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SECURITY AND JUSTICE FROM A
COUNTY PERSPECTIVE

BONG COUNTY, LIBERIA

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ACRONYMS

AFL	Armed Forces of Liberia
ATU	Anti-Terrorist Unit
BIN	Bureau of Immigration and Naturalisation
DEA	Drug Enforcement Agency
DDRR	Disarmament, Demobilisation, Reintegration and Rehabilitation
ECOWAS	Economic Community of West African States
ERU	Emergency Response Unit
FLY	Federation of Liberian Youth
FPU	Formed Police Unit (paramilitary within UNMIL)
GBV	Gender-based violence
JP	Justice of the Peace
JSSR	Justice and security system reform
LMA	Liberian Marketing Association
LNP	Liberia National Police
LPC	Liberia Peace Council
LURD	Liberians United for Reconciliation and Democracy
NBI	National Bureau of Investigation
NSA	National Security Agency
NPFL	National Patriotic Front of Liberia
OHCHR	Office of the High Commissioner for Human Rights
SSR	Security sector reform
TRC	Truth and Reconciliation Commission
ULIMO	United Liberation Movement for Democracy in Liberia
UNDP	UN Development Programme
UNMIL	United Nations Mission in Liberia
UNPOL	Civilian UNMIL Police
WIPNET	Women in Peacebuilding Network

BACKGROUND

The accessible and accountable provision of security and justice is one of the main requirements for a peaceful society and sustained social and economic development. Security provision and access to justice are regarded as essential public services, are fundamental building blocks in promoting good governance and are critical for the creation of a secure environment at both the local and national level.

Liberia witnessed a civil war between 1989 and 2003 that destroyed its state security and justice institutions, devastated its productive capacity and infrastructure, and displaced around one-third of its population.¹ Recovery has been slow, reflecting the extraordinarily low base reached at the end of fighting in August 2003. Reconstruction and reform began in earnest from mid-2004 with the full deployment of the United Nations Mission in Liberia (UNMIL) and accelerated from January 2006 with the inauguration of a popularly elected government. Security sector reform (SSR) began soon after the disarmament and demobilisation of 101,495 ex-combatants in 2004 with major input from UNMIL and the US government.² To date, the SSR process relaunched the police in 2004, dissolved or consolidated many of the plethora of irregular or undisciplined security forces established during the 1990s in 2004–05, and has re-created the military from scratch since 2006. Justice sector reform has re-established broadly functioning courts in all of the county seats, redeployed judges and County Attorneys, restored some prisons and established a Judicial Institute in Monrovia to train or retrain sufficient magistrates and judges.

SSR has been a relatively open process in Liberia and has proceeded through county-level engagements with stakeholders and civil society in 2006 to determine the security needs of the nation. Similarly, in 2007–08 consultations at district and county levels were used to inform the Poverty Reduction Strategy (2008–11) and accompanying County Development Agenda, with Security and Governance and the Rule of Law being the first and third of four pillars.³ International Alert's research and engagement with communities in Bong, Lofa and Grand Gedeh counties seeks to continue and strengthen this engagement at the local level, analysing whether security and justice priorities have changed over time and whether there has been ongoing progress in access to security and justice services.

1 One-third is the figure most often cited for Liberians displaced long term. A 2007 assessment by UN/Office of the High Commissioner for Human Rights (OHCHR) cited in the Truth and Reconciliation Commission (TRC) final report says 'some 86% of the population were dislocated at one time or another during the war'. p.270. Available at http://www.trcofliberia.org/reports/final/volume-two_layout-1.pdf

2 It is widely acknowledged that many, if not most, of the demobilised had not fought during the war. Only 28,314 weapons were collected during Disarmament, Demobilisation, Reintegration and Rehabilitation (DDRR).

3 The others are Economic Revitalisation and Infrastructure and Basic Services.

INTRODUCTION

This short briefing is based on focus group discussions and interviews in Bong County during February and March 2010. Additional research and verification was conducted during a follow-up trip in April 2010 and with stakeholders outside the county. Interviews and community consultations were held in Gbarnga, the county seat, the rural border community of Jorwah, and the small, formerly industrial town of Bong Mines. The research thus attempted a representative sample of rural and urban communities from across the county but the results should be considered indicative rather than comprehensive.

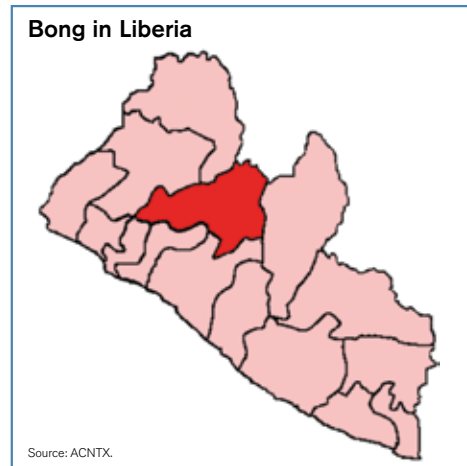
BONG COUNTY IN CONTEXT

Bong is the sixth largest county in Liberia and the third most populous, home to almost 10 percent of the national population. It is located in north-central Liberia and borders Montserrado, Bomi, Gbarpolu, Lofa, Nimba, Grand Bassa and Margibi counties as well as Guinea to the northeast. It is at the heart of the productive triangle of central Liberia that runs along the coast from Robertsport via Monrovia to Buchanan and inland via the central highway to Nimba County, the centre of the mining industry and inland trade.

Its geography is relatively flat with some small hill ranges, characterised by secondary forest, plantations (many disused) and small-scale agriculture. Bong's population is among Liberia's most homogeneous, being predominantly Kpelle, Liberia's largest tribe, and mainly Christian. The largest minority is the Mandingo, an overwhelmingly Muslim group that has settled primarily in the towns along the central highway. There are small communities of Bassa to the south, Mano to the southeast and a greater mix of peoples in Gbarnga, the county seat. Bong Mines is perhaps the most ethnically diverse locale, having attracted migrants from all over Liberia during its industrial heyday.

Historically, Bong County was devastated by the Liberian civil war, being prime territory on the main road from Guinea and Ivory Coast to Monrovia. During the 1989–96 phase of fighting, Gbarnga was the headquarters of Charles Taylor's National Patriotic Front of Liberia (NPFL).⁴ Subsequently, Taylor's Anti-Terrorist Unit (ATU), the core of his security forces, was established in Gbartala, west of town. Between January 2001 and August 2003 the town and county were fought over by the ATU and the Liberians United for Reconciliation and Democracy (LURD) insurgency, displacing a large proportion of the population for a second time and enlisting many young people into the combatant forces. Bong residents reported more wartime 'violations' (22,175 or 14 percent) to the TRC than any other county and more 'victims' (12,546 or 13 percent) than any county beyond Montserrado (Monrovia).⁵

Economic recovery since 2003 has been slow despite an abundance of natural resources and infrastructure that had previously made Bong among the most developed counties in Liberia. Presidents Tubman, Tolbert and Taylor, for example, all had their country estates (plantations) in Bong and the county was a centre of the rubber and iron ore export industries. Today, there are two economic poles: Gbarnga city (Jorquelleh district) in the east is a major administrative, transport, education (Cuttington University is Liberia's oldest) and healthcare centre but



Bong County

Area: 8,772 km²

Population: 328,919 (2008 census)

Main ethnic groups: Kpelle, Mandingo

Economy: Agriculture, Rubber, Iron Ore

⁴ The NPFL captured Gbarnga, having already fought its way towards Monrovia through rural Bong County, in May 1990, and took Bong Mines in June 1990. The Alhaji Kromah-led faction of the United Liberation Movement for Democracy in Liberia (ULIMO-K) launched offensives on Bong in October 1993 and September 1994, capturing Gbarnga in the latter operation and holding it until December 1994. There was also heavy fighting between the NPFL and the Liberia Peace Council (LPC) in southeast Bong in 1994. Taylor departed Gbarnga for Monrovia in September 1995 but Bong remained the heartland of the NPFL military, which was not properly demobilised after its political wing won the 1997 elections.

⁵ Assessed by recorded "victims" as a ratio of the county population, Bong is close to the national median. However, the TRC acknowledges that its data-recording reflected deployment of statement-takers, typically at highest density in the least populous counties. TRC definitions of "victim" and "violations" are also somewhat loose.

has lost its agro-processing industries; closer to Monrovia in the far west, Fuamah district is home to the derelict Bong Mines iron ore complex, which has attracted massive Chinese investment, as has a new rubber-processing plant in nearby Salala district. The other 10 districts are primarily given over to subsistence agriculture, some rubber and palm plantation and small-scale trade in minor towns.

The tarred highway from Monrovia to Nimba through Bong is in bad repair but all other roads are mud. Despite much work by UNMIL engineers, most are badly deteriorated and impassable in the wet season. The freight-only rail link from Monrovia to Bong Mines is functioning but bypasses the rest of the county. The Buchanan–Yekepa iron ore railway passes through the east but has no stations in Bong. The small generating plant in Gbarnga has long been destroyed and the only source of electricity is private generators. Similarly, Gbarnga’s pre-war piped-water system remains non-operational. As everywhere in Liberia, there is no longer a terrestrial telephone/internet network; more densely settled areas are well served by mobile telecommunications but many rural communities still have to walk hours to receive information.

SECURITY SITUATION

Overall, few residents of Bong involved in this research felt that their physical security was significantly threatened. However, most of the population was displaced and traumatised during the civil war and there remained significant concern that the chaos of the civil war years could reignite easily or spread from other counties or countries. Rural residents in general perceived lesser threats to their physical security but were preoccupied by their isolation from regular state support or assistance in time of crisis, as well as the impact of isolation on food, health and economic security. Urban residents felt significantly more threatened by crime and more dissatisfied with the state's visible but capacity-constrained security forces.

TYPES OF CRIME

The most common crimes reported through the formal system in Gbarnga are disorderly conduct, theft and burglary, simple and aggravated assault, trespass, arson and terroristic threat,⁶ and rape.

A crime that has achieved particular notoriety in and around Gbarnga is the murder of motorcycle riders, apparently motivated by theft of their bikes. At least five have been killed in similar circumstances around the city since 2006. While the frequency of these killings is relatively low, they have had a tremendous impact on the perception of crime and insecurity in the city. Some have interpreted the murders as ritual killings, a common explanation for unsolved murders or disappearances.

WOMEN AND SECURITY

Female respondents had particular concerns about the safety of children, given a number of unresolved disappearances in the Gbarnga area, the safety of women market traders, and the prevalence of domestic and other violence against women. One prosecutor estimated sexual and gender-based violence (GBV) cases as 28–30 percent of criminal cases in the circuit court. According to magistrates, the incidence of rape has declined markedly from almost daily to one or two reported cases per month in Gbarnga, though in Bong Mines (a much smaller town) the magistrate reported an increased incidence during early 2010.

Although there is a Liberia National Police (LNP) Women and Children Protection Unit in Gbarnga, women raised concerns about the inability of the police to investigate properly and the failure of the courts to prosecute perpetrators successfully. In particular, the bailing of suspects (no longer applicable to alleged rapists) and the absence of any safe-house for abused women and children were of concern. The situation was seen to have improved since the appointment of a female County Attorney but there are very few female legal, judicial or police officers in the county. Bong was a centre of the women's peace movement during the war and the Women in Peacebuilding Network (WIPNET) is very involved in advocacy of women's rights as well as confronting and detaining alleged perpetrators of GBV where the police are unwilling or unable to intervene.

⁶ This refers to threats to do harm to a person or property, not to terrorism as generally understood.

YOUTH, THE 'WAR-AFFECTED' AND DRUGS

Like all of Liberia, Bong has an extremely young population. According to some respondents, the majority of the county's young men fought in the war. This may be an exaggeration – 22,000 “war veterans” are registered locally, 10,000 of which are said to be women⁷ – but the proportion was certainly among the highest in Liberia and represented relatively diverse allegiances between fighting factions. There is thus a tendency to conflate youth and ex-combatants, who now prefer to be known as ‘war-affected’.

Rehabilitation and reintegration of ex-combatants was judged to have been of very limited success in the county. Some ‘war-affected’ received no training at all; most received short-duration training in skills or trades that did not lead to long-term employment. Many war-affected have subsequently formed agricultural collectives or succeeded on their own terms through work driving motorcycle taxis (*pen-pen*), the standard form of transport in rural Liberia and the most profitable local economic activity. Most have bought cheap motorbikes from Guinea, using demobilisation payments or loans from former commanders. However, the 5,000-plus motorcycle taxi drivers in Gbarnga – 60 percent of them ex-combatants, about 120 female⁸ – feel threatened by a spate of killings of drivers out of town at night, apparently motivated by theft. Perceived police failures in protecting and prosecuting have led to violent confrontations between youth and the administration and police, culminating in a riot, burning of public property and blockading of the main highway in February 2009.

The county authorities have successfully prosecuted at least two people for the murder of a motorcyclist since the disturbances. While many respondents saw the economic opportunities presented by motorcycle taxis as a strong factor consolidating peace and reintegration, some security forces saw the motorcyclists themselves as a source of insecurity, due to their protest actions and the perceived involvement of some in crime, including drugs smuggling and theft of motorbikes and parts. Cannabis (confusingly known locally as ‘opium’) is widely cultivated in eastern Bong and Drug Enforcement Agency (DEA) seizures suggest a very significant movement of the crop through the county, including rural areas, towards Monrovia. Several civil society respondents identified drug use among youths in Gbarnga as a serious concern and a cause of crime, including theft and burglary.

INTER-COMMUNAL AND INTERNATIONAL RELATIONS

With the exception of Gbarnga, Bong Mines and a few towns, Bong has an overwhelming Kpelle majority and inter-communal tensions were not major concerns of respondents. Gbarnga has a significant Mandingo minority. While this mirrors the mix found in Lofa County, where there have been violent inter-communal clashes, and Nimba County, where Mandingo have been prevented from resettling since the war, communal relations in Bong appear to be more robust. However, one respondent in Gbarnga differentiated between relations between Kpelle and Mandingo and less positive local relations between Liberians and Guineans. The distinction can be confusing as some Liberians view Mandingo as an essentially Guinean group.⁹

Bong has a short border with Guinea, with Kpelle (known as Guerzé) being the dominant people across the border. There is thus much trade, formal and informal, and movement of populations across the border.¹⁰ While the Guerzé have been among the most volatile groups in Guinea since the coup of December 2008 and there have been disturbances in nearby Nzérékoré,¹¹ respondents reported no significant impact of Guinean instability across the Liberian border. Opinions differed on whether Guinean border guards were protective or predatory towards cross-border travellers.

7 Figures from War Veterans Association of Bong County. This is more than twice the average national proportion and would suggest almost 45 percent of female combatants (as registered for DDRR) were from Bong.

8 Figures are estimates provided by Bong Motorcycle Union.

9 Within Liberia, the Mandingo reside mostly in Lofa County, along the Guinea border, but migrated in numbers towards Monrovia during the 20th century, largely as traders. LURD, the Guinea-backed insurgent force of 1999–2003, was predominantly Mandingo, as was the ULIMO-K faction in the 1990–96 conflict. LURD and ULIMO contained some Guinean nationals, and some Liberians claim Guinean ex-combatants have settled in large numbers in Lofa and Bong counties since 2003.

10 As citizens of the Economic Community of West African States (ECOWAS), Liberians and Guineans have full right of passage, work and residence in neighbouring countries. However, ECOWAS is not yet a free trade zone.

11 Captain Moussa Dadis Camara, Guinea's junta leader until January 2010, is a Guerzé from Nzérékoré and began to arm other Guerzé as a parallel security force during 2009. These militia began to be demobilised by Guinea's new junta leader, Brigadier Sékouba Konaté, in March 2010. There were violent communal clashes in Nzérékoré in February 2010, reportedly killing five and injuring 75.

ECONOMIC RECOVERY: LAND, DEVELOPMENT AND SECURITY

In the view of a respondent from the county administration, land disputes are the primary concern for future conflict in Bong County. Land disputes occur in both urban and rural areas and have been exacerbated by the long displacements of the civil war period, resettlement en masse in 2004–08 and the lack or destruction of title deeds. In rural areas, land allocation is the responsibility of the chiefs, who can sell for a set fee per acre. However, operating largely in the absence of surveyors, chiefs often have no idea what constitutes an acre. County surveying services are inadequate to meet the capacity deficit. In urban areas, many properties are long squatted or have been destroyed and rebuilt. There is also dispute over who owns the large plantation outside Gbarnga formerly accumulated by Charles Taylor's farm.

Squatting has been of concern in the most economically developed areas, including rubber plantations, though this is no longer seen as a major problem. Prospecting for iron is also under way by BHP Billiton in the northeast (Kpanta district), with plans to relocate at least one village to protect against potential landslides from workings. In Kokoyah district, prolonged gold prospecting by AmLib without commencement of production (or significant recruitment) has reportedly upset locals by damaging agriculture and artisanal gold production without recompense. Unlike neighbouring counties, there is little diamond mining in Bong and logging is not a major industry.

The industrial complex at Bong Mines was seen as a prize during the war because of its scrap value. Since DDDR, locals have derived much of their livelihoods from dismantling the old plant and selling it off for scrap. The government curtailed this activity in 2009 as contractors were brought in to strip the old facilities ahead of a mooted US\$2.6 billion Chinese investment to revive the mines. This has exacerbated confrontations between local youth and district authorities¹² as locals lost their accustomed access to income and disputed the claim that payments by scrap wholesalers to the district were being used to develop the local community. There has reportedly been little sensitisation of the community to the mine's reopening; there is likely to be competition over future employment in construction and mining activities and potentially the reclamation or acquisition of land by the mining company.

TOWARDS ELECTIONS IN 2011

Post-conflict elections passed peacefully in Bong County in 2005 but there are concerns about those scheduled for October 2011 due to the long pre-electoral build-up and the dissatisfaction and ready mobilisation of local youths in the face of limited social and economic improvements since 2005. The central location of Bong, its large electorate and relatively open political allegiances made it a focus of pre-electoral party mobilisation even in early 2010. Leaders of ex-combatant groups are concerned about the possibility of their members being co-opted by political factions and have appealed for early sensitisation efforts targeting Bong youth to deter them from political factionalism.

¹² The Federation of Liberian Youth (FLY) sees the confrontation as being about attempts by the Fuamah district administration to block election of pro-opposition candidates to head its local chapter during 2009.

SECURITY PROVIDERS

Primary responsibility for public security within Bong County rests with the LNP, supported by the National Bureau of Investigation (NBI), the National Security Agency (NSA) and the DEA. Border protection is provided by the Bureau of Immigration and Naturalisation (BIN), which also has several internal checkpoints on the main highway. All of these security forces report to the Ministry of Justice through the County Attorney, who works within the office of the County Superintendent in Gbarnga and co-chairs the county Joint Security Council. Apart from the LNP and BIN, all security forces/agencies are based in Gbarnga.

LNP total presence in Bong is about 102 personnel, including seven female officers. This represents a ratio of about 1:3,300. The national ratio is about 1:900 and a force of 300 officers is seen as desirable by the county LNP commander. The actual number of LNP officers in-county represents a slight increase over 94 reported in late 2007 but has begun to decline, reportedly due to better career opportunities and conditions within the LNP in Monrovia or better pay with private security firms guarding mineral concessions elsewhere in the county. Security forces deployed outside of Gbarnga need to travel to the county seat to collect wages, a long and costly journey, especially in the long wet season.

LNP and BIN Presence in Bong Country

Total LNP: 102 (7 female)

Police to civilian ratio: 1:3,300

Total BIN: 84 (6 female)

Source: LNP and BIN

Several police posts have been re-established or reconstructed since 2004 with help from UNMIL but there are still only 10 police posts for the county, in Gbarnga (two), Belefanah, Bong Mines, Botota, Gbartala, Palala, Salala, Suakoko and Totota. Four districts have no police presence at all. Bong Mines police station and the sub-post at Gbarnga's Ganta Parking were burned down by protesters in 2007 and 2009 respectively. At the time of research, the only pick-up truck available to the county police was not operational. A few motorbikes are available but there is normally no budget for fuel. Thus, the LNP is largely incapable of patrols, highway security, chasing criminals or transporting prisoners. Detainees are typically carried on the back of a police motorbike at great risk to the arresting officer. Even with a vehicle, many communities are over four hours' drive from Gbarnga. The northwest of the county is considered particularly inaccessible to the LNP since there is minimal police presence there, it has no telephone coverage and access from the rest of the county is impeded by lack of roads and forest and river obstacles. The portion of Fuamah district across the St Paul River is inaccessible except by canoe.

BIN facilities are comparable to LNP, with almost no vehicles serviceable and the Gbarnga HQ dilapidated.¹³ While the border post and barracks at Jorwah, Bong's main crossing to Guinea, has been rebuilt, the BIN contingent has neither radios nor mobile telephone reception. County strength has increased from 64 to 84 since 2007/08 but over 80 percent of BIN officers are stationed around three inner (highway) checkpoints at Gbarnga, Salala and Belefuanai. The DEA post at Gbarnga was in appalling and unsanitary condition when visited, despite being routinely used to store several hundred kilos of seized drugs and occasional prisoners. DEA field agents appear to endure far worse conditions than LNP or BIN pending negotiations for their eventual merger with the LNP.

None of the Liberian security forces present in Bong County is currently armed or equipped to confront manifestations of violence. The nearest armed back-up to the LNP is the new Emergency Response Unit (ERU)

¹³ Gbarnga is co-HQ to Bong County BIN command and BIN Region 3 HQ, which covers Lofa, Bong and Nimba counties.

in Monrovia, four hours' drive from Gbarnga. As of April 2010, an engineering unit of the 2,200-strong new Armed Forces of Liberia (AFL) had redeployed to refurbished barracks outside Gbarnga but this is not yet fully operational and there will be mandatory limitations on its ability to enforce internal security.

In consequence, response to public-order incidents relies heavily on UNMIL units deployed in the county. Bangladesh was long the primary provider of peacekeeping troops and had a large deployment at the UNMIL zonal HQ just outside Gbarnga but its infantry battalion was quietly withdrawn in April 2010. A company-strength detachment of the Pakistani contingent (Pakbatt12) in Lofa County is now in charge, supported by Bangladeshi engineer and medic units. Smaller UNMIL bases in Totota and Salala have also been closed down. A 50-strong Formed Police Unit (FPU) is provided by Nigeria and civilian UNMIL Police (UNPOL) are present to deploy on patrols in support of the LNP.

PERCEPTIONS OF THE POLICE

Respondents generally had limited confidence in the ability of the LNP to provide security, including within Gbarnga city. In most towns off the central highway and several entire districts, the LNP simply has no presence and almost no capacity to respond to criminal activity. Violent confrontations with youths in Gbarnga and Bong Mines in recent years have underlined the weakness of the LNP in responding to serious public-order incidents or even protecting its own facilities; some respondents believed the LNP should be armed. There was a general perception that the LNP would require payment to investigate a crime, notably to fund fuel for vehicles.

Some respondents complained that LNP officers in Gbarnga targeted vehicles at checkpoints for irregular fines, especially motorcycle taxi drivers, and set up unauthorised checkpoints around local markets. Relations are generally poor between LNP and the motorcyclists based on these checkpoints and the perceived inability or unwillingness of the police to investigate killings of riders outside of Gbarnga, though the situation has improved since 2009.

Some LNP officers in the county admit that their colleagues ask for money to investigate crimes but state that this is necessary because of lack of budget for fuel or stationery. Some reportedly use their own motorbikes or cars to patrol, investigate or transport prisoners, while electricity for the central police station and sole computer is provided by a self-funded generator. Overall, LNP officers feel very overstretched, underequipped and not trained for complex situations or forensic investigation. Police officers have been attacked and at least two stations burned since 2007. BIN agents at Jowhar admitted they were overstaffed for local realities. DEA agents in Gbarnga feel particularly neglected given the relative danger of their role, lack of resources and a perceived lack of cooperation from other security agencies.

With UN Development Programme (UNDP) assistance, efforts at community policing have been piloted in Gbarnga city and Bong Mines in an attempt to improve relations with youth or minority populations since major public-order disturbances in 2009. Respondents were divided about the impact of such initiatives given a perceived tendency to co-opt the most politically influential citizens to chair Community Policing Fora.

ALTERNATIVE SECURITY PROVIDERS

In the absence of a strong LNP presence in Bong, hard security provision depends very much on the UNMIL deployment just outside Gbarnga. This was drawn down in April 2010 without publicity in order to avoid alarm, though FPU and civilian police remain on strength. In Jorwah, where there is no LNP or UNMIL presence within several hours, the BIN is very occasionally called upon to exercise policing powers. Calls for back-up would have to be made using the local FM community radio transmitter.

Informal security providers mentioned by respondents included civilians deputised by chiefs or elders, especially in rural areas without police, and vigilante patrols of Gbarnga by the Bong Motorcycle Union after dark. There is an informal curfew on the highway after 10pm, with very few drivers/riders willing to travel at night. Representatives of women's groups in Gbarnga reported relatively high confidence in these vigilante riders

but have their own informal network of white-shirted “women peacekeepers”, who may call on each other to revisit the tactics of the wartime women’s peace movement and use shame to persuade young men to abandon tense or violent confrontations. From Totota, lower Bong, WIPNET mobilises its members to confront and arrest alleged perpetrators of domestic or sexual abuse and deliver them to the LNP for prosecution.¹⁴ Trading unions such as the Liberian Marketing Association (LMA) are largely self-regulating in the markets and have been targeted by community policing initiatives to deter them from vigilantism. Chiefs also have significant influence, especially in rural districts, though many ordinary citizens feel their influence over the youth has waned since the war. A legacy of inter-generational conflict persists.

In Gbarnga, the mayor is actively involved in community policing initiatives in an effort to deter “mob justice” (lynchings) and has divided the city into 19 zones with elected zonal representatives reporting to her office.¹⁵ Complainants have a choice of dispute-resolution mechanisms, including city corporation “police”, LNP or traditional chiefs. This has brought some conflict with the statutory authorities over responsibilities and rights of adjudication.

¹⁴ According to WIPNET, they have not yet had a case of a suspect resisting arrest. Women walk up to eight hours from Totota to make arrests.

¹⁵ In Liberia, there is no decentralised democracy. Mayors are appointed by the president. There are no elected city, district or county councils. Chiefs have not been popularly elected since the 1980s.

JUSTICE PROVISION

As throughout Liberia, a dual justice system operates in Bong. Statutory justice according to the laws passed by the executive in Monrovia is administered through circuit and magisterial courts. Customary justice according to the unwritten conventions of the Kpelle, Mandingo and other peoples is administered through quarter, town, clan and paramount (district) chiefs responsible via the district and county administrations to the Ministry of Interior. Hinterland Regulations governing what the chiefs can rule upon are unclear, incomplete and occasionally obsolete and there is some dispute over the jurisdiction of each system. The reality in Bong is pragmatic, with the statutory system confined largely to towns or prioritised issues such as rape and homicide.

THE STATUTORY JUSTICE SYSTEM

The formal system of justice in Bong is still in the early stages of recovery from its complete collapse during the final stages of the civil war and is overburdened by caseload and expectations. However, the extension of the statutory justice system into the “leeward counties”¹⁶ even before 1989 was never extensive, thus formal courts are often as much to be established as re-established.

Gbarnga is the location of the county circuit court. Unlike most counties, there are magistrates courts in only four of twelve districts: Jorquelleh (Gbarnga City), Zota, Sanoiye and Fuamah (Bong Mines). There is no magisterial court in the entire southeastern half of the county. There is a small prison on the edge of Gbarnga with corrections officers but only UNMIL can provide secure prisoner-transportation facilities. As elsewhere in Liberia, the great majority of prisoners are pre-trial detainees, some held long term. Convicts should be transported to the secure facility in Zwedru, Grand Gedeh County, but calls for transportation are rarely met. Escapes, absconding and intimidation of victims, witnesses and judicial officials are reportedly common.

Administration of justice is the responsibility of the County Attorney, who also oversees the county security forces. There is a shortage of qualified personnel at all levels, from magistrates, through county solicitors (prosecutors) to court clerks. Some legal personnel are not on the regular payroll. The magisterial court in Gbarnga has reportedly been broken into several times and has no secure filing facilities. In Bong Mines, the magisterial court has been secured but is not rain-proof. There are no computers and no electricity.

A semi-privatised semi-formal level of justice reportedly exists in remote areas not served by magistrates. Traditionally, these areas were served by Justices of the Peace (JPs),¹⁷ paid by the state on two-year mandates. Officially, few if any JPs have been mandated since the 1980s and the Johnson Sirleaf government officially dissolved the institution. In early 2010 at least some JPs were reinstated to fill the magisterial gap, though it was unclear if they had yet received the requisite retraining. Meanwhile, many former JPs are reported to continue to exercise their local quasi-judicial functions on a freelance basis, taking payment for dispensing justice.

Respondents cited numerous reasons for low confidence in the statutory justice system. Formal courts are seen as an expensive means to access justice, as victims complain of having to pay for services and those living well away from Gbarnga or magisterial courts have to abandon their work and travel at expense to seek justice. They are seen as inefficient or ineffective since the overburdened courts are slow and it is difficult to get witnesses

¹⁶ These are the inland counties, only fully demarcated in 1964, where state authority was long delegated to the chiefs: today Gbarpolu, Lofa, Bong, Nimba, Grand Gedeh and River Gee counties.

¹⁷ Unlike in the UK, JPs are not to be confused with magistrates in the Liberian system.

to travel to court to give evidence. The police are also seen as unable to collect, preserve and present evidence sufficient for conviction. Because of inferior pay or conditions, judges, magistrates, juries and witnesses are seen as open to bribery or intimidation. Jurors are reportedly selected by legal officials to be partial and inclined to acquit. Prisoners or accused often escape or abscond,¹⁸ especially those accused of drugs offences. Conviction rates are thus low and slow. There is also social stigma attached to pursuing retributive justice relative to solving disputes through the family or clan.

THE CUSTOMARY JUSTICE SYSTEM

Customary justice is dispensed by chiefs present in every village, town, quarter and district according to the ethnicity of the appellant. This is subject to oversight by the District Commissioners, representing the Ministry of Interior, which pays chiefs a nominal stipend. Typically, this is a form of restorative justice, emphasising the perpetrator's responsibility to the community. Fines may be payable but they are normally payable to the victim or their family rather than to the chief. Decisions are appealable to higher chiefs but not to the statutory courts. Customary justice is largely supposed to be confined to civil cases, with most criminal cases referable to the statutory system.

In reality, some respondents reported that the chiefs often heard criminal cases, either because the community had insufficient access to statutory courts, because they felt issues were better resolved within the community, or in order to increase their financial gains. The latter motive is said to be pronounced in the case of land allocations, in which there may be a conflict of interest with the statutory authorities. In theory, chiefs are elected, at least at higher levels. In practice, there have been no nationwide chiefdom elections since before the war and most current office holders have replaced deceased predecessors. Thus far, the Liberian government has set no schedule for decentralisation elections.

For rural communities, customary justice appears to retain the support of the population as a tried and tested system with relatively predictable duration and outcomes, low cost and limited stigma relative to the formal system. However, the system often overlaps with the statutory courts and tends to recognise inequalities in male and female rights and responsibilities contrary to the national constitution. For example, marriage of female minors or settlement of rape cases by marriage or compensation. Chiefs reject accusations that they still use trial by ordeal ("sassay wood") to prove guilt.

¹⁸ In the absence of updated legislation, all drugs offences are bailable. Absconding or intimidation of witnesses makes prosecution especially hard for the DEA.

IMPLICATIONS FOR POLICYMAKERS, LOCAL GOVERNMENT AND CIVIL SOCIETY

Liberia has come a long way in police reform since 2004 and made gradual progress in re-establishing the core of a statutory justice system outside Monrovia. However, state resources will not be sufficient to meet the security and justice needs of the large, dispersed rural population in the medium term. Courts are barely resourced and LNP manpower and logistics outside the capital are already declining, even as the drawdown of UNMIL transfers greater responsibilities to Liberian institutions. Ongoing dialogue between national and local government, donors, communities, formal and informal security and justice providers is crucial to fitting the country's ambitious justice and security system reform (JSSR) programme to local realities and addressing the needs identified by local voices. Based on this local research, specific activities in Bong County might include:

- Improving conditions for local security forces, including pay, accommodation and training opportunities, to promote personnel recruitment, retention and effectiveness;
- Increasing the number of police personnel in-county towards the target of 300, prioritising recruitment of women and the deployment in Gbarnga of a paramilitary ERU;
- Improving LNP mobility by providing and maintaining robust vehicles and fuel to permit safe transport of victims, witnesses and suspects/convicts as well as facilitating patrol and response;
- Researching extent of drugs cultivation and trafficking in Bong/Nimba counties and appropriate resourcing of DEA, to include new premises, logistics and storage facilities;
- Harmonising statutory and customary justice systems through clarification of the Hinterland Regulations, customary laws and dispute-resolution mechanisms and the training and sensitisation of chiefs, magistrates and police;
- Targeting justice sector resources to magisterial courts to expand presence of courts to all district centres, improve security of premises and training and provision of personnel (magistrates, solicitors, clerks, bailiffs);
- Training and deployment of paralegal advocates to guide victims through the justice process and advise chiefs on rights and responsibilities; and
- Promoting communication between local communities, police and government on security and justice issues, including through community radio stations.

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