



Against the People, For the Resources

The need for stronger enforcement of UN timber sanctions and prevention of plunder

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Recommendations

The UN Security Council should:

- Ensure that current timber sanctions on Liberia are enforced and remain in place until such a time that it can be proven that the industry does not constitute a threat to international peace and security.
- Guarantee that any peace-keeping force be impartial and deployed in as much of the country as possible, to promote an internal security situation that will facilitate proper disarmament, demobilisation and provision of emergency humanitarian aid.
- Authorise future UN Panels of Experts on Liberia to investigate the Liberian logging industry during the dry season, when the industry is traditionally more active and transportation to remote areas easier. More specifically, the Panel should investigate incidences of illegal logging within Liberia and exports through border areas with Cote d'Ivoire, Guinea and Sierra Leone.
- Ensure that the Liberian government and logging industry undergo a comprehensive and internationally verifiable audit of income generated, received and expended, with particular attention paid to extra-budgetary expenditures and use of offshore bank accounts. The Security Council should also order a full review of Liberian government and logging industry governance and accounting systems, ensuring full implementation of the improvements necessary to reach basic international standards of accountability and transparency.

The International Community should:

- Actively support the ongoing peace process and multi-national force being deployed in Liberia, through whatever financial or logistical means available.
- Increase humanitarian aid to Liberia, whether through government agencies or NGOs, to help alleviate the intense humanitarian crisis there.
- Ensure that all arms-trading countries refrain from selling weapons to West Africa in accordance with the Moratorium on the Import, Export and Manufacture of Small Arms and Light Weapons of the Economic Community of West African States, and from providing any support to armed rebel groups, including the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL).
- Ensure that all countries respect the war crimes indictments placed against Liberia's former president Charles Taylor and others by the Special Court in Sierra Leone.
- Make certain that, when the conflict is resolved, there are adequate resources for reintegration programmes, not unlike the Disarmament, Demobilisation and Reintegration (DDR) process in Sierra Leone, to address the issues of child soldiers, ex-combatants, etc, with emphasis on community-based incentives.
- Create a fact-finding mission to make recommendations, to civil society, the interim government and any future democratically elected government, regarding judicial

mechanisms by which to prosecute those persons responsible for the crimes against humanity and war crimes committed during Liberia's recent conflict. Perpetrators, be they government or rebel forces, should be prosecuted in the International Criminal Court, while a Truth and Reconciliation Commission should be assembled in Liberia.

- Incorporate 'plunder' of natural resources during conflict as a specific and prosecutable war crime under the International Criminal Court.

The Liberian government, MODEL and LURD should:

- Respect the ceasefire signed on 17 June 2003 and all relevant human rights declarations, immediately halt all hostilities, and prepare to cede territorial control to the incoming multinational peacekeeping force.
- Uphold UN sanctions by halting all imports of weapons and exports of timber products and diamonds.

The new Liberian interim administration should:

- Ensure adequate time and freedoms of the press in the lead-up to future nationwide, democratic elections, so that candidates have sufficient time and space develop political parties and run proper campaigns.
- Maintain a moratorium on all logging and processing until a national forest policy, and adequate government and industry procedures, are developed. If a concession-based system is selected, before logging and processing operations restart an updated inventory of forest cover must be completed; new concessions allocated according to a transparent and competitive bidding process; significant and meaningful local consultation conducted; full sustainable forest management plans to the highest international standards created; and environmental and social impact assessments carried out. Bidding companies must also demonstrate that they have not been involved in illegal or unethical activities.

The Governments of Cote d'Ivoire, Guinea and Sierra Leone should:

- Enforce tighter controls of their borders with Liberia so that Liberia's natural resources are not smuggled into their countries, in violation of UN sanctions.
- Exert more rigorous oversight of their own natural resource industries to ensure that those individuals and companies that have been or still are engaged in illegal activities in Liberia are not allowed to operate within their respective territories.
- Ensure that no financial or other support is given to foreign rebel groups, and prevent such rebel groups from operating in or otherwise using their territory for political or military activities.

Acronyms

FDA	Forestry Development Authority
ILC	Inland Logging Company
LURD	Liberians United for Reconciliation and Democracy
MJP	Movement for Justice and Peace
MODEL	Movement for Democracy in Liberia
MPIGO	Popular Movement of the Ivorian Great West
MWPI	Maryland Wood Processing Industries
NPFL	National Patriotic Front for Liberia
OCHA	Office for the Coordination of Humanitarian Affairs
OTC	Oriental Timber Company
RTC	Royal Timber Company
RUF	Revolutionary United Front
UN	United Nations

Executive Summary

This briefing document details the role of the Liberian logging industry in fuelling conflict in Liberia and the region, and what the international community must do to halt this and prevent it from happening again in the future¹. While highlighting the current face of the Liberian timber industry and how it should function in the future, this document also provides information on the legal implications of the current timber ban, how international law should be used to prevent and punish such exploitation of natural resources, and a guide as to how sanctions should be monitored.

While logging operations have largely stopped due to the ongoing conflict, onset of the rainy season and sanctions on Liberian timber, the Liberian logging industry still poses a risk to international peace and security. The industry has not fully broken its ties to international markets of arms traders and mercenaries, nor to various armed groups it has supported. These continued relations also raise the questions of why the ongoing plunder of Liberia's natural resources had been allowed to continue for so long, and why the plunder of natural resources to fuel war is not yet recognised as a war crime.

The United Nations has recently released two new reports regarding the Liberian timber industry, one by the Office for the Coordination of Humanitarian Affairs (OCHA) and the other by the latest UN Expert Panel on Liberia. While both reports overestimate the industry's benefits, both reports also discuss the negative impact of the Liberian logging industry on Liberia and the changes that both the Liberian government and logging industry need to make. Moreover, the Expert Panel report is significant for its recommendation that sanctions should remain in place until such changes are made, even if there are adverse humanitarian impacts, as restarting logging now could risk facilitating illegal logging, misappropriation of revenue and further funding of conflict. The UN Security Council, having considered these two reports and the perilous security situation in Liberia, and having determined that concern over the possible use of timber revenue to fuel the conflict in violation of UN resolutions remained valid, decided on 26 August 2003 to maintain the timber sanctions on Liberian timber for the time being¹.

¹ Determining the total number of Liberian timber companies has been difficult, given inaccurate and outdated government records and the ongoing conflict. However, in 2001, the last year that the Liberian Forestry Development Authority (FDA) released an annual report, 30 timber companies were officially listed, with more companies left off the list. The new UN Expert Panel report on Liberia (S/2003/779) lists 49 timber companies operating in Liberia.

The information in this briefing document results from extensive Global Witness investigative interviews and research. The key findings are:

- A UN-administered ‘wood-for-food’ programme would open up Liberia to abuse by those companies and individuals involved in fuelling current hostilities in Liberia and previous conflicts in Sierra Leone and Cote d’Ivoire. Authorising such companies to restart operations, particularly in areas under rebel control, would lead to the resumption of arms imports, reward rebel forces for their violent occupation of resource rich territory, and exacerbate Liberia’s humanitarian crisis (see Before sanctions are lifted: a check-list, page 18).
- Two reports, released by the UN Office for the Coordination of Humanitarian Affairs (OCHA) the UN Panel of Experts on Liberia are too optimistic of the economic and social benefits the industry has offered and could provide. Global Witness agrees with both reports in that the Liberian logging industry must be reorganised with an emphasis on transparency and accountability, and Global Witness welcomes the UN’s progress in recognising the negative role Liberia’s timber industry has played in Liberia, both socially and environmentally. However, Global Witness research shows that both reports, especially the OCHA report, are overly optimistic of employment figures and the economic and social benefits the logging industry provides. Global Witness feels that, as the timber sanctions are only two months old, and with the current conflict and rainy season having ceased most logging operations, the reports’ findings are only preliminary and more investigations must be done to properly assess the situation (see Recent United Nations reports, page 10).
- The links between the Liberian logging industry and the arms and mercenaries trade must be ended. The Liberian logging industry has fuelled domestic and regional conflict, both through indirect financial support and through the active exploitation of links to international networks of arms traders and mercenaries to support the violent activities of the Liberian government and rebel groups in Sierra Leone and Cote d’Ivoire. Some logging companies, which also maintain large militias, have been involved in serious abuses against local populations (see Annex I - The face of the logging industry: A reminder, page 26).
- The UN and international community can effectively enforce the current timber sanctions, through a relatively small number of monitors based at strategic ports and border crossing points in Liberia and Cote d’Ivoire (see How to monitor timber sanctions; where and how to look, page 21).
- All previously granted logging concessions must be suspended and reviewed, as many were given to logging companies based on their financial and logistical support for the Liberian government, such as facilitating arms imports, and for their ties to President Taylor, who had personal financial stakes in several of them. All future concessions must be allocated through a transparent application process, including environmental and social impact studies, and with all taxes and payments made traceable and paid properly into the national treasury (see Before sanctions are lifted: a check-list, page 18).
- Any new Liberian government, be it transitional or elected democratically in a nation-wide ballot, must be legitimate, transparent and accountable. Systems must be put in place to institutionalise transparency in the decision-making and budgetary processes. With specific regard to the government relations with extractive industries, environmental and labour legislation, and the capacity of government agencies to monitor and prosecute violators, must be improved substantially. Moreover, conflicts of interest between government and industry must be prevented; this includes the repeal of the ‘Strategic Commodities Act’, which gave

final authority over all natural resource contracts to President Taylor and led to corruption and self-enrichment (see Before sanctions are lifted: a check-list, page 18).

- The international community should use the international law already in place as a basis to incorporate ‘plunder’ of natural resources as a distinct war crime under the International Criminal Court (ICC). As seen in Liberia, governments, rebels and companies use the chaos of conflict to exploit natural resources, both to fuel ongoing conflict and as a reason for the war itself (see International humanitarian law and the plunder of natural resources during war, page 13).

The Liberian logging industry has historically facilitated illegal arms imports and support for rebel groups, as reported by the United Nations and Global Witness. In 2001, the UN Expert Panel on Liberia stated that ‘some of the timber companies have violated the sanctions against Liberia’²; unfortunately for Liberia and the region, that phrase still holds true. Such violations have included ‘a variety of illicit activities’³, including ‘payment for weapons delivery’⁴; assisting in ‘sanctions-busting arms transfers to Liberia’⁵; organising the transfer of weaponry within Liberia and into Sierra Leone, through ‘roads built and maintained for timber extraction’⁶; responsibility ‘for the logistical aspects of many...arms deals’⁷; and even the use of a timber company owner’s private jet ‘to ship weapons from Niger and from Burkina Faso to Liberia’⁸. The UN has also placed numerous personalities involved in the Liberian logging industry on a travel ban for ‘providing financial and military support to armed rebel groups in countries neighbouring Liberia, in particular the RUF in Sierra Leone’⁹. Global Witness investigations have backed this assessment of the Liberian timber industry’s involvement in sanctions violations, and have shown how some logging companies have been involved in sanctions violations more recently, including weapons imports for and assistance of rebels in neighbouring Cote d’Ivoire¹⁰. Moreover, research by Global Witness, other human rights groups and local Liberian press have exposed the abuse of local populations and workers by some elements of the Liberian logging industry (see Annex I - The face of the logging industry: A reminder, page 26).

Should the Liberian logging industry be allowed to restart now, the move would act as an open invitation for the companies that have helped fuel regional conflict to return to Liberia and continue business as usual. Given the strong links that still exist between the Liberian logging industry and weapons dealers, mercenaries, and rebel groups; and the fact that there has been no progress in instituting transparency and accountability in any sector of Liberian government or industry; this cannot be allowed to happen. To prevent such a giant step backwards, Global Witness calls upon the United Nations and international community to maintain and actively enforce the current Liberian timber embargo, ensuring that nations put aside personal interests to enforce Security Council orders. Moreover, Global Witness urges the international community to redouble efforts to incorporate systems of transparency and accountability into any reconstituted Liberian government and extractive industries, to ensure that the industries that could provide a sustainable income for the Liberian people are not used to purchase arms and fund mercenaries that will be used against them. Instead of fuelling conflict and serving as a source of plunder for a criminal elite, the natural resources of Liberia should serve the Liberian people in a socially, economically, and environmentally sustainable manner.

Companies and individuals involved in the Liberian logging industry

This following list is not exhaustive, but highlights some of the principal logging companies and related individuals. The total number of logging companies that have recently operated in Liberia is unclear; however, the last Liberian Forestry Development Authority (FDA) annual report released in 2001 officially listed 30 timber companies, with more companies left off the list¹¹, and the new UN Expert Panel report lists 49 timber companies¹². While Global Witness disagrees

with the two new UN reports' assessments of potential benefits such companies could bring to Liberia, in arguments detailed below, Global Witness draws attention to the new UN Expert Panel report when it states that, 'the departure of some logging companies (the Oriental Timber Company (OTC), the Royal Timber Company (RTC) and the Maryland Wood Products Industry (MWPI)) has relieved many Liberians of human rights abuses, intimidation of local people and alleged sexual exploitation of women and girls'¹³.

Each logging company's circumstances are different, where they are involved in assisting Liberian government forces and Liberian government supported rebels, their engagement varies in degree, some may have been directly complicit while others might be said to have been coerced. But either way, the outcome was the same for the Liberian people. Global Witness investigations have revealed that logging ports are important entry points for weapons to Liberia, and while normal offloading procedures have ships dock and offloaded by local stevedores with the port remaining open to local citizens, on some occasions the arrival of a ship has resulted in the port being closed off to locals, more expatriates brought in, and a significantly higher security presence established. The special cargo shipments, which port staff report to be weapons, are offloaded and taken away. Only then does security return to normal levels and the port reopen to the public. Activities of this kind have been reported at both Buchanan and Harper ports.

Charles Taylor – Former president of Liberia now in exile in Nigeria, and former warlord leader of the Liberian rebel group National Patriotic Front for Liberia (NPFL). Supported the Revolutionary United Front (RUF) rebels in Sierra Leone during the 1990s, for which the Special Court for Sierra Leone has indicted him for war crimes and crimes against humanity. Has also supported two rebel groups in western Cote d'Ivoire¹⁴, the MPIGO² and MJP³. He has imported arms in contravention of UN sanctions, with the aid of timber companies, in which he has large, personal financial stakes.

Oriental Timber Company (OTC)

OTC was the largest logging company in Liberia, controlling well over 40% of Liberia's total concessionable forests, along with affiliated companies Royal Timber Company (RTC) and Natura¹⁵. OTC operated Buchanan port¹⁶, where weapons shipments were offloaded. Global Witness and UN investigations reported the company's involvement in facilitating arms imports in violation of UN sanctions¹⁷. Global Witness research revealed that OTC maintained a militia of over 2,500 troops, and Liberian media and NGOs reported OTC militia members' involvement in arrests and detention¹⁸ and destruction of private property¹⁹. Other media and NGO reports recount hazardous work conditions at OTC²⁰ and an increase in disease among local populations due to pollution of water sources near OTC areas²¹. Global Witness and UN investigations have also shown how OTC is joined through common investors to the Global Star (Asia) group²². Global Witness investigations further documented that Global Star was the sole importer of Liberian timber to Asia as well as operator of at least one ship, the MV Antarctic Mariner, which transports timber to Chinese ports. Following the same unusual circumstances as described above, unknown cargo was offloaded from the MV Antarctic Mariner at Buchanan port at least once²³.

Gus Kouwenhoven – Chairman of the OTC²⁴, and runs sister companies RTC and Natura²⁵. He is a close friend of former President Charles Taylor²⁶, and has been involved in the logistical support of many illegal arms imports to Liberia.²⁷ Kouwenhoven is currently on the UN travel ban for his financial and military support of RUF rebels during Sierra Leone's civil war²⁸.

² Popular Movement of the Ivorian Great West.

³ Movement for Justice and Peace.

Kouwenhoven's current whereabouts are unknown, but there have been reports that he may be in Cote d'Ivoire.

Joseph Wong – Executive of the OTC and son of the chairman of Djan Djajanti, a company affiliated with Global Star (Asia) and OTC²⁹. He moved to Liberia the same time that OTC operations began, and is banned from foreign travel by the UN for supporting the RUF rebels³⁰.

Maryland Wood Processing Industries (MWPI)

MWPI was the second largest logging company in Liberia, based out of Harper in southeastern Liberia. MWPI controlled Harper port³¹ until MODEL rebels overtook the area in June 2003³². On various occasions local residents saw Liberian government security forces removing weapons from an MWPI warehouse in Harper and loading them onto trucks belonging to MWPI, which government security forces then drove away. MPIGO and MJP rebel fighters, as well as pro-Liberian government forces, also made use of MWPI facilities at the company's River Gbeh bush camp, located near the Ivorian border, whilst MWPI was still operating there³³.

Abbas Fawaz – President and chief shareholder³⁴. The UN also reported in 2001 that '[SLC, a logging company] is, since early 2001, controlled by the son of President Taylor and the Lebanese businessman Abbas Fawaz. Several sources indicated to the Panel that this is an area where weapons for RUF are stockpiled and where RUF can freely enter Liberian territory.'³⁵. The same Expert Panel report also stated that, '[Maryland Wood Processing Industry] is owned by Mr. Fawaz, who owns also the United Logging Company,' and that, 'United Logging Company [is] managed by Fawaz and President Taylor's son as chairman.'³⁶ UN Expert Panel reports uphold high evidentiary standards, requiring 'at least two credible and independent sources of information to substantiate a finding'³⁷. However, Abbas Fawaz was never placed on the UN travel ban, and in a letter to the UN Secretary-General, Fawaz denied links to any concessions in Lofa county, including SLC or ULC, or along the border with Sierra Leone, and denies any connections with the son of the President of Liberia³⁸. The Expert Panel states that it, 'agreed to put allegations to those concerned in order to allow them a right of reply', and it also stated that it was unable to make contact with certain individuals, despite 'serious attempts by the Panel to give them a chance to explain their conduct'³⁹. Fawaz claims that, to the best of his knowledge, no attempt to contact him was made⁴⁰.

Inland Logging Company (ILC)

ILC operated Greenville port⁴¹, and provided the timber for a US\$2.5 million timber deal between the Chinese state firm China National Aero-Technology Import and Export Corporation (CATIC), which sells various armaments, and Limad AG⁴², a company owned by the arms dealer Leonid Minin, whom the UN and investigative journalists say has been involved in east European organised crime and arms trafficking⁴³. ILC maintained a militia⁴⁴ whose members have been involved in abuses against local populations.

Maurice and Oscar Cooper – Long-term associates of President Charles Taylor⁴⁵, the brothers manage the Inland Logging Company (ILC). Maurice is on the UN travel ban, having provided support for the RUF rebels in Sierra Leone⁴⁶.

Introduction

Liberia is still entrenched in violent conflict. Its government was, until 11 August 2003, headed by an indicted war criminal who had terrorised and pillaged the country and region for more than a decade. A multinational intervention force is slowly deploying and a new interim administration has been formed. However, the country remains primarily under rebel occupation, fighting continues, and Liberian civilians are still caught in the crossfire and humanitarian

catastrophe created by a conflict that is likely emerge as the most brutal ever witnessed in the region.

Liberia's timber has become both a perpetrator of, and reason for, the conflict. Some Liberian logging companies have made deals with arms dealers and individuals involved with international crime, while some elements of the industry also provides the financial and logistical networks required to wage war and provide significant extra-budgetary income for a criminal elite. Increased fighting and recent timber sanctions has curbed the industry, but it has continued to exist. Any moves towards lifting sanctions prematurely would be working against the right of the people of Liberia to have control of their natural resources and would be an open invitation to the Liberian logging industry to help maintain the current crisis which, in Monrovia alone, has left an estimated 450,000 people displaced⁴⁷, with final casualties yet to be counted.

The international community must urgently address the violent chaos inflicted by warring parties upon the Liberian population, ensuring that any intervention is unbiased and deployed throughout the entire country. The international community must also provide increased humanitarian aid and focus on addressing issues of governance and transparency, while ensuring that timber sanctions remain in place and are properly monitored and respected.

Recent United Nations reports

When the UN Security Council imposed sanctions on Liberia's logging industry through Resolution 1478, it also commissioned two reports on the Liberian logging industry to be completed by the UN Office for the Coordination of Humanitarian Affairs (OCHA) and a new UN Expert Panel. On 26 August 2003, the Security Council, having considered the findings of the two reports, and noting its concern over the possible use of timber revenue to fuel further conflict, determined it was as yet too early to lift the timber sanctions. Global Witness welcomes the Security Council's decision, and provides an analysis of the strengths and weaknesses of the two reports below.

The new OCHA Report

When introducing the new OCHA report, Secretary-General Kofi Annan held that the current sanctions on timber could provide the necessary 'breathing space' for Liberia and the international community to reorient the Liberian logging industry⁴⁸. Global Witness agrees with this assessment, and reiterates that it is imperative that the Liberian logging industry not be allowed to restart operations until it can be proven that the industry does not, either inadvertently or actively, perpetuate illegal activities such as arms imports and human rights abuses. Moreover, it must be shown that the industry would operate under principles of accountability, transparency and respect for the individuals and communities in which it operates. While making solid points such as those above, the OCHA report contains inaccuracies that must be addressed.

Humanitarian Impact of the Logging Industry

Global Witness disagrees with OCHA's claims regarding benefits the logging industry has provided for the Liberian government and local populations. Few, if any, economic or social benefits are accrued by communities near logging activities, and especially not to those rural communities that fall near or within logging concessions. The OCHA report itself admits to the 'negative humanitarian and social effects of the timber industry' that include destruction of logging areas due to overexploitation and uncontrolled logging practices, 'disruption of traditional forest-dwelling people', 'reported...dangerous working conditions for timber workers', and 'reported sexual exploitation of women and teenage girls in communities surrounding logging camps'⁴⁹. Moreover, as Global Witness, Liberian NGOs and media have reported, some logging companies have been involved in a litany of abuses against local inhabitants (see Annex I - The face of the logging industry: A reminder, page 26).

While admitting to such abuses by the logging industry, OCHA also claims that timber sanctions will eliminate the important healthcare that was provided by some of the logging companies, most notably the infamous OTC. However, OCHA admits that it does not know how many benefit from the clinics, and Global Witness investigations and Liberian human rights organisations reveal that industry-run clinics were far too expensive for the average local to afford, and thus benefits for local populations minimal.

Economic Impacts

Global Witness also questions OCHA's assessment of the overall economic impact the sanctions will have on the Liberian economy, specifically regarding revenue raised and the effects on employment levels and timber industry dependents. Global Witness strongly cautions that the OCHA suggested values are based upon the hypothetical of how much the industry might provide if it was run properly and in a conflict-free scenario. Detailing how much revenue the industry might generate in a best-case scenario serves only to raise expectations of immediate economic reward, thereby rushing the international community towards lifting the sanctions before fully implementing the necessary changes to ensure transparency and accountability. While Global Witness believes the industry can become a stable source of revenue in the future, such revenue is unlikely to be reached any time soon, both for logistical reasons as many logging companies have shifted personnel and equipment away from Liberia for safe-keeping, and for ethical reasons, as any resumption of logging in rebel-held territories would reward rebels for their violent occupation of logging areas (see *Before sanctions are lifted: a check-list*, page 15). Moreover, it is very difficult to assess just how much revenue the industry would generate for Liberia, given that, as OCHA admits, data on the matter provided by the Liberian government, logging industry and international trade statistical sources is inaccurate (see *Economic and Employment considerations*, page 22).

Global Witness also refutes OCHA's claims regarding recent and future employment figures, especially its claim that each logging worker has nine dependents and thus, using OCHA's inflated employment figures, sanctions would remove a key avenue of economic support for up to 58,500 Liberians⁵⁰. Global Witness research, which the OCHA report quotes, calculates that future employment for a logging industry that operates sustainably and in full compliance of national labour laws, environmental legislation regarding cutting allowances and based on round log exports, would be 2,300, or roughly half of the total employed as of March 2003. This is calculated based upon the last full review of the Liberian logging industry employment pool, conducted in 2002, and includes the variations in downscaling shown by various logging companies throughout 2002 and the beginning in 2003. The resultant figure, approximately 2,300, is significantly below the 5-8,000 figure quoted by OCHA. Moreover, Global Witness research has consistently revealed that the majority (63%) of Liberians employed in the logging industry are ex-combatants with few, if any, dependents. While OCHA is right to state that one cannot assume ex-combatants have no familial dependents, Global Witness research has shown this to be largely so. (see *Past, present and future employment figures of the logging industry*, page 25).

The new UN Expert Panel Report

Global Witness welcomes the new UN Expert Panel's conclusions regarding the Liberian logging industry, as an overall balanced assessment of the situation. While in disagreement over prospective logging industry employment figures, Global Witness welcomes how the UN more clearly recognises the negative impact of the logging industry on Liberia, and the need to maintain the timber ban until the logging industry and Liberian government undergo necessary changes to promote transparency and prevent abuse of the industry (see *Before sanctions are lifted: a check-list*, page 18).

Humanitarian Impact of the Logging Industry

The new Expert Panel report is significant for its recognition that ‘the departure of some logging companies (the Oriental Timber Company (OTC), the Royal Timber Company (RTC) and the Maryland Wood Products Industry (MWPI)) has relieved many Liberians of human rights abuses, intimidation of local people and alleged sexual exploitation of women and girls’⁵¹. The report notes that ‘few rural people were hired by the logging companies (less than 0.2 percent of the population), and communities were no better served by clinics or schools, for example, whether they were inside or outside logging concessions’⁵². Moreover, MWPI workers interviewed by the Expert Panel, ‘complained that they were often unpaid’⁵³. This corresponds to previous Global Witness and other reports, which revealed that some logging companies failed to properly pay employees their wages, and how some companies have committed abuses against local populations (see Annex I - The face of the logging industry: A reminder, page 26).

Global Witness does disagree with the report’s assessment that the lack of shipping affiliated with the timber industry will negatively impact the Liberian people. Given that there are still hostilities ongoing between rebel and government forces, and that three major ports are under rebel control, there would be few, if any, ships docking in Liberia unless to deliver humanitarian aid with operations overseen by UN personnel. Moreover, with proper oversight of ports by the new multi-national intervention force, this situation could be easily remedied as ship security would be overseen by the peacekeeping force and shipments would be thoroughly screened to ensure that no weapons and other military supplies, previously associated with imports to logging ports, are allowed.

Economic impacts

Global Witness agrees that it is difficult to gauge the economic impact of the current logging ban on Liberians, given that it is the ongoing conflict and rainy season and the significant amounts of revenue that go unaccounted for by the Liberian government. However, Global Witness is cautious of the employment information put forth by the Expert Panel. Like OCHA, the Expert Panel holds that the industry, if not disrupted by war and the rainy season, would employ between 5-8,000 persons. As stated above, Global Witness calculates that future employment for a logging industry that operates sustainably and in compliance with all laws would only employ approximately 2,300 workers. While Global Witness welcomes the Expert Panel’s assertion that there are fewer dependents reliant on logging industry workers than previously thought, Global Witness reiterates that recent investigations show that 63% of Liberians employed in the logging industry are ex-combatants, and most of those are single and without a significant number of dependents.

Reform of the Liberian government and logging industry

Global Witness has continuously called for the complete reform of the Liberian logging industry, to cease the abuses some logging companies commit, as well as to break the strong ties between some logging companies and the import of arms and use of mercenaries that have fuelled violent conflict in Liberia, Sierra Leone and Cote d’Ivoire. The industry must be reconstituted to include institutionalisation of accounting transparency and increased capacity of the government to both regulate the industry and prosecute violators of national environmental and labour laws (see Before sanctions are lifted: a check-list, page 18). The new Expert Panel report echoes these statements, calling for reform of the timber sector in order to achieve ‘equitable distribution of risks and benefits, full participation in decision-making, transparent, efficient and accountable management and respect for the rule of law’⁵⁴.

Global Witness also welcomes the Panel’s recommendation that the Security Council adopt the moratorium on all extractive industries, as put forth by a coalition of Liberian civil society

groups⁵⁵. The coalition's proposal states that Liberia must have a new government, elected democratically and by nation-wide vote, with institutionalised transparency and accountability, before the logging industry, or any other extractive industry, should be allowed to resume activities. By adopting such a proposal, the Security Council would do much to prevent the abuse of natural resources during the ongoing conflict and transitional phase, ensuring that such resources are not plundered to the detriment of the Liberian people.

In addition, Global Witness agrees with the Expert Panel's recommendation for the ongoing monitoring of the Liberian logging industry, to monitor for illegal logging and timber exports in violation of the UN timber embargo. Global Witness has included in this briefing document a proposal for the monitoring of illegal timber export routes via sea and overland, to ensure that the current timber embargo is properly enforced (see How to monitor timber sanctions; where and how to look, page 21).

International Humanitarian Assistance

The Liberian logging industry could be a sustainable source of income for the Liberian government to provide services to its people, if managed properly and with no involvement in arms imports, support for mercenaries or abuses against local populations. In the interim period before logging restarts, as the government and logging industry undergo the necessary changes to make sure the industry is economically, environmentally and socially sustainable, the international community must increase its humanitarian aid to Liberia. As the new Expert Panel states, 'Getting the condition right to resume logging will require considerable time...The Security Council must accept its responsibility for the negative impact of the timber sanctions and ensure that emergency relief aid is provided.'⁵⁶ For Global Witness such aid entails more than just emergency humanitarian food and medical relief, but also support for the reintroduction of proper schooling and demobilisation and reintegration programmes. It is key that the international community take a holistic and long-term approach to national recovery in Liberia, supporting both basic necessities and the creation of infrastructure that will serve the country in the future.

International humanitarian law and the plunder of natural resources during war

Given the role of natural resource exploitation in fuelling conflict in Liberia and across the globe, it is imperative that the international community work to both prevent and punish such abuses. There are currently two terms within international law that could incorporate the misuse of natural resources--"plunder" and "pillage"--but these have yet to receive significant support in international tribunals. Both terms were first used in the Nuremberg trials at the end of the Second World War, where defendants were charged with the murder of millions as well as with the planning and execution of the war itself in Europe. The trials highlighted German plunder of the USSR as the acquisition of stocks and resources; this included the plundering of natural resources such as crude oil, sawn materials, rubber, platinum and magnesium⁵⁷.

Despite natural resources being used to fund some of the world's most brutal wars, recent examples being Cambodia, Sierra Leone, the Democratic Republic of Congo and Liberia, attention to this characteristic of conflict within humanitarian law circles remains in early stages of development. There is only very limited international jurisprudence on the issue, but increasingly 'plunder' is being used in texts by Security Council Expert Panels and other bodies in the context of the exploitation of natural resources by armed groups during war⁵⁸.

Within the United Nations General Assembly and other UN organs there have been, since the 1970s, frequent mentions that permanent sovereignty over natural resources includes the right of

people to retain effective controls over their natural resources. Under the principle of permanent sovereignty over natural resources, a State's natural wealth is to be used for the well being of all peoples of a state - not to finance arms deals and violent conflict. The financing of such conflict through natural resources contravenes the principle of sovereignty over resources and may be classified as a crime of war. Natural resources in West Africa have quickly become a source and reason for conflict and in effect, helping promulgate the deaths of hundreds of thousands of people. Still, there have been no legal action taken against individuals and companies for their role in this plunder.

For the past decade, Liberia's natural resources have not been under the effective control of, or used for the benefit of, the Liberian people. Rather, some companies involved in extractive industries have aided in the acquisition of weapons in contravention of UN arms embargoes, while also housing training camps and weapons caches, providing logistical support for rebel groups and committing abuses against local populations. The timber industry in particular has also been used as a means of personal enrichment for a criminal elite and to aid cross-border rebel groups such as the RUF in Sierra Leone⁵⁹ and the MPIGO and MJP rebels in Cote d'Ivoire⁶⁰.

Implications of the timber industry for international peace and security

In Sierra Leone's civil war, which left 20-50,000 dead and 100,000 mutilated⁶¹, numerous Liberian logging industry personalities—including Gus Kouwenhoven (OTC), Joseph Wong (OTC), Leonid Minin (ETTE) and Maurice Cooper (ILC) – were determined by the UN to have provided financial and military support for the RUF rebels in Sierra Leone and are now on a UN travel ban for those activities⁶². From the offloading of weapons at logging ports to the use of logging company roads and trucks for the transshipment of weapons to the RUF, some Liberian logging companies and their staff played an integral part in perpetuating Sierra Leone's civil war.

The same is true of the recent civil war in Cote d'Ivoire. Harper port, which is located near the border with Cote d'Ivoire and controlled by MWPI, was a point of import for weapons destined for the Liberian government and MPIGO and MJP rebels. Locals saw Liberian government forces moving weapons from a MWPI warehouse in Harper and load them onto trucks, which were then driven away by government forces. Moreover, MPIGO and MJP fighters made use of the facilities at MWPI's bush camp at River Gbeh, which is adjacent to the border with Cote d'Ivoire⁶³.

Addressing the past

Individuals in the timber industry, who were named on the UN travel ban as “individuals implicated by the UN Security Council in providing financial and military support to rebel groups in the region, namely the RUF in Sierra Leone” could in theory be tried under Article 6 of the Special Court's statute, concerning individual criminal responsibility. It states that a person could be tried if they ‘planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of a crime referred to in articles 2 to 4 of the present Statute...’ which includes pillage⁶⁴, though with no specific mention in regards to natural resources.

Addressing the present

The Liberian government, MODEL and LURD rebels, as well as loggers who may have colluded with either side, should be held accountable for perpetuating the Liberian conflict. The misuse of natural resources could be tried under article 8 of the Elements of Crimes of the International Criminal Court, where it is stated that a perpetrator can be charged if the perpetrator launched an attack and ‘the attack was such that it would cause incidental death or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment and that such death, injury or damage would be of such an extent as to be clearly excessive in relation to the concrete and direct overall military advantage anticipated’⁶⁵ (see Annex III - Elements of crimes, International Criminal Court, page 28).

In order to address one of the world’s most turbulent regions, it will be imperative that the people of Liberia see individuals stand trial for crimes committed against them. Ideally, this would involve the International Criminal Court in The Hague and a truth and reconciliation commission within Liberia itself.

Until such a time, it is vital that the industries that fuel conflict in the region are completely halted. The recent imposition of sanctions on all Liberian timber products, which came into effect on 7 July 2003, has, along with a worsening conflict and onset of the rainy season, significantly curbed the export of timber products, although the historical illicit cross-border trade between Liberia and Cote d’Ivoire may be ongoing. Any lifting of timber sanctions before significant change in Liberia would be working against the right of the people of Liberia to have control of their natural resources (see Before sanctions are lifted: a check-list, page 18). The need for a timber embargo to remain in force has been reiterated recently in a Liberian civil society coalition statement, which called for a moratorium on timber and other resources regardless of whether or not there are UN sanctions⁶⁶.

A Timber Sanctions Tool-kit

Before any discussion can begin on the lifting of Liberian timber sanctions, it is important to assess what impact the current sanctions regime and international humanitarian law have on the prospect of companies engaging in business in rebel-held or otherwise conflict-ridden territories. Moreover, there are numerous, fundamental changes with regard to transparency and accountability that must be undertaken by both the Liberian government and Liberian extractive industries. Finally, until such time as those changes are fully implemented, the international community should focus its attention on enforcing the current timber sanctions regime. Monitoring the timber industry and exports from Liberia would not be difficult, and Global Witness has outlined below the major routes by which timber is exported from Liberia and the locations and levels of manpower necessary to effectively enforce the timber sanctions.

Uses of the timber industry

The destructive impact of the Liberian logging industry is more than just an issue of finances, where timber sales provide the Liberian government and rebel groups the means to fund extra-budgetary expenditures such as arms imports and maintenance of mercenary forces within and beyond Liberia’s borders. It is also—through the active role of very powerful people involved in the timber industry, some of whom have links to international crime, arms imports and the use of mercenary fighters—an active player in Liberian and regional conflicts. Some logging companies and their militias have helped create the humanitarian catastrophe that is unfolding in Liberia (see Annex I - The face of the logging industry: A reminder, page 26).

Many individuals within the logging industry, together with the companies that they control, are not loyal to any political movement or personality. They are businessmen who operate in conflict situations, exploiting the lawlessness and instability that conflict creates in order to generate significant financial personal gain. This is not new. During Liberia's civil war in the 1990's, logging companies operated behind NPFL lines and sold conflict timber to willing importing companies and countries including France and the United Kingdom⁶⁷. If sanctions are lifted prematurely, companies would continue this practice and there would be no way for the international community to know if imported timber has come from a rebel or government controlled areas.

Lifting the timber sanctions, as part of a 'wood-for-food' programme, would not only set a precedent of allowing rebel groups LURD and MODEL to gain reward for their violent overtaking of valuable Liberian forests, it would also open the floodgates for the return of persons and companies whose business practices maximised profits at the expense of the Liberian people and international peace and security (see Annex I - The face of the logging industry: A reminder, page 26) Before any plans of either lifting timber sanctions or installing a 'wood-for-food' programme can begin, it is imperative that the international community ensure change within the Liberian logging industry. Nothing less than a whole-scale overhaul of industry practices must be undertaken, to prevent such abuses from recurring in the future. Without doing this, there is little chance that any active peace will come to Liberia and the region.

Legal Implications of the current timber ban

Operative clause 17 of Resolution 1478 reads that 'all States shall take the necessary measures to prevent, for a period of 10 months, the import into their territories of all round logs and timber products originating in Liberia'⁶⁸. Effective from 7 July 2003, the resolution is unequivocal: by using the word "shall," the decision to ban the importation of all Liberian timber is mandatory. On 26 August 2003, having reviewed the two new UN reports on the Liberian timber industry, the Security Council decided to maintain the timber embargo for the foreseeable future⁶⁹.

Under Article 25 of the UN Charter, Security Council decisions are binding on the members of the UN. All members of the UN, therefore, have legal obligation to prevent the importation of Liberian timber. Any country, then, which imports Liberian timber while the ban is in place will be contravening Resolution 1478.

The effect of the ban on foreign timber companies operating in Liberia

Companies do not have an international legal personality and are therefore not strictly bound by Resolution 1478. In practical terms, however, they will not be able to export timber from Liberia under the current sanctions. The Resolution therefore has a direct effect on all existing contracts for the importation of Liberian timber and could be interpreted as an unforeseen intervening event that prevents the performance of any timber export-importing contract. Agreements for importation of Liberian timber may have to be frozen until such time as the ban is lifted, or may be voided altogether.

Clearly, timber companies have vested legal and financial interests in having the timber ban either lifted or having inserted a loophole that allows Liberian timber to be exported for 'humanitarian' purposes. Altering Resolution 1478 to introduce any 'wood-for-food' programme could, however, expose any company involved in the exploitation of timber in a rebel-held area in Liberia to potential liability under international humanitarian and criminal law.

Logging in rebel-held areas

Any contracts made between rebels and logging companies would have highly questionable legal status and enforceability. Under international law, agreements can only be made with the official representatives of a sovereign state, i.e., the government. This does not exclude the possibility that a sovereign government may choose to abuse this right by entering into agreements, with such companies, for short-term personal gains of the official(s) concerned. There is also a risk that concession agreements are done unofficially between rebel groups and logging companies with an aim to formalize these relationships once that group enters into power. Gus Kouwenhoven managed logging operations in areas controlled by Charles Taylor's rebel group NPFL in the early 1990's⁷⁰; upon Charles Taylor assuming the Liberian presidency in 1997, presidential decree awarded Kouwenhoven and his new company OTC concessions totaling 1.5 million hectares⁷¹.

Logging companies operating in rebel held areas could also find themselves labeled complicit in the commission of a range of war crimes, crimes against humanity and other violations of public international law. Crimes against humanity include murder, enslavement, deportation or forcible transfer, enforced disappearance or other inhuman acts causing great harm⁷². If rebels or the government commit such crimes, then liability may not end with the individual perpetrators of each crime. By their very presence in an area where crimes against humanity take place, companies open themselves up to being involved in the commission of such crimes. The relationship between companies and killers becomes tighter when the companies provide funds to rebels or the government that can be traced directly to arms purchases. The chain is tighter still if arms exchanges are used by rebels/government/companies - or indeed if the companies otherwise actively assist the commission of these crimes.

Effect of timber ban on existing contracts

Any formal legal relationship between a non-state actor and President Charles Taylor's government could be fundamentally altered by Resolution 1478 and Taylor's indictment for war crimes, as they become intervening outside events that fundamentally alter the nature of the relationship. Given that the timber ban is a significant element of the Resolution, any timber-related bodies would likely have to reconsider the viability of operating in Liberia at all.

Any encouragement given by actors such as Ivorian authorities and tradesmen to companies to log in rebel-held areas of Liberia, could have those actors deemed de facto agents of MODEL or LURD, as the rebel groups would end up earning revenue from logging company activities. Following this logic, such actors could then be aiding the commission of war crimes through assisting rebel groups to raise money through logging. It is possible that a proposed 'wood for food' programme, if the operating conditions were not correct, could also fall into this category.

Resources and rights

Natural resources should be used for the benefit of the people of Liberia. A few pertinent Articles of the UN General Assembly Resolution 1803 "Permanent Sovereignty Over Natural Resources"

Article 1:

The right of peoples and nations to permanent sovereignty over their natural wealth and resources must be exercised in the interest of their national development and of the well-being of the people of the State concerned.

Article 8:

Foreign investment agreements freely entered into by or between sovereign States shall be observed in *good faith*; States and international organisations shall *strictly* and *conscientiously respect* the sovereignty of peoples and nations over their natural wealth and resources in accordance with the Charter.... (Emphasis added).

As local Liberian civil society has voiced a desire for a moratorium on timber and other natural resources until a new, post-transitional and democratically elected government is installed⁷³, the international community conscientiously respect their wishes. At a very minimum, the Liberian people should be given the opportunity to decide what should be done with their own natural resources. Until such time as there is peace, their government is truly representative and transparent governance structures are in place, resource exploitation in Liberia should be suspended.

It should be noted that companies operating in Liberia could also be open to contravention of a broader range of international and national legal norms connected with war economies, for example arms trafficking, bribery, corruption and violations of other UN Resolutions.

By placing an embargo on Liberia's timber exports through Resolution 1478, the UN Security Council recognised the role that the Liberian logging industry plays in perpetuating violent conflict not only in Liberia but regionally as well. Given the historically close connections between the Liberian logging industry, Liberian government, rebel groups and weapons trafficking, the UN's decision was a welcome step towards breaking those ties and preventing further inflammation of Liberia's civil war. However, rebel groups LURD and MODEL have overtaken the majority of logging concession areas in Liberia, as well as major logging ports, so restarting logging operations at any point in the near future would inevitably involve them and raise the ethical and legal concerns outlined above. Before any consideration is given to lifting sanctions, governmental and industry reforms must take place, and the international community must focus more effort into implementing current timber sanctions, following suggestions found below.

Before sanctions are lifted: a check-list

If the international community fails to terminate the logging industry's ties to international networks of weapons dealers and mercenaries, the armed conflicts these links promulgated in Liberia, Sierra Leone and Cote d'Ivoire will surely explode again, resulting in another, otherwise preventable, humanitarian catastrophe. Together with a coherent monitoring strategy (see How to monitor timber sanctions; where and how to look, page 21) the following are changes and actions must happen before the logging industry is allowed to restart:

Liberia's timber industry must be one that is free of ties to the arms and mercenary trade

The Liberian logging industry must not be allowed to maintain its links to arms trafficking and the use of mercenaries, as has historically been the case. Logging companies should not, in any way, be involved in facilitating weapons imports, either financially or logistically, nor should they be engaged in the hiring and maintenance of mercenary fighters for either their or another parties' use. This must include a suspension and review of all logging concessions granted by the current Liberian government.

In the future, all companies applying for logging or other industry concessions should do so in a public and transparent process, and should be thoroughly investigated to ensure that they are in no way involved with or linked to those companies such as OTC, ETTE, ILC and MWPI, or any

company or individual that has directly or indirectly contributed to the conflicts in Liberia, Sierra Leone or Cote d'Ivoire. Given the complex networks of offshore holding companies and overseas corporate ownership structures employed by some logging companies to obscure their ownership, special care must be taken. It is imperative to the future viability of a Liberian logging industry and regional peace that such companies and their staff not be allowed any involvement in the future.

Global Witness, the UN and investigative journalists have shown how several Liberian logging companies have arranged or overseen arms imports, maintained abusive militias and supported both Liberian government fighters and Liberian government-backed rebels in Cote d'Ivoire. The Exotic Tropical Timber Enterprises (ETTE), was headed by Leonid Minin, whom the UN and investigative journalists have linked to 'east European organised crime...arms trafficking and money laundering'⁷⁴. The OTC has also been involved in arms imports⁷⁵ and abuses committed by its militia, which numbered some 2,500 troops⁷⁶. Also, staff members of the OTC, including Gus Kouwenhoven and Joseph Wong, and Maurice Cooper of the ILC, are on the UN travel ban for military and financial support of the RUF rebels in Sierra Leone⁷⁷.

Before any resumption of logging industry activities, all concessions granted by the current Liberian government must be reviewed. Some contracts were granted based upon tacit agreement that companies would support the Liberian government financially and logistically, especially with regard to facilitating arms imports – at times in contravention of a UN arms embargo – through logging ports, transshipment of weapons via logging roads, and support for foreign rebel groups. Moreover, some concessions were granted to companies in which President Taylor is reported to have had personal financial stakes⁷⁸. It must be ensured that any future concessions are allocated through a transparent application process and all applicable taxes and payments are traceable and paid properly into the national treasury.

Liberia's Government must be one that is legitimate and transparent

Any reconstituted Liberian government, be it transitional or elected by nation-wide democratic elections, must correct the mistakes of previous administrations and redouble its efforts to promote transparency and accountability in its proceedings. Systems must be put into place at various levels of government, well before any logging concessions are considered or actual logging resumes, that will institutionalise the transparency of the decision-making process and of proper accounting of revenue intake and expenditure.

With previous evidence of corruption and extra-budgetary expenditures within the government and timber industry, proper accounting systems must be put in place to ensure that the correct amount of money is received and accounted for. One problem faced consistently by Global Witness and others wishing to seek clarification of the role that the logging industry plays in Liberia, through examination of official export figures, tax receipts, etc, is the lack of existence, or at least public availability, of government agency documents. Since the 2001 FDA and Ministry of Finance annual reports were published, Global Witness has not seen any quarterly or annual reports from 2002 or 2003, although it has been reported that reports for 2002 may have been created but never released.

There must also be transparency in the way the government interacts and makes agreements with industry, and specifically the timber industry. All concession applications should be made public, the taxes and payments required for concessions standardized and publicly stated, and all required environmental and social impact assessments properly carried out and made public as well. An industry involving such large amounts of revenue must no longer be used as the personal cash-

crop of a small elite where money is siphoned away from the people of Liberia, only to disappear into foreign bank accounts or be used to promulgate war.

Liberia's timber industry must be one that is legitimate and transparent

Activities and procedures of how logging companies operate, both environmentally and socio-economically, must be reviewed and rewritten, with the emphasis on transparency, accountability and respect for the individual and the community in which the company operates. This must include a full review of Liberian forestry law, and repeal of the 'Strategic Commodities Act' together with an increase in a democratic Liberian government's capacity to enforce forestry laws and prosecute violators

Liberian employment law must be completely reviewed, updated, and the enforcement capacity of relevant government agencies increased. Logging operations should be open and accountable to the monitoring and scrutiny of the Liberian government, whether it is through a reconstituted and improved Forestry Development Authority (FDA), or an independent monitor acting on behalf of a new, democratic Liberian government. This would ensure employment and environment laws are followed and that the abuses of personnel and local inhabitants are no longer permitted to continue with impunity.

Any move toward restarting logging in Liberia must also address the deficiencies both of forestry legislation and its enforcement. A full and comprehensive review of Liberian forestry law must be undertaken, to ensure that the law works to the benefit of the greater Liberian population and use the Liberian forests as a sustainable resource than can be used for the future.

Part of this legal code review must include the repealing of the 'Strategic Commodities Act', which effectively gives the final decision over allocation of all natural resource concessions and contracts to the president. This arrangement, with the president serving as the final arbiter of large scale, lucrative business contracts, encourages corruption and political patronage, resulting in few, if any, state services provided for the public at large. In its place, a transparent concession granting process should be instituted, including thorough environmental audits and socio-cultural impact studies with regard to local populations, in which local populations would be consulted and be part of the process.

Having good legislation on the books is not enough, however, and the capacity of the government to monitor, investigate and prosecute violators of national law must also be enhanced. The FDA, which is tasked to oversee the nation's forest reserves, investigate violations and enforce forestry law, currently lacks the capacity to perform any of these duties. Given the close relationship between government, logging companies, illegal weapons imports and personal enrichment of the elite, it is not surprising that the enforcement capabilities of the FDA have been kept weak. This weakness is compounded by the blatant conflicts of interest shown by some who sit on the FDA's Board of Governors. For example, in 2000 and 2001, the FDA Board of Governors had Demetrius Taylor, the President Taylor's brother, serve as its Secretary, whilst Gus Kouwenhoven⁷⁹, the head of OTC and on a UN travel ban for supporting the RUF rebels in Sierra Leone, also served on the Board⁸⁰. Perhaps more disturbing is that rebel group MODEL, which has overtaken a significant number of forest concessions and controls three major logging ports, has been granted control of the FDA during the upcoming interim administration. All members of the Board of Directors, and all entities of individuals heading the FDA, must be vetted to ensure that, while knowledgeable, they do not have such conflicts of interest.

How to monitor timber sanctions; where and how to look

As detailed below, monitoring sanctions on Liberian timber should not be altogether difficult and can be executed effectively. Global Witness has, since 2001, been observing log exporting activity in the major ports in Liberia and has also conducted investigations into cross-border trade with Cote d'Ivoire.

There are four seaports for export by boat and an additional seven major routes for transshipment by land. The four seaports are the Freeport of Monrovia (Montserrado County), Buchanan port (Grand Bassa County), Greenville port (Sinoe County) and Harper port (Maryland County). Also, ferries from Harper ship timber products the Ivorien port of San Pedro, before either being transferred to ships for export to other countries or processed and exported as Ivorien timber. This procedure of re-labelling Liberian timber as Ivorien has taken place consistently over the years, and it will be of particular importance to monitor and investigate violations of the current Liberian timber embargo.

Liberian logs are also transported on logging trucks and trailers through the land border points of Dulay, Butuo and Logatuo in Nimba County through Danane; Toe Town and BIN-Liberia in Grand Gedeh County through Toulepleu; and Prolo and Patayelay through Tabou. Timber that is transhipped by land routes and exported goes through the port of San Pedro.

Monitoring Log Exports From Liberian Ports

Since March 2001, Global Witness has monitored log exports from Monrovia, Buchanan, Greenville, and Harper ports. Export figures and documentation are tracked through independent assessments, and through the companies and government agencies responsible for compiling export figures and records through different means.

Harper Port (Maryland County): Located in south-eastern Liberia near the border with Cote d'Ivoire. The port was managed by MWPI until mid May 2003, when the port was overtaken by MODEL fighters. MWPI and Togba Timber Company (TTCO) are the two major companies that exported round logs and sawn timber from Harper port. At Harper, only one vessel can dock at a time due to limited space and loading capacity, and the loading of logs is done throughout the day and sometimes into the night depending on the workload. Because the port is located near the centre of town, news of vessel arrivals spreads quickly, making it impossible for large logging ships and most other boats to enter and exit unnoticed by local residents. Monitoring could be carried out by two persons with one serving as an alternate.

Greenville Port (Sinoe County): The port of Greenville is also located in south-eastern Liberia and was managed by Maurice and Oscar Cooper of the Inland Logging Company (ILC) until June 2003, when the port was captured by MODEL rebel forces. Like Harper, only one vessel can dock at a time because of limited space and loading capacity. One monitor and an alternate monitor could effectively monitor the port.

Buchanan Port (Grand Bassa County): Buchanan port was managed by the Oriental Timber Company (OTC). Unlike Harper and Greenville ports, the OTC equipped the port of Buchanan with modern loading equipment providing for the loading of two to three vessels simultaneously. Electricity is available 24-hours and often loading activities continue into the night. However, like the other ports, news of the arrival of a vessel spreads swiftly among local residents. Residents also note when the movements of individuals into and out of the port are at times restricted by the OTC, which mount checkpoints manned by armed security guards; these restrictions coincided with weapons imports. Buchanan port fell to MODEL fighters on 28 July 2003. Two monitors and an alternate would be required to keep surveillance throughout the day and at night.

Freeport of Monrovia (Montserrado County): The Freeport of Monrovia, located outside the capital, is the busiest seaport in Liberia and used by the business community, NGOs and logging companies alike. The port was built for the import of consumer and other goods, and for the export of round logs, rubber, metal scraps, etc. The port traditionally handled the highest percentage of round log exports before the emergence of OTC operations in Buchanan. The Freeport of Monrovia was until recently under the control of LURD, who then relinquished control to the multinational intervention force. Three monitors would be required to keep a 24-hour surveillance.

Monitoring Round Log Export and Transshipment via Ivory Coast

All Liberian round logs transported to Cote d'Ivoire from Dulay, Logatuo and Butuo crossing points go through Danane, Cote d'Ivoire, while logs that proceed through Toe Town and BIN-Liberia pass through Toulepleu. Round logs and sawn timber are also ferried by sea from Harper port to San Pedro, and through the Prolo border crossing point for transfer to other vessels or further processing in San Pedro for onward shipment. The Patayelay border point is also a possible crossing point.

Although the Liberian border with the Cote d'Ivoire is porous, transport of Liberian logs by road can be monitored using people stationed in Danane and Toulepleu inside Cote d'Ivoire, or at the crossing points of Prolo and Patayelay, through Tabou to San Pedro. The Harper port monitor can also handle oversight of logs ferried from Harper by sea to San Pedro.

An alternative to independent monitoring or otherwise UN-mandated oversight of the Ivorian border and timber ports could be to ensure that the Ivorian government fully enforces the Liberian timber embargo. However, given the number of persons on the UN travel ban who have been documented transiting through Abidjan, the enforcement of the Liberian sanctions regime has been lacklustre⁸¹. Moreover, as the Ivorian government is supporting, directly or tacitly, MODEL forces⁸², it is unclear whether the Ivorian government will fully enforce the timber ban.

Economic and Employment considerations⁴

The opacity of the Liberian logging industry, with deals made with rebel groups and the government alike, makes assessing how much money the industry generates, how much money goes unaccounted for, and how many people the logging industry employs extremely difficult. This problem is compounded by the inaccuracies, intentional or not, by exporting and importing companies who will often understate values in order to hide extra-budgetary payments and to avoid payment of taxes. Moreover, the Liberian government is hesitant to present accurate export and revenue statistics given its abuse of the industry for extra-budgetary expenditures. However, through investigations, the use of official trade statistics and discussions with those knowledgeable about the global timber trade, Global Witness has arrived at the following industry figures, both for revenue and employment, showing the tens of millions of US dollars that can go unaccounted for every year, and the untold under-stating of revenue which should be going to help a desperately needy Liberian population, but instead ends up in the pockets and bank accounts of a criminal elite.

2000 – US\$ 100 million in profit, but where does it go?

In 2000, the Ministry of Finance published in its annual report that timber production was about 800,000 m³, which generated US\$6.6 million for the government's national budget. The Central

⁴ Figures have been rounded for reading clarity.

Bank, on the other hand, while stating that the logging industry generated ‘about’ US\$6.7 million for the government, held that production was 934,000 m³; a difference of approximately 134,000 m³. Such a difference in volume would have, at current prices, a conservative FOB value (Freight On Board, no insurance or transport charges included) of approximately US\$13 million.

For 2000, Global Witness also calculates that, after production costs and the US\$6.6 million tax figure were accounted for, the Liberian logging industry still generated approximately US\$100 million in profits for logging companies and to provide Charles Taylor with the revenue necessary to support extra-budgetary expenditures⁸³. How that profit was divided up between government and industry has never been clarified.

2001: Tens of Millions of US Dollars go unaccounted for within and between government agencies

Global Witness data for 2001 is best to show the amount of revenue that goes unrecorded amongst the various government agencies and Liberian logging companies.

The Forestry Development Authority (FDA) officially reported in its 2001 annual report that 982,000 m³ of round logs were produced, of which 774,000 m³ exported. The total FOB value was listed at US\$80 million. The government’s assessed revenue on the round logs was US\$19 million. Specifically regarding OTC/RTC/Natura, the FDA held that combined round log production was 630,000 m³, with 548,000 m³ exported, equating to an FOB value of US\$52.7 million.

These numbers contrast with those from the Ministry of Finance’s Annual Report for 2001, which stated that Liberian timber companies only produced 815,000 m³, with 557,000 m³ of both round logs and sawn timber exported. The FOB value was placed at US\$60.3 million, which is US\$20 million less than what the FDA stated for the same year. Moreover, the Ministry of Finance reported that OTC/RTC/Natura together only produced 358,000 m³, with an FOB value of US\$38.7 million, which is US\$14 million less than the FDA result. However, the Ministry of Finance cannot keep figures correct within its own building, as the official annual report figures contradict an internal Ministry of Finance memo, which reported that the OTC exported 508,000 m³ of round logs, with an FOB value of US\$47.3 million for the same period. That means 150,000 m³ of OTC log exports, valued at approximately US\$8.6 million, went unaccounted for, just within the corridors of the Finance Ministry, and just for one company.

Global Witness’s own port investigations, which focus most closely on OTC’s port at Buchanan, recorded production of at least 594,000 m³ of round logs and 9,800 m³ of sawn timber in 2001. Documentation obtained by Global Witness reveals that OTC exported at least 542,000 m³ of round logs, which is 184,000 m³ more than the official Ministry of Finance figures and equates to an FOB value difference of approximately US\$10.5 million. Considering that such a discrepancy exists for one company, and just for shipments known to have taken place, it follows that the actual amount of money not disclosed by the government is considerably higher.

2002 – The continuously missing money

Official and documented logging revenue for 2002 totals a minimum of US\$ 152 million (including all shipment costs). As the Liberian government has not produced any public accounting of logging industry revenue since 2001, this figure is based only on official import statistics as provided by 37 countries to the World Trade Atlas (WTA), a clearinghouse of trade information. The figures are a CIF value (Cost + Insurance + Freight), which shows how much the timber allegedly cost in total to buy and transport to its destination. However, given that the WTA data only includes information for 37 countries, and relies on incomplete information

(which is understated, as detailed below), the figure should be viewed as a highly conservative value.

Global Witness investigations and related logging industry figures for 2002 include only the months January to July, and focus primarily on the port of Buchanan, run by OTC, with limited information from Harper port, which includes shipments from TTCO, MWPI and other smaller logging companies. While this data has not allowed Global Witness to arrive at an annual total value for the industry, it does allow for informed estimates of the under-valuing that takes place, to show just how conservative the WTA's US\$ 152 million value could be.

China, the largest single importer of Liberian timber, in 2002 officially imported 672,000 cubic meters of timber from Liberia, listed at a value of US\$ 64 million including all freight and insurance costs (CIF)⁸⁴. Global Witness investigations show that, just for known shipments from January to July, China imported 600,000 m³, for a conservative FOB value of US\$ 60 million. This would imply that, for the remaining five months of 2002, China only imported 72,000 cubic meters. This is unlikely, as the average shipment size to China is 24,000 cubic meters each, with two to three shipments per month in non-rainy season months. As the five months in question do not all fall in the rainy season, there is no environmental reason why log shipping would not have continued at its usual pace, resulting in well over 72,000 cubic meters being exported. The Chinese data is understated, perhaps by a significant amount, and it follows that other countries would also have similarly understated import values.

2003 – Update of operations and revenue generation

In contrast to claims made by Liberian government spokesmen earlier in 2003 that the Liberian logging industry had no links to conflict⁸⁵ and that most companies had ceased operation due to the war⁸⁶, President Taylor admitted to using timber industry funds to purchase weapons⁸⁷ and Global Witness investigations reveal the Liberian logging industry was active throughout the first few months of 2003. Logging companies MWPI and TTCO harvested logs until River Gee County came under attack by MODEL forces in May 2003. OTC's last documented export of logs was on 3 May 2003, but the company moved logs from various bushcamps in Grand Bassa and other areas still accessible in Rivercess and Sinoe County to its plywood factory in Buchanan as late as June 2003. The Expert Panel report holds that, 'at present, few concessions are commercially active owing to weather and war...as far as the Panel can determine, only the Liberia Logging and Wood Processing Corporation/Togba Timber Corporation (LLWPC/TTCO)...is still operating.' While Global Witness has not yet verified any log exports have taken place after the 7 July 2003 imposition of timber sanctions, it is worrying that large stockpiles of logs still exist both at bushcamps and in ports, awaiting export. The UN echoes these concerns, stating, 'MODEL soldiers now occupy forest concessions, and they may choose to engage in logging companies to being operating illegally. Similar activity could resume after the rainy season in areas controlled by LURD. If Taylor's forces can secure forest areas, the Government of Liberia may also attempt to resume logging. The Security Council sanctions aim to prevent the resumption of such logging.'⁸⁸

Calculating total logging industry export figures for the first quarter of 2003 is difficult, given the lack of official information from Liberia, understated import statistics and the generally poor state of security in Liberia which makes it difficult to communicate with those who would have relevant industry and export information. According to official import statistics and shipments documented by Global Witness, Liberia exported, at a minimum, approximately US\$50 million from January to May 2003. The WTA places total imports at US\$47.2 million CIF⁸⁹. However, it must be remembered that the WTA is understated, for a limited number of countries and most countries were only updated through February 2003⁹⁰. For those months and countries not

covered by WTA data, Global Witness figures for OTC exports alone were added. The final, highly conservative US\$50 million figure does not include any additional information on exports from other logging companies such as ILC and MWPL. Global Witness research shows that OTC exports alone (January – 03 May), and just for those shipments where information was available, totaled 230,369.917 m³, or approximately FOB value of US\$23 million.

Interestingly, while overall imports for most countries fell during the WTA's official recorded periods in question, French and Spanish official imports increased, relative to the year previous. French imports for January and February 2003 were US\$5.9 million, compared to US\$ 4.6 million in 2002, an increase of about 25%; Spanish imports for January and February 2003 jumped 123%, from US\$1 million to US\$2.3 million⁹¹.

Past, present and future employment figures of the logging industry

At present, given the rainy season, heightened conflict and timber sanctions, logging activities have come to a near standstill, with no news of any log felling received. Most logging workers have been let go for the rainy season, as is traditional, although 200 or so OTC employees were reportedly stationed at the Buchanan saw mill⁹². With MODEL rebel forces having overtaken Buchanan⁹³, it is unclear how this may have affected the number of OTC employees based there.

In March 2003, Global Witness calculated an industry-wide employment figure of 4,600, comprised of 3,600 Liberians and 1,000 expatriates. This figure was based upon the last full analysis of industry employment completed in 2002⁹⁴, for which data was collected from sources with access to logging company records, as well as through logging company employees themselves. Global Witness then took the number of employees from the 2002 report and subtracted away all employees from companies that had shut down operations prior to March 2003, such as Bureaux Ivorian Ngorien (BIN) and Mohammed Group of Companies (MGC), and incorporated the downscaling in operations shown by other logging companies. However, Global Witness also takes into account the variations of downscaling shown by individual companies; for instance, according to sources in the Liberian logging industry, OTC/RTC, whilst downscaling logging operations in Lofa, Gbarpolu and Bomi counties, did not seem to have fired staff, but instead moved them farther south to areas not under rebel control. Therefore, Global Witness figures reflect that OTC employment levels remained relatively steady up through March 2003. The ratio of ex-combatant workers to civilian (63% ex-combatant to 37% civilian) has, throughout the investigations, remained a fairly constant figure. Global Witness estimates that future employment for a logging industry based primarily on round logs exports, as has recently been the case, and operating in compliance with environmental and labour legislation would employ 2,300 workers, approximately half the number as seen in March 2003.

Conclusion

The Liberian people have been the victims of the natural resources bestowed upon their country. Liberia's commodities, especially timber, have not only fuelled conflict but become the reasons for conflict, as warring parties seek control of easily exploitable and lucrative sources of income. Perpetuating this violent cycle are logging companies, some with links to illegal arms trading and mercenaries, which provide the warring parties with weapons, personnel, hard currency and the logistical links to the outside world necessary to maintain the flows of all three. This was the case during Liberia's NPFL revolution, and remains the case today.

Global Witness investigations have shown how the Liberian logging industry has been more than just the provider of financial resources for illegal activities; some of the personalities involved in the industry have perpetuated and worsened conflicts in Liberia, Sierra Leone and Cote d'Ivoire. The plundering of Liberia's natural resources has become endemic, and despite the recent UN

timber embargo, looks to continue. Meanwhile, the Liberian people face terrible adversity, with the country currently suffering intense humanitarian disaster and continued armed conflict, with rampant malnutrition and disease.

In seeking a final and complete solution to the crisis, the international community must look for a holistic solution, which will change the nature of how the Liberian government and extractive industries function and relate. The corruption and violence of the past cannot be allowed to continue. Before any consideration is given to lifting the timber embargo, even for a UN-administered 'wood for food' programme, it is imperative that the Liberian government and extractive industry undergo a thorough transformation, to ensure that any natural resource exploitation in Liberia is transparent, free from links to illegal activities, and benefits the whole Liberian nation, performing in a politically, economically, environmentally and socially responsible and sustainable manner.

Annexes

Annex I - The face of the logging industry: A reminder

The Liberian logging industry has historically played a role in fuelling conflict and assisting in the imports of weapons since at least 1991, when then-warlord Charles Taylor granted logging and other extractive industry concessions in territory under NPFL control⁹⁵. The money from timber and mineral sales, and kickbacks from concessions were used to purchase weapons that eventually propelled Taylor to control the whole of Liberia. Since Charles Taylor assumed the presidency in 1997, the logging industry has become a principle source of finance and logistics for both the arms trade and other extra-budgetary expenditures; President Taylor and his spokesmen even admitted to using logging industry revenue to purchase arms, in flagrant violation of the UN arms embargo⁹⁶.

OTC, formerly the largest logging company in Liberia, has been shown by the UN and Global Witness to have been involved in arms imports to Liberia⁹⁷. OTC staff Dutch-national Gus Kouwenhoven and Hong Kong-native Joseph Wong have also been implicated by the UN Security Council for their financial and military support of the RUF rebels in Sierra Leone⁹⁸. Moreover, Global Witness investigations have revealed how OTC up to recent times facilitated the imports of weapons into Liberia through its control of Buchanan port, in violation of a UN arms embargo against the country⁹⁹. MWPI, the second largest logging company in Liberia, also saw its facilities used by the Liberian government and Liberian government-backed rebel groups¹⁰⁰. According to the most recent Expert Panel report on Liberia, 'the departure of some logging companies (the Oriental Timber Company (OTC), the Royal Timber Company (RTC) and the Maryland Wood Products Industry (MWPI)) has relieved many Liberians of human rights abuses, intimidation of local people and alleged sexual exploitation of women and girls'¹⁰¹.

Some Liberian logging companies and related personnel have also been implicated in the following:

- **Torture.** Liberian press report public floggings and beatings as means of retribution and intimidation¹⁰². Global Witness investigations have revealed the details of one such incident¹⁰³.
- **Increased prostitution in rural areas.** Logging company bush camps lead to the import of prostitution and brothels, which adversely affects local populations through the recruitment of girls as young as 12 into prostitution, and the spread of sexually transmitted diseases¹⁰⁴.
- **Arbitrary arrest, detention without charge.** There have been several cases of people being held without charge by OTC and ILC militia members¹⁰⁵.

- **Intimidation.** A logging company based along the border with Cote d'Ivoire is reported to have intimidated workers who were to stage a strike for equal pay with their Ivorian counterparts. Liberian military personnel were flown in and threatened the workers¹⁰⁶.
- **Exposure to disease.** Creeks and streams relied upon by local communities for drinking, bathing and washing are being destroyed as logging company employees use the water as latrines¹⁰⁷, leading to a marked increase in disease, including cholera. The ability of local people to use traditional medicinal plants has also been affected by the pollution and destruction of forest areas¹⁰⁸.
- **Hazardous work environments.** High-risk, low paid jobs are assigned to Liberians, and workers receive little training before operating dangerous machinery, resulting in serious injuries¹⁰⁹. Multiple OTC employees working at the plywood mill in Buchanan complained of suffering serious health problems due to exposure to formaldehyde and other toxic chemicals. While an OTC doctor medical report linked one patient's lung problems to exposure to toxic chemicals, OTC officials claim the problem was due to 'industrial indiscipline'¹¹⁰.
- **Destruction of private property.** Residents of various counties accuse logging company militia members of destroying private and community areas¹¹¹.

Non-payment of wages

Some Liberian logging companies have not paid workers regularly, if at all, and have dismissed workers without redress. Some workers have been driven to take drastic measures, including the taking of logging company officials hostage. Though it appears that RTC paid regularly¹¹², according to local news sources, on 10 June 2002, eight workers at the OTC 'Kilometre 85' camp in Rivercess County held OTC's legal and labour consultants hostage for over an hour in a dispute over allegedly unwarranted dismissals. The local labour commissioner intervened, and OTC management agreed to settle the workers' demands¹¹³. Similarly, in mid 2002, 55 retrenched workers of a smaller logging company held their personnel manager hostage over dismissals without explanation and failure to pay two months in salary arrears. After police and labour authority intervention, management settled the dispute¹¹⁴. More recently, Expert Panel investigators interviewed workers of MWPI who complained that they also were often unpaid: 'paid for one month, even though I worked two'¹¹⁵.

Annex II - Targeted trade sanctions: the example of timber

Legal Framework

- Amend or enact appropriate legal and administrative provisions, or use the Interlaken Model Law, to establish authority to implement Security Council Embargoes on trading in conflict timber with states by targeted sanctions.

Administering Agency

- Identify and empower an administering agency, such as the MFA, Customs or Agriculture Ministry, to detect timber imports from illegal sources and seize prohibited goods
- Ensure effective communication at all levels – between the UN and Member States, between UN missions and capitals, and within the capitals (among those responsible for implementation)

Information Dissemination

- Increase public awareness of forest crimes and opportunities to purchase forest products from legal sources
- Educate judicial and law enforcement officials about forest law enforcement
- Develop protocols for sharing import/export data

Monitoring Compliance

- Cooperate towards universal standards for monitoring and reporting on forest crimes,

such as through the registration of origin and destination by timber producers
Enforcement:

- Strengthen penalties and sanctions against illegal activities.

Sector-specific Measures:

- Support existing multilateral efforts aimed at suppressing illegal logging through: labelling and certification of timber products; timber tracking through chain of custody audit and negotiation systems and; monitoring and verification of imports.

Relevant regional and International Agreements:

- Ministerial Declaration of the Forest Law Enforcement and Governance East Asia Ministerial Conference, September 2001

From ‘Making Targeted Sanctions Effective: Guidelines for the implementation of UN Policy Options’, a publication by the United Nations, Uppsala University and the Swedish Ministry for Foreign Affairs

Annex III - Elements of crimes, International Criminal Court

Elements of crime that could relate to the misuse of natural resources during a conflict

Taken from the ‘Rome Statute of the International Criminal Court’, adopted 17 July 1998.

Article 8 (2) (a) (iv) War crime of destruction and appropriation of property Elements

1. The perpetrator destroyed or appropriated certain property.
2. The destruction or appropriation was not justified by military necessity.
3. The destruction or appropriation was extensive and carried out wantonly.
4. Such property was protected under one or more of the Geneva Conventions of 1949.
5. The perpetrator was aware of the factual circumstances that established that protected status.
6. The conduct took place in the context of and was associated with an international armed conflict.
7. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

Article 8 (2) (b) (iv) War crime of excessive incidental death, injury, or damage Elements

1. The perpetrator launched an attack.
2. The attack was such that it would cause incidental death or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment and that such death, injury or damage would be of such an extent as to be clearly excessive in relation to the concrete and direct overall military advantage anticipated.
3. The perpetrator knew that the attack would cause incidental death or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment and that such death, injury or damage would be of such an extent as to be clearly excessive in relation to the concrete and direct overall military advantage anticipated.
4. The conduct took place in the context of and was associated with an international armed conflict.
5. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

Annex IV - Penalties for breaking sanctions

Pursuant to the UN Security Council’s passage of Resolution 1478 on 6 May 2003, all UN Member States are to implement and enforce the renewed and expanded sanctions regime against

Liberia. How violators of the sanctions are to be prosecuted and penalised, however, is left to the discretion of individual countries. This flexibility and deference to national priorities leads to concerns over proper application of the sanctions and prosecution of violators. For those countries not fully supportive of the timber embargo, the penalties, and determination of how alleged violations are investigated, could be minimal or non-existent.

With particular regard to timber, some states may not see violation of the embargo as being particularly serious or having any significant, actual effects on peace and security in West Africa. It must be stressed, however, that some Liberian logging companies have been instrumental in the promulgation of armed conflict in the region, by providing financial and logistical support for arms imports that breach UN sanctions, housing and re-supplying armed rebel groups in Cote d'Ivoire, and maintaining large human rights-abusing logging militias. Far from being removed from the conflict, each shipment of timber received from Liberia is directly fuelling the humanitarian catastrophe in Liberia and surrounding countries.

The European Union included the requirements of Resolution 1478 into EU law through the passage of 'Council Regulation (EC) No 1030/2003 of 16 June 2003, concerning certain restrictive measures in respect of Liberia'. While applicable to the whole of the European Union, the legislation leaves the determination of penalties and enforcement procedures to individual countries, clearly stating that, 'Member States should determine the sanctions applicable to infringements of the provisions of this Regulation. Sanctions provided for should be proportionate, effective and dissuasive'¹¹⁶. In the United Kingdom, for example, corresponding legislation calls for penalties, on summary conviction, of a prescribed sum or three times the cost of goods imported, whichever is greater, and/or six months imprisonment. Should a conviction be made on an indictment, the financial penalty is limitless and prison sentences can reach up to seven years. However, as each case is assessed individually, there is no clear determination of what evidence would be required to bring an indictment¹¹⁷.

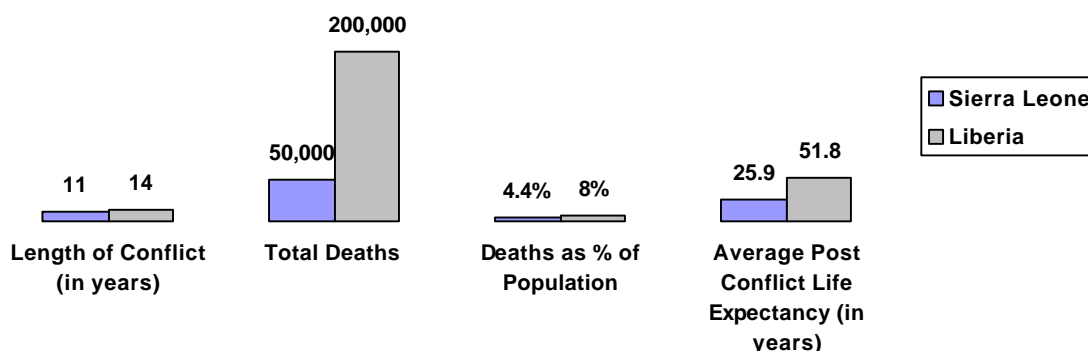
Annex V - A Comparison of Liberian and Sierra Leonean Conflicts and Life Expectancies

The well-publicised conflict in Sierra Leone, which raged for 11 years from 1991 to its official end in 2001, saw the deaths of an estimated 20-50,000 people¹¹⁸ and mutilation of 100,000¹¹⁹. Moreover, of a total pre-war population was estimated at 4.3 million¹²⁰, over one-third of the population¹²¹, roughly 2 million people, were displaced. The result of this violence is a post-conflict life expectancy of approximately 25.9 years of age¹²².

While the current life expectancy estimate of 51.8 years¹²³ does not fully reflect it, Liberia has fared much worse. Officially, Liberia's civil war began in December 1989 and ended in 1996. During these seven years, an estimated 50,000 children were killed¹²⁴, out of a total death toll of about 200,000 and displacement of over one million more¹²⁵; the pre-war population was only 2.5 million¹²⁶. Thus deaths, as percentage of population at 8% for Liberia, were nearly double the 4.4% of total population killed in Sierra Leone.

Moreover, Liberia has since never experienced real peace, and the resumption of armed conflict in 1999 with the emergence of LURD and the entrance of MODEL in 2003 has drastically impacted domestic security and the internal political situation. While accurate estimates of deaths since the resumption of fighting in 1999 are difficult to ascertain, current estimates put displacements at up to 600,000 people within Liberia, with 226,000 Liberian refugees in Guinea, Sierra Leone and Cote d'Ivoire¹²⁷.

Comparison of Sierra Leone and Liberia Post-Conflict Life Expectancies



Note: Sierra Leone 'conflict' includes years 1991-2001; Liberia 'conflict' includes active war years 1989-1996, political/military instability 1996-1999; active conflict 1999-present

Annex VI - The refugee situation

Liberians in Tabou, Cote d'Ivoire

When the Liberians first began crossing the border into Cote d'Ivoire earlier in 2003, ahead of MODEL advances, the locals around the border and in Tabou were very hostile to them. Refugees were stranded at the border points for days while UN officials negotiated with local authorities to allow them in. Afterwards, they were moved to a transit camp outside Tabou and placed there under tight security and severe restrictions. Their movements were restricted and no one was allowed to leave the camp. Frustration at this led to some refugees who were still around the border areas to return to Maryland when MODEL urged them to return to Harper. Of those refugees who planned to return to Harper, most have since come back to Tabou claiming that the MODEL fighters harass and extort money from them. Furthermore, a massacre in Plebo township about 15km outside Harper in early June, following a Liberian government attempt to retake this strategic town, led to panic and additional movement back across the border into Cote d'Ivoire. Reports from the area suggest that both MODEL and Liberian government fighters were involved in numerous reprisal killings in Plebo, each accusing locals of colluding with the enemy. Traders in Tabou that travel between Liberia and Cote d'Ivoire report that living conditions in Harper and Plebo are desperate due to an acute shortage of food. They also report that most of the people in Maryland still in hiding due to the constant harassment and intimidation by MODEL fighters.

As for the refugee camp outside Tabou, there appears to be a relaxing of the restrictions on the refugees' movement. Residents of the camp are now allowed to leave in the morning and go to Tabou to buy basic items and food as well as conduct other businesses. However, they must return before 6pm when the gates are usually closed – even though there is no official curfew. Families of some of the refugees based in Abidjan are also now able to process temporary identity cards at the Liberian embassy to send to them to relatives in the camp. This enables the fortunate ones to travel out of the camp to San Pedro or Abidjan. The process is usually expensive, however, as the Ivorian security forces extort a lot of money from them en route. Liberian

refugees are also frequently subjected to very harsh treatments and some are reportedly detained without any formal charges being brought against them.

¹ 'Press statement on Liberia timber sanctions by Security Council President' (SC/7854).

² From the UN Expert Panel Report on Liberia (S/2001/1015).

³ From the UN Expert Panel Report on Sierra Leone (S/2000/1195), "The principals in Liberia's timber industry are involved in a variety of illicit activities, and large amounts of the proceeds are used to pay for extra-budgetary activities, including the acquisition of weapons."

⁴ From UN Expert Panel Report on Liberia (S/2001/1015), "The Panel has received a bank document which indicates that a payment for weapons delivery was made directly from the Singapore accounts of the company, Borneo Jaya Pte Ltd, a mother company of OTC. This document shows transfer of US\$ 500,000 to the arms trafficking company San Air (one of the companies of Victor Bout) through Sanjivan Ruprah, paid by order of Dato Seri Bong Uray on 26 August 1999 using Chase Manhattan Bank N.Y."

⁵ From the UN Expert Panel Report on Liberia (S/2001/1015), "Mohammed Group of Companies...with concessions in Nimba and Grand Gedeh (the Salami Molowi Inc (SMI) and Bureaux Ivorian Ngorian (BIN)). This company is owned by Mohammed Salamé, a Liberian "ambassador-at-large", based in Côte d'Ivoire, who has been involved in assisting sanctions-busting arms transfers to Liberia. Much of BIN's production is exported through the port of San Pedro in Côte d'Ivoire."

⁶ From the UN Expert Panel Report on Sierra Leone (S/2000/1195), "Van Kouwenhoven is responsible for the logistical aspects of many of the arms deals. Through his interests in a Malaysian timber project in Liberia, he organises the transfer of weaponry from Monrovia into Sierra Leone. Roads built and maintained for timber extraction are also conveniently used for weapons movement within Liberia, and for the onward shipment of weapons to Sierra Leone."

⁷ Ibid.

⁸ From the UN Expert Panel Report on Liberia S/2001/1015), "Some of the timber companies have violated the sanctions against Liberia. One prominent example of this was Exotic Tropical and Timber Enterprises (ETTE), a company set up by Leonid Minin...The document (S/2000/1195) described how Minin's private jet was used to ship weapons from Niger and from Burkina Faso to Liberia in March 1999. Just before his arrest, Minin was involved in setting up other arms deals for Liberia. Minin was arrested in Italy on 5 August 2000. He had in his possession a great number of documents showing his involvement in timber but also in the arms shipments to Liberia." According to news article, 'Italian Court of Cassation orders arms trafficker's release from jail', *Corriere della Sera (Milan)*, 19 September 2002, "Minin had been charged by the Monza magistracy and by UN detectives with supplying arsenals of weapons to Liberia and to Sierra Leone". However, Minin was released as, "In the Court of Cassation's view, Italy is not in a position to investigate this trafficking conducted in other countries."

⁹ Such individuals include former Liberian President Charles Taylor, Gus Kouwenhoven (OTC), Joseph Kiia Tai Wong (OTC), Maurice Cooper (ILC), and Leonid Minin (ETTE); see 'Revised list of persons subject to travel restrictions pursuant to Resolution 1343 (2001) on Liberia, updated 6 June 2003'.

¹⁰ See previous Global Witness reports 'The Usual Suspects: Liberia's weapons and mercenaries in Cote d'Ivoire and Sierra Leone', Global Witness, March 2003; 'Logging Off: How the Liberian timber industry fuels Liberia's humanitarian disaster and threatens Sierra Leone', Global Witness, September 2002; and 'Taylor-made: the pivotal role of Liberia's forests and flag of convenience in regional conflict', Global Witness, September 2001.

¹¹ Forestry Development Authority (FDA) Annual Report 2001.

¹² Global Witness research and investigations, 2003.

¹³ UN Expert Panel report on Liberia (S/2003/779).

¹⁴ 'The Usual Suspects: Liberia's weapons and mercenaries in Cote d'Ivoire and Sierra Leone', Global Witness, March 2003.

¹⁵ UN Expert Panel on Liberia report (S/2003/779) lists Kouwenhoven as owner of OTC, RTC and Natura; UN Expert Panel on Liberia report (S/2001/1015), 'Royal Timber company (RTC)...is also run by Gus Kouwenhoven'; Interview with Gus Kouwenhoven, as found online at World Investment News, 'I formed a new corporation, Royal Timber Company (RTC), which was a combination of several concession areas covering several different companies that I already owned'.

¹⁶ UN Expert Panel report on Liberia (S/2003/779). Article on OTC and interview with Gus Kouwenhoven, as found online at World Investment News, 'The multi-million dollar logging concern

called OTC runs the Buchanan port under a lease agreement with the NPA primarily to export its logs'; see also World Rainforest Movement bulletin N° 45, April 2001, 'In addition to its logging operations, OTC manages the port of Buchanan'.

17 From the UN Expert Panel Report on Sierra Leone (S/2000/1195), "Van Kouwenhoven is responsible for the logistical aspects of many of the arms deals. Through his interests in a Malaysian timber project in Liberia, he organises the transfer of weaponry from Monrovia into Sierra Leone."; From UN Expert Panel Report on Liberia (S/2001/1015), "The Panel has received a bank document which indicates that a payment for weapons delivery was made directly from the Singapore accounts of the company, Borneo Jaya Pte Ltd, a mother company of OTC..."; the aforementioned weapons payment by OTC's affiliate company is reiterated in the UN Expert Panel Report on Liberia (S/2003/498).

18 Ferricks L. Dainsee, 'In Buchanan: OTC operating Private Prison, Barracks?', *The Inquirer* (Monrovia), 8 May 2000; Teahjay, 2001.

19 Folo-Glogba Korkollie, 'Bassonians decry OTC's operations...Veep Blah promises to transmit grievances to Pres. Taylor', *The Inquirer* (Monrovia), 1 May 2002.

20 Global Witness research and investigations, specifically regarding lack of training for handling dangerous machinery. See also, Moses M. Zangar, Jr, 'Chemicals affect OTC workers – but Baccus cites "Industrial Indiscipline"', *The News* (Monrovia), 4 April 2003. OTC workers, including medical staff at the OTC clinic, suspected that formaldehyde, used in the production of plywood, was responsible for the outbreak of health problems among workers. The article refers to an OTC medical report that held one worker was suffering from 'chemical pneumonitis' due to exposure to toxic chemicals on the job. The OTC spokesman denied the link, and blamed the problem on 'industrial indiscipline'.

21 'Renewed allegations against the OTC', *The News* (Monrovia), 17 July 2002.

22 Global Witness interview with Global Timber Corporation executive, January 2003; UN Expert Panel on Liberia (S/2001/1015), "OTC is linked to the Hong Kong-based Global Star Holdings, which is part of the Djan Djajanti group of Indonesia, with offices in Singapore and Hong Kong and major investments in Indonesia and China... Joseph Wong Kiia Tai, son of Djajanti's chairman, was made the manager."

23 'Vessels by Vessel Operator: Global Star Ship Management (HK) Ltd', International Transport Workers' Federation (ITF) document, November 2002. Global Star operated MV Antarctic Mariner, which delivered cargo to Liberia under highly unusual security on at least one occasion, in early July 2001. The Antarctic Mariner had left China via Singapore, and unloaded its cargo amidst heightened security, mostly at night, by armed troops and OTC personnel, rather than by the usual local stevedores. It is not known what was unloaded by numerous wooden crates were among the cargo. See 'Taylor-made – the pivotal role of Liberia's forests and flag of convenience in regional conflict,' Global Witness, September 2001.

24 Kouwenhoven's official working title is unclear. UN Expert Panel on Liberia report (S/2001/1015) refers to Kouwenhoven as 'chairman'; article on OTC and interview with Gus Kouwenhoven, as found at www.winne.com, refers to Kouwenhoven as 'President'; and Global Witness research finds Kouwenhoven referred to as 'Managing Director' of OTC.

25 UN Expert Panel on Liberia report (S/2003/779); UN Expert Panel on Liberia report (S/2001/1015), 'Royal Timber company (RTC)...is also run by Gus Kouwenhoven'; Interview with Gus Kouwenhoven, as found at www.winne.com, 'I formed a new corporation, Royal Timber Company (RTC), which was a combination of several concession areas covering several different companies that I already owned'.

26 UN Expert Panel on Liberia report (S/2001/1015), "Oriental Timber Company (OTC)...The Chairman is Dutch national Gus Kouwenhoven, a close friend of Charles Taylor, who managed logging operations for him through rebel-controlled Buchanan in the early 1990s."

27 UN Expert Panel Report on Sierra Leone (S/2000/1195), "Van Kouwenhoven is responsible for the logistical aspects of many of the arms deals. Through his interests in a Malaysian timber project in Liberia, he organises the transfer of weaponry from Monrovia into Sierra Leone."

28 'Revised list of persons subject to travel restrictions pursuant to Resolution 1343 (2001) on Liberia', updated 6 June 2003.

29 UN Expert Panel on Liberia (S/2001/1015), "OTC is linked to the Hong Kong-based Global Star Holdings, which is part of the Djan Djajanti group of Indonesia, with offices in Singapore and Hong Kong and major investments in Indonesia and China... Joseph Wong Kiia Tai, son of Djajanti's chairman, was made the manager."

30 'Revised list of persons subject to travel restrictions pursuant to Resolution 1343 (2001) on Liberia', updated 6 June 2003.

³¹ UN Expert Panel report on Liberia (S/2003/779).

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- 32 'Liberian forces plan counter-attack', BBC News, 29 July 2003; 'Rebels capture Liberian port city', CNN, 29 July 2003
- 33 'The Usual Suspects', Global Witness, 2003; Global Witness research and investigations, 2003.
- 34 Abbas Fawaz letter to the UN Secretary-General, December 2001, in which he states, 'I am the President and majority stockholder of MWPI'.
- 35 UN Expert Panel Report on Liberia (S/2001/1015).
- 36 UN Expert Panel Report on Liberia (S/2001/1015).
- 37 Ibid.
- 38 Abbas Fawaz letter to the UN Secretary-General, December 2001.
- 39 S/2001/1015, 'Wherever possible, the Panel also agreed to put allegations to those concerned in order to allow them the right of reply. However, certain individuals whose role is highlighted in the report did not make themselves available to the Panel despite serious attempts by the Panel to give them a chance to explain their conduct'.
- 40 Abbas Fawaz letter to the UN Secretary-General, December 2001.
- 41 UN Expert Panel report on Liberia (S/2003/779); UN Expert Panel Report on Liberia (S/2001/1015).
- 42 Purchase contract between Limad AG and China National Aero-Technology Import and Export Corporation, undated. Fax correspondence between Minin's company Limad and the China Aerospace Mechanical and Electrical Corporation (CASC), documents an interest in 'liquid-based rocket engines', Fax from Limad Beijing to Limad AG, 5 November 1999.
- 43 UN Expert Panel report on Sierra Leone (S/2000/1095), '(Minin) is identified in the police records of several countries and has a history of involvement in criminal activities ranging from east European organised crime, trafficking in stolen works of art, illegal possession of fire arms, arms trafficking and money laundering'; Matthew Brunwasser, 'Leonid Efimovich Minin – From Ukraine, a new of arms trafficker', PBS Frontline, 2002.
- 44 UN Expert Panel Report on Liberia (S/2001/1015).
- 45 UN Expert Panel on Liberia report (S/2001/1015), "The Inland Logging Company is managed by Maurice and Oscar Cooper, both long-term associates of President Taylor. Like Kouwenhoven, the company's roots go back to the 1990s when they extracted and exported timber for the NPFL rebels during the war... The ILC also maintains a private militia in Sinoe County and manages the port of Greenville."
- 46 'Revised list of persons subject to travel restrictions pursuant to Resolution 1343 (2001) on Liberia', updated 6 June 2003.
- 47 'Liberia's civil war: fiddling while Monrovia burns', The Economist, 26 July 2003.
- 48 'Socio-economic effect of embargo on Liberian timber examined in UN report', UN News service, 7 August 2003.
- 49 'Report of the Secretary-General in pursuance of paragraph 19 of resolution 1478 (2003) concerning Liberia (S/2003/479)', 5 August 2003.
- 50 Ibid.
- 51 UN Expert Panel report on Liberia (S/2003/779).
- 52 Ibid.
- 53 Ibid. 'MWPI workers interviewed complained that they were often unpaid ("paid for one month, even though I worked two"). MWPI often paid salaries only when it received the proceeds of rubber sales in Cote d'Ivoire, which led to delays.'
- 54 Ibid.
- 55 'Proposal for an immediate moratorium on commercial activities in the extractive industries in Liberia', Non-Governmental Organisations (NGOs) Coalition for Liberia, 10 July 2003.
- 56 UN Expert Panel report on Liberia (S/2003/779).
- 57 "The Nizkor Project", as found at <http://www.nizkor.org/hweb/imt/tgmwc/tgmwc-06/tgmwc-06-54-14.html>
- 58 'Final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo', United Nations, (S/2002/1146); report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo', (S/2001/357); 'Addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of DR Congo', (S/2000/1072).
- 59 UN Expert Panel Report on Sierra Leone (S/2000/1095); 'Taylor-made', 2001.
- 60 'The Usual Suspects', Global Witness, March 2003.
- 61 Simon Robinson, 'On the edge of chaos', Time Europe, Vol. 155 No. 19, 15 May 2000.
- 62 'Revised list of persons subject to travel restrictions pursuant to Resolution 1343 (2001) on Liberia', updated 6 June 2003.

-
- 63 'The Usual Suspects', Global Witness, March 2003.
- 64 'Status for the Special Court: 16 January 2002, as amended'.
- 65 'Rome Statute of the International Criminal Court, Article 8: War Crimes', adopted 17 July 1998.
- 66 'Proposal for an immediate moratorium on commercial activities in the extractive industries in Liberia', Non-Governmental Organisations (NGOs) Coalition for Liberia, 10 July 2003.
- 67 'EC counties, including Britain, have been helping indirectly to finance the bloodshed in Liberia's three-year-old civil war, by importing Liberian timber', The Independent, 22 November 1992;
- 68 UN Security Council Resolution 1478 (2003), operative clause 17.
- 69 'Press statement on Liberia timber sanctions by Security Council President' (SC/7854).
- 70 UN Expert Panel report on Liberia (S/2001/1015).
- 71 UN Expert Panel report on Liberia (S/2003/779).
- 72 'Rome Statute of the International Criminal Court, Article 7: Crimes Against Humanity', adopted 17 July 1998.
- 73 'Proposal for an immediate moratorium on commercial activities in the extractive industries in Liberia', Non-Governmental Organisations (NGOs) Coalition for Liberia, 10 July 2003.
- 74 Matthew Brunwasser, 'Leonid Efimovich Minin – From Ukraine, a new of arms trafficker', PBS Frontline, 2002; UN Expert Panel Report on Sierra Leone (S/2000/1195), "Most (weapons) were flown aboard a BAC-111 owned by an Israeli businessman of Ukrainian origin, Leonid Minin... Minin was, and may remain, a business partner and confidant of Liberian President Charles Taylor. He is identified in the police records of several countries and has a history of involvement in criminal activities ranging from east European organised crime... arms trafficking and money laundering."
- 75 From the UN Expert Panel Report on Sierra Leone (S/2000/1195), "Van Kouwenhoven is responsible for the logistical aspects of many of the arms deals. Through his interests in a Malaysian timber project in Liberia, he organises the transfer of weaponry from Monrovia into Sierra Leone."; From UN Expert Panel Report on Liberia (S/2001/1015), "The Panel has received a bank document which indicates that a payment for weapons delivery was made directly from the Singapore accounts of the company, Borneo Jaya Pte Ltd, a mother company of OTC..."; the aforementioned weapons payment by OTC's affiliate company is reiterated in the UN Expert Panel Report on Liberia (S/2003/498).
- 76 Global Witness investigations, September 2002.
- 77 'Revised list of persons subject to travel restrictions pursuant to Resolution 1343 (2001) on Liberia', updated 6 June 2003.
- 78 Global Witness investigations, September 2002; according to a Global Witness investigations, President Charles Taylor has personal financial interests in various logging companies.
- 79 Forestry Development Authority annual reports 2000 and 2001.
- 80 'Revised list of persons subject to travel restrictions pursuant to Resolution 1343 (2001) on Liberia', updated 6 June 2003; 'Usual Suspects', Global Witness, 2003; 'Logging Off', Global Witness, 2002; 'Taylor-made', Global Witness, 2001.
- 81 Reports of the UN Panel of Experts for Liberia (S/2002/470, S/2002/1115, S/2001/1015)
- 82 'Tackling Liberia: The eye of the regional storm', International Crisis Group, 30 April 2003.
- 83 'Taylor-made', Global Witness, September 2001.
- 84 World Trade Atlas statistics, 2002.
- 85 'Government angry at UN for extending sanctions', UN Integrated Regional Information Networks, 7 May 2003.
- 86 'Finance minister says fighting cripples Liberian economy', Panafrican News Agency (PANA), 1 July 2003.
- 87 David Clarke, 'Liberia denies links to Ivory Coast rebels', Reuters, 2 April 2003, "(Spokesman for Liberian President Charles Taylor – GW added) Paasewe said it was true that, as Global Witness said in its report, revenues from Liberia's logging industry had been used to import weapons recently despite the U.N. arms embargo, but that this was justified by the war in Liberia"; 'Liberia denies Ivorian rebel link', BBC News, 3 April 2003, "Mr Taylor recently admitted using funds from the logging industry to fund weapons purchases despite the UN arms ban".
- 88 UN Expert Panel report on Liberia (S/2003/779).
- 89 World Trade Atlas statistics, 2003.
- 90 This was accurate as of early July 2003.
- 91 World Trade Atlas statistics 2003.
- 92 Global Witness research and investigations, 2003.

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- 93 'Rebels capture Liberian port city', CNN, 29 July 2003.
- 94 'Logging Off', 2002.
- 95 'EC countries, including Britain, have been helping indirectly to finance the bloodshed in Liberia's three-year-old civil war; by importing Liberian timber', The Independent, 22 November 1992; UN Expert Panel on Sierra Leone report (S/2000/1195); UN Expert Panel on Liberia report (S/2001/1015).
- 96 David Clarke, 'Liberia denies links to Ivory Coast rebels', Reuters, 2 April 2003, "(Spokesman for Liberian President Charles Taylor) Paasewe said it was true that, as Global Witness said in its report, revenues from Liberia's logging industry had been used to import weapons recently despite the U.N. arms embargo, but that this was justified by the war in Liberia."; 'Liberia denies Ivorian rebel link', BBC News, 3 April 2003, "Mr Taylor recently admitted using funds from the logging industry to fund weapons purchases despite the UN arms ban".
- 97 UN Expert Panel on Sierra Leone report (S/2000/1195); Global Witness research and investigations, 2003.
- 98 'Revised list of persons subject to travel restrictions pursuant to Resolution 1343 (2001) on Liberia', updated 6 June 2003.
- 99 'Usual Suspects', Global Witness, 2003; 'Logging Off', Global Witness, 2002; 'Taylor-made', Global Witness, 2001.
- 100 'The Usual Suspects', 2003.
- ¹⁰¹ UN Expert Panel report on Liberia (S/2003/779).
- 102 Milton Teahjay, 'Logging companies as conduits for domestic political repression', as found at Copla.org.
- 103 Global Witness research and investigations 2003.
- 104 'Plunder', report by Save My Future Foundation (Samfu), Liberia, 2002.
- 105 Ferricks L. Dainsee, 'In Buchanan: OTC operating Private Prison, Barracks?', The Inquirer (Monrovia), 8 May 2000; Teahjay, 2001; Global Witness research and investigations 2001, 2002, 2003.
- 106 SAMFU, 2002.
- 107 'Renewed allegations against the OTC', The News (Monrovia), 17 July 2002.
- 108 Samfu, 2002.
- 109 Global Witness research and investigations 2002; Samfu, 2002.
- 110 Moses M. Zangar, Jr, 'Chemicals affect OTC workers – but Baccus cites "Industrial Indiscipline"', The News (Monrovia), 4 April 2003.
- 111 Folo-Glogba Korkollie, 'Bassonians decry OTC's operations...Veep Blah promises to transmit grievances to Pres. Taylor', The Inquirer (Monrovia), 1 May 2002.
- ¹¹² UN Expert Panel on Liberia report (S/2003/779).
- 113 'Logging companies' workers run amok – hold managers hostage for salary arrears', The Inquirer, 18 June 2002.
- 114 'Logging companies' workers run amok – hold managers hostage for salary arrears', The Inquirer, 18 June 2002.
- ¹¹⁵ UN Expert Panel on Liberia report (S/2003/779), 'MWPI workers interviewed complained that they were often unpaid ("paid for one month, even though I worked two"). MWPI often paid salaries only when it received the proceeds of rubber sales in Cote d'Ivoire, which led to delays.'
- 116 'Council Regulation (EC) No 1030/2003 of 16 June 2003, concerning certain restrictive measures in respect of Liberia'.
- 117 Letter of explanation to Global Witness from HM Customs and Excise, dated 24 June 2003.
- 118 'Conflict diamonds drive war in Africa', Oxfam, 2003.
- 119 'Life is short in Sierra Leone', BBC News, 5 June 2000.
- 120 'CIA World Fact Book – Sierra Leone', Central Intelligence Agency, 1991.
- 121 'CIA World Fact Book – Sierra Leone', Central Intelligence Agency, 2003.
- 122 'WHO issues new healthy life expectancy rankings', WHO Press Release, 4 June 2000.
- 123 'CIA World Fact Book – Liberia', Central Intelligence Agency, 2003.
- 124 'Liberian Conflict', GlobalSecurity.org, July 2003. As found at <http://www.globalsecurity.org/military/world/war/liberia.htm>
- 125 'Background Note: Liberia', US Department of State, 2003.
- 126 Jeff Cooper, 'Population-Liberia: Time to go home', Inter Press Services, 12 April 1998.
- 127 'Liberia: Complex Emergency Situation Report #3 (FY 2003)', US Agency for International Development, July 2003.