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Weapons Sanctions, Military Supplies, and Human Suffering:
Illegal Arms Flows to Liberia and the June-July 2003 Shelling of Monrovia

A Human Rights Watch Briefing Paper

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I was entering the house and I felt something [a mortar strike]. [...] When the particles [shrapnel] touch you, at that time your presence do go high and until you get treatment, you dream you're going to die.

Victim of mortar attack on July 21, 2003

Introduction

In early November, the United Nations Security Council is due to consider a new U.N. investigative report on violations of the sanctions regime on Liberia, including violations of an arms embargo imposed on all parties in Liberia.¹ The embargo has been a spectacular failure, with terrible consequences for the people of Liberia. Despite the embargo, originally imposed in 1992² and given new life in 2001,³ Liberia has experienced a near continuous influx of weapons.

The weapons flows, in turn, have fueled successive military campaigns, up to and including the mid-2003 battle for Liberia's capital, Monrovia. There, thousands of civilians were caught in the crossfire during three separate waves of attacks on the city, as the Liberians United for Reconciliation and Democracy (LURD) rebel group battled forces loyal to then-president Charles Taylor. In late June 2003, following the second rebel advance, LURD forces ran out of ammunition and retreated. Both the rebels and Taylor's forces used the lull in the fighting to try to obtain more weapons from abroad. When LURD received fresh supplies in July via Guinea, it renewed the offensive, and this third round of fighting proved to be the longest and most devastating for Monrovia's civilians. Among other incidents, it involved the indiscriminate shelling of a residential compound across from the United States Embassy and numerous other sites in downtown Monrovia where thousands of civilians had sought refuge. Indiscriminate mortar fire on central Monrovia by LURD was especially intense, and accounted for many of the casualties. Human Rights Watch has investigated the origins of the mortar rounds used by LURD during these attacks. This briefing paper is based on interviews and other information gathered by Human Rights Watch researchers in Liberia in April, August, and October 2003, as supplemented by additional interviews and research conducted outside Liberia. That investigation has revealed the supply chain for these

¹ As noted by the Security Council, the arms embargo applies to "all sales or supply of arms and related materiel to any recipient in Liberia, including all non-State actors, such as Liberians United for Reconciliation and Democracy (LURD)." U.N. Security Council Resolution 1343, adopted March 7, 2001, paragraph 11.

² U.N. Security Council Resolution 788, adopted November 19, 1992.

³ U.N. Security Council Resolution 1343.

munitions, their misuse by LURD rebels, and the extent of human suffering of the victims of the shelling of Monrovia in June and July.

The government of Guinea, which facilitated the illicit supply of mortar rounds, bears an important measure of responsibility for the atrocities. It has long provided military and logistical support for LURD—despite LURD’s documented record of committing violations of international humanitarian law amounting to war crimes and serious human rights abuses. Human Rights Watch’s most recent investigation of Guinea-LURD ties and their human cost indicates that the Guinean Ministry of Defense imported munitions from Iran in mid-2003 and arranged for these to be forwarded to LURD. This re-supply via Guinea, LURD sources have confirmed, made possible their final rebel assault on Monrovia. Moreover, remnants of mortar rounds found in Monrovia match the caliber and origin of mortar rounds Guinea purchased from Iran. Human Rights Watch also received allegations that Guinean peacekeepers serving in Sierra Leone facilitated illicit weapons flows to LURD earlier in the year, and these allegations merit investigation. Through its support for LURD, Guinea has made itself complicit in LURD’s atrocities. Guinea, which serves as an elected member of the Security Council in 2002-2003, also has made a mockery of U.N. sanctions and the presumed role of the Security Council in enforcing them. To date, the Guinean government has not withdrawn support for LURD and, to the contrary, there are indications of ongoing support. Yet Guinea sits on the Security Council Liberia Sanctions Committee as it evaluates the future of the Liberia sanctions regime.

Until recently, Guinea enjoyed the strong public backing of the United States, a permanent member of the Security Council. Guinea is a recipient of U.S. military aid, and while U.S. officials insist the weapons fired on the U.S. Embassy compound had not been provided to Guinea by the U.S., the incident reveals the danger of irresponsible military aid and inadequate monitoring on the part of the U.S. In late July 2003, for a second time in as many months, mortar strikes outside the U.S. Embassy gate killed several civilians. Residents of Monrovia protested U.S. inaction to the Liberian crisis by piling the bodies of those killed in front of the Embassy gate. This impassioned protest can also be seen, in hindsight, as an unintended but damning condemnation of U.S. assistance to Guinea, supplier of the mortar rounds that resulted in those deaths.

Arms, Abuses, and Liberia's Warring Factions

This briefing paper focuses on a detailed case study of egregious weapons misuse, and the violation of U.N. sanctions that made it possible. Liberia's conflict has provided many such examples. Each of the country's three warring factions has been highly abusive and, despite being under a weapons embargo, has been able to readily obtain military assistance, not least the weapons with which to perpetrate further abuses.

The forces of the former Taylor government and associated militias have been responsible for war crimes and a long list of serious human rights abuses. Using the power of the gun, they carry out rape, looting, and forced recruitment of children throughout the areas they control. For years, Taylor's government received weapons despite the embargo, often counting on regional allies, such as Burkina Faso, to cover up its illegal arms imports.⁴ A U.N. panel of experts has documented that arms dealers supplying Liberia arranged arms deals in Kyrgyzstan, Moldova, Serbia, Slovakia, and Ukraine. On August 8, 2003, newly-arrived peacekeepers from the Economic Community of West African States (ECOWAS) foiled an attempt by the then-government to bring in a large consignment of weapons by air.⁵ The seized consignment contained twenty-two tons of weapons, including two brand new mortars and numerous boxes of mortar rounds, as well eleven tons of 7.62 mm small arms ammunition and rocket-propelled grenades (RPGs).⁶ Had this cargo not been intercepted, the re-supply of Taylor's forces might have plunged Monrovia back into full-scale war just as it was beginning to emerge from a long period of fighting.

The Movement for Democracy in Liberia (MODEL) also benefits from the support of regional allies. MODEL is the smaller of the two rebel factions fighting Taylor's forces, and it draws on support from Côte d'Ivoire. Witnesses have told Human Rights Watch that the Côte d'Ivoire government recruited fighters for its own conflict with the promise that they could "keep their arms and take them back to Liberia to fight Taylor."⁷

⁴ See, for example, Human Rights Watch, "No Questions Asked: The Eastern Europe Arms Pipeline to Liberia," *A Human Rights Watch Briefing Paper*, November 15, 2001.

⁵ "Taylor resigns Liberian presidency," *New York Times*, August 8, 2003. See also Karl Vick, "Taylor Went To Libya For Arms, Sources Say," *Washington Post*, August 8, 2003.

⁶ Human Rights Watch telephone interview with United Nations Mission in Liberia (UNMIL) sources, November 2003.

⁷ Peter Takirambudde, Africa Director of Human Rights Watch, "Liberia: Where the Arms Come From," opinion-editorial, *International Herald Tribune*, September 17, 2003.

Toulepleu, a town in the west of Côte d'Ivoire, has proved an ideal base for MODEL to launch attacks into Liberia. LURD, from which MODEL split in late 2002, has long been backed by Guinea, which has served as its main weapons conduit. Liberia's rebel groups, like the government and militia, have a dismal human rights record.

Tens of thousands of people have been forcibly displaced by violence in Liberia, and hundreds if not thousands of civilians have been killed, either deliberately or in crossfire since LURD began its insurgency in 2000.⁸ For many thousands of people—particularly the residents of central Monrovia and internally displaced people seeking safety there—the shelling of the capital in mid-2003 represented the most recent chapter in a horrible war characterized by egregious violence against civilians by all sides. The mid-2003 violence in Monrovia was marked by violations of international humanitarian law on all sides. Hundreds of civilians were injured or killed. Indiscriminate shelling by LURD, while not the only cause of civilian suffering, undoubtedly accounted for much of the terror felt in central Monrovia and scores of the casualties from the fighting.

The Rebel Push on Monrovia

On June 4, 2003, negotiations opened in Accra, Ghana aimed at producing a ceasefire and peace agreement for Liberia. That morning, the prosecutor of the Special Court for Sierra Leone unsealed an indictment against the then Liberian president Charles Taylor for war crimes and crimes against humanity in Sierra Leone. Despite calls for the Ghanaian government to arrest Taylor, who was present in Accra, he was able to return to Monrovia that evening. Upon his return, Taylor announced that there had been a coup attempt and Vice-President Moses Blah and at least two other senior officials in the government were arrested.

The following day, June 5, either seeking to gain territory and influence the peace negotiations or heartened by Taylor's indictment, the LURD rebel group launched the first of three offensives on Monrovia. In the early June offensive, which lasted three days, LURD troops approached Monrovia from the northwest. In response, thousands of civilians fled south into Monrovia town, and many of them remained there after

⁸ See, for example, "Testimony of Janet Fleischman, Human Rights Watch Washington Director for Africa, on the Human Rights Situation in Liberia," before the Congressional Human Rights Caucus, July 9, 2003.

LURD withdrew in the face of some government resistance. According to informed sources, LURD retreated after government forces cut the rebels' supply lines.⁹ LURD returned to the outskirts of Monrovia approximately two weeks later, penetrating deep into the Bushrod Island suburbs across a short bridge from central Monrovia. Their second advance, which began on or about Monday, June 23, again prompted large numbers of civilians to move towards central Monrovia, including into the Mamba Point area across the bridge from Bushrod Island.

[Maps of Monrovia featuring many of the locations described in this briefing paper are available at <http://www.un.org/Depts/Cartographic/map/profile/monrovia.pdf> and <http://www.reliefweb.int/w/map.nsf/wByCLatest/2C77843C1420170B85256D580066161F?Opendocument>]

Fighting raged across the bridges linking Bushrod Island and Mamba Point for several days despite increasing diplomatic pressure for a ceasefire. It pitted government forces seeking to hold central Monrovia—namely the paramilitary Anti-Terrorist Unit (ATU), the Special Security Service (SSS) and the Special Operations Division (SOD),¹⁰ a police unit, and government militias—and the advancing LURD troops. As one observer put it, “all Wednesday day and night there was constant and intense shooting and bombing, then it decreased progressively until it stopped completely on Saturday.”¹¹ LURD, having run short of ammunition, including mortar rounds, had retreated north by Friday, June 27. Three days later, an arms flight arrived in Conakry, the Guinean capital, and unloaded munitions that would be transported to LURD.

LURD's third offensive on Monrovia, in which the rebels again advanced from the north and then opened a second front towards the eastern side of the city, began three

⁹ Human Rights Watch interviews, Liberia, August 2003.

¹⁰ The ATU, SSS and SOD are all elite units that were created after Charles Taylor was inaugurated as president in 1997. All three units have committed numerous human rights abuses against civilians. While the ATU and SSS are elite paramilitary units that reported directly to Taylor via Benjamin Yeaten and Taylor's son, Charles Jr., the SOD is within the Liberian National Police, headed by Paul Mulbah. See Human Rights Watch, “Back to the Brink: War Crimes by Liberian Government and Rebels,” *A Human Rights Watch Short Report*, Vol. 14, No. 4 (A), May 2002.

¹¹ Communication to Human Rights Watch, June 29, 2003.

weeks later on or about July 18, after the rebels had rearmed. During this phase in the fighting, until July 30, there were near constant firefights between rebel and government forces using small arms, mainly assault rifles, and light weapons, including mortars. Small arms fire continued well into August.

In August, conditions finally began to ease. Following the August 7 deployment of the first group of Nigerian peacekeepers as part of the ECOWAS peacekeeping operation known as ECOMIL and the August 11 departure of Charles Taylor for exile in Nigeria, LURD and government forces gradually ceased hostilities. LURD retained control of the port and the northern suburbs just across the Mesurado River from downtown Monrovia. By that time, thousands of people who had been trapped on either side of the bridges during the fighting were desperate to get out, find food, and reunite families split by the siege. Thousands of people crowded the bridges the day that ECOMIL permitted civilians to cross to the other side. At least four people drowned while trying to swim across the river that day.¹²

“World War III”: The Human Toll of Indiscriminate Shelling in Monrovia

By all accounts, LURD’s third offensive on Monrovia was the worst for civilians. Described as “World War III” by many Monrovia residents, it was marked by intense fighting for over two weeks in areas densely populated by civilians, including many internally displaced people. By mid-July, Monrovia’s population had swelled from 700,000 to nearly one million people, as a result of several waves of displacement brought on by fighting outside the city. Almost every public building and many private homes overflowed with displaced people. Most of these people had fled their homes, or camps for internally displaced people,¹³ with few possessions, and little food or money. Many had lost children and other family members in their flight.

¹² Human Rights Watch interviews, Monrovia, August 2003.

¹³ Several hundred thousand displaced people from Bomi, Grand Cape Mount, Lofa, and other rural counties affected by the conflict were living in the Montserrado camps for internally displaced people, north of Monrovia, until LURD attacks in April 2003 forced many to flee. Some returned to the camps and were then displaced anew by the June attacks.

Mamba Point appealed to many civilians as a potentially secure area because the U.S. Embassy and its Greystone annex (a residential compound across the street, used by the Embassy to house staff) are located on the western shore of the peninsula, and the United Nations offices and many diplomatic missions are in the vicinity. The U.S. Embassy resisted providing temporary shelter to displaced people at first. After over a dozen people were crushed to death against the Greystone gate by a panicked mob seeking to avoid mortar shelling in late June, the Embassy finally relented. By late July, humanitarian agencies estimated that there were close to 20,000 displaced people living in the Greystone compound. Other public buildings, including schools and churches around Mamba Point and downtown Monrovia were similarly packed with hundreds of people. Most of these sites were not prepared for the sudden influx and lacked sufficient potable water, sanitation facilities, and food supplies.

Displaced people in the Greystone compound had already endured great hardship before the third offensive, including at the hands of government forces. The single worst incident attributed to government forces was an attack on the Greystone compound in late June, in which at least a dozen people were killed, by two “rockets” which may have been RPGs shot into the compound.¹⁴ The incident occurred around the time of an anti-Taylor demonstration and many observers suspect it constituted a deliberate attack against civilians in retaliation for their perceived anti-government stance, although this motivation remains unconfirmed.¹⁵

Once the third offensive started, on or about July 18, bullets, RPGs, and mortar rounds rained down on the civilians in central Monrovia, including those in the Greystone compound. Of the civilians who received bullet wounds, a significant number are believed to be the victims of sniper fire into the Greystone compound from government positions at the Ducor Hotel. The Ducor Hotel is strategically located on top of a hill that stands between the Mamba Point area on one side and the bridges to Bushrod Island on the other. LURD was positioned on the opposite side of those bridges, in Vai and Clara towns on Bushrod Island. The mortar shelling on central Monrovia was intense, especially from LURD positions across the river, and because the mortar fire was so poorly aimed it was especially terrifying and difficult for civilians to avoid.

¹⁴ Human Rights Watch interviews, Monrovia, August 2003.

¹⁵ Ibid.

Urban warfare significantly increases the risks to the civilian population, and in such operations both defending and attacking armed forces must take constant care to spare civilians. Each is subject to the constraints laid down by international humanitarian law (IHL). The rules regulating the conduct of hostilities require parties to an armed conflict to distinguish at all times between civilians and combatants and to only direct attacks against military objectives. In order to spare civilians as much as possible from the effects of hostilities, indiscriminate attacks are prohibited and precautions must be taken in attack and defence so as to minimize civilian losses.

Liberian government forces, by locating themselves at the Ducor Hotel and other positions in densely populated areas of central Monrovia, put civilians at risk. They did not appear to have taken the necessary precautions to protect civilians from the dangers resulting from military operations, as required under IHL. Moreover, eyewitnesses told Human Rights Watch that government forces aimed RPG and sniper fire into the Greystone compound.¹⁶ Human Rights Watch is not aware of any military target in the vicinity, as LURD forces were positioned in the opposite direction. The Greystone compound was located at the base of the hill on which the government forces were positioned, and in the opposite direction from LURD positions on Bushrod Island, meaning any direct fire from the government side could only have been targeted at civilians, in clear violation of the prohibition on deliberate attacks on civilians.

LURD, for its part, is responsible for violating IHL in its shelling of central Monrovia. Human Rights Watch has identified at least three possible military targets of LURD mortar strikes that hit the Greystone compound: government positions at the Ducor Hotel; government troops positioned atop the E.J. Roye building and around Waterside, an area of downtown Monrovia along the waterfront; and a government position at the end of Randall Street, approximately a kilometer away from the Greystone compound. Any of these three may have constituted a military target. However, IHL prohibits indiscriminate attacks—i.e., attacks that do not distinguish between between military targets and civilians or civilian objects. LURD troops,

¹⁶ Ibid.

sometimes children, who fired the mortars were generally untrained in mortar use and were seen to fire without making any effort to distinguish targets.¹⁷

Moreover, even when attacking a legitimate military objective, parties to a conflict must respect the principle of proportionality and must refrain from attacks expected to cause loss of civilian life and injury to civilians that is excessive in relation to the direct and concrete military advantage expected. While Human Rights Watch is not in a position to assess the military advantage of the attacks in question, it is extremely concerned about the loss of civilian lives caused, which make their legality questionable. Thus both LURD's shelling of a densely populated area and its use in such an area of mortars, which are notoriously difficult to aim without proper training, violated its obligations under international humanitarian law.

With regard to some of the incidents described to Human Rights Watch it was impossible to verify the type of weapon the witnesses and victims described. When they used the term "rocket," it might have been in reference to RPGs, mortar rounds, or another type of munition. However, it is clear that many of the incidents documented by Human Rights Watch involved mortar fire. Witnesses described a similar pattern in which the shelling came from the direction of Vai Town and Clara Town, where LURD forces were positioned. At several of the sites, remnants of the exploded ammunition were produced, all of which were 81 or 60mm mortar fins.¹⁸

Archbishop Michael Francis of Monrovia strongly condemned LURD for the attack: "The indiscriminate mortar fire and deaths of civilians have eroded any sympathy there was for LURD in Monrovia."¹⁹ The LURD leader, Sekou Conneh, sought to deflect responsibility by asserting that Taylor's forces relocated to another part of the city then "shelled the diplomatic area, shelled the civilian area" from these new positions so as to blame the mortar fire on LURD and "give us a bad image."²⁰ Military analysts and other

¹⁷ Human Rights Watch interviews with an eyewitness and a researcher who interviewed LURD troops about the attacks, Monrovia, October 2003.

¹⁸ Mortar fins viewed by Human Rights Watch researcher, Monrovia, August 2003.

¹⁹ Archbishop Michael Francis, "A Road Map for Peace in Liberia," presentation at the Royal Institute of International Affairs, London, July 22, 2003.

²⁰ "Liberian Rebel Leader Says Peace Force Can End War," Bloomberg News, August 5, 2003.

observers have indicated that many of those killed were victims of mortar fire, and they confirmed that—contrary to Conneh’s assertion—it came mostly from the LURD side.²¹ The U.S. government, whose Embassy received some of the fire, also attributed it to LURD, and called on LURD to cease its “reckless” shelling.²² In a statement, the U.S. government added that “as far as we know, the rounds that fell at or near the [U.S.] Embassy compound were not intentionally targeting the Embassy.”²³

For over two weeks, tens of thousands of people, many of them displaced into central Monrovia from the outlying suburbs, were literally confined to the buildings in which they were sheltering. The worst shelling took place between Monday, July 21, and Friday, July 25. The displaced community living in the Greystone compound suffered terribly during this period. Most people were living in temporary plastic sheeting structures, totally vulnerable to bullets and shrapnel. Over twenty-five people died immediately and more than fifty were wounded in Greystone on July 21, when two mortar rounds fell within the compound. An aid worker who was in the compound that day wrote, “Many died immediately and their bodies were badly mutilated. Too many women and children. I helped remove some of the bodies and am still sickened by the thought.”²⁴

Over 200 wounded were treated at just three medical clinics in Mamba Point on July 21 alone. A twenty-eight-year-old man who was among the victims told Human Rights Watch, “I got hit by a rocket in Greystone on Monday the 21st July. That day I came to draw water and then I was going home...to sleep in my tent. It was about 2 p.m. I was sleeping when the rocket landed in my tent. It hit me here on the foot and on the stomach. About twelve people were killed by the rocket. It killed my wife and son.”²⁵

²¹ Human Rights Watch communication with Western military officials, August-October 2003.

²² “US condemns Liberian rebel shelling, urges halt to offensive on Monrovia,” Agence France-Presse (AFP), July 21, 2003.

²³ “LURD Shelling of U.S. Embassy in Monrovia,” Questions Taken by the Office of the Spokesman, U.S. State Department, Washington, DC, September 17, 2003.

²⁴ Communication to Human Rights Watch, July 26, 2003.

²⁵ Human Rights Watch interview, Monrovia, August 29, 2003.

Central Monrovia's main streets near the riverfront—Benson Street, Broad Street, Newport Street, Front Street, Carey Street—and West Point, a shantytown community located on a small peninsula jutting out from Mamba Point into the river, were among the worst hit areas during the third offensive. Given its proximity to the fighting on the bridges separating downtown Monrovia from Vai town, West Point frequently received fire that went off course, most likely fired by both government and rebel forces. The luckier wounded people were carried from the West Point area to clinics in Mamba Point in wheelbarrows, even as the shelling continued. The unlucky died where they were hit.

Many mortar rounds, bullets, and some rocket-propelled grenades landed in these areas. For example, a twenty-six-year-old woman was injured by shrapnel when a mortar round struck her house in Benson Street at 8 a.m. on July 21. She said, "I was entering the house and I felt something electric in my system. I dropped three times. I couldn't see—I put my hand back and felt blood. I had foam coming from my mouth....When the particles [shrapnel] touch you, at that time your presence do go high and until you get treatment, you dream you're going to die."²⁶ She was taken to Greystone clinic by her husband, who described dodging bullets and mortar rounds while running through the streets. He said, "Everyone was running around trying to find a hiding place. People even died at the [Greystone] gate. More people were wounded at that time. The ambulances weren't moving so everyone was towed in wheelbarrows or carried on people's backs. We had to walk around to the other gate, and finally got to the clinic. At that time nobody walked straight, everybody was walking bent over because of the bullets."²⁷

A health worker who treated dozens of the wounded that day and described it as "the worst day" said, "I'll never forget the screaming of all the people waiting for treatment. The lucky people were able to reach health structures. I'm not sure how many people didn't reach us."²⁸ The pile of at least a dozen corpses before the main entrance to the U.S. Embassy suggest it may have been a sizable number.

²⁶ Human Rights Watch interview, Monrovia, August 23, 2003.

²⁷ Ibid.

²⁸ Human Rights Watch interview, Monrovia, September 2, 2003.

Another health worker who was working in Greystone said:

The worst days were from Friday, July 18, to Wednesday, July 23. I spent five days in [the Greystone clinic] without taking a bath, soaked in human blood....For every two-three rockets sent from here [the nearby government positions] to the LURD, the LURD sent about fifty back, so we had more casualties over here than over there. On July 24, there were forty rockets that came over in the morning, I counted them. They went all over.²⁹

A school sheltering displaced people on Newport Street was shelled towards the end of the terrible week of July 21. The mortar rounds dropped into the schoolyard early in the morning, just as dozens of people were getting up to wash in the courtyard. A thirty-seven-year-old displaced man who was living in the school described his experience on July 25 to Human Rights Watch:

It happened around 7:15–7:30 in the morning....That day, in the morning I was just about to go out to brush my mouth. I'd put toothpaste and has gone to get some water. As I was going out, the first shell landed a little distance away. After the first shell landed I didn't bother going out again because once you have some experience you don't go out again. Then a shell landed among other people doing the same thing—waiting to brush their mouths, some were washing. So I heard people crying and I crept outside and looked through the side of the wall and I saw dead bodies lying all over in a pool of blood. About eight bodies [people] were killed instantly and there was one woman who didn't die on the spot. She was crying out for help, her stomach burst wide open and her intestines were busting out. They put her in a wheelbarrow to the hospital but she died on the way....Another woman had a baby on her back—she died on the spot but nothing scratched the baby. The woman with the baby was hit in the head by one of the pieces, killed instantly. About ten minutes later someone ran and took the baby off her back....It was difficult to do anything. I never had an experience like that

²⁹ Human Rights Watch interview, Monrovia, August 27, 2003.

before. I was traumatized on the spot, very much upset. It was my worst experience—I never seen bodies like that.³⁰

Even after most of the mortar fire subsided, by August 1, small arms fire continued to wound and kill numerous civilians in the Mamba Point area. Over seventy people were injured by bullets in the Greystone area in the first week of August from sniper fire and “stray bullets.” The records of one medical agency show that it treated 150 bullet wounds in the first ten days of August, with the victims mostly having suffered the injuries in the Greystone area. A person working in the agency noted that the angle of the bullet entry was consistent with shots from a relatively close distance, suggesting these had come from government positions nearby rather than LURD positions, which were at a considerable distance.³¹

From mid-July to early August, based on the statistics available from the four principal medical agencies active in central Monrovia during this period, Human Rights Watch estimates that over 2,000 people—the vast majority civilians—were injured in central Monrovia in the fighting. This estimate is based on approximate numbers of patients treated from bullet and shrapnel wounds by these agencies, drawn from medical records from three of the agencies (totaling 1,750) and an interview with the fourth. The total number of civilian casualties is certainly higher than 2,000, as this figure does not include the dozens—if not hundreds—of people who were killed instantly or never reached medical aid.

Tracing the Mortar Rounds Used by the LURD Rebels

Human Rights Watch investigated the supply of the mortar rounds fired by LURD, which accounted for many of those killed or injured in the shelling of central Monrovia. The investigation examined the type of mortars used by LURD and their origin, the supply lines used to deliver them, the re-supply of LURD via Guinea in mid-2003, and finally the transfer of the weapons into Liberian territory and their use in Monrovia.

³⁰ Human Rights Watch interview, Monrovia, August 25, 2003.

³¹ Human Rights Watch interview, Monrovia, August 2003.

This investigation has established that the mortar rounds fired in Monrovia correspond in both caliber and origin to Iranian munitions procured by the Ministry of Defense of Guinea in mid-2003. These munitions were delivered by air to Conakry in late June 2003, shortly after LURD forces in Monrovia ran short of ammunition during their second attack, and were forced to withdraw. The mortar rounds, Human Rights Watch has learned, were forwarded from Guinea to LURD inside Liberia. This quick re-supply enabled LURD to unleash its third offensive in July.

The role played by the Guinean Ministry of Defense in the transfer of weapons to LURD is troubling. The Guinean Ministry of Defense and, by extension, the Guinean government, is directly implicated in the supply of weapons that violated a U.N. arms embargo. In addition, Guinea's military support of LURD—an armed group responsible for war crimes and serious human rights abuses—is inconsistent with the Guinean government's own obligation to respect and ensure respect of international humanitarian law. By giving LURD forces the tools to commit further atrocities, the government of Guinea shares in the responsibility for the indiscriminate shelling of Monrovia.

Guinea's history of support for LURD

The government of Guinea has long fueled the Liberian conflict by providing logistical, financial, and military support to the LURD rebels. Human Rights Watch has reported previously that, at least since 2002, evidence has indicated that this support has been given with the knowledge and support of high-ranking Guinean officials.³² Human Rights Watch's current findings directly implicate Guinea's Ministry of Defense in the supply line of ammunition to LURD in mid-2003, but specific concerns about Guinea's role in the provision of arms to LURD date back several years.³³

Guinea's sponsorship of the nascent Liberian insurgency began in 1999,³⁴ and LURD was born a year later, in 2000. Guinean support for LURD intensified after late 2000

³² Human Rights Watch, "Back to the Brink," p. 10.

³³ Report of the Panel of Experts appointed pursuant to paragraph 4 of Security Council resolution 1458 (2003), concerning Liberia, S/2003/498, April 24, 2003 (hereafter "April 2003 U.N. Liberia Panel of Experts Report"), paragraph 112.

³⁴ "Profile of LURD Leader, Sekou Conneh," AllAfrica (Accra), August 20, 2003.

and early 2001, when the Liberian government helped LURD launch a series of cross-border attacks into Guinea. The LURD leader Sekou Conneh has access to Guinea President Lansana Conteh, through his wife Ayesha Conneh, who has been the president's spiritual advisor since she foretold a 1996 coup.³⁵ Over the years, LURD has benefited from considerable logistical and military support from Guinea, including artillery fire support.³⁶ An investigation by Human Rights Watch in Guinea in August 2002 found that Guinean military officials were often acting in close collaboration with LURD.³⁷ LURD was allowed to operate freely on Guinean territory and frequently transited through Guinean border towns.³⁸ LURD also has had a longtime presence in the Guinean refugee camps, where it has engaged in military recruitment of men and boys from among the refugees.³⁹ Wounded LURD soldiers and Liberian civilians described being evacuated from towns in LURD-controlled areas of Liberia to hospitals in Conakry for treatment.⁴⁰ LURD recruits from Sierra Leone who spoke to Human Rights Watch described passing through Guinea, where they were greeted, housed, and repeatedly visited by men in Guinean military uniform; they said they were transported in military convoys from Guinea to LURD areas inside Liberia where they received uniforms and weapons said, by their commanders, to have come from Guinea.⁴¹

The Guinean military has used different methods to arrange for weapons to be transferred across the border into Liberia for use by LURD. In May 2002, Human Rights Watch reported that numerous Liberian civilians seeking refuge in Guinea were used by LURD as porters and forced to carry arms, ammunition, and supplies from Guinea back to LURD bases in Lofa county, Liberia.⁴² Further such cases were documented in a November 2002 Human Rights Watch report, in which civilians used as porters described carrying boxes of ammunition and brand new weapons, usually still

³⁵ Human Rights Watch, "Back to the Brink," p. 10.

³⁶ Ibid, p. 10. See also, International Crisis Group, "Tackling Liberia: The Eye of the Regional Storm," Africa Report No. 62, April 30, 2003, p. 10.

³⁷ Human Rights Watch, "Liberian Refugees in Guinea: Refoulement, Militarization of Camps, and Other Protection Concerns," *A Human Rights Watch Short Report*, Vol. 14, No. 8 (A), November 2002, p. 2.

³⁸ Ibid, p. 2.

³⁹ Ibid, p. 2.

⁴⁰ Human Rights Watch, "Back to the Brink," p. 10.

⁴¹ Ibid, p. 10.

⁴² Ibid., p. 10.

in their plastic bags, from Guinea into Liberia.⁴³ Delivery by truck has been known to be used.⁴⁴ Often the trucks deliver the weapons to a border area, from which they can be ferried in to LURD territory using any of a variety of means, including by other vehicles. LURD operatives have acknowledged receiving arms by truck from Conakry.⁴⁵ A LURD fighter speaking in February 2003 indicated that fresh stocks of weapons and munitions had arrived via Guinea.⁴⁶ Human Rights Watch received allegations that for five consecutive days in late April 2003 LURD received weapons deliveries by truck, delivered to the Sierra Leone/Liberia border by Guinean peacekeepers attached to the UNAMSIL peacekeeping operation in Sierra Leone.⁴⁷ Human Rights Watch is seeking further clarification and asking UNAMSIL to conduct an investigation into these allegations. Western military officials told Human Rights Watch that in mid-2003 weapons from Guinea were sent by sea into Liberia for use in the attacks on Monrovia.⁴⁸

The Caliber and Origin of Mortars, Munitions Used by LURD

LURD is known to possess 81mm and 60mm mortars (the firing mechanism) and munitions (mortar rounds) of corresponding caliber. Human Rights Watch saw a 60mm mortar and munitions in the possession of LURD combatants at Bo-Waterside in April 2003⁴⁹ and saw remnants of both 60 and 81mm mortar rounds in central Monrovia in August 2003.⁵⁰ In addition, film footage made available to Human Rights Watch shows LURD fighters firing 81mm mortars in 2002 and 60mm mortars during the assault on Monrovia in mid-2003.⁵¹

⁴³ Human Rights Watch, "Liberian Refugees in Guinea," p. 10.

⁴⁴ Ibid, p. 10.

⁴⁵ April 2003 U.N. Liberia Panel of Experts Report, paragraph 110.

⁴⁶ International Crisis Group, "Tackling Liberia," p. 10.

⁴⁷ Report on file, provided to Human Rights Watch in September 2003. In May 2002, Human Rights Watch noted that: "In view of the close links between the Guinean government and the LURD rebel forces in Liberia, the participation of Guinean troops in the U.N. peacekeeping mission in Sierra Leone, UNAMSIL, should give cause for concern." Human Rights Watch, "Back to the Brink," p. 10.

⁴⁸ Human Rights Watch interviews with Western military officials, August-October 2003.

⁴⁹ Seen by a Human Rights Watch researcher on April 10, 2003, in Bo-Waterside, Liberia.

⁵⁰ Seen by a Human Rights Watch researcher in August 2003 in Monrovia, Liberia.

⁵¹ Film footage taken in Liberia, Camerapix (Nairobi), December 2002 and July 2003.

Most of the mortars used by LURD in 2003 are not new.⁵² Two 81mm mortars used by LURD are of British manufacture from 1973.⁵³ The mortar rounds themselves, however, are new,⁵⁴ showing the importance of LURD's supply channels to its ability to engage in hostilities.

An earlier effort to trace LURD's supplies of mortar rounds is instructive, as it reveals the movement of the weapons via Guinea. The Liberian government in 2002 captured 81mm mortar rounds from LURD in Lofa county. These bore markings from the United Arab Emirates (UAE).⁵⁵ Following inquiries by the Liberian government, the UAE admitted that it was the origin of these munitions but that they had been supplied as part of a military assistance package to Guinea, shipped to Conakry in December 1998.⁵⁶ The Guinean Ministry of Defense, for its part, claimed that the U.A.E.-supplied mortar rounds had been destroyed in a fire in 2001 at one of their arms depots in Conakry and that what was found in Liberia was from "scavengers."⁵⁷

Arms Procurement by Guinea

Guinea, unlike Liberia, is not subject to an arms embargo. In principle, Guinea undertook not to import or transfer small arms and light weapons in 1998, when a West African small arms moratorium was agreed. Under this moratorium, agreed in the Economic Community of West African States, states in the sub-region commit themselves not to import, export, or manufacture small arms or light weapons.⁵⁸ The government of Guinea has nevertheless imported such weapons. Some of the imported

⁵² Human Rights Watch interview with an eyewitness.

⁵³ James Brabazon, "Liberia: Liberians United for Reconciliation and Democracy (LURD)," Royal Institute of International Affairs Briefing Paper No. 1, Armed Non-State Actors Project, February 2003.

⁵⁴ Human Rights Watch interview with an eyewitness; Human Rights Watch interview with a Western diplomat.

⁵⁵ Report of the Panel of Experts appointed pursuant to Security Council resolution 1408 (2002), paragraph 16, concerning Liberia S/2002/1115, 25 October 2002 (hereafter "October 2002 U.N. Liberia Panel of Experts Report"), paragraph 94.

⁵⁶ *Ibid*, paragraph 94.

⁵⁷ Human Rights Watch interview with a Guinean diplomat, New York, October 12, 2002. See also October 2002 U.N. Liberia Panel of Experts Report, paragraph 95.

⁵⁸ The moratorium was adopted in 1998 for a three-year period and was renewed in 2001. See <http://www.s.ec.ecowas.int/sitecedea0/english/pub-4-63-2001.htm>.

small arms were for use by government forces inside Guinea's borders, but others have been delivered to LURD.

According to a number of sources, the Ministry of Defense of Guinea has used a private Guinean mining and trading company, Société Katex Mine Guinée (Katex Mine Guinea Company, or Katex Mine) as a broker for military procurement. Human Rights Watch has obtained an end-user certificate issued by the Ministry of Defense for Katex Mine to obtain 60,060 mortar rounds, including of 60mm caliber.⁵⁹ The Guinean Ministry of Defense maintains that Katex was the government agent for the import of agricultural supplies for the army's rice plantations.⁶⁰ According to the U.N. panel on Liberia, Katex Mine's head office in Conakry is guarded by Special Forces attached to the Presidency of Guinea.⁶¹

Katex Mine featured in an April 2003 report by the U.N. investigative panel. The panel reported that, according to a number of diplomatic missions in Conakry and an official (not further identified), the company played a role in the import to Guinea of weapons that were ultimately intended for LURD.⁶² The panel indicated that Katex was responsible for two suspected arms flights to Conakry in November and December 2002.⁶³ The panel has since reported that it "understands that Katex has imported weapons and ammunition" during the ten months from November 2002 to August 2003 and, in that light, identified a series of cargo flights from Iran it suspects carried the equipment.⁶⁴ The panel noted information suggesting that arms delivered on those flights had subsequently been trucked (without indicating by whom) to areas near the Liberia border, from which they crossed into Liberia for use by LURD.⁶⁵ Human Rights Watch was informed that, after weapons cargo arrived in Guinea, the Ministry of

⁵⁹ "Certificat D'Usage Final," issued by the Guinean Ministry of Defense, copy on file with Human Rights Watch.

⁶⁰ Report of the Panel of Experts appointed pursuant to paragraph 25 of Security Council resolution 1478 (2003), concerning Liberia, presented on October 2, 2003, to the Chairman of the Security Council Committee established pursuant to resolution 1343 (hereafter "October 2003 U.N. Liberia Panel of Experts Report").

⁶¹ October 2003 U.N. Liberia Panel of Experts Report.

⁶² April 2003 U.N. Liberia Panel of Experts Report, paragraph 110. See also; "Winkling out Taylor," *Africa Confidential*, vol.44. no.16, August 8, 2003, p. 3.

⁶³ *Ibid*, paragraph 110.

⁶⁴ October 2003 U.N. Liberia Panel of Experts Report. See also, April 2003 U.N. Liberia Panel of Experts Report, paragraph 110.

⁶⁵ October 2003 U.N. Liberia Panel of Experts Report.

Defense arranged for it to be delivered to areas near the Liberia border for use by LURD. Human Rights Watch attempted on several occasions to reach Katex by telephone for comment regarding its role in the import of weapons to Guinea, but was informed that the company's director was out of the country and unreachable and that no one else was available to respond to its queries.⁶⁶

The panel found that the cargo, delivered by a Ukrainian airline, was unloaded during stops in Tehran and said its suspicion had been raised by "discrepancies in the [cargo] manifests."⁶⁷ The panel noted that the cargo, as described on air waybills, included "technical equipment."⁶⁸ This term is commonly, if misleadingly, used to describe arms and ammunition. As of October 2003, and despite numerous attempts, the panel had not succeeded in obtaining a comment from Katex; neither had it visited Tehran in connection with these flights.⁶⁹ Ukrainian authorities and the Ukrainian airline used to deliver the cargo from Tehran to Conakry, LVIV (or Lviv) Airlines, denied to the panel that the shipments contained arms.⁷⁰ Airline industry sources who spoke to Human Rights Watch confirmed that LVIV Airlines carried out these flights and that they were chartered by Katex on behalf of the Ministry of Defense of Guinea. These same sources said that the airline relied on information provided by the customer regarding the nature of the cargo and, to the airline's knowledge, the cargo it collected in Iran did not contain weapons.⁷¹ The airline itself has not responded to a request from Human Rights Watch to comment.⁷²

⁶⁶ Human Rights Watch attempted to reach Hadj Fouzi, the company's director, on October 17, 20, and 23, 2003. Two of those calls resulted in conversations with people associated with Katex. First, Human Rights Watch spoke to an associate of Mr. Fouzi, on October 17, 2003. He said that Mr. Fouzi was out of the country for an extended period and had left no forwarding contact information. The associate said he was not in a position to speak for Katex. Human Rights Watch reached an employee of Katex on October 23, 2003. This person said Mr. Faozi was still out of the country, that there was no one else who could speak on the company's behalf, and that he did not have contact information for anyone who might know how to reach the director. He agreed to request that Mr. Faouzi contact Human Rights Watch by telephone when he next saw or heard from him, but he did not know when that would be. The U.N. panel also was unable to reach anyone for comment. As noted in its October 2003 report, "It was not possible for the Panel to interview any representative of Katex Mines despite numerous phone calls and visits to the Company." October 2003 U.N. Liberia Panel of Experts Report.

⁶⁷ October 2003 U.N. Liberia Panel of Experts Report.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ *Ibid.* The entry for the airline in an industry reference book lists "LVIV Airlines Ukraine West," based in Lviv, Ukraine. Ulrich Klee, ed., *JP airline-fleets international 2002/2003* (Zurich, Switzerland: Bucher & Co. Publikationen, 2003).

⁷¹ Human Rights Watch interview, October 2003.

The Guinean Ministry of Defense denied any involvement with LURD.⁷³ Human Rights Watch, by contrast, found that in the case of two flights it investigated, the Guinean Ministry of Defense took possession of the cargo at the airport for transport to military locations inside Guinea for onward shipment to LURD.

Of the seven cargo flights from Iran described by the U.N. panel, three arrived on the 5, 10, and 17th of March 2003. The air waybills for those flights, as reported by the panel, show various cargo, including a total of 57,200 kg (1,040 pieces) of “technical equipment” and 13,000 kg (2,500 pieces) of “detergent” arriving in a twelve-day time period.⁷⁴ These flights preceded by a few weeks a major LURD offensive in March/April 2003. Heavy fighting between LURD and government forces was reported in north and western Liberia during that period. The suspected arms shipments may have contributed to LURD advances towards Monrovia on April 9, 2003, when LURD attacked the Jahtondo and Wilson displaced-persons camps, less than thirty kilometers from Monrovia. During the attack, a mortar round attributed by witnesses to LURD burned down part of Wilson Corner camp, killing at least one person, wounding several, and causing the destruction of part of the camp. LURD also abducted several civilians and aid workers when it retreated from the camps back towards Grand Cape Mount county.⁷⁵

Two suspected arms flights are described in detail below. One arrived in late June, when LURD was seeking to re-supply with ammunition before unleashing its third offensive on Monrovia. The other arrived in early August, when the offensive was winding down and just before regional peacekeepers were due to arrive in Monrovia to monitor a ceasefire. Human Rights Watch is not aware of any subsequent flights.

⁷² Human Rights Watch contacted the airline by phone on October 20, 2003. A representative of the airline asked for communication in writing. Human Rights Watch sent a letter to the company by email and fax, with a copy to the Ukrainian Mission to the United Nations, requesting a response by October 28, 2003. Human Rights Watch again sent the letter by email and fax on October 30, 2003. The following day, following telephone contact with an airline representative, Human Rights Watch again sent a letter by email and fax. No response has been received as of November 2, 2003.

⁷³ October 2003 U.N. Liberia Panel of Experts Report.

⁷⁴ *Ibid.*

⁷⁵ Human Rights Watch interviews, Liberia, August 2003.

Flight of June 30, 2003

On this date, Ukraine-based LVIV Airlines, operating flight UKW 7612, delivered a consignment to Conakry. The aircraft departed empty from Ukraine on June 29 for Iran's Tehran-Mehrabad airport. Leaving Iran laden with cargo, at 23:00 on June 29, it went next to Benghazi, Libya, where it arrived at 3:30 on June 30. From there, the aircraft made a brief stop in Tripoli, probably for refueling purposes (a "text stop") before departing again, at 5:40, for Conakry-Gbessia, where it arrived at 12:20 on June 30. After unloading the cargo, the return flight operated as UR-7616 and flew back to Gostomel, Ukraine, at 22:25 on July 2.⁷⁶

The U.N. panel refers to this flight as one in a series of suspected arms flights related to "the activities of Katex," referring to the panel's understanding that the company has engaged in the import of weapons and ammunition.⁷⁷ The air waybill for this flight indicates that it delivered a load of 3,500 pieces of clothes and hats (7,500 kg), 1,500 pieces of "lighter" (1,500 kg), and 270 pieces of technical equipment (19,300 kg) to be delivered to Ministry of Defense, Guinea.⁷⁸

The actual cargo was described to Human Rights Watch by eyewitnesses as 7.62mm small arms ammunition and 60mm mortar rounds of Iranian manufacture.⁷⁹ They said it was unloaded onto military trucks and taken to a Guinean Ministry of Defense weapons and ammunition depot at Doyama.⁸⁰

Flight of August 5, 2003

A second cargo flight from Tehran by LVIV Airlines arrived in Conakry in early August, again using flight number UKW 7612. This time the air waybill and cargo manifest, which Human Rights Watch has on file, indicated that the cargo consisted of thirty motorcycles (3,200kg), 500 pieces of detergent powder small size (1,000kg), 440 pieces of detergent powder 50kg (22,000kg) to be delivered to Ministry of Defense,

⁷⁶ Human Rights Watch interviews with aviation sources.

⁷⁷ October 2003 U.N. Liberia Panel of Experts Report; Human Rights Watch interviews with aviation sources; "Winkling out Taylor," *Africa Confidential*, vol.44. no.16, August 8, 2003, p.3. Diplomatic sources told *Africa Confidential* that Katex Mine was the charterer.

⁷⁸ Air waybill, reviewed by Human Rights Watch.

⁷⁹ Human Rights Watch interviews with eyewitnesses, by phone and via email, August and September 2003.

⁸⁰ *Ibid.*

Guinea.⁸¹ Again, the U.N. panel refers to this flight as one in a series of suspected arms flights it associates with Katex.⁸²

The U.N. panel of experts observed the unloading of cargo from this flight. It reported to the U.N. Sanctions Committee that it “saw green boxes with hand ropes being loaded by soldiers into military trucks. The Panel believes that military equipment was contained in the ‘detergent boxes’ mentioned in the manifest” (single ellipses added).⁸³ The panel added that it confirmed, through diplomatic sources, “that transportation of weapons by truck have been made from Katex Mines Guinea to Koyama and Macenta” (near the Guinean border with Liberia), linking this information to its previous suspicions that arms delivered to Conakry on behalf of Katex were forwarded by truck (the panel did not specify by whom) to positions near the Liberia border for LURD.⁸⁴

Eyewitnesses gave a consistent, more detailed account to Human Rights Watch. They indicated that the cargo unloaded from this flight consisted of rectangular wooden painted green boxes that contained ammunition. They added that the Guinean military transported the ammunition by truck to Camp Koumandian, a Guinean military camp approximately thirty-six kilometers northwest of Conakry.⁸⁵

Transfer from Guinea and Use in Liberia

LURD commanders and other eyewitnesses have told Human Rights Watch that the munitions delivered on the June 30 flight—7.62mm small arms ammunition and 60mm mortar rounds—were quickly transported into Liberia for re-supply of LURD. The onward shipment, LURD sources said, was carried out with the assistance of the

⁸¹ Air waybill and cargo manifests, copies on file with Human Rights Watch.

⁸² October 2003 U.N. Liberia Panel of Experts Report; Human Rights Watch interviews with aviation sources; “Winkling out Taylor,” *Africa Confidential*, vol.44. no.16, August 8, 2003, p.3.

⁸³ October 2003 U.N. Liberia Panel of Experts Report.

⁸⁴ Ibid.

⁸⁵ Human Rights Watch interviews by phone, August and September 2003.

Ministry of Defense of Guinea,⁸⁶ which as noted above took possession of the ammunition at the airport for transport to its depot at Doyama.

LURD sources made clear that this supply was essential for LURD's third offensive on Monrovia (the "World War III" described above).⁸⁷ According to one LURD commander:

Guinea saved us. They helped us to re-supply quickly in late June when we ran out. Without their help that monkey [Charles Taylor] would still be sitting in the Mansion.⁸⁸

Human Rights Watch interviewed U.S. officials who stated that the munitions Guinea obtained from Iran were delivered to LURD and used in the fighting.⁸⁹ Several sources indicated that the weapons were sent by sea on board a freighter and then unloaded by small boats that delivered the cargo to Robertsport, from where it was driven to Bushrod Island in Monrovia.⁹⁰ Numerous Iranian mortars were found in Monrovia.⁹¹ Human Rights Watch has inspected several sites in the Mamba Point area where there were remains of 81 and 60mm mortars used by LURD in its three offensives.⁹² Those that were identifiable carried markings indicating production in 2001 and 2002 and were mostly of Iranian provenance.⁹³ Some sources reported that Iranian munitions also may have been used by Liberian government forces. According to

⁸⁶ Human Rights Watch interviews with a LURD commander and other LURD interviews, August and September 2003.

⁸⁷ Ibid.

⁸⁸ Human Rights Watch phone interview, September 19, 2003.

⁸⁹ Human Rights Watch interviews with U.S. officials, October 2003.

⁹⁰ Human Rights Watch interviews with military analysts.

⁹¹ Human Rights Watch interviews with eyewitnesses interviewed by phone and email, August and September 2003.

⁹² Remnants of mortar rounds in central Monrovia were seen by a Human Rights Watch researcher, August 2003. Their caliber was indicated by markings on the tail fins.

⁹³ Human Rights Watch inspection and U.S. and U.N. military sources.

diplomatic sources a flight on May 26, from Minsk, Belarus, to Robertsfield was routed via Tehran, where it picked up consignment that reportedly included RPG-7s.⁹⁴

The U.S. government, whose Embassy in Monrovia had been under fire in the Monrovia fighting and received at least one mortar strike, was also keenly interested to learn where the mortar rounds came from. The U.S. Embassy inspected the sites of mortar impacts in Monrovia for that purpose.⁹⁵ They identified one U.S.-manufactured 81mm mortar round among those expended in the fighting, which they attributed to the re-sale market in U.S. weapons.⁹⁶ They also traced some of the mortar rounds to Guinea—including one that hit the U.S. Embassy building in Monrovia and resulted in a U.S. demarche to the government of Guinea.⁹⁷ A U.S. State Department spokesperson publicly called on Guinea to halt any movement of arms or troops across its borders.⁹⁸

U.S. Military Aid to Guinea

Guinea is a recipient of U.S. military aid, and has been for a number of years. Information regarding U.S. military assistance is provided in several congressionally-mandated annual reports listing dollar amounts for each type of aid by recipient, excluding in most cases detail regarding the precise nature of the assistance provided. Reports detailing aid provided in fiscal year 2003 are not yet available. Information regarding any covert military assistance programs is excluded from the versions of these reports that are made public.

⁹⁴ Human Rights Watch interviews with U.K. diplomatic sources.

⁹⁵ Human Rights Watch interviews; Tim Weiner, "U.S. Embassy in Liberia Searches for Missing American," *New York Times*, September 2, 2003.

⁹⁶ Human Rights Watch interviews with U.S. diplomatic sources. See also, Weiner, "U.S. Embassy in Liberia..." *New York Times*. According to that article: "During the fighting in July, American-made M-81 mortars fired by the rebels fell on the embassy's grounds. The source of those missiles is now under investigation; they may have come from the armed forces of neighboring Guinea, which trained some of the rebels."

⁹⁷ Human Rights Watch interview with a U.S. diplomatic source.

⁹⁸ "US condemns Liberian rebel shelling, urges halt to offensive on Monrovia," AFP. The exact comment was: "We would also remind the leaders of Guinea and neighboring states of the international obligations and responsibilities to control their borders and prevent the flow of weapons and combatants into Liberia."

In 2002 the military aid package to Guinea included a \$3 million training program for a light infantry battalion.⁹⁹ Under the program, a battalion of 800 soldiers received six months of training from U.S. Special Operations Forces.¹⁰⁰ Proposed in 2001, the battalion training was delayed in part because of Congressional concerns about human rights abuses by the Guinean military and ultimately began only in May 2002.¹⁰¹ By this time, the training program had been redesigned to also provide “a small amount” of ammunition left over from a previous U.S. training program in Nigeria (Operation Focus Relief).¹⁰²

The official rationale for U.S. military aid to Guinea, and the battalion training in particular, was to protect Guinea’s border from incursions by Sierra Leonean rebels.¹⁰³ There was no small irony in this, given that Guinea itself had harbored and nurtured an insurgency against Liberia since 1999 and provided LURD with considerable military and logistical support.

Aware of such concerns, the U.S. government explicitly made the 2002 battalion training conditional on Guinea’s breaking its ties to the Liberian insurgents.¹⁰⁴ The battalion training included a mid-term review, with the continuation of the training contingent on a cessation of all Guinean support for LURD. Lack of compliance with this U.S. condition was not invoked as a reason to discontinue the training, however, and the training was completed following the mid-term review. As explained by a State

⁹⁹ This financing for this program originated with the State Department’s budget for peacekeeping operations, which transferred the funds on to the implementing agency, the Defense Security and Cooperation Agency (DSCA).

¹⁰⁰ Human Rights Watch interview with a Pentagon official, October 2003.

¹⁰¹ Human Rights Watch telephone interview with a Congressional staffer, September 2003; email communication from the U.S. State Department’s Bureau of African Affairs, October 22, 2003.

¹⁰² Email communication from the U.S. State Department’s Bureau of African Affairs, October 22, 2003. According to the State Department, “Guinea provided the majority of ammo [ammunition], as well as weapons and mortars. The USG [U.S. government] did not provide mortars nor weapons for the training.” Ibid.

¹⁰³ Email communication from the U.S. State Department’s Bureau of African Affairs, October 22, 2003. See also, U.S. Department of State, “Foreign Military Financing (FMF) For Deployment of a U.S. Mobile Training Team (MTT) To Guinea For Light Infantry Training,” notification sent to the Senate Foreign Relations Committee sent on July 23, 2001, (hereafter “Congressional Notification of July 23, 2001”), copy on file with Human Rights Watch.

¹⁰⁴ According to an earlier notification to Congress, “[p]rovision of this training will be conditioned on Guinean government acceptance of certain conditions: [...] Guinea undertakes not to support any insurgent or rebel activities directed at its neighbors.” Congressional Notification of July 23, 2001.

Department official who visited Guinea in connection with the training: “While the issue of alleged official Guinean support to the LURD was an underlying concern, there was never enough evidence to prompt us to halt training.”¹⁰⁵ She emphasized that the State Department was “very concerned about the issue” and sought to obtain information, including by asking for intelligence reporting on the topic, raising it with senior Guinean officials, including military officials, and speaking to nongovernmental observers in Guinea. She added: “The U.S. Government delivered three senior level demarches to the Government of Guinea on the issue of supposed support to the LURD in July 2002, April and June 2003.”¹⁰⁶ Guinean officials maintained throughout that there was no policy to support to LURD and any such support was the responsibility of individual soldiers. In the absence of direct evidence to the contrary, the State Department allowed the training to move forward. At the conclusion of the battalion training there were no plans to set up mechanisms to monitor the conduct of the troops after their deployment in the border area.¹⁰⁷

To Human Rights Watch’s knowledge, the U.S. government did not make public statements expressing concern about Guinea’s role in supporting LURD until mid-2003.¹⁰⁸ Quiet diplomacy, including the demarches and meetings, failed to have an impact. At a minimum, the failure to publicly condemn Guinea’s misbehavior represents a missed opportunity for the U.S. to influence the behavior of the Guinean government. It also may have compounded the problem by giving the impression that the U.S. government was willing to overlook Guinea’s support for LURD, even though it clearly violated U.N. sanctions and came at a high cost in civilian lives. More broadly, U.S. military assistance and public support for Guinea under the circumstances could be read as endorsement of Guinea’s actions in support of LURD. For example, Charles Taylor accused the U.S. of supporting LURD: “This is an American war. LURD is a surrogate force... [The United States] caused this war. [...] They can call off their dogs now.”¹⁰⁹ In a pointed response, a U.S. government spokesperson announced, “The United States has

¹⁰⁵ Email communication from the U.S. State Department’s Bureau of African Affairs, October 22, 2003.

¹⁰⁶ *Ibid.*

¹⁰⁷ Human Rights Watch, “Liberian Refugees in Guinea: Refoulement, Militarization of Camps, and Other Protection Concerns.”

¹⁰⁸ *Ibid.*, Human Rights Watch, “Back to the Brink: War Crimes by Liberian Government and Rebels”; and “Testimony of Janet Fleischman, Washington Director for Africa, on the Human Rights Situation in Liberia,” July 9, 2003.

¹⁰⁹ “Charles Taylor’s farewell speech, Aug. 10, 2003: ‘God Willing, I Will Be Back, Says Taylor,’” All Africa, Lagos, August 12, 2003.

not provided any support, materiel or other, to the rebel group, 'Liberians United for Reconstruction and Democracy' (LURD)."¹¹⁰

Human Rights Watch has not found evidence that U.S. military aid to Guinea was directly misused, in terms of U.S.-supplied weapons being forwarded to LURD. According to the Pentagon, the U.S. investigation of the provenance of munitions recovered in Monrovia concluded that none of them corresponded to those furnished by the U.S. as part of the battalion training.¹¹¹ Officials described themselves as "relieved" to learn of the findings. U.S. officials told Human Rights Watch that the U.S. government had not provided lethal assistance since the 2002 battalion training. Few details are available about the precise nature of assistance provided to Guinea since then, but it appears that some nonlethal assistance continues.¹¹² For the time being, there is little interest in providing assistance of a lethal nature: U.S. military assistance to Guinea, unlike trade benefits, is not formally conditioned on cutting support to LURD.¹¹³ In practice, however, it represents a major concern.¹¹⁴

Following the ouster of Charles Taylor, U.S. government officials anticipated that Guinea's ties to LURD would end, but this has not been the case. Several U.S. officials told Human Rights Watch that LURD leader Sekou Conneh entered Liberia in early October in a convoy from Guinea, and noted with concern that they believed Guinea was still providing arms and ammunition to LURD.¹¹⁵

¹¹⁰ "LURD Shelling of U.S. Embassy in Monrovia," Questions Taken by the Office of the Spokesman.

¹¹¹ At least one U.S. manufactured mortar was found, as noted, but U.S. officials said they understood that it was of older stock and had likely been sold in a secondary market.

¹¹² Nonlethal assistance may include items such as uniforms and communication equipment and training on matters such as civil-military relations and human rights, whereas lethal assistance would comprise, for example, the provision of weapons, munitions, and combat training.

¹¹³ "Congressional Budget Justification for FY04 Foreign Operations," February 2003, available as a link from <http://www.fas.org/asmp/profiles/aid/aidindex.htm>. The relevant line from the country summary for Guinea reads: "To retain its [trade benefits] eligibility, Guinea will need to [...] discontinue support to the Liberian [sic] United for Reconciliation and Democracy (LURD)."

¹¹⁴ Human Rights Watch interviews and email communication with U.S. officials, September and October 2003.

¹¹⁵ *Ibid.*

Liberia's Fragile Peace and the Future of the Liberia Arms Embargo

A transitional government of national unity took power in Liberia on October 14, 2003, marking an important step in what is meant to be Liberia's road back to peace after more than a decade of war. Yet the situation in Liberia remains very unstable. There was an outbreak of fighting in the capital, Monrovia, in early October. Repeated skirmishes have broken out in rural areas between well-armed, ill-disciplined fighters on all sides, who continue to abuse the civilian population, including through widespread rape and sexual violence and looting of civilian property.¹¹⁶

At this crucial juncture, the commitment of the various belligerents to lay down their arms remains in question. There is widespread concern that former president Charles Taylor, in exile in Nigeria and facing a war-crimes indictment in Sierra Leone, is continuing to interfere in Liberian politics. Significant numbers of Taylor's forces and stocks of weapons remain in Nimba county, which borders Guinea and Côte d'Ivoire, and some observers have expressed concern that these forces could recommence hostilities.¹¹⁷ Diplomats in Monrovia have indicated that Taylor was orchestrating clashes by his forces in Liberia, in violation of his exile agreement with the Nigerian government.¹¹⁸ A military source reportedly described Taylor's "Plan B," by which he would make funds available so his forces would be able to procure weapons and food to keep a hold on territory, asserting that some arms and food had already been delivered from Monrovia.¹¹⁹ The two rebel groups that helped force a peace deal and remove Taylor from power—LURD and MODEL—have said they are willing to disarm and demobilize, but it remains to be seen whether and how comprehensively they will implement those commitments, especially given the proven willingness and ability of regional actors to provide weapons. The international peacekeeping forces (UNMIL, which took over from ECOMIL), for now concentrated in Monrovia, are not expected to reach full capacity and deploy throughout the country until March 2004. Comprehensive disarmament efforts, crucial to sustaining the peace, have only just begun, and so far only to a limited extent in Monrovia. In the meantime, significant quantities of arms and ammunition remain under the control of former combatants.

¹¹⁶ Human Rights Watch, "Liberia: Greater Protection Required for Civilians Still at Risk," *A Human Rights Watch Briefing Paper*, September 9, 2003.

¹¹⁷ Human Rights Watch interview with a military analyst, October 2003.

¹¹⁸ "Taylor meddling in Liberian politics," IRIN, September 17, 2003.

¹¹⁹ *Ibid.*

Moreover, they retain the ability to activate the arms pipelines used to illicitly obtain weapons from abroad.

In this context, the needed focus on disarmament and demobilization of Liberia's factions must be matched by continued attention to the arms embargo.

Recommendations

In early November 2003, the U.N. Security Council is due to review the sanctions regime on Liberia. The sanctions, in force until May 2004, encompass, in addition to the arms embargo, a travel ban on people who served as senior representatives of the Taylor government or provided financial or military assistance to it, and embargoes on any diamonds and timber exports from Liberia. With respect to the arms embargo in particular, Human Rights Watch wishes to make the following recommendations to the Security Council:

- Maintain the arms embargo for foreseeable future, and at least until 2005, after presidential and parliamentary elections in Liberia, and consistently condemn all states that violate the sanctions regime on Liberia.
- Provide a new mandate for the sanctions on Liberia, basing it on the fragility of Liberia's peace, the need to prevent a return to war, the warring factions' record of human rights abuses and violations of international humanitarian law, and the regional implications of the Liberian conflict. The original justification for the current sanctions on Liberia—Security Council Resolution 1343, emphasizing Liberian government support for rebels in Sierra Leone—is no longer valid.
- Reappoint a U.N. panel of experts to examine compliance with the Liberia sanctions. Request that a new report be available prior to the review of the Liberia sanctions regime in May 2004. Broaden the mandate of this panel of experts to investigate regional financing and support to abusive armed groups. Specifically mandate the panel to investigate the role of governments implicated in the illicit supply of arms to Liberia.
- Publicly condemn and impose secondary sanctions on any government found to have knowingly violated the embargo.

- Establish a permanent sanctions unit in the U.N. Secretariat to ensure continuity and the preservation of institutional memory with respect to the monitoring of U.N. sanctions regimes.
- Make arms embargo enforcement a key task of the U.N. peacekeeping operation in Liberia, UNMIL. Request that UNMIL forces be instructed to remain vigilant for any indication of arms supply channels and to report any such information to the Security Council sanctions committee on Liberia for use by its investigative panel of experts. Where illicit arms transfers are detected, request that these forces seize and securely store the weapons in question and assist with investigation of such transfers by the U.N. panel.
- Press for accountability for all arms embargo violations, including by calling on U.N. member states to enact national laws that implement U.N. arms embargoes, as already required, and by promoting and monitoring national efforts to investigate and prosecute sanctions-violators.

Human Rights Watch also offers several recommendations directed at UNMIL:

- Ensure there is adequate monitoring of Liberia's borders with Guinea, Sierra Leone, and Cote d'Ivoire so as to facilitate detection of arms flows and/or logistical support to any of the warring factions. The results of such efforts should be provided to the U.N. panel of experts and made public.
- Ensure that disarmament, demobilization and reintegration (DDR) programs are a top priority and take account of the special needs of all combatants, especially child soldiers, and that women and girls who have been used as soldiers and sexual slaves are included in all aspects of DDR programs.

More broadly, Human Rights Watch calls on all governments to take measures to condemn, punish, and demand accountability from those who have fueled Liberia's conflict:

- Deny military assistance to Guinea and other states credibly implicated in arms flows to the parties to the conflict in Liberia, in violation of U.N. sanctions, until such time as those implicated publicly and verifiably stop providing such military assistance to the Liberian factions and as those responsible for furnishing the military support are held accountable. Provide a limited exception for military

training related to human rights, international humanitarian law, and democratic accountability.

- Do not provide military training or other assistance to the armed forces of Liberia until the U.N. sanctions are lifted, the armed forces have been purged of human rights abusers and those responsible for violations of international humanitarian law, and adequate human rights and international humanitarian law training, monitoring, and accountability measures are in place.

Finally, Human Rights Watch offers a recommendation to ECOWAS:

- Strengthen the ECOWAS small arms moratorium and its implementation. It should be expanded to encompass all weapons categories, developed into an information-exchange mechanism, and made binding. Further efforts are needed to ensure that arms exporters comply with the moratorium, which could be facilitated through full participation in the proposed information exchange.