Transitional Justice and the Prospects for Post-Conflict Reconstruction in Liberia

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> The TRC hearings will entail for some the process of grief and for others it would be the process of relief but however, it is a long process as the nation starts another period of healing not only for truth and forgiveness but also justice.[1]

Introduction[2]

The provision of justice is an important component of rebuilding post-conflict communities. The need for transitional justice initiatives has gained much credence in recent years and has led to the establishment of an array of truth and reconciliation commissions, ad hoc justice tribunals, special criminal courts, and, most notably, the International Criminal Court (ICC). While international justice tribunals such as the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for Yugoslavia (ICTY) tend to be expensive to operate, truth and reconciliation commissions are considered cost-effective 'restorative' justice mechanisms that promote societal healing among not only victims, but also perpetrators. The South

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[1]   Liberian President Ellen Johnson-Sirleaf, quoted during the opening ceremonies of the public hearings phase of the Liberian Truth and Reconciliation Commission. See "TRC Hearings", Truth and Reconciliation Commission of Liberia, Press Release, 9 January 2008, <https://www.trcofliberia.org/news-1/press-releases/trc-hearings-1-9-2008>, accessed 5 February 2008.

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Africa Truth and Reconciliation Commission (SATRC) garnered much publicity and received credit as playing a leading role in helping to facilitate that country's transition from decades of minority-rule and attendant abuses under apartheid. It is in this context that the Accra Comprehensive Peace Agreement of August 2003 included provisions for the establishment of a truth and reconciliation commission for Liberia. In February 2006, the Liberia Truth and Reconciliation Commission (LTRC) was inaugurated by Liberian president Ellen Johnson-Sirleaf and began investigating war crimes and wanton human rights violations committed in the country from 1979 to 2003. Following nearly two years of investigations and 'statement-taking', the LTRC began the next phase of its mandate by holding public hearings on 8 January 2008.

Drawing on the experiences of the Sierra Leone Truth and Reconciliation Commission (SLTRC), this paper seeks to address the following questions: Given the scope and mandate of the LTRC, what degree of success might be expected in terms of bringing justice within formal institutions in order to avoid the outbreak of 'vigilante-style' acts of retribution? To what extent will Liberia's citizens have a role in the LTRC process? What are the long-term prospects for restorative justice, peace, and security in Liberia and, by extension, West Africa? In sum, this study of the LTRC seeks to contribute to the literature on peacebuilding and provide insights on the complex theoretical question of whether truth and reconciliation commissions are more effective than criminal prosecutions at providing justice and facilitating post-conflict order and security.

Approaches to Peacebuilding

The task of devising effective peacebuilding mechanisms has challenged scholars, United Nations personnel, government officials, aid workers, civil society representatives, development consultants, and pundits alike. The societal conditions following an extended period of civil strife and unrest are obviously fragile. According to a recent study conducted by Paul Collier and colleagues (2006), in the first four years following a peace agreement, a state has a 23 per cent chance of returning to civil war.[3] Tensions among different groups often remain high, and the multitude of grievances does not disappear overnight. Given the very real possibility that hostilities will reignite with relatively little provocation, it has been recognized that careful planning and execution are integral to successful peacebuilding initiatives.[4]

Despite the internal fragility of most post-conflict states, the holding of free and fair elections and liberalization of the economy are often first on the international community's agenda. Indeed, it is attractive to quickly mark a stamp of legitimacy on the new governing regime – often the victorious side in the previous conflict – by holding democratic elections as soon as logistically possible. In a similar vein, shattered domestic economies need a quick 'jump-start'; neoliberal economic prescriptions are now considered standard operating procedures. Forgotten in this rush to marketization and privatization is that certain individuals and groups will gain a valuable position of

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[3]	Paul Collier and colleagues (2003: 83) had previously cited a figure closer to 44 per cent in the first five years.

[4]	A 'successful' peacebuilding initiative is difficult to discern. Charles Call and Elizabeth Cousens (2008: 3-9) provide a useful discussion of peacebuilding including assessment criteria based on 'maximalist', 'minimalist', and 'moderate' standards.

advantage in the post-conflict economy. Since war economies always benefit some individuals and groups – however select – they are often flush with cash, and other forms of capital when bank loans are either impossible to receive or offered at high rates of interest. Just as important are the contacts that these exclusive groups tend to possess with respect to government officials and other key figures in the post-war economy.

Policies of political and economic liberalization quickly became the norm in the post-Cold War era (Paris, 2004). Throughout the decade of the 1990s, these twin policies informed peacebuilding operations across the globe ranging from Mozambique to Namibia to Bosnia to Guatemala to East Timor, to name just a few of the more successful efforts. Some notable peacebuilding failures also marked the 1990s, such as Somalia in 1992, and Rwanda and Liberia in 1993, and the ill-fated United Nations Verification Mission in Angola (UNAVEM) campaigns.

Those peacebuilding operations that tended to have more success also had a greater focus on building institutions. This had led scholars such as E. Wayne Nafziger (1996) and Roland Paris (1997 and 2004) to argue that institution building should take primacy over rapid political and economic liberalization. A focus on institution building would allocate aid and support to reformulating government agencies – including the military – infused with good governance practices; constructing physical infrastructure such as roads, bridges, airports, seaports, hospitals, and schools; enabling civil society organizations to reestablish themselves; and resurrecting judicial and penal systems.

It is this last example of institution building – restoring the rule of law – that is most relevant to this paper. Domestically, the importance of well-trained and adequately

paid police, lawyers, and judges should not be understated. Localized acts of violent crime must be adequately dealt with in order for a population to escape feelings of fear and insecurity. The inflammatory potential for 'hate speeches' in the local media must be properly mediated in concert with civil rights and media freedoms. The failed 1993 Rwanda mission is most notable in this regard given the role of hate propaganda via radio in precipitating the ensuing genocide. The rule of law and the rendering of justice are crucial for promoting order and stability in post-conflict societies (Mani, 2000). One of the main assumptions of truth and reconciliation commissions is that they are examples of transitional justice that have 'restorative' mechanisms that promote societal healing among not only victims, but also perpetrators.

Transitional Justice and Truth and Reconciliation Commissions

Throughout human history, individuals and societies have wrestled with notions of justice. Concomitantly, justice has been moulded according to circumstances, supplanted by popular demands, and manipulated by political processes. The contours of justice are codified through laws. Under a 'retributive' framework, justice is equated with punishing those who have violated or transgressed the law. However, the LTRC is concerned with different forms of justice.

The primary mandate of the LTRC is to promote 'restorative' justice, which seeks to invoke societal healing among not only victims, family members of victims, and witnesses, but also perpetrators. Restorative justice pursues these objectives by way of

public acknowledgments and apologies by perpetrators to victims and their families, as well as to the larger community (Amstutz, 2005). This emphasizes the 'truth' of what happened concerning human rights abuses as a transitional justice mechanism. The LTRC is also expected to provide a 'distributive' type of justice by recommending the provision of various instruments of non-monetary compensation and reparations (which, at present, are unspecified).

One of the attractive features of truth and reconciliation commissions is the relative low-cost in contrast to larger tribunals such as the ICTR and ICTY. In addition to the myriad types of court-related financial costs, the incarceration of indictees can become very expensive and a logistical nightmare in terms of overcrowding in prisons. These considerations led Rwandan authorities to release approximately 60,000 prisoners since President Paul Kagame issued the decree in 2003.[5] This figure includes about 9,000 individuals released in February 2007.

Indeed, a perpetual challenge is to attract donors to support the financial cost of transitional justice initiatives. In neighbouring Sierra Leone, the country's Special Court was in continual financial crisis due to either the lack of general funding or tardiness of Western donors in following through on their monetary pledges.[6] As is well-known in UN-circles, promises of funding are not always kept. Despite concerns regarding funding needs and projected operating costs, a new edifice constructed to house the

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[5]   Individuals considered major actors in the 1994 Rwandan genocide have not been released. The former prisoners are first transferred to 'solidarity camps' where they spend one to two months learning about the concept of reconciliation and what challenges they may face once they attempt to reintegrate themselves in Rwandan society.

[6]   For an excellent analysis of the rationale for establishing the SCSL and an overview of its funding challenges, see Beth Dougherty (2004a).

Special Court for Sierra Leone (SCSL) was officially inaugurated on 10 March 2004. After working out of temporary offices, the SCSL – the bulk of whose estimated construction cost of US$ 3.4 million was paid for by the United States along with several other foreign donor countries – issued a total of 13 indictments to individuals accused of war crimes committed during the country's civil war. The SCSL's initial UNSC-approved budget was US$ 104 million over four years. By early 2005, the SCSL had received US$ 54.9 million. However, the SCSL was facing a shortfall of nearly US$ 50 million in pledged funds in order to complete its mandate in 2006 and 2007. By 2007, the SCSL was able to secure enough funding to complete proceedings despite being dogged by controversy around the indictment of Civil Defence Forces (CDF) leader Chief Sam Hinga Norman and his recent death on 22 February 2007 while seeking treatment in Sénégal (though still in SCSL custody).

The SLTRC faced similar financial constraints. Although the original SLTRC budget called for a relatively modest sum of US$ 10 million, complaints by Western donors reduced the figure to US$ 6.5 million (Gberie, 2005: 208). As was the case with the SCSL, when it came time to collect these funds, donors either were slow in producing the promised amounts or developed 'cold feet' over the SLTRC's amnesty clauses (Schabas, 2004). Undeterred, the SLTRC proceeded despite lacking millions of dollars in projected operating costs. Haphazard planning and appearance of favouritism plagued the initial round of staff hiring, which delayed statement-taking and dented the SLTRC's credibility in the public eye and among donors (Dougherty, 2004b). Staff members' salaries were often tardy, which had a negative influence on morale. In the end, the SLTRC received only US$ 2.3 million in funding – less than half of its projected

budget (Reno, 2004a: 8). Lack of funds also adversely affected the overall governance of the SLTRC. Planned investigations and other initiatives were either drastically scaled back or eliminated altogether (Schabas, 2004).

The Liberia Truth and Reconciliation Commission

In the heady days of the August 2003 Accra Comprehensive Peace Agreement, the establishment of a truth and reconciliation commission was amenable to all parties. Much like the SATRC and SLTRC, transitional and restorative types of justice have had much more appeal than more punitive mechanisms. This enabled all parties to agree to the peace agreement, which eventually led to the creation of the LTRC. In 2005, Liberia's parliamentarians passed the requisite legislation mandating the creation of the country's truth and reconciliation commission. The LTRC was formally inaugurated by Liberian president Ellen Johnson-Sirleaf during her second month in office – on 20 February 2006. Over the past two years, the seven-member LTRC has been given the responsibility to investigate various war crimes and wanton human rights violations that were committed in the country from 1979 to 2003.

The period covers several important extended episodes of insecurity and violence in Liberia's recent history, ranging from the rice riots of 1979 and the Master Sergeant Samuel Doe-led coup that ousted then-President William Tolbert in 1980 to the destructive campaign by Charles Taylor and his competitors to rule the country that plunged Liberia into civil war for most of the era of 1989 to 2003. The back-to-back civil

wars – from 1989 to 1996 and 1997 to 2003 – during the latter period resulted in the death of approximately 250,000 Liberians. There is a tendency among Western commentators[7] and media outlets to portray African civil wars as largely tribal or ethnic-based conflicts. Liberia's civil wars were not based on ethnic enmities *per se*, nor were they fought on religious grounds. Rather, the seeds of Liberia's civil wars may be traced to the decades of authoritarian governance and corruption by the country's political leaders (Reno, 2004b; Johnston, 2004).[8] Given the fact that most regions outside of Monrovia were either neglected or exploited by the central government, it is no wonder that the many armed factions and militias that appeared among the belligerent groups during Liberia's fourteen years of intermittent civil war coalesced around ethnic identity. Ethnic differences were further exacerbated as Krahn and Mandingo ethnic groups were singled out by Taylor for their alleged opposition to his regime during the first part of the country's civil war.

Under the direction of LTRC Chairman Jerome Verdier, the LTRC began collecting statements from those wishing to share their experiences during this turbulent 24-year period on 3 October 2006. According to one count, a total of 1,927 statements

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[7]   Robert Kaplan's writing on Africa, while accurate in many ways (including an astute prediction of the outbreak of civil conflict in Côte d'Ivoire), tends to overemphasize the ethnicity factor in African civil wars. See for example Robert Kaplan (1994 and 1996).

[8]   For a detailed overview of Liberia's various civil wars and bouts of instability after 1979, see for example Stephen Ellis (1999), Adekeye Adebajo (2002), Ikechi Mgbeoji (2003), Amos Sawyer (2005), and Mary Moran (2006). For more concise – though equally valuable – assessments of this period in Liberia's history, see for example Comfort Ero (2000), Morten Bøås (2001), François Prkic (2005), and Mats Utas (2005).

had been collected from all corners of Liberia, including all 15 Counties.[9] Official public and in-camera hearings (for vulnerable groups and on issues pertaining to national security) held by the LTRC were scheduled to begin on 30 January 2007. However, this has been delayed in order to allow LTRC staff members time to complete a 3-day workshop that provided training on running the hearings in early February 2007.[10] The International Centre for Transitional Justice (ICTJ) – a human rights advocacy non-governmental organization (NGO) – oversaw the training of LTRC staff. LTRC began its first set of public hearings in January 2008 at the Centennial Memorial Pavilion in Monrovia. In February 2008, the LTRC departed from the national capital and began to hold hearings across Liberia. Some sessions may be broadcast by radio and television until this phase of the LTRC ends on 31 May 2008.

The LTRC's mandate is to construct a historical record of violence and human rights abuses that occurred from 1979 to 2003. This historical record as recounted by perpetrators, witnesses, and victims will form part of a forthcoming official LTRC 'Report', which will also provide a set of recommendations for reconciliation. Although the LTRC is not mandated to prosecute perpetrators, the body does have the ability to subpoena individuals to appear and it can make recommendations concerning amnesty and possible future judicial proceedings. The United Nations has promised to spend at least US$ 500,000 on the LTRC, and the cash-strapped Liberian government has pledged an additional US$ 350,000. The ICTJ – the aforementioned international NGO

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[9]   "ICTJ Holds Workshop on Hearings for the TRC" (n.d.), Truth and Reconciliation Commission of Liberia, <http://www.trcofliberia.org/news.htm>, accessed 19 February 2007.

[10]   "Press Statement on the Commencement of TRC Hearings" (n.d.), Truth and Reconciliation Commission of Liberia, <http://www.trcofliberia.org/news.htm>, accessed 12 February 2007.
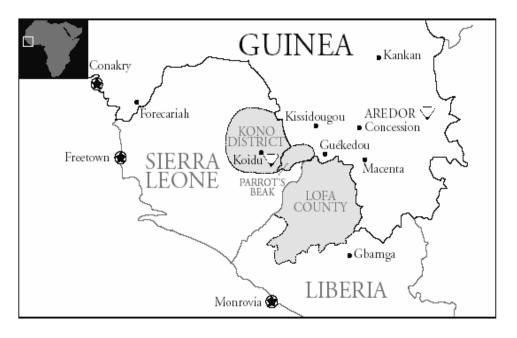
– has also indicated that it will provide an unspecified amount of funding for logistical costs as well as additional training for LTRC staff.

Human Security and Regional Considerations

While the LTRC's mandate covers what might be considered human security issues within Liberia, the ramifications of the body's operations and recommendations extend beyond its borders to West Africa as a whole. Although human security has been criticized in some quarters as being overly 'fuzzy' and lacking conceptual clarity (cf. Paris, 2001), it is useful insofar as it places primacy on the individual as the locus of security concerns (UNDP, 1994). Traditionally, discussions of security centered on the state with individual security concerns remaining either tangential or largely ignored. Increasingly, however, analyses of both 'new' and 'old' wars are reluctant to marginalize civilians as both direct and indirect sufferers of violence. Thus, since the 1990s we have witnessed – in an admittedly uneven fashion – an evolution of security as a more inclusive concept (cf. McRae and Hubert, 2001; Hampson et al., 2002; Burgess and Owen, 2004; Mack, 2005; Tadjbakhsh and Chenoy, 2007).

One of the main tenets of human security is the provision of 'dignity', however conceived. This applies both domestically and regionally. It should be noted, however, that at the end of Sierra Leone's civil war many former Revolutionary United Front (RUF) members 'melted' back into the fabric of Sierra Leonean society. One popular urban myth is that many of the taxi drivers in Freetown are former RUF militiamen.

Some RUF soldiers passed into Liberia following the end of Sierra Leone's civil war where they joined with various pro-Taylor forces, while others joined whichever militia or faction would have them, crossing back and forth throughout the 'Parrot's Beak' region of the Mano River basin and into Guinea (Bøås, 2001; Adebajo, 2002; Sawyer, 2004; Global Witness, 2004; International Crisis Group, 2004; Hoffman, 2004; Grant, 2008 [forthcoming]). Other former RUF combatants had gone to Côte d'Ivoire and joined various pro- and anti-government militias in that country's civil war, which had been simmering in the aftermath of a failed coup attempt in September 2002.

Map 1: West Africa, Parrot's Beak: Kono District and Lofa County

Source: Gberie (2001)

With a relatively tenuous peace holding in Côte d'Ivoire and volatility in Guinea, long-term stability in Liberia is vital for regional security. After several delays, the New Forces rebel group Côte d'Ivoire began participating in the disarmament process in May

2008. The disarmament process is expected to last five months, and national elections are planned for 30 November 2008. Although some rebels remain deployed in the north, it is hoped that the offer of US$ 600 spread over three months will entice members of the New Forces to turn in their weapons as part of the overall disarmament, demobilization, and reintegration (DDR) effort.[11]

In 2007, Guinea's parliamentarians voted to end 11 days of martial law, which was enacted in response to the instability caused by the country's general strike in protest against President Lansana Conté's regime. Approximately 100 people were killed in violence linked to reoccurring protests over a period of several weeks in late 2006 and early 2007 (*BBC News*, 23 February 2007). Much of this stems from Conté's lopsided electoral victory in December 2003. Conté garnered over 95 per cent of the popular vote, though Guinean opposition parties and NGOs were quick to launch a scathing set of accusations regarding electoral fraud and various voting irregularities that have yet to be addressed. At present, the unrest witnessed a year ago in Guinea appears to be resuming. The combination of Conté's reversals of some of the promises for reform made in 2007 and the growing dissatisfaction over high food and fuel prices has led to calls for another general strike on 31 March 2008. Although this strike did not take place, chances of renewed protests against the regime remain high. On 1 April 2008, the Guinean government removed fuel subsidies -- causing an overnight jump of 60 per cent in gasoline prices[12] and a steady increase in the cost of numerous goods including foodstuffs -- thereby further antagonizing an already disillusioned public. Conté continues to suffer from ill-health, as heart problems and diabetes have severely

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[11]   See for example John James (2008).

[12]   See for example *UNOCHA* (1 April 2008).

limited his public appearances in recent years. Furthermore, rumours of a military coup persist. Thus, both national and regional security remains a concern among Liberia's neighbours.

Concluding Remarks

> This commission is our hope – to define the past on our behalf in terms that are seen and believed to be fair and balanced, and bring forth a unifying narrative on which our nation's rebuilding and renewal processes can be more securely anchored.[13]

The above quotation distils the high expectations that characterize the LTRC. Indeed, as President Johnson-Sirleaf connotes, justice is the bedrock upon which post-conflict reconstruction must be built. Access to justice is recognized in many quarters as an important human right. With that said, access to justice by citizens is subject to many challenges and the related issue of governance of justice varies from one society to the next. Similarly, local conditions and the nature of the conflict always differ from case to case. Truth and reconciliation commissions are established as a means of addressing and healing the societal wounds following a prolonged period of human rights abuses. The period in question may correspond to a government regime (e.g., apartheid in South Africa) or to an internal armed conflict (e.g., Peru, Sierra Leone, and Liberia). Yet, as Eric Brahm (2007: 21) avers, "in the truth commission literature … there is no agreement as to whether truth commissions are beneficial for societies in transition."

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[13]   Liberian President Ellen Johnson-Sirleaf, quoted during the inauguration of the Liberian Truth and Reconciliation Commission (*Associated Press*, 20 February 2006).

This is particularly compelling when considering the future of Liberia's next generation. Even if children and former child soldiers testify, it is unclear how this will help the integration of the latter. One estimate contends that in the waning years of Liberia's most recent episode of civil war, as many as 15,000 child soldiers were active across pro- and anti-government militias (*UNOCHA*, 24 September 2003; see also Toweh, 2004). Charles Taylor was infamous for his use of child soldiers. Thus, the legacy of former child soldiers will be particularly daunting for Liberians as these individuals become adults.

With reference to the aforementioned study by Paul Collier and colleagues (2006), Liberia appears that it has defied the 23-per-cent-chance that it would return to civil war within four years of the signing of the Accra Comprehensive Peace Agreement. Although laudable, violent crime and robbery remain problematic in the country, and security such that it exists depends in large measure on a contingent of 15,000 UN peacekeepers – whose presence and mandate is finite. The United Nations Mission in Liberia (UNMIL) has already initiated the preliminary draw-down phase, and it is expected to begin withdrawing its peacekeepers in September 2008.[14] Moreover, the LTRC has yet to conclude its work. Thus, final assessments regarding the success (or failure) of the LTRC concerning its goal of bringing justice within formal institutions must be postponed at present and any concluding analysis must be based on what we might expect in the forthcoming months and years. Furthermore, questions also remain

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[14]   The withdrawal of UNMIL is expected to be complete by 2010. Given the concerns over crime and a lack of training in Liberia's police and security sector, it is reasonable to expect that the UNSC will extend UNMIL for an additional six to twelve months -- akin to the extensions granted to the United Nations Mission in Sierra Leone (UNAMSIL) in the mid-2000s.

ranging from the legal status of Charles Taylor to the viability of establishing a Special Court for Liberia to whether or not the country should let the ICC handle investigations and prosecutions relating to war crimes.

In March 2006, Taylor was captured after fleeing from a villa in Calabar, Nigeria, where he had enjoyed political asylum under the auspices of the Nigerian government since August 2003. Owing to cost and security considerations, however, the SCSL asked for and received United Nations Security Council (UNSC) permission to transfer Taylor from Freetown to The Hague, Netherlands.[15] Although in secure custody in The Hague where his trial began in January 2008[16], the question remains whether Taylor will eventually testify at the LTRC. If he was permitted to testify, Taylor's penchant for flare and controversy might very well cause more harm than good. With ongoing concerns about national and regional security, such a move would likely prove unwise.

Another possible alternative for Liberia would be something akin to the *gacaca* courts in Rwanda, which might work effectively in a supplemental role to the LTRC. Although some observers espouse the attendant benefits of localized quasi-judicial proceedings like *gacaca* courts, the lack of a centralized coordinating authority may prove problematic in a country like Liberia where funding and logistics remain daunting. In many ways, Rwandan authorities rely on *gacaca* courts out of necessity in order to ease some of the burden that genocide indictees are placing on the country's judicial

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[15]   The British government has offered to provide prison accommodations for Charles Taylor should Liberia's former President be found guilty on the charges before the SCSL.

[16]   Ian Smillie of Partnership Africa Canada was the first witness called to testify against Taylor.

system. As mentioned earlier in the paper, tens of thousands of genocide suspects have been released from Rwanda's over-crowded prisons since 2003.

Despite the massive and often horrendous human rights abuses experienced during Liberia's civil wars, very few 'vigilante-style' acts of retribution have occurred thus far. With that said, vigilante groups sprouted up in Monrovia in response to the actions of aggressive criminal gangs, such as the Isakka Boys. The Liberian police had not been allowed to carry weapons as part of the 2003 peace agreement to end the civil war. Although armed UN soldiers would accompany Liberia police officers on patrol, criminal gangs armed with machetes were not deterred from robbing civilians. By September 2006, frustration over lack of police capacity in the face of high levels of violent crime in and around Monrovia led Liberia's Ministry of Justice to issue a statement calling on the civilian population "to organize themselves into vigilante groups" (quoted in Rennie, 2006). Mindful of the consequences of having vigilante groups roaming the streets of Monrovia, the UNSC has made some exceptions to the arms embargo to the country and allowed a small number of disbursements of weapons to Liberian police officers beginning in December 2006. In any event, crime levels remain high in Monrovia and in key economic sectors in outlying regions including diamond mines and rubber plantations.

Although it appears that citizens did not have much in the way of input concerning the scope and mandate of the LTRC, their agency was being realized during the 'statement-taking', and will be, to a similar extent, exercised during the ongoing

'hearings' segment of the proceedings.[17] Although participants in the LTRC may have a sincere desire *for* reconciliation, TRCs in general are not concerned solely *with* reconciliation. This can be a positive turn, for focus must be allocated to what transpires during and after the TRC 'final report' is published. Since politics may influence the wording of segments of a TRC final report (e.g., in the case of Sierra Leone[18]), the governance of transitional justice is no easy task. The LTRC final report could become a source of contention prior to and during the 2011 elections. Reconciliation efforts must continue after the final report appears and the institution of the LTRC must be included in overall capacity-building efforts to bolster the weak Liberian state.

The UN, bilateral donors such as the United States, transnational NGOs, and international aid agencies have been instrumental in providing much-needed external assistance to Liberia since the end of its civil war. Although foreign aid in its various forms is a welcome source of external support for post-conflict reconstruction efforts, it is finite like any other resource. Iron ore, rubber, timber, and diamonds hold potential as internal sources to spur economic growth and reconstruction. UNSC sanctions on Liberian diamond exports have been lifted, and the country has been admitted as a full Participant in the Kimberley Process. USAID is funding technical and logistical improvements for regulating Liberia's diamond sector, and ministry officials are receiving similar forms of technical assistance from diamond industry professionals and NGOs under the auspices of the Kimberley Process.

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[17]   Members of the Liberian diaspora have been able to share their views on the LTRC with the assistance of The Advocates for Human Rights. See for example <http://liberiatrc.mnadvocates.org/Liberia_TRC_Diaspora_Project_Update.html>, accessed 17 March 2008. I thank Kimberly Lanegran for drawing this to my attention.

[18]   See for example Andrew Grant (2006).

However, many obstacles remain. The legacy of venal governance over the past three decades has hampered the Liberian government's ability to regulate properly natural resource extraction and related economic sectors. Furthermore, post-conflict reconstruction must also address intangible issues such as corruption and the healing of society. Liberia found itself in a twelve-way tie for 150th-place out of 179 countries ranked by the most recent edition of Transparency International's report on corruption.[19] Although the LTRC was launched with great fanfare in 2006, funding constraints and training issues have hampered its effectiveness – and perhaps realistic hopes – for promoting societal healing.

Given the lack of capacity to provide basic security as well as generate and collect revenues from various economic sectors, the Liberian government continues to rely on donors. Like the recent experience of the SLTRC, the sporadic nature of financial contributions by donors to the LTRC also remains troubling. Although donations of office materials and the provision of training for personnel have been well-received, low salaries will make retention difficult and the recruitment of high-calibre personnel exigent. Many will agree that transitional justice cannot be 'done on the cheap'; however, it seems odd that hundreds of millions of dollars will be allocated to UNMIL over the life of the mission while a fraction of this funding would pay prolific dividends in helping to promote societal healing in Liberia.

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[19]   See also Transparency International (2007).

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