resources those staff have at their disposal to reach out to children and communities and to actively implement policies needs to be increased. Regular trainings for MOGD and other Government agency staff on child protection issues and international legal standards as well as outreach and community mobilization skills should be organized. Expertise from national or international Child Protection Agencies should be sought to ensure the technical quality and adequacy of the trainings.
- Child Welfare Committees (CWCs) will be established and existing ones will be made official structures at the community level. Clear guidelines or by-laws for the composition and operations of CWCs need to be established and support provided by the MOGD. CWC members need to be regularly trained and provided with incentives to support their activities.
- Government needs to ensure that all children born on Liberian soil receive a birth certificate and all required documentation when they grow up. Birth registration and certificates are still not available in some counties since a number of children are already again missing out on having proper documentation.
- Juvenile justice needs to make provisions to provide child-friendly facilities and ensure the protection of juvenile offenders in the legal system. Capacity to adjudicate juvenile cases needs to be built up across the country, not only in Monrovia. Priority should be given to areas with higher juvenile crime rates, in particular other urban areas in the country with larger numbers of street

children. Separate detention facilities for juvenile offenders need to be built in all Magistrate court locations.

- Whenever possible, the justice system should focus on 'protective and educative' measures for offenders.

*“Shine  
Like a flower that  
When it rains, looks bad  
But when the sun shines it changes and looks beautiful  
Shine o sun, Shine over Mama Liberia  
Shine o my clear sun  
Shine in every part of Mama Liberia  
The government needs your brightness  
Let your brightness restore glory,  
Honor and true reconciliation to our clear country  
And the hearts of our  
Citizens and foreign nationals  
Shine, TRC shine”<sup>232</sup>*

<sup>232</sup> Poem by Varcham Tamba, 9th grade, Submitted to the National Children's Arts Gallery, 2008.



