

Visit of the Peacebuilding Commission to Liberia 11 – 15 February 2013

Visit Report

H.E. Ambassador Staffan Tillander, Chair of the PBC Liberia Country Configuration, led a PBC visit to Liberia from 11-15 February. This visit was the first part of a joint PBC visit to Liberia and Sierra Leone. In Liberia, the PBC delegation was composed of H.E. Mr. Guillermo Rishchynski, Permanent Representative of Canada to the UN and Chair of the PBC Sierra Leone Configuration, H.E. Mr. Abdullah AlAskar, Ambassador of Kuwait to Gabon, H.E. Mr. Jun Yamazaki, Ambassador at the Japan Permanent Mission to the UN, H.E. Mr. Mustafizur Rahman, Deputy Permanent Representative of Bangladesh to the UN, H.E. Mr. David Gordon-Macleod, Charge d'Affaires a.i., British Political Office in Liberia, Ms. Gunnvor Berge, Senior Adviser, Ministry of Foreign Affairs of Norway, Mr. George Patten, Minister Counsellor, Permanent Mission of Liberia to the UN, Mr. Emil Stojanovski, First Secretary, Permanent Mission of Australia to the UN and Mr. Patrick Travers, Advisor, Permanent Mission of Canada to the UN. In addition, H.E. Mr. Sameh Lotfi, Ambassador of the Arab Republic of Egypt to Liberia, participated in a series of activities of the delegation. Ms. Judy Cheng-Hopkins, Assistant Secretary-General for Peacebuilding Support, also participated in the visit. The delegation was accompanied by Bautista Logioco and Roshan Khadivi from the UN's Peacebuilding Support Office (PBSO). The broad representation of the delegation manifested the interest in and commitment to peacebuilding in Liberia and the region.

The delegation held discussions with different stakeholders concerning peacebuilding efforts, in particular on police reform in the context of the UNMIL transition, PBC contributions to security sector reform, rule of law and national reconciliation, as other critical peacebuilding-related opportunities and risks such as land rights and the management of natural resources. The delegation also explored ways in which to enhance financial support, strengthen coordination and maximize synergies for peacebuilding purposes in collaboration with the UN System, the International Financial Institutions, bilateral partners and the Government of Liberia.

The visit also allowed the delegation to review progress of implementation of the Liberia Peacebuilding Programme (LPP), including such financed through the PBF and assess the implementation of commitments contained in the Statement of Mutual Commitments (SMC).

In preparing for and throughout the visit, the Chair maintained close dialogue with the SRSG and her staff. The Chair sees his as well as members of the Configuration's role as being supportive and backstopping as appropriate. He intends to continue to maintain close contact with the SRSG as well as her Deputies.

During his visit, the delegation met with H.E. Madam Ellen Johnson Sirleaf, President of the Republic of Liberia, H.E. Cllr. Christina Tah, Minister of Justice, H.E. Ms. Julia Duncan Cassell, Minister of Gender and Development, H.E. Mr. Amara Konneh, Minister of Finance and Acting Minister of Planning and Economic Affairs, H.E. Blamoh Nelson, Minister of Internal Affairs, among other Governmental officials. The delegation also met with civil society organizations, political parties, bilateral partners, international financial institutions, and the UN System. In addition, the delegation participated in the official launch of the first Regional Justice and Security Hub, in Gbarnga, Bong County. A full programme of the visit is attached to this report.

I. Rule of Law

Regional Justice and Security Hubs:

On 12 February, the delegation participated in the inauguration of the first Regional Justice and Security hub in Gbarnga, Bong county, celebrating the near completion of most buildings and the provision of a series of services, including public outreach, within the scope of this PBF-funded project. The Gbarnga Hub is expected to provide justice and security services to three counties, including Bong, Lofa and Nimba counties.

The hub concept is a manifestation of one of the centre pieces of peacebuilding in Liberia. As expressed in the Government's National Vision for 2030, the purpose is to "...increase equitable access to justice and to strengthen the rule of law for the social and economic benefit of all Liberians". As stated by H.E. President Johnson Sirleaf at the launch ceremony: "The opening of this first hub, in the nation's heartland, is confirmation that we mean what we say about decentralizing services to all parts of this country, and that Monrovia is not Liberia. The decentralization of governmental services to the people is a mark of good governance. The presence of this hub, and the others to follow, will ensure access to justice and to quality security service for all Liberians."

It is now of great importance to get the implementation of the hub concept right, with a focus on quick delivery of services on the ground, to the counties and local communities affected. To be possible and successful, the Justice and Security Hubs must be seen in a broader framework of building capacity in justice and security.

The effective functioning of the Gbarnga hub should imply that an individual can address a complaint to a justice or security institution present in their vicinity, making access to justice and security a palpable reality. A public service office, established as part of the hub, will make efforts to reach out and provide information on how citizens can use the different services in the three counties. For someone whose rights have been violated, a human rights monitor from the Independent National Human Rights Commission (INCHR) will be available. On gender based violence, women and children affected can feel confident that

someone can be trusted, someone will listen and action will be taken. Courts will be more accessible throughout the counties and police will respond rapidly. Immigration officials will monitor borders and facilitate trade and other legitimate interactions across the border.

The inauguration of the Gbarnga Hub marked only a first step in this direction and the provision of services will have to continue to improve, develop and build, step by step, ensuring that services are provided on a regular basis, giving security and support to local communities. In this context, it is critical that the Government of Liberia takes appropriate measures to continue covering for the Hub's recurring costs in its national budget as the only way to ensure sustainability of the Hub.

Equally important, it was suggested that as we move towards the second and third Hubs, in Harper, Maryland County and Zwedru, Grand Gedeh County, respectively, there should be a continued and strengthened focus on services being provided as soon as possible. In this context, it was agreed that an assessment of progress in service delivery in the second and third hub would be made in the spring of 2014, in connection with a visit by the PBC and a celebration of the achievements up until that moment. This would be done with the recognition that not everything would be in place at that time, but that a substantial share should be expected.

In summary, in order for the second and third Hubs to succeed in extending access to justice and strengthening rule of law, a series of concrete actions must be taken. These include:

- The Government must ensure budget for recurrent costs, training and deployment; there must be trained police, immigration officials, judges and correction officers to be deployed. There should be gender and land advisers and human rights experts in place.
- UNDP must start now to implement the service components of the hub, as well as to engage and reach out to local communities and civil society organizations concerning the services that will be provided by the hubs.
- UNOPS must be up to speed, offer the infrastructure support needed; provide innovative solutions, sometimes temporary, flexible and innovative.
- Partners must be prepared to support the efforts through the Joint Programme for Justice and Security and the Trust Fund.
- The PBF committed funds will be available as indicated.

Police and other security forces:

Concerning the Liberian National Police (LNP) and the Bureau for Immigration and Naturalization (BIN), training must intensify according to plans and without further

delay. The police law is now being elaborated, under an ambitious time line, and its finalization will be important, including ensuring civilian oversight, complaints mechanisms, appointments and guaranteeing the professionalization of the police force and its chain of command.

It is also necessary to ensure that police quantity, including women in the force, and quality is enhanced in parallel with reform and strengthening of the judiciary and the entire rule of law chain. There is ongoing concern that measures are not coordinated and do not keep step.

UNMIL Police is playing a key role supporting the LNP. This support has become even more critical in the context of UNMIL transition. In this context, the LNP is in need of specific expertise in certain areas, including finance, fleet management, facilities management and human resources. The Chair held discussions with UNMIL to identify possible approaches for the mission to recruit personnel specialized in these areas. The Chair will continue to explore ways to facilitate these recruitments as soon as possible.

Other justice and security issues:

The existing Justice and Security Joint Programme (JSJP) is a useful basis for a comprehensive approach to strengthening justice and security. However, there is a need to strengthen its priority setting function, making sure that measures are weighted and sequenced also among the different sectors. An immediate review of the Justice and Security Trust Fund (JSTF) and its management and the elaboration of a strategic plan for the sector would be useful as a basis for ensuring that necessary measures are taken to ensure reform, capacity building and political focus.

The National Security Council would also be a useful tool as suggested in the UNMIL/World Bank Public Expenditure Review, involving all the key responsible ministers, including defence, justice, internal affairs and, of course, finance. Furthermore, the Legislature needs to be onboard and part of the dialogue and the process in order to facilitate passage of reforms.

The strong interest expressed by the World Bank and the African Development Bank (AfDB) for supporting related work is very welcome and efforts should be further strengthened to identify areas of possible cooperation. One example is the AfDB support for the effective implementation of the Hub concept, through the provision of roads, water and energy systems to the Hubs' areas. Another is the World Bank's review of public expenditures, in particular for justice and security, and the need to ensure that revenues from extraction of natural resources result in increasing revenue flows for the government budget.

The delegation noted with concern that the budget problems encountered in November 2012, during the Chair's visit, and supposedly to be quickly resolved, seem to continue to delay implementation of measures necessary to keep step with

the UNMIL transition. The Government of Liberia has a responsibility to ensure that budget allocated for these purposes is released without delay. In this context, administrative problems related to the slow release of allocations from the national budget must be resolved immediately.

The delegation also noted that concerns over corruption, combined with weak rule of law mechanisms to address it, were raised by numerous interlocutors. This phenomenon can create further mistrust in existing institutions and serve as a possible destabilizing factor in its own right.

II. Reconciliation

The process of national reconciliation still seems to be at a preparatory stage, although the Roadmap for National Healing and Reconciliation has been presented and could be used as a starting point for the actual implementation. Some aspects of the validation process were delayed due to lack of funding, in spite of 5 million USD being allocated in the government budget for reconciliation activities. Once again, the delay in the release of funds seems to be causing the postponement of important consultations aimed at ensuring the inclusivity of the reconciliation process, delaying the effective implementation of the Roadmap. In addition, the appointment of Ambassador George Weah has so far resulted in limited progress, partly due to lack of clarity concerning his terms of reference.

The Independent National Commission on Human Rights (INCHR) has advanced plans ready to be implemented, although it would seem that necessary staffing decisions to strengthen the Commission have not yet been taken. In this case, the delay seems to be caused by issues related to the Commission's own decision-making process and not to the release of funds.

Civil Society Organizations expressed considerable frustration over the delays in this process.

It would seem urgent to ensure release of funds allocated in the national budget for reconciliation activities, to clarify the role of Ambassador Weah, and to make sure there is capacity and leadership to start the reconciliation without any further delay. It would also be critical to conduct a public outreach campaign so that local communities are fully aware of the different aspects of the reconciliation process and can be part of it.

The reconciliation process is key for the healing of the country, and for dealing with some of the most serious root causes of conflict and risks to the peacebuilding process, including the provision of services and ensuring that development efforts benefit all Liberians. Reconciliation efforts should take into account the critical roles that women can play, including as mediators within the Palava Hut process. Reconciliation should also be seen as a critical aspect of several ongoing processes,

including the National Vision 2030, decentralization, land reform and constitutional reform. These processes should be conducted in a way that helps advance reconciliation.

For these reasons, it will also be important for partners of Liberia to be prepared to support the reconciliation process through expertise, political and financial support. In this context, there is a need for a comprehensive implementation plan and a coordinated financing and dialogue mechanism to be in place so that partners can identify concrete ways to support the reconciliation process in Liberia.

III. Coordination

The UN and bilateral partners need to step up their efforts to support the Government's efforts. The launch of UN Delivering as One in Liberia is a welcome step in this direction and will serve to strengthen links and ensure coordination also in the justice and security area, including with bilateral partners. To ensure a smooth transition, further strengthening of coordination with the UNCT and among bilateral partners will be necessary.

In this context, the Alliance for Development seems to provide a useful framework to help maximize the coordination of key stakeholders, including the Government of Liberia, bilateral partners, private sector and civil society organizations to ensure the successful implementation of the Agenda for Transformation. All peacebuilding-related efforts in Liberia should be aligned with those of the Alliance for Development.

IV. Resource Mobilization for Peacebuilding:

The PBC visit to Liberia has also highlighted the need for additional financial support for justice, security and reconciliation. Bilateral contacts are ongoing, some partners are considering stepping up support in these areas and further contacts should be made as a follow up to the visit. The PBC Liberia Configuration needs to be fully engaged in different ways to support the Government of Liberia, as expressed in the Statement of Mutual Commitments. Discussions should be initiated with capitals, where decisions about financial commitments are usually taken, and serious consideration should be given to increasing support to peacebuilding efforts in Liberia.

V. Other key peacebuilding-related issues

Gender:

Gender issues continue to be a major challenge and there is a need to intensify and operationalize further the implementation of efforts in this area. A dinner with the Minister of Gender and representatives of civil society emphasized the local, national and regional efforts needed to ensure that women are part of decision

making processes, serve as mediators in conflicts and can play an active role in peacebuilding at different levels. Members of Political Parties raised similar issues in the context of a discussion with the PBC delegation, pointing out that women often were not given the same opportunities as men.

Multilateral and bilateral partners need to intensify efforts in this area, identifying ways and means to integrate gender issues in all aspects of their work and support. PBC will continue to promote a dialogue on this issue, with the aim to encourage operational activities and awareness.

Land issues:

Land issues remains contentious and challenging. The Chairman of the Land Commission, Dr. Cecil T. O. Brandy, emphasized the need for adequate capacity building and strengthening of institutions, government policy and conflict resolution mechanisms to prevent conflicts and to prevent mismanagement of land such as those in connection with the Private Use Permits (PUPs) (as discussed in the reports from the PBC visit to Liberia in August and November 2012). Dr. Brandy briefed the delegation on the new Land Law, but also on the plans for further legislation on concessions, responding to the need for a comprehensive and systematic approach to land issues, and the need to strengthen implementation mechanisms especially at the local level.

In this context, some civil society organizations expressed concern about the lack of community participation in the concession process, as well as about the limited access of land for women under customary law. In addition, civil society organizations noted that some concessions do not necessarily lead to improved livelihoods for the hosting communities.

The President's characterization of the PUP:s as a "debacle" that now needs to be corrected should be welcomed. As argued in the PBC report from the November visit, "There is a need to focus attention on land issues associated with mining, agriculture and forestry concessions." Indeed, in a discussion with bilateral partners, civil society and the Government it was pointed out that agricultural concessions may be the new frontier for conflict and that this needed to be watched from a peacebuilding perspective.

A broad range of international partners are already deeply involved in various aspects of capacity building in this area, including the European Union, the World Bank, the African Development Bank and UNDP. Further coordination is necessary and it would also seem useful to identify possible gaps to ensure the close support to and engagement with the Government at different levels, including with civil society organizations. Much of these efforts should focus on the implementation of existing laws, strengthening of existing initiatives, such as the Liberia Extractive Industries Transparency Initiative (LIETI), the recently created Government Bureau dealing with concessions, but also to reinforce and strengthen political commitment. UNMIL will take the lead to ensure that the coordination efforts initiated in the fall

of 2012 will be strengthened. PBC will continue to follow issues linked to land conflicts and the opportunities it offers as well as the risks it pose to the peacebuilding process in the country. The PBC should be open to further actions and support in this critical area.

International Political Forum:

The suggestions for an “international political forum” at the last meeting of the PBC Liberia Configuration, was discussed with the SRSG and partners. It was agreed that in connection with the Chair’s next visit to Liberia a forum will be convened, inviting representatives from the Embassies present in or accredited to Liberia.

Regional Cooperation:

The need for strengthened regional cooperation was pointed out in various contexts. The regional approach taken by the African Development Bank, through which it supports infrastructure and energy projects across borders and throughout the region, is of particular interest. In addition, the AfDB in Freetown has initiated specific support to the Mano River Union (MRU). In this context, the possibility of a joint meeting of the three PBC Configurations in West Africa with the MRU was discussed.