



# The Liberian Truth and Reconciliation Commission





# My Work on TRCs

- Svärd, Proscovia. (2007a). The Challenges of Documenting War Atrocities in Post-Conflict Sierra Leone: A Study of the Truth and Reconciliation Commission (TRC). *African Journal of International Affairs (AJIA)*, Vo. 10, pp. 55-72.
- Svärd, Proscovia. (2007b). Jerome Verdier on the Liberian TRC. *News from the Nordic Africa Institute*(No. 3), pp. 18 - 20.
- Svärd, Proscovia. (2009). Access and democratisation of information: the documentation of war atrocities by the Liberian Truth and Reconciliation Commission. *Comma* 2008:1, pp. 123-134.



# My Work on TRCs cont'd

- Svärd, Proscovia. (2010). The international community and post-war reconciliation in Africa: A case study of the Sierra Leone Truth and Reconciliation Commission. *African Journal on Conflict Resolution*, Vol. 10 (No. 1), pp. 35-62.
- Svärd, Proscovia. (2013). Liberia's Truth and Reconciliation Commission: The Importance of Documentation in Postwar Education and Reconciliation at: <http://forums.ssrc.org/kujengamani/author/proscovia-svard/> (accessed 2015.02.23).
- Svärd, Proscovia. "Archiving Challenges in Africa: The Case of Post-Conflict Liberia." *IASA Journal* no. 32 (January 2009): 38–55.

## My Work on TRCs cont'd

- Svärd, P. “In the Aftermath of the South African Truth and Reconciliation Commission: The Role of Documentation.” Work in progress.

What I am going to share with you today is on-going research.



# The Presentation Outline

- Research background
- The Aim of the Study
- Methodology
- The Research Findings
- Conclusion



# What are TRCs?

TRCs are temporary institutions set up to establish the truth by documenting patterns of past violations, their causes and consequences. They offer victims, perpetrators and witnesses a platform to recount their experiences. The narratives captured are meant to create an understanding of the causes of war, counteract speculations, and facilitate reconciliation and healing.



## Why TRCs?

Collective Accountability – involves acknowledging a shared responsibility for acts that may have been carried out by others.

Truth-telling provides opportunities to heal, restore human dignity, demonstrate censure for horrific acts, encourages democracy and promotes reconciliation.

Transitional governments should opt for full accountability in order to deter the repetition of violations. Accountability is a prerequisite for democratic transition.

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## Why TRCS?

- TRCs are considered a primary human rights tool for post-conflict reconstruction. They investigate gross violations of human rights and uncover the truth to eliminate political speculations.
- TRCs use restorative justice which focuses on the rehabilitation of the perpetrators through reconciliation with the victims.
- They hence offer a platform for victims and perpetrators to share their experiences in an endeavour to repair the social fabric damaged by the conflict.





# Why should we care about the TRC Archives?

It is believed, that human rights archives can help societies to deal with the painful past and build a peaceful future. However for this to happen, the archives need to be used in a manner that promotes meaningful dialogue and debate to promote the rights of the victims (Caswell 2014).



# Why should we care about the TRC Archives?

- To avoid amnesia, the past must be documented. Mnjama (2008) argued that Africa needs champions who will ensure that records documenting human rights violations on the continent are preserved.
- They are basis for reparations to the victims.
- Important for the pursuit of international justice.



## Tools to Protect the TRC Archives

Measures such as the Orentlicher Principles adopted by the United Nations Human Rights Commission are meant to ensure the protection and promotion of human rights and include the collection, preservation and access to the records.

According to international law, governments have an obligation to bring perpetrators of war crimes and crimes against humanity to justice.

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## Tools to Protect the TRC Archives

- Article 26 of the African Charter also encourages governments to carry out an official inquiry into human rights abuses and to establish national institutions to protect human rights (Human Rights Watch 1991:1–4).
- The Principles for the Protection and Promotion of Human Rights Through Action to Combat Impunity, include the principle to preserve archives for the purpose of collective memory and accountability on human rights violations.



# Liberia





# Facts about Liberia

- Liberia is a country in West Africa with a population of 4.7 million people. It is one of the poorest countries in the world and its economy is extremely underdeveloped, largely due to the First Civil War in 1989-96 which destroyed its economy, especially the infrastructure in and around Monrovia.
- Ellen Johnson Sirleaf was president when the TRC was established and served as the 24th **President of Liberia** from 2006 to 2018. Sirleaf was the first elected female head of state in Africa.



# The African Irony?

Liberia has rich mineral deposits and historically, mineral extraction, particularly of iron ore, gold and diamonds has been one of the leading export sectors for the country. The major minerals are mainly exported in a raw or semi-finished form!



# The Liberian TRC

- The Liberian TRC was established through the signing of the Liberia Comprehensive Peace Agreement (CPA) by all parties involved in the Liberian conflict. It was mandated to document the atrocities committed against the Liberian people in 1979-2003 and was launched on June 22, 2006. It finished its work in 2008.
- It was to enable victims and perpetrators of war atrocities to speak out and gain closure on bitter memories, provide a forum to discuss what went wrong, and promote reconciliation.





# The Liberian TRC Composition

It was headed by a chairman and nine commissioners, four of whom were women, 3 members of the International Technical Assistance Committee and local staff were employed and paid by the Liberian government. It had partnerships with non-governmental organizations, including the Foundation for Human Rights in South Africa, the Open Society Initiative (OSI) in New York, the International Centre for Transitional Justice (ICTJ), and the Open Society Initiative in West Africa (OSIWA), and it was supported by the international community.

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# The Aim of the Research

The aim of the study is to investigate how an underdevelopment information management infrastructure led to the expatriation of the Liberian TRC documentation.



# Research Questions

The research therefore aims to address the following questions:

- How was the information/archives management planning done during the establishment of the Liberian TRCs?
- What parameters are required to facilitate the creation of well-functioning information/records management infrastructure in post-conflict societies?



# Method

Case Study – The Liberian TRC

Data Collecting Techniques

– Literature review and Interviews

(15 interviews were carried out).

# Method cont'd: Interviewees

- The Head of the Governance Commission of Liberia;
- A Commissioner of the Independent Human Rights Commission of Liberia;
- Two TRC commissioners;
- Two TRC employees;
- Three Journalists;
- Three Activists and a Professor at the University of Liberia, a politician and a business man.



## Research Findings – Excerpts from the data

“The uniqueness of the Liberian TRC is that we rewarded the alleged perpetrators. They were sitting in key positions so that they would not sign up on some of the key issues for instance one of the alleged perpetrator was a senator and the issue went up to say let us start a war crimes court and he definitely was not gonna sign up on that. So those were some of the challenges, so we sat here for six months and the core team was impaired because people were not happy with the report.”



## Research Findings - Excerpts from the data

“The public thinks it was a waste of time because the key thing it was concerned with was to identify the perpetrators, some of them were not identified and even those who were identified did not get any punishment.”

“The TRC process was one of the results of the Comprehensive Peace Agreement of 2003 and so I would like to say that it was more of a citizen argument. It was a compulsory thing as far as the peace process was concerned. Going from the transitional government to the process of forming a regular government. It did not only involve the warring factions but a huge civilian mix and they were the ones who demanded that there be a justice system and one of the options was a TRC.”



## Research Findings - Excerpts from the data

“TRC report aroused much interest in ordinary people but was unfortunately not embraced by all Liberians, and this gave rise to controversies such as the treatment of the president, Ellen Johnson-Sirleaf, who attended the TRC hearings and confessed having supported Charles Taylor in 1990 and was recommended for lustration, while the infamous General Butt Naked (Joshua Milton Blahyi), who claimed to have taken 20,000 lives, was recommended for amnesty. Some of the recommendations were hence seen by some groups as destabilizing to the precarious peace.”

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## Research Findings - Excerpts from the data

“Butt Naked was a minor. He was under 18 when he started leading the group and guess what he used to do? When his group was attacked a lady went to him and said, if this will save us because he was demonic, take my child and sacrifice it so that we get saved and he took this child and do you know what he did with the sacrifice? They would take human beings and they do not touch you with a knife or something. They break your head against the wall, that is what they did, that is what they did to this child.”



## Research Findings – Excerpts from the data

“He broke the child’s head, took out the brain when it is warm and hot, divided it and ate it raw. They would turn the body around and slash through the back to get to the heart which was still beating, take the heart and cut it into pieces and eat it and then drink the warm blood and go stuck naked with no clothes on and the bullets would touch you. That is why he is called Butt Naked. Today he is an evangelist and he is the first to tell you that what he did was demonic.”



## Research Findings – Excerpts from the data

“He said whenever he killed people and drank their blood he never got hit by a bullet! All the guys who came into this room (meaning the TRC office) showed me their wounds but Butt Naked never had a wound with all the war involvement because he was dealing demonically and he said it would take three days after he carried out that sacrifice then he would have to kill another person to increase the protection.”



## Research Findings – Excerpts from the data

“I get a low emotion when I talk about the TRC. A lady walked in and took off her clothes and said, see what I am about to show you. Her only crime was that she was of a particular tribe and found herself in a wrong place, they took a bayonet and ripped her across her entire body, across her breasts and everywhere on the stomach but she survived but when she came as a victim to the TRC, do you know where she was living? She was living in an abandoned place lying on the floor and then her son who was a witness to the entire process had grown up and was doing hair dressing and everyday he would come and dress hair, make some money and go back to sleep on the floor with his mother in this abandoned floor.”



## Research Findings – Excerpts from the data

“There was another fellow who got a bullet in between his private organs and they could not take it out and this fellow limped into this office all the time (The TRC office). People like that needed some attention for individual reparations and that did not happen. In the implementation aspect of it those are the areas that the Independent Human Rights Commission needs to take over and do something about it.”



## Research Findings - Excerpts from the data

“To say that you are coming up with programs to mitigate the effects of the civil war by building or tiding the roads it doesn’t make sense because what Liberians want with the level of destruction and human lives is justice. To prevent another eruption of war. Reconciliation in the first place has not been seriously handled. We are being given lip service to a large extent. I told you what the root causes were from 1979 and those root causes like abuse of power, injustice, rampart corruption have even amplified in the post-war period. So where is the effort to address the root causes because the TRC report basically came out to highlight those things that led us to the war and I am telling you in all honesty, the same things that led us to the war are even more prevalent now.”



## Research Findings – Excerpts from the data

“Yes, open lies in things that were pretty obvious to everyone but they said something else but beyond that, one of the recommendations is what they call a Palava Hut session. We have not seen it realistic because there are no efforts to make it work.”



## Research Findings - Excerpts from the data

“There is a provision in the TRC report that calls for pursuing individual litigation against those who committed atrocities and the regime/the government is not willing to encourage such. You see the point? So this is where I have a problem because you can’t kill 250000 people and mime others and for the regime it is like back to the basics, business as usual.”





## Research Findings: The TRC Documentation

The TRC entrusted all of its documentation to the Georgia Institute of Technology in Atlanta, and this the first time a TRC handed over its entire documentation to be kept in a foreign country. The Independent Human Rights Commission that was established to continue with its work and to carry out the implementation of its recommendations does not have access to the archives.



## Research Findings: The Human Rights Commission

- The palava hut is a conflict resolution mechanism wherein trusted members of the community meet to adjudicate matters of grave concern to the community and resolve disputes among or between individuals or communities.
- There was no information management infrastructure in place to facilitate the management of the documentation – no records manager or archivists but database managers and there was no legal framework to promote information access. The FOI was only enacted in 2010.



# Research Findings cont'd..

- The Chairman of the TRC made the decision to exile the entire documentation to save it from destruction. He is also in exile.
- There is no political will to push the TRC process forward and the funding makes it difficult to repatriate the documentation.
- Reparations have not been honoured.
- The very people who had been indicted by the TRC are those that are holding state power and so it has been ~~difficult to implement the recommendations of the TRC.~~



# Research Findings cont'd..

- 10000 pages of the TRC report were assembled but the the UNDP committed to only 1500 pages and so the rest is still unpublished!
- There were disagreements among the commissioners that even led to fights. This made the public question the work of the commission.



# In conclusion

- The management of the TRC documentation is still a challenge worth discussing since TRCs continue to be implemented on the African continent as transitional justice models.
- Information management and postwar reconstruction is a new area of peace research that has been largely neglected in Africa but remains very important to the production of knowledge on post-conflict transition on the continent.



## **In conclusion cont'd..**

The international community, who are the moral guarantors of these processes together with post-conflict nations, should learn from past TRC processes and put in place a mini-TRC institution to pursue the follow-up process of dissemination, use and management of the TRC archives.



Questions are welcome! Thank  
You for listening