



Security Council

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Letter dated 19 April 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia and in accordance with paragraph 4 of resolution 1395 (2002), I have the honour to submit, as agreed at the 12th meeting of the Committee, held today, the report of the Panel of Experts (see annex).

In this connection, the Committee would appreciate it if the present letter together with its enclosure were brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Kishore **Mahbubani**

Chairman

Security Council Committee established pursuant to resolution 1343 (2001)
concerning Liberia

Annex

11 April 2002

Letter dated 11 April 2002 from the Panel of Experts on Liberia to the Chairman of the Committee established pursuant to resolution 1343 (2001) concerning Liberia

We have the honour to enclose the report of the Panel of Experts on Liberia, in accordance with paragraph 4 of Security Council resolution 1395 (2002).

(Signed) Atabou **Bodian**

(Signed) Johan **Peleman**

(Signed) Harjit **Sandhu**

(Signed) Alex **Vines**

Report of the Panel of Experts appointed pursuant to Security Council resolution 1395 (2002), paragraph 4, in relation to Liberia

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Abbreviations

| | |
|-------------|---|
| AFL | Armed Forces of Liberia |
| BIVAC | Bureau Veritas International |
| BMA | Bureau of Maritime Affairs |
| CDF | Civil Defence Force |
| ECOMOG | ECOWAS Monitoring Group |
| ECOWAS | Economic Community of West African States |
| FOB | Freight on board |
| HRD | Hoge Raad voor Diamant/High Diamond Council (Belgium) |
| ICAO | International Civil Aviation Organization |
| Interpol | International Criminal Police Organization |
| IMF | International Monetary Fund |
| LISCR | Liberian International Shipping and Corporate Registry |
| LURD | Liberians United for Reconciliation and Democracy |
| Roberts FIR | Roberts Flight Information Region |
| RUF | Revolutionary United Front |
| RUF | RUF Party |
| SLA | Sierra Leone Army |
| RSLAF | Republic of Sierra Leone Armed Forces (former SLA) |
| ULIMO | United Liberation Movement for Democracy in Liberia |
| UNAMSIL | United Nations Mission in Sierra Leone |
| UNDP | United Nations Development Programme |
| UNOL | United Nations Peace-building Support Office in Liberia |

Executive summary

1. Since the Panel submitted its last report (S/2001/1015) in October 2001, the war in Liberia's Lofa County has spread towards Monrovia and a state of emergency was declared in February 2002. In neighbouring Sierra Leone in contrast the peace process is running smoothly and in January 2002 President Kabbah declared the conflict over. RUF has transformed itself from a brutal rebel force into a political party preparing to contest the presidential and parliamentary multi-party elections in May 2002.

2. During this investigation the Panel tried to assess whether any renegade RUF structures remained intact in Liberia that could pose a threat to the election process and its aftermath in Sierra Leone. Although the Panel found credible evidence of small clusters of ex-RUF combatants fighting in Liberia as guns for hire for both the Government and rebels there did not seem to be a connection with RUF.

3. The Panel also attempted to locate the last unaccounted-for key RUF military commander Sam "Maskita" Bockarie. Despite persistent rumours that he is active in Liberia the Panel could only confirm that he travelled under a false name to Ghana in 2001. We also established that his wife and mother live in Monrovia although they are preparing to return to Sierra Leone soon. Beyond these facts all about Bockarie is rumour and his name has entered regional mythology and contributed to an inflation of the use of the "Mosquito" label.

Arms and air transportation

Arms

4. The Panel found credible evidence that Liberia keeps violating the arms embargo and that the numerous special units deployed by the Government carry new weaponry and ammunition. The Panel is also worried about the continuing arms build-up in other neighbouring countries. In view of the volatile situation in the subregion the Panel recommends that:

- The arms embargo on Liberia should continue and be regularly monitored for violations.
- The ECOWAS moratorium relating to small arms should be broadened to an information exchange mechanism for all weapons types. This new mechanism should be binding on both supplying and receiving countries.
- All arms-producing and exporting countries should abstain from supplying weapons to each Mano River Union country.
- An immediate embargo should be imposed on all non-State actors in the Mano River Union countries, including the dissident groups constituting LURD.

Air transportation

5. The Panel reiterates the recommendations made on the issue of air transportation in its previous report (S/2001/1015).

6. Air transportation remains important for the violation of the arms embargo. In this report the Panel describes a series of suspicious flights to Monrovia, one of which crash-landed near Roberts International Airport on 15 February 2002. In view

of the irregularities associated with these flights, the Panel recommends that Liberia be requested to supply to the Sanctions Committee within three months a full report on:

- Basic facts about the crash, including pictures of the wrecked aircraft and the crash site.
- The nature of the flights from and to N'Djamena on 15 February, 25 February and 5 March 2002.
- The irregularities relating to the registration and flight plans of the flights with registration numbers ER-ADL, ER-ACZ and ER-ACL.
- A full list of the crew, the pilots and the cargo on board these flights.
- The flight plans for these flights.
- The contracts showing the consignee of these flights.
- The fuel manifests for all these flights.
- The payments made for these flights.

7. The Panel further recommends that, in order to verify the findings of that report, an independent investigation be conducted.

Diamonds

8. The imposition of an embargo on the export of Liberian rough diamonds, coupled with progress in the Sierra Leone peace process, has continued to ensure that "Liberian"-labelled rough have disappeared from the official markets. The sanctions and the spreading internal conflict in Liberia have greatly affected domestic production. Fighting in the last few months in the richest diamond-producing areas of western Liberia and rebel occupation of some of these areas has cut diamond production. This has contributed to a further decline in the supply of Liberian diamonds for smuggling and the LURD rebels have begun trading in "conflict diamonds". Many artisanal miners have shifted to alluvial gold production and moved to the peaceful south-east of the country.

9. The Panel found that Liberian diamonds were still smuggled into neighbouring countries but believes the volume has declined in recent months because of the conflict. The Panel continues to believe that Liberia should have its own credible certification scheme so that there is less incentive for Liberian rough to be deliberately mixed with the rough of neighbouring countries.

Recommendation on diamonds

10. The Panel recommends that the United Nations should encourage its Member States to assist the Government of Liberia in setting up a credible and transparent certification scheme which is independently audited by an internationally recognized audit company. This scheme should be independently assessed and effective in order to facilitate the consideration of a monitored suspension of the diamond ban by the Security Council.

The travel ban

11. In recent months there has been better compliance by Liberian officials with the travel ban. However, a small number of key individuals continue to regularly violate the ban and the Panel has documented how several of them have been issued Liberian passports with false names to assist their travel. Abidjan's International Airport remains a loophole and the Ivorian authorities continue to turn a blind eye to arriving Liberian officials subject to the United Nations travel ban.

12. The travel ban may have contributed to significant financial savings for the Government. International travel consumed US\$ 600,000 of government funds per month in 1999. A ban on travel may have reduced government expenditures by about \$400,000 per month. According to the Ministry of Finance these funds have been used to pay for fuel imports and more recently to help to pay arrears of civil servants' salaries.

Recommendation on the travel ban

13. The travel ban has continued to be a source of complaints and individuals have continued to ask on what grounds their names had been placed on the list. The Panel believes that the current list of 129 names is too long, and that this list is cumbersome and should be reduced to a list of all cabinet members, key government officials and individuals documented in Panel reports as having violated United Nations sanctions or consistently obstructed investigation.

Introduction**A. General**

14. In pursuance of paragraph 5 of Security Council resolution 1395 (2002) of 27 February 2002 concerning Liberia, the Secretary-General on 6 March 2002 appointed a Panel of Experts (see annex I) to conduct a follow-up assessment mission to Liberia and neighbouring countries to investigate and compile a brief independent audit of the compliance by the Government of Liberia with paragraph 2 and of any violations of paragraphs 5, 6 and 7 of resolution 1343 (2001).

15. The Panel recognized that the demand made to the Government of Liberia under paragraph 2 of resolution 1343 (2001) to immediately cease its support for RUF in Sierra Leone and for other armed rebel groups in the region required the following concrete steps:

- Expel all Revolutionary United Front members from Liberia.
- Cease all financial and military support to RUF.
- Cease all direct or indirect import of Sierra Leone rough diamonds which are not controlled through the certificate of origin regime of Sierra Leone.
- Freeze funds or financial resources or assets controlled directly or indirectly by RUF.
- Ground all Liberia-registered aircraft operating within its jurisdiction until it updates its register of aircraft according to International Civil Aviation Organization guidelines.

16. By paragraph 5 of resolution 1343 (2001) the Security Council imposed a tightened arms embargo against Liberia, under which, in particular:

- All States would prevent the sale or supply to Liberia of arms and related materiel of all types, whether or not originating in their territories.
- All States would prevent any provision to Liberia, by their nationals or from their territories, of technical training or assistance related to the provision, manufacture, maintenance or use of arms and related materiel of all types.

17. By paragraph 6 of resolution 1343 (2001) the Council prohibited the direct or indirect import of all rough diamonds from Liberia, irrespective of whether such diamonds originated in Liberia.

18. By paragraph 7 of resolution 1343 (2001), all States were required to prevent the entry into or transit through their territories of senior members of the Government of Liberia and its armed forces and their spouses and any other individuals providing financial and military support to armed rebel groups in countries neighbouring Liberia. On 4 June 2001, the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia published a list of 136 persons to be covered by this travel ban. Five names were deleted from the list on 19 December 2001 and two on 11 March 2002.

19. In a letter dated 20 March 2002, the Minister for Foreign Affairs of Liberia informed the Security Council that the Government of Liberia had taken measures to provide for its legitimate self-defence in the wake of persistent armed attacks against its territory. The Panel remained cognizant of all such correspondence from the Government of Liberia, made available to it by the Security Council Committee and by the Task Force of the Government of Liberia.

20. The Panel of Experts consisted of Mr. Atabou Bodian (Senegal), expert from the International Civil Aviation Organization; Mr. Johan Peleman (Belgium) arms and transportation expert; Mr. Harjit S. Sandhu (India), expert from Interpol; and Mr. Alex Vines (United Kingdom), diamond expert.

21. The Panel held its first organizational meeting at United Nations Headquarters from 13 to 16 March 2002, and it was agreed with the Security Council Committee that the Panel's assessment report would be submitted on 11 April 2002.

22. The Panel received logistical and moral support from the Security Council Committee, the United Nations Secretariat, the United Nations Peace-building Support Office in Liberia, the United Nations Mission in Sierra Leone and United Nations Development Programme officials in Guinea, Côte d'Ivoire, Sierra Leone and Liberia. *The present report is a supplement to the previous report of the Panel (S/2001/1015), in which the Panel highlighted in detail several cases of violations of resolution 1343 (2001).*

B. Mandate of the Panel: a dilemma

23. The Panel's mandate is described in section A above. The Panel was repeatedly reminded that the sanctions imposed on the Government of Liberia under resolution 1343 (2001) resulted from the report of the Panel of Experts on Sierra Leone (S/2000/1195), which concluded that the Government of Liberia was actively aiding and abetting war in Sierra Leone by providing military and financial support

to RUF. Since then, the Government of Liberia has claimed that it has completely disassociated itself from RUF, which has since transformed itself into a political party (RUF) in Sierra Leone. On 18 January 2002 the President of Sierra Leone declared the end of war in that country.

24. Under the changed set of circumstances, a question of reasonableness has been raised as to the continuation of sanctions against Liberia pursuant to resolution 1343 (2001). The main concern of the Panel is the continuing presence in Liberia of hardcore elements of RUF, now referred to as Independent RUF or RUF-I, and its possible repercussions for the whole subregion. The Panel remained cognizant, throughout its work, of its role and its responsibility in helping to end the suffering of the people of the subregion.

C. Methodology of investigation

25. **Questionnaires.** The Panel requested specific information from the relevant countries, through their Permanent Missions to the United Nations, regarding the movement of certain suspicious aircraft used for illegal transportation of arms and ammunition.

26. **Interviews.** In each country visited, the Panel interviewed government authorities and, where relevant, diplomatic missions, civil society organizations, aid agencies, private sector firms and journalists (see annex II). The Panel also contacted a number of key individuals whose names have been a subject of interest and controversy in recent months in connection with the crisis in the subregion. Given the sensitive nature of the subjects investigated by the Panel, however, it should be noted that many individuals spoke under conditions of confidentiality. Numerous meetings have therefore not been listed.

27. **Visits to countries.** The Panel travelled to each of the three Mano River Union countries — Guinea, Liberia and Sierra Leone — twice during its mandate. The Panel also travelled to Côte d'Ivoire.

28. **Field trips.** Within the limited time available, the Panel visited border areas in Liberia, Guinea, Sierra Leone and Côte d'Ivoire to obtain first-hand information about the realities on the ground. The Panel wanted to obtain recent information on the exact nature of the conflict in Lofa, a county in Liberia that has become inaccessible because of the escalating war between LURD and the different militias and forces of the Government of Liberia. In Liberia, the entire Panel visited Kakata. A Panel member also visited Charlesville and Harbel. In Sierra Leone, the entire Panel visited Bo, Kenema and Buedu. In Guinea, three members visited Macenta, Kuankan, Daro, Badaro and Nzérékoré. In Côte d'Ivoire, the Panel visited Danane and Guiglo. During these field visits, the Panel spoke to various factions involved in the conflict in the subregion, the prominent ones being RUF, the Civil Defence Force, the Liberians United for Reconciliation and Democracy and the Armed Forces of Liberia. The Panel also interviewed a large number of internally displaced persons and refugees spread over all four countries of the subregion.

29. **Police and judicial records.** The Panel was able to access police and judicial records of certain cases under investigation and under trial linked to trafficking of arms and ammunition in the West African subregion.

D. Standards of verification

30. The Panel agreed at the outset of its work to use high evidentiary standards in its investigations. This required at least two credible and independent sources of information to substantiate a finding. Wherever possible, the Panel also agreed to put allegations to those concerned so as to allow them the right of reply.

31. During the investigation, where possible, the Panel shared the relevant information and cooperated with the States concerned for further thorough investigation by them. A significant number of countries came forward with useful information on individuals behind certain shady companies and their financial transactions.

32. In addition to its own detailed verification, the Panel received corroborating information from international law enforcement agencies. The assistance of Interpol specialists was also called upon as required. Throughout its investigation, the Panel did not rely solely on oral testimonies. Corroborative documentary and circumstantial evidence was always insisted on. The evidence, therefore, is incontrovertible and irrefutable.

I. Liberia's internal conflict and the Revolutionary United Front

A. The Lofa war

33. The Panel wanted to get a clear picture of the unfolding situation in Lofa, a county where access for independent observers is impossible. This motivated the Panel to visit the areas of Sierra Leone and Guinea that border Lofa County to try to obtain eyewitness accounts from recently arrived refugees in those areas. The Panel also interviewed non-governmental organization workers, United Nations agencies, local authorities, government officials and members of LURD.

34. In 2002 the impact of the Lofa war was felt in Monrovia. President Charles Taylor declared a state of emergency with immediate effect on 8 February after shooting was reported at Kley Junction, some 50 km north of Monrovia. A few days before, LURD rebels had also attacked Tubmanberg.

35. Since mid-April 1999, when rebels crossed into Liberia from Guinea and attacked the Lofa County town of Voinjama, what has now become to be called the LURD insurgency has become a growing problem for the Government of Liberia. Fighting between LURD and the Government has flared up since the end of November 2001, destroying the assets of timber companies and creating a major problem of internally displaced persons that have been fleeing Lofa.

36. The Liberians United for Reconciliation and Democracy itself was formed in February 2000 a result of a merger of the Justice Coalition for Liberia, the Organization of Displaced Liberians and a group calling itself the Union of Democratic Forces of Liberia. LURD says it has no involvement with former Liberian warlords, but many of its members formerly fought for the United Liberation Movement for Democracy or for the ULIMO-J and ULIMO-K factions. The LURD leadership acknowledged to the Panel that there are serious difficulties

in striking a balance between all the different ethnic and other interest groups within the organization.

37. The LURD leadership includes Voinjama-based Sekou Dammante Conneh, a Liberian Mandingo with personal ties to President Lansana Conté through his wife, Ayesha Conneh, who is spiritual adviser to President Conté. General Joe Wylie, a friend of former ULIMO-J leader Roosevelt Johnson, is a military advisor based in Conakry and William Hanson, a former human rights activist, is their political spokesperson. When the Panel first visited the Guinean border towns of Macenta, Guéckédou and Nzérékoré in September 2001, armed LURD combatants were clearly visible. During its latest visit to those towns the Panel found that the armed men had moved into Liberia, with Voinjama as their main stronghold. They form a de facto buffer zone protecting the Guinean border.

38. LURD has probably some 2,000 men fighting for it. These are a motley bunch, including Liberian dissidents that had formerly fought for the Sierra Leone "Special Forces", some 500 Kamajor fighters, defectors from AFL and other units from Liberia and up to 200 ex-RUF fighters from Sierra Leone who have been offered several hundred dollars in cash and the fruits of war to fight for LURD.

39. LURD has been recruiting in Guinea, Sierra Leone and Côte d'Ivoire and in Ghana. In March 2002, at the Brookefields Hotel in Freetown, the Panel interviewed young men who were ex-CDF, ULIMO-K and ULIMO-J fighters. They explained enthusiastically that they were waiting for orders to join LURD from Joe Wylie in Conakry and that some 50 of their colleagues had left in dribs and drabs to join the rebels by way of Guinea or down to the Liberian border via Zimmi. They were being promised a retention fee of US\$ 200 and the booty of conflict.

40. A LURD commander told the Panel that the rebels had two brigades (First and Second), each consisting of four battalions (Thunder, Marine, Wide Door and Special Force).

41. The LURD leadership claims to have conducted two offensives in Liberia. In January 2001 an offensive following incursions into Guinea by RUF sought to capture Gbarnga but failed. LURD began a second military offensive in November 2001, which drove south along the Sierra Leone border in an effort to join up with dissidents waiting along the southern part of the border. Voinjama fell to LURD early in December 2001, and in the following weeks Vahun and later Foya were under attack. A counter-offensive by government forces from Kolahun attacked the LURD rear and retook Foya on 25 December; it has been contested ever since. Both sides subsequently contested other towns, such as Kolahun and Zor-Zor. In March attacks were reported near Suehn and two ambushes on the road between the diamond-mining towns of Lofa Bridge and Gbarma. Early in April incidents occurred at Kakata and at Tubmanberg (Bomi Hills) and at Bong Town, bringing the conflict closer to the capital. During all these confrontations the main victims are civilians, who have their assets looted by either one side or the other.

42. The role played by the Government's uncoordinated security units in the conflict appears to have inflamed the situation. Salary payments of many months are owed to the Armed Forces of Liberia although elite units such as the Anti-Terrorist Unit and the Special Security Service are more regularly paid. Military action offers poorly paid soldiers and militia members the chance to loot. The Panel witnessed

this during its visit to Kakata on 4 April, only a few hours after an incident in which armed individuals killed two Lebanese traders.

43. There is also suspicion that the unfolding humanitarian crisis and the level of government setbacks is sometimes being stage-managed by the authorities in an attempt to force the United Nations to lift the arms embargo and sanctions imposed on Liberia. The rebels in turn capitalize on these incidents to claim military progress.

44. Many of the displaced simply flee upon rumours of an upcoming attack or hearing gunshots. In many of the incidents there are no casualties and indeed few signs of fighting, but plentiful evidence of looting. The incidents do displace people, and in recent months military unrest in north-western Liberia has forced tens of thousands of refugees to move south to live in makeshift camps. The Liberia Refugee, Repatriation and Resettlement Commission has registered over 32,000 displaced persons from Lofa. The war in Lofa County has prevented any large-scale repatriation of refugees and is causing a steady influx into neighbouring countries.

B. Looking for “Mosquito” and his RUF in Liberia

45. Sam “Maskita” Bockarie is the last prominent individual of the former armed RUF not accounted for. During its previous mandate the Panel of Experts tracked Bockarie’s movements until late September 2001. He had left Liberia and resided in a number of locations, including Ghana, since mid-2001. Subsequent to the issuance of the Panel’s report (S/2001/1015) the Ghanaian authorities officially confirmed that Bockarie visited Accra from 17 to 28 May 2001 and stayed at the Ebony Hotel, Dzorwulu, under the assumed name of Sam Johnson (see annex III). The Panel during its examination of flight manifests noted that in 2001 one Sam Johnson travelled between Accra and Monrovia a number of times. The Panel continues to obtain reports, including from an acquaintance of his, that Bockarie spends time in Accra.

46. In Liberia there are persistent rumours that Bockarie is playing a prominent role in recruiting for an independent militia to fight LURD.

47. Late in October and in November 2001 in Sierra Leone there was a recurrence of reports, albeit of questionable accuracy, that “Mosquito” was recruiting RUF to be mercenaries for Liberia. The Civil Defence Force reported late in December 2001 that Sam Bockarie was in the southern Liberian border town of Congo with a large number of men. The Government of Sierra Leone responded with a rapid deployment of forces along the border and authorized constant helicopter patrols, but could find no trace of him or his men. In January 2002 Bockarie was once more rumoured to be in Foya leading the fight against LURD and in February 2002 reported to be operating in Lofa County just across from Dia Chiefdom in Sierra Leone, rallying RUF troops to take up the fight.

48. In the first week of April 2002, units of the Republic of Sierra Leone Armed Forces in Buedu and Zimmi reported rumours that Bockarie was once more preparing men for a three-day cross-border campaign to destabilize the upcoming elections. They requested an impressive list of extra resources to deal with the perceived threat. The Panel visited Bockarie’s former stronghold in Buedu and asked local chiefs if they had received news of his whereabouts. They said they had

not heard about him since early 2001 although some members of his family had recently returned home from a refugee camp in Guinea.

49. A LURD commander from Foya also told the Panel that their forces monitored “Mosquito” on their HF radio sets. According to General “Last Order”, a LURD commander from the Foya area, several hundred ex-RUF fighters form part of an independent militia fighting in Lofa. Its base is Vahun but it is operational in Lofa County and is led by one “Mosquito”. Under him is one Sweet Kenny (phonetic), and third in command is a Captain Solo (call sign “Red Bush 5”), both Sierra Leoneans. Guinean dissidents are also part of the militia, led by one Mama Tomo. The Guineans are distinguishable by their printed T-shirts. Commander Rowland Duo liaises with this militia but it takes its orders and falls under the authority of Liberia’s Special Security Service Commander, Benjamin Yeaten.

50. The Panel has also heard of other ex-RUF combatants fighting in small groups for other Liberian militia and regular units. There does not seem to be any coherence among these groups and, except for the militia in Lofa, there is nothing particularly distinguishable about them other than as mercenaries.

51. Bockarie has entered regional mythology and verifiable sightings have proved impossible to obtain. This situation has not been helped by the inflation of “Mosquitos” in the Liberian conflict. There are at least three Liberian “Mosquitos” in addition to Bockarie. After rebel fighting in north-western Liberia in August 1999, a character calling himself “Mosquito Spray” telephoned the BBC to denounce President Charles Taylor. There are also Colonel Faso and General Vambo, both known as “Maskita” too, fighting for the Government of Liberia.

52. The Government of Liberia continues to deny to the Panel that it has any knowledge of the whereabouts of Sam Bockarie.

53. The Panel agrees that hard facts are few. It was able to confirm from the Sierra Leone Embassy in Monrovia and the Liberian National Security Advisor that Sam Bockarie’s wife and mother still live in Monrovia in a house in the Twelve Houses area of Paynesville. According to the Sierra Leone Embassy they will shortly be returning to Sierra Leone.

54. The Panel concludes that the remnants of RUF resident in Liberia (sometimes referred to as the Independent RUF or RUF-I) pose no direct threat to the stability that has returned to Sierra Leone. The Panel could find no direct link between RUF and those hardcore RUF that did not join disarmament and demobilization in Sierra Leone.

Mano River Union and ECOWAS engagement

The long-awaited meeting of the Mano River Union heads of State was hosted by Mohamed VI, King of Morocco, on 27 February 2002 in Rabat. The three presidents agreed to work together to end cross-border insurgencies and to “promote peace, understanding and good-neighbourliness”.

Following this summit the Joint Security Committee met from 5 to 7 March 2002 in Freetown. A second meeting of the Committee was held

in Conakry on 25 March and a Committee of Legal Experts met on 13 March in Freetown.

At the Joint Security Committee meetings the problem of dissidents, the deployment of joint security and confidence-building units, proliferation of small arms and the need for intelligence-sharing were key issues discussed.

ECOWAS has also been engaged. It sponsored in March 2002 a conference in Abuja on political dialogue in Liberia which the Government of Liberia, civil society and opposition groups attended. The LURD rebels were invited but failed to attend claiming late receipt of the invitation.

The eighth ministerial meeting of the ECOWAS Mediation and Security Council was held in Dakar on 29 March 2002. The Minister examined the security situation in Liberia. At the end of the meeting, the Ministers condemned the LURD attacks in Liberia and declared a ban on travel to and residence within Member States for the LURD leadership. A committee was set up to monitor the enforcement of these measures, comprising Guinea, Liberia, Mali, Senegal and Sierra Leone and the ECOWAS secretariat.

II. Arms and air transportation

A. Arms

Introduction

55. There is little doubt that the Government of Liberia continues violating the arms embargo. Although the AFL soldiers on the streets in Monrovia and the armed young boys of different militia groups sometimes carry old rifles, members of the notorious militia called the ATU can be seen in the streets of Monrovia carrying new weapons. During its visit to Kakata, some 40 km north of Monrovia, the Panel witnessed the Government forces carrying guns and belts with brand new ammunition around their shoulders.

56. The Panel stressed in its previous reports (S/2000/1195 and S/2001/1015) the risks posed by great quantities of weapons floating around in the subregion. The Panel is pleased with the outcome of the disarmament and demobilization process that ended in Sierra Leone in January 2002. Over a period of three years (since September 1998) some 72,500 combatants disarmed in three different disarmament and demobilization phases, which were disrupted midway by the flaring-up of a conflict in May 2000. The number is far in excess of the original estimate of 45,000 combatants. Under the final third phase of disarmament and demobilization that commenced in May 2001, 19,183 RUF, 27,695 CDF and 198 others were disarmed.

57. In a subsequent Community Arms Collection and Destruction Programme, the Sierra Leone police collected arms that were not suitable for registration under the Disarmament and Demobilization Programme. Some 9,000 arms, mostly shotguns, were collected. Although these shotguns are usually single-barrelled weapons used

for hunting only, they could be lethal. During the collection exercise, small numbers of former RUF came forward with weapons.

58. The Sierra Leone police have also started cordon and search operations to remove remaining illegal arms from circulation. The Panel welcomes any such measures, as they will significantly reduce the risk of renewed hostilities. Localized violence does occur as has been reported in the recently liberated diamond areas around Kono and Tongo fields, but it poses little long-term risk.

Regional problem far from solved

59. The successful conduct of these disarmament exercises does not preclude the possibility that small arms are still in the possession of non-State actors, including former RUF. One indicator is the weapons captured from UNAMSIL forces by RUF. Those were all registered, and of the 629 weapons captured only 181 have been recovered through the disarmament process. There is no exact count of the weapons delivered to the Sierra Leone Army and ECOMOG that were captured by RUF. Many such weapons have not been returned and must therefore still be circulating in the region. They may be hidden in secret arms caches in Sierra Leone or may have been sold across the borders.

60. During discussion with the defence and law enforcement authorities in Côte d'Ivoire and Guinea the Panel learned that the proliferation of arms within these countries is a reality. The Panel was also informed that the Governments lack capacity for dealing with this problem. Such issues are primarily an internal policing problem for Guinea and Côte d'Ivoire, but they do contribute to the risk of violent outbreaks of conflict and organized banditry.

61. A related problem is the mushrooming growth of uncontrolled rebel groups and loosely controlled and underpaid army or police units in the subregion. The Panel received numerous accounts of arms and ammunition being sold or bartered away by hungry or unpaid military or police personnel. These units show little loyalty to the groups they are fighting for and they change sides whenever they see an opportunity that might benefit them.

Positive developments on the international level

62. Since the issuance of its last report (S/2001/1015), the Panel has received communications from many Member States about their efforts to curtail the smuggling of conflict diamonds and the proliferation of arms in West Africa. The Panel wishes to highlight the responses from the Governments of Belgium, Guinea and Slovakia.

63. On 5 March 2002 the Permanent Mission of Belgium to the United Nations reported that an international arrest warrant had been issued against Viktor Bout. Bout is accused of money-laundering and criminal conspiracy. Sanjivan Ruprah, also a key figure in the Panel's report, was arrested in Belgium on 7 February 2002 along with Carlos "Beto" Laplaine. The involvement of Ruprah and Laplaine in illegal arms trafficking to Liberia in violation of the arms embargo was described in detail in the report.

64. The Permanent Mission of Guinea to the United Nations reported on 24 March 2002 to the Panel that an investigation in Guinea, subsequent to the publication of the report of the Panel, had led to the official removal on 30 November 2001 of the

company Pecos from the register of corporations. The Panel described the activities of Pecos as a supplier of false end-user certificates (see S/2001/1015, paras. 253-267).

65. The Permanent Mission of Slovakia to the United Nations reported that in December 2001 criminal charges had been brought against Alexander Islamov for his role in the illegal sale of arms. The Panel had reported that Islamov facilitated the supply of helicopter spare parts and helicopters from Kyrgyzstan. His role was also highlighted in several other arms shipments. Slovakia also arrested Peter Jusko. Both individuals are being prosecuted in connection with their involvement in the sale of one Mi-35 helicopter gunship to Liberia and the attempted sale of a second one. Slovakia also adopted new legislation fine-tuning the law on trade with military materiel in December 2001 in order to eliminate the risk of further attempts to violate the sanctions regimes by individuals or business entities in Slovakia.

66. The Panel views these measures taken by individual Member States as significant steps in the monitoring of sanctions. The Panel once again interviewed Mohamed Yansane in Guinea. Yansane had set up the Pecos company in Guinea that was used by Jusko, Islamov, Bout and others to create forged end-user certificates. After Jusko was released on bail, Yansane told the Panel that he kept receiving telephone calls from Jusko, who wanted to send people to buy diamonds. This continues to show a close link between arms trafficking and diamond deals. The Panel passed on this information to the authorities in Guinea and in Slovakia for further investigation.

Recommendations on arms

67. The continuing availability of unregistered arms in the Mano River Union countries and their neighbours has to be dealt with. The Panel is concerned about fresh reports of weapons being brought into the region from abroad.

68. The Panel, in its previous reports (S/2000/1195 and S/2001/1015) emphasized the need to have a more thorough implementation of the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa. The Panel once again recommends that, for reasons of transparency and confidence-building, the existing Moratorium be broadened to an information exchange mechanism for all types of weapon procured by the ECOWAS member States.

69. The Panel also reiterates its recommendation that the information exchange should be binding on both the suppliers and the receiving States and that they should report every arms transaction to the newly established mechanism, including data on the names and companies of the brokers and transport agents.

70. The Panel reiterates its recommendation that all arms-producing and exporting countries abstain from supplying weapons to countries of the Mano River Union.

71. The Panel reiterates its recommendation that the arms embargo on Liberia should continue.

72. The Panel once again strongly recommends an immediate and complete embargo on all non-State actors in the Mano River Union countries, including the dissident groups constituting LURD.

B. Air transportation

The establishment of a new aviation registry

73. Liberia has established a new aviation registry in cooperation with ICAO and in conformity with its international procedures.¹ Aircraft registered in Liberia will now carry tail numbers with the prefix “A8” instead of “EL”.

Management of airspace

74. Liberia decided to take over the operation of its own airspace, which had been controlled from Conakry, where the Area Control Centre of the Flight Information Region (Roberts FIR) is located.² Eventually Liberia wanted its airspace to be controlled exclusively by Liberian nationals. This needed to be done, Liberia felt, for reasons of national security. It should be noted that this decision was taken shortly after the Panel of Experts on Sierra Leone had issued its report (S/2000/1195). Some of the Panel’s investigations on arms smuggling had relied on flight information from different flight information regions in Africa to identify planes landing in Monrovia, as the Liberian authorities had not provided such a list.

75. Since every State has the right to control its own airspace under the Chicago Convention on International Civil Aviation, the Panel does not think the issue should be subject to any sanctions. A letter of agreement was signed on 22 November 2001 between the Roberts Area Control Centre in Conakry and the Approach Control Unit of Roberts International Airport. The letter of agreement describes the precise modalities of responsibility of the two Centres but the agreement does not degrade the integrity of the Roberts FIR. For the future monitoring of aircraft movements to and from Monrovia, information can still be obtained from the different flight information regions in West Africa and elsewhere.

Recommendations on air transportation

76. The Panel reiterates the recommendations made on air transportation in its previous report (S/2001/1015).

C. The crash-landing of an aircraft on 15 February 2002

77. On 15 February 2002, an aircraft crashed as it approached the runway of Roberts International Airport. International media reported a series of explosions after the crash that could have been caused by the presence on board of arms and ammunition. The Panel tried to find out more about the crash, especially in the light of the arms embargo on Liberia, but the Government authorities have thus far steadfastly prevented any independent observer from going to the site.

¹ Chicago Convention on International Civil Aviation, annex 7 (Aircraft Nationality and Registration Marks).

² Roberts FIR covers the sovereign airspaces of Guinea, Liberia and Sierra Leone. When the Flight Information Region was founded in 1975 the Flight Information Centre was located at the airport of Robertsfield. Because of the war in Liberia and later in Sierra Leone the Centre was transferred to Freetown and later to Conakry in Guinea, where it is still based today. The international airport of Monrovia is Roberts International Airport. In the Roberts FIR, the airports of Conakry, Freetown and Roberts all dispose of their own so-called approach (APP) zone, that is, their territorial airspace, which falls under their responsibility.

78. Immediately after the accident happened, the Ministry of Information in Liberia reported that an Antonov 12 had crashed at 5 a.m. The crew had sought emergency landing permission while flying over Liberian territory. From the official press release it appears that the aircraft was not actually meant to land in Monrovia but was flying elsewhere, crossing Liberian airspace (see annex IV).

79. The Panel's reconstruction of the facts, based on information collected from several flight information regions in Africa and certain States in other regions, clearly contradicts the official statement of the Government of Liberia.

80. On 12 February 2002, the Directorate of Civil Aviation of Chad issued a request for overflight to the civil aviation authorities of Nigeria, Togo, Benin, Côte d'Ivoire and Liberia for a flight landing in Monrovia. The message that was sent from Chad contains the following facts:

- Aircraft type: An 12.
- Registration: ER-ADL (this is the tail number and shows that the plane was registered in the Republic of Moldova).
- Operating agency: Inter Trans Congo.
- Charterer: Government of Chad.
- Object: Transport of VIPs.
- Route: N'Djamena-Monrovia.
- Date: 13 February 2002.

81. Liberia received this overflight and landing request on 13 February 2002 and gave permission for the flight on the same day through its Civil Aviation Authority. The aircraft finally left N'Djamena on 15 February 2002 for Monrovia, where it was supposed to land at around 6 a.m., with 10 passengers on board. The Panel interviewed the air traffic controller on duty in Monrovia. Apart from reduced visibility due to fog (visibility only 500 m) the pilot did not, at any moment, mention any technical problem to the control tower. The pilot was following the instructions of the controller and was approaching the runway, when the controller suddenly lost contact with the aircraft and saw a light flash at some distance from the beginning of the runway. This was the accident and the control tower immediately notified the fire service of the airport. During the interview with the air traffic controller the Director of Civil Aviation was present in the room.

82. Further discussions with the Liberian authorities regarding the accident did not add much to this. Meetings and telephonic conversations with the Minister of Transport, his deputy, the Director of Civil Aviation, the Commissioner of Immigration, the Chief of Protocol of the Ministry of Foreign Affairs, the Minister of Defence and the Director of the airport added the following:

- One person was killed and nine others were wounded in the crash.
- The airport fire service intervened very quickly.
- The aircraft was totally destroyed.
- All documents on board were destroyed.
- The wounded were evacuated and taken to a private hospital.

- There was no black box on board.
- Since there were no appropriate aeronautical means of telecommunication available, the Director of Civil Aviation sent, by e-mail, a notification of the accident to the Republic of Moldova (the State of registration), to Chad (the charterer), to the Russian Federation (the manufacturer of the plane) and to ICAO, partly confirming the information about the flight as reconstructed independently by the Panel.
- The country of the operator of the aircraft (Inter Trans Congo) was not notified.
- A commission of inquiry was established to investigate the accident.

A web of contradictions

83. The Panel noted many contradictions with respect to this accident. The interviews with the Liberian authorities were conducted from 2 to 5 April 2002. This is more than 45 days after the accident occurred. Until then, according to the Liberian authorities, no response had been received from the above-mentioned concerned States, as would be the procedure under ICAO regulations. In addition, none of the States whose citizens were among those killed or wounded in the crash has responded. None of the authorities was able to give the Panel a list of the names or nationalities of the people on board.

84. Not a single document relating to the crash was given to the Panel despite an official request to the Minister of Transport, who had promised to supply the Panel with any information requested. According to the authorities no pictures were taken of the aircraft and there was no tape recording of the conversation between the pilot and the control tower.

85. Despite many assurances, and authorization by the Minister of Defence, the Panel was never allowed to visit the site where the accident had occurred. Whenever the Panel wanted to proceed to the site, the authorities always created another hurdle. Finally, on the day of its departure from Liberia, arrangements were made for the Panel to visit the site with the Director of Civil Aviation. But all of a sudden the site became a “no-go area” because of the “presence” of dissident fighters in the area. The Panel enquired of commercial companies and diplomatic missions whether they had been informed about any insecurity in the direct vicinity of the airport but nothing of the sort had happened.

86. Despite the fact that the crash site was close to the runway of Roberts International Airport, the aviation authorities issued no Notice to Airmen warning users of the airport of any such dissident threat. Three members of the Panel departed from the very same airport a few hours after they had been prevented from visiting the crash site for security reasons. While passing through the airport, the Panel noticed no extra security. At the time of take-off, the Panel saw the wrecked aircraft from the air, very close to Roberts Airport perimeter fence, where a track passed by. A cockpit and tail were clearly visible, but not the fuselage or the wings. The whole site appeared to have been covered by soil, giving the site, from the air, a clean yellow-reddish colour, although some of the trees and vegetation around it appeared burnt. From the air, there was no sign of any military or indeed human activity anywhere near the crash site.

87. According to the request for overflight and landing, the flight was a VIP flight. An Antonov 12 is generally known as a cargo transport aircraft and it is highly unlikely that it would be carrying any VIPs at such an hour. Multiple credible eyewitness accounts obtained by the Panel referred to the sound of what seemed like gunfire for hours after the crash. Even at the Firestone Plantation, which is miles away from the airport, people thought that the airport was under attack.

88. The Panel asked for a copy of the “accident notification” required under the Chicago Convention on International Civil Aviation Organization,³ but the Director of Civil Aviation did not provide this document and he told the Panel he had not yet started to draft his report.

89. Another Antonov 12, with Moldovan registration ER-ACZ, operated by the same operator and chartered again by the Government of Chad, landed in Monrovia on 25 February 2002 and left the next day. When the Panel asked the Liberian authorities to produce the landing permission for that flight, the Director of Civil Aviation told the Panel he was not aware of any such flight.

What are the Liberian authorities hiding?

90. There are several additional anomalies connected with both these flights. The registration numbers ER-ADL and ER-ACZ do not exist. Or do they? The Panel contacted the Civil Aviation Authority of the Republic of Moldova, where “ER-” aircraft should be registered. According to the Director of Civil Aviation in Chisinau, a company in Moldova operated the aircraft, until June 2001. Since then the aircraft had been deregistered (see annex V) and officially no new operator or owner is known. The Panel cross-checked this with an aviation industry database and found confirmation of the “pending” status of both the aircraft. The Panel also called Tiramavia, the company that had operated both the aircraft in Moldova. It had not heard about any crash of its aircraft, nor did they acknowledge that they were currently operating any of those aircraft. Later telephone calls by the Panel to Tiramavia Company were not answered.

91. The Panel also received, from a company in Togo that leased the aircraft, certificates of registration issued by the State Administration of Civil Aviation of the Republic of Moldova for both these aircraft. They were issued on the same day as the deregistration documents and the company also sent the Panel copies of the insurance for the aircraft and an airworthiness certificate (annex VI), issued on the day the aircraft were deregistered. These documents show Tiramavia Company in Moldova as the operating agency for the aircraft, and the owners as SABAA Tours and Travels Agency, a firm in Fujairah, in the United Arab Emirates.

92. Thus the aircraft were both deregistered and registered in Moldova on the same day. Clearly, one of these documents — deregistration or registration — must be false.

93. Fraudulent aircraft registration numbers and the use of non-existent airline companies for arms trafficking purposes have been dealt with extensively in previous reports of the Panel (S/2000/1195 and S/2001/1015). Inter Trans Congo, the company mentioned as the operator of the aircraft on the overflight requests received by West African traffic controllers, seems not to exist. Enquiries were sent

³ Annex 13, chapter 4.

by the Panel to the authorities of both the Democratic Republic of the Congo and the Republic of the Congo as to the existence of this company. Only the authorities of the Democratic Republic of the Congo responded, saying that no such company was registered. No response was received from the Republic of the Congo.

94. There is also a problem with the route followed by the aircraft. Having sent a response to a letter several West African countries, the Panel received a response from Togo. A request from a company called Africa West was issued through the Civil Aviation Authority in Togo for permission for a flight, between 24 and 26 February 2002, from Lomé to Brazzaville, then to Malabo, and back. The document mentions a cargo consisting of “supplies” and also mentions that an Antonov 12 registered as ER-ACZ would perform the flight. But the Panel contacted the Operations Manager of the company Africa West, who said that, in the end, another Antonov 12 with registration number ER-ACL was used. The company supplied the Panel with computer records of the flight movements of the aircraft, showing that the company was not aware of the flights that had been conducted between N’Djamena and Monrovia. Instead the records showed flight movements between Lomé, Brazzaville, Pointe Noire, Cotonou, Abidjan and Malabo.

95. The Panel knows that the ER-ACZ registered aircraft did go to N’Djamena and made a flight to Liberia, where it arrived at Roberts International Airport on 25 February 2002. A request for overflight and landing was issued only when the aircraft was already in the air. It must have crossed the airspace of several other countries, but none of them received any notification or request, except for the original request showing a route to Malabo and Brazzaville.

96. As mentioned above, the Director of Civil Aviation in Liberia also received no request for overflight and landing, but the aircraft did receive guidance from the control tower at Roberts International Airport. The Panel asked the Commissioner of Immigration of Liberia, John Enrique Smythe, for a list of the passengers or crew of the aircraft, but no information was given. The Panel did establish that the aircraft was refuelled the next day, 26 February, and left Monrovia on that day.

97. During its short assessment mission, the Panel could not establish the full extent of the events surrounding these suspicious flights to Monrovia. Especially the cargo on board the aircraft remains a mystery. The second aircraft took the same route, N’Djamena-Monrovia, as the one that crashed and that the Panel was prevented from seeing.

98. The Panel is also aware of a third flight, of an aircraft carrying a similar registration number, ER-ACL. The Panel knows only that the aircraft landed at Roberts International Airport on 5 March 2002. It was also refuelled there and took off again on 6 March 2002. The Roberts Flight Information Region in Conakry was not informed about this flight.

99. Fraudulent registration of the aircraft, the lack of an official overflight or landing request for the ER-ACZ in Liberia, the fact that other countries have not recorded any of these aircraft crossing their airspace and the irregularities with regard to the flight plans are the facts that have been established so far.

Recommendations

100. On a short assessment mission, the Panel was not in a position to investigate these mysterious flights any further. However, given the clear anomalies and the

secrecy of the Government of Liberia with respect to these flights, the Panel would recommend that Liberia be requested to supply to the Security Council Committee, within three months, a full report on:

- Basic facts about the crash, including pictures of the wrecked aircraft and the crash site.
- The nature of the flights from and to N'Djamena on 15 February, 25 February and 5 March 2002.
- The irregularities involved with the registration and flight plans of the flights with registration numbers ER-ADL, ER-ACZ and ER-ACL.
- A full list of the crew, the pilots and the cargo on board these flights.
- The flight plans for these flights.
- The contract showing the consignee of these flights.
- The fuel manifests for all these flights.
- The payments made for these flights.

101. The Panel further recommends that, in order to verify the findings of that report, an independent investigation should be conducted.

III. Diamonds and the region

A. Diamond embargo on Liberia

102. Sanctions were imposed on the export of Liberian rough diamonds after the Panel presented its conclusions. The report (S/2000/1195) illustrated how diamonds far in the excess of the quality and quantity available in Liberia had been imported into Belgium. Most of those diamonds were illicit diamonds from other countries, taking advantage of Liberia's involvement in the illicit diamond trade. This trade provided Liberia with convenient cover for the export of conflict diamonds from Sierra Leone.

103. The imposition of an embargo on the export of Liberian rough, coupled with continued progress in the Sierra Leone peace process, has resulted in "Liberian"-labelled rough disappearing from the official markets. No imports from Liberia have been recorded in Antwerp, Belgium being the only country providing statistics on imports. Since the imposition of the sanctions no official exports have been recorded from Liberia by its Central Bank or its Ministry of Finance.

104. All diamond dealers' licence and export permits were suspended on 7 May 2001. No dealer's licence has been renewed for 2002 and there has been a steep decline in the registration of alluvial mining claims. On 23 October 2001 the Ministers of Finance and Lands, Mines and Energy issued a joint administrative notice, which was published in the Liberian press on 27 November 2001, calling for continued strict adherence to the United Nations resolution and calling on dealers' offices to remain open to avoid crisis in the industry. The Ministry also suspended the dealers' licence fees from 1 July to 31 December 2001 to encourage the dealers to remain operative.

105. The Ministers of Finance and Lands, Mines and Energy issued a second memorandum on 6 March 2002, once more calling for strict adherence to the United Nations sanction; calling for all registered dealers to remain open and suspending the issuance of licences for the period from 2 January to 31 December 2002 or until such time as the sanction is lifted.

106. There are in 2002 three registered diamond dealers in Liberia:

- Mars Diamonds
- Empire Diamonds
- Diandorra Minerals

107. In 2002 only five registered diamond brokers are left; seven others have closed down because of lack of business, although one of these has transferred to dealing in alluvial gold.

108. The Government in May 2001 placed mineral inspectors in the buying offices in Monrovia to monitor and keep a record of daily diamond purchases on the internal market. The inspectors were also there to ensure that the diamonds were bought only from legitimate buyers or brokers. According to the Government the inspectors were withdrawn late in 2001 because there was no diamond trade to monitor.

109. In its report (S/2001/1015) the Panel of Experts reported that the artisanal trade in rough diamonds had been affected by the embargo, creating additional hardship for those who seek to make a living in this sector; because of improved world prices, they had increasingly shifted to artisanal gold production. Figures for the export of alluvial gold from Liberia show a rise in production, from 5.36 ounces (\$1,317.93) in October 2001 to 192.90 ounces (\$41,642.19) in January 2002. The Government claims that there are some 60,000 miners in the alluvial diamond sector, others in the industry estimated that some 20,000 to 30,000 people in the rural areas are dependent on the trade.

110. Commercial and artisanal production of alluvial diamonds, such as that of the Smith Camp Mining Agency and the Weasua Mining District, has been badly affected by the upsurge of fighting in western Liberia. The Ministry of Lands, Mines and Energy reported that the prevailing war in western Liberia has brought mining activities to a complete halt, which has led to a 50 per cent decline in revenue generation from mining activities. At least 12 mining districts have been attacked or occupied by LURD rebels and several eyewitnesses spoke of having to wash unprocessed gravel to extract diamonds for the rebels. Although LURD officials denied to the Panel that they are engaged in the diamond business, such "conflict diamonds" are likely to be smuggled through Guinea and Sierra Leone. A rebel LURD commander interviewed by the Panel also admitted that rebel soldiers seized diamonds during their operations and had sold them to buyers in Guinea.

111. In its report the Panel of Experts reported that, since it is impossible to sell Liberian rough officially, dealers and brokers were seeking to disguise their Liberian diamonds as diamonds from neighbouring countries. The Liberian Minister of Lands, Mines and Energy reported that three Liberian dealers had opened buying offices in Sierra Leone, which also bought smuggled Liberian rough. The Panel was aware of one such office in Bo and had visited it in September 2001. The dealer at that time admitted to trading in Liberian rough. When the Panel revisited this buying

office in Bo in March 2002 it was told that the last purchase was in November 2001 and that the decline in the Liberian trade was due to low prices for Liberian gemstones and the disruption to quality production, such as that from Weasua, caused by the war inside Liberia.

112. The Panel was also told by the European Union of four dealers in Abidjan that had become specialists in laundering Liberian rough since the diamond embargo entered into force. The Panel had already confirmed that two dealers operated through the Hotel Ivoire in Abidjan, using a Lebanese middleman who carried the parcels from Monrovia. These dealers continued to buy from Liberia. Sanjivan Ruprah also told the Panel that he had an office in Abidjan where Issa Sessay, the interim leader of the RUF Party, through a middleman had come to offer great quantities of diamonds late in 2001. Independently, another diamond dealer said he had heard about Sessay's selling attempts through Abidjan and he mentioned exactly the same amount of diamonds, 8,000 carats. Neither of these two sources knew who had actually bought the diamonds. Other former RUF leaders, such as Gibril Massaquoi, are also active in the diamond trade but these commercial activities serve the interests of the individuals themselves, rather than RUF or its follow-up political party.

113. The Panel reported (see S/2000/1195 and S/2001/1015) on so-called "Gambian" diamonds as an issue of concern. The Gambia, a non-producing country, continues to feature prominently as the initial destination for smuggled diamonds. The Government of Sierra Leone voiced frustration about the level of smuggling to the Gambia. The Panel also established that the Chairman of the Diamond Dealers of Liberia, Mohamed Shour, is based in the Gambia and maintains a network of buying offices run by his family in Sierra Leone (he has an export licence as Sima Stars, which exported 13,411.47 carats from Sierra Leone in January and February 2002) and he is a registered diamond dealer in Liberia (Mars Diamond Company).

114. The Gambian authorities have insisted that they have never had any record of an official diamond transaction through the Gambia or a smuggling incident on its territory. In 2002 for the first time the authorities arrested two diamond smugglers. The Panel learned this from sources within the diamond industry, but could not independently confirm it.

115. The Panel of Experts continued to hear uncorroborated stories about President Taylor and his family taking an active interest in and benefiting from the diamond trade. The Minister of Lands, Mines and Energy reported that in the recent past the President heard of a 26-carat stone from Lofa County and insisted that the mine inspectors locate it for him. It was the President who ordered the suspension of the assistant and vice-ministers in the Ministry of Lands, Mines and Energy after a Japanese national, Tatsunari Uchida, who is president of the Tokyo-based Kinshodo Co. Ltd, a diamond import and export company, was arrested on 21 November 2001 for attempted diamond smuggling and possession of \$135,000 in undeclared cash. He was deported from Liberia on 5 December 2001.

116. The Panel obtained more details about the dealings of President Taylor and the sale of RUF diamonds through Monrovia until, at least, early 2001. Hotel Boulevard, a hotel in the heart of Monrovia, served as the most important meeting place for businessmen who came to deal in diamonds or arms. One of its customers was Sanjivan Ruprah, who stayed in Hotel Boulevard before he moved to a more permanent residence in Monrovia in the house of the late Police Commissioner Joe

Tate. The Panel describes in detail (S/2001/1015) how Ruprah was acting on behalf of both Viktor Bout and the Liberian Bureau of Maritime Affairs. A letter the Panel obtained during its latest trip to Liberia shows how Ruprah also paid for the accommodation of pilots of an aircraft that was used for the transportation of the President. Ruprah, apart from being involved in violating the arms embargo, is mainly a diamond dealer.

117. The Panel also interviewed Samih Ossailly, a Sierra Leone-born Lebanese who worked closely with Ibrahim Bah and is living in Belgium. Both stayed on many occasions in Hotel Boulevard where their rooms were turned into diamond buying offices. Bah, who was a key middleman between RUF and Liberia, was exporting through a company called Greenstone Diamonds. Other diamond dealers were based there as well and it is there that RUF commanders and representatives of President Taylor set up their negotiations of diamonds and arms deals and where international buyers came to buy them for export. Many of these wrote in the hotel register that they were guests in Liberia of the Government. Several eyewitnesses, including hotel staff, confirmed this to the Panel and acknowledged that many of the dealers were picked up by government vehicles, including vehicles from the Presidential mansion. The Panel has no knowledge of any recent dealings in Hotel Boulevard. The Hotel was closed for several months and was reopened only on 1 March 2002. It is now called Hotel Royal.

118. According to Samih Ossailly, Ibrahim Bah travels a great deal, and telephoned him regularly from Togo in March 2002, but shortly thereafter moved to another country. Bah had been based in Burkina Faso and in December 2001 was interviewed in Ouagadougou by a United States diplomat. The Panel obtained telephone numbers for Bah and, through a middleman, requested an interview but did not succeed in speaking to him.

B. Certificate of origin schemes

Background

119. Sierra Leone and Guinea have now fully implemented the certificate of origin schemes and, since RUF has been officially disbanded, by definition the problem of conflict diamonds is now solved. The problem of the illicit sale of diamonds however remains. A recent study of Sierra Leone's diamond industry by the United Kingdom Department for International Development concluded that in this industry corruption had its "most deleterious effect" and that dealing with this is a key challenge.

Sierra Leone

120. There have been three "90-day" reviews of the certificate of origin scheme established by the Government of Sierra Leone in compliance with paragraph 2 of Security Council resolution 1306 (2000). The first and second reviews were issued as documents S/2000/1151 of 4 December 2000 and S/2001/794 of 16 August 2001. The Government of Sierra Leone made a third submission (see S/2002/38) to the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) prior to the informal consultations of the Security Council on 13 December on the ban on illegal trade in Sierra Leone diamonds. On 19 December

2001, the Council adopted resolution 1385 (2001), extending the ban for a further 12 months from 5 January 2002.

121. Since the certificate of origin scheme became operational, 252,132 carats of rough and uncut diamonds valued at \$30.52 million have been exported to various markets in the world, such as Belgium, Israel, the United Kingdom and the United States.

122. The Government reports that the system continues to work well. The volume of exports continues to increase although the quality of stones entering the system has declined. By 1 January 2002 Sierra Leone had issued 184 certificates of origin and all corresponding import information had been returned to the Government Gold and Diamond Office. Digital photographs of rough and uncut diamonds for valuation and export are transmitted electronically with the information contained in the original certificate of origin. The Sierra Leone Ministry of Mineral Resources reported that Belgium and Israel had responded to their information but other importing countries had not.

123. The Independent Diamond Valuator and his assistant also work closely with the Government Gold and Diamond Office and no major differences in valuation or quality of identification were reported to the Panel. Crucial to the success of the certification process is the monitoring of mining and trading activities in the country. This is conducted by mines monitoring officers, although interviews with such officers in Kenema indicated they were poorly paid or not paid at all, lacked mobility and were prone to financial inducement. Three persons were arrested for unlawful possession of diamonds in recent months. A total of 140 carats valued at \$20,000 were confiscated and the culprits fined. The Anti-Corruption Commission in Freetown also recently moved against one senior government official for diamond smuggling, but there are many more widely talked about offenders.

Table 1
Diamond exports: comparative figures for January and February, 2001 and 2002

| | 2001 | | | 2002 | | |
|--------------|------------------|-------------------------|-----------------|------------------|-------------------------|-----------------|
| | Carats | Value | Price per carat | Carats | Value | Price per carat |
| | | (United States dollars) | | | (United States dollars) | |
| January | 13 486.10 | 1 991 773.84 | 147.69 | 20 890.75 | 1 436 569.50 | 68.77 |
| February | 15 384.67 | 1 909 276.29 | 124.10 | 16 988.55 | 1 782 848.73 | 104.94 |
| Total | 28 870.77 | 3 901 050.13 | 135.12 | 37 879.30 | 3 219 418.23 | 84.99 |

Source: Government Gold and Diamond Office, Sierra Leone.

Table 2
Diamond exports, September 2001 to February 2002

| | <i>Total carats</i> | <i>Value (United States dollars)</i> |
|----------------|---------------------|--|
| September 2001 | 29 706.68 | 2 194 349.36 |
| October 2001 | 24 097.92 | 2 488 455.56 |
| November 2001 | 21 358.88 | 2 152 522.95 |
| December 2001 | 16 669.34 | 2 032 708.34 |
| January 2002 | 20 890.75 | 1 436 569.50 |
| February 2002 | 16 988.55 | 1 782 848.73 |

Source: Government Gold and Diamond Office, Sierra Leone.

Restoring State control over diamond areas

124. Although RUF has ceased to exist as an armed entity, it has continued to try as a political one to maintain a grip on diamond production from the Kono and Tongo diamond fields. Although the deployment of the Sierra Leone Army in October 2001 did not immediately challenge the RUF grip on the trade, violence erupted on 19 December 2001 following a dispute over an agreement to stop mining in Koidu. This led to rioting and deaths. It seems probable that the vociferous support for the banning of mining in the town was a short-term measure to dislodge the vested interests of RUF in the trade. By 4 January 2002 a joint statement of intent to stop mining in Koidu town was reached and there has only been one reported incidence of mining in the town since.

125. There has been less progress in the Tongo fields. RUF held out longer against disarmament there but finally bowed to grass-roots pressure early in January 2002. Mining continues in Tongo and UNAMSIL officials admitted they preferred to turn a blind eye, since the attractions of mining in the area seemed to have transcended all factors, including mutual antipathy between former warring factions. In February 2002, UNAMSIL feared there might be an outbreak of violence in the Tongo fields similar to that in Koidu following their occupation by 200 members of a youth group, allegedly backed by remnants of CDF. Effective and fair handling of this by the local authorities avoided any conflict.

Guinea

126. Guinea followed Sierra Leone and in June 2001 introduced a certificate of origin scheme, which is controlled by the centralized Bureau national d'expertise de diamants et autres gemmes. According to the annual report of the Minister of Mines, Geology and Environment in 2001, Guinea exported 363,883 carats, valued at \$23,681,860. The authorities however complain that since they introduced the certificate of origin scheme the quality of the stones entering their system has declined, contributing to a decline from \$129.84 per carat in 2000 to \$65.08 in 2001. They also blame the collapse of international prices, and the effect of the events of 11 September 2001 on the consumer markets, for contributing to this decline.

127. In Guinea the Mining Ministry and the Police and Defence authorities provided the Panel with details of a recent case showing how the black market in

diamonds continues to affect the economy. Guinea has a special fraud brigade that operates as an inter-agency body. Surveillance teams inspect suspicious activities in the major diamond trading centres, at ports, airports or in the major hotels. Early in December 2001 they watched two Ukrainians who were involved in efforts to buy diamonds, but those negotiations were abruptly ended. When the Ukrainians were passing through the Conakry airport to depart, customs inspected them and found a small quantity of diamonds on them. These diamonds were undeclared and the Ukrainians offered a bribe of \$10,000 to be allowed to continue. The offer of such a large bribe raised suspicions further and an additional inspection of their luggage produced \$1.5 million in cash which when examined by the Central Bank was discovered to be counterfeit.

128. The Ukrainians were then arrested and taken into custody. During their interrogation they said they obtained the money from a third person in Conakry, and that it was to have been used as a down payment for the purchase of diamonds. While they were negotiating to buy diamonds, their interlocutors had refused their dollars and had verified that they were counterfeit. They had wanted to take the money to Moscow, from where they received orders from an unidentified man called Serguei. The diamonds they were carrying were from Kenema in Sierra Leone and had been smuggled to Guinea, they claimed. The investigation is continuing and Guinea has sought cooperation and assistance from Interpol.

129. The Panel welcomed these operations by the Guinean authorities. This showed a commitment by Guinea to deal with diamond smuggling, the very problem that had enabled rebels in Sierra Leone to wage their brutal war for many years. Such arrests, as with the arrests of those violating the arms embargoes, create a deterrent and make trafficking operations riskier and costlier for the traffickers. The fact that counterfeit dollars and smuggling were involved shows the necessity to match the introduction of a certificate of origin scheme with thorough inspections and investigations into diamond smuggling. This case shows the magnitude of the problem. It not only involves dealings in diamonds by rebel groups but also tax evasion, money-laundering and other criminal activities on an international scale.

Liberia

130. The Ministry of Lands, Mines and Energy has remained committed to establishing a credible diamond certification system. The Ministry has produced a draft certificate of origin (annex VII) and has sought assistance from the United Kingdom Government, the European Union and the High Diamond Council. The Minister of Lands, Mines and Energy met the Director for International Affairs of HRD early in January 2002 to request technical assistance to draw up a road map that the Government of Liberia might present to the Security Council for its approval so as to enable Liberia to establish its own credible scheme. Liberia wishes to draw up a protocol with HRD for such technical support.

131. The Government wishes to open a one-stop diamond export centre. This would work through a four-stage export process:

- The Inspectorate at the Ministry of Lands, Mines and Energy would check and verify export licences, weigh and photograph the diamonds for export and attest to the receipt of the parcel for shipment.

- These would then be passed on to an appraiser to determine the quality (gem or industrial) and the value in carats and United States dollars.
- This would then be assessed by the Central Bank of Liberia for taxes and royalties and the Central Bank would serve as the custodian of the parcel that was to be shipped.
- The Customs department at the Ministry of Finance would verify all shipment documents and affix a customs seal and the parcel would then be approved for export.

132. The Government of Liberia has proposed that this one-stop export centre should be located either at the Central Bank of Liberia or at the Ministry of Lands, Mines and Energy.

133. The Government of Liberia has participated in Kimberly Process meetings. The Minister of Lands, Mines and Energy most recently obtained a travel exemption from the United Nations to attend the London meeting in September 2001. Since then the United Nations travel ban and lack of finance has discouraged any additional participation. However, the Government indicated that it would support the General Assembly draft resolution submitted by Member States participating in the Kimberly Process. On 11 March 2002 the Minister of Lands, Mines and Energy, Jenkins Dunbar, wrote to the Foreign Minister asking him to inform the Liberian Mission to the United Nations that the draft resolution should be signed and adopted (see General Assembly resolution 56/263 of 13 March 2002).

134. Liberia's own official exports of diamonds in 1999 were valued at \$900,000, only 10 to 15 per cent of what is actually leaving the country according to the Ministry of Lands, Mines and Energy. In 2000, 22,112 carats were exported and there continued to be a rush to export diamonds prior to the imposition of sanctions in May 2001. Diamond specialists in Belgium and the United Kingdom believe that Liberia's true artisanal and commercial production is between \$10 million and \$15 million per year and easily identifiable. Any dramatic rise above this level of exports should raise the alarm that the Liberia label is once more being used to launder non-Liberian diamonds.

Côte d'Ivoire

135. Although Côte d'Ivoire has participated in some of the Kimberly Process meetings it has not yet implemented a certificate of origin regime and there is an urgent need for a review of its mining code. Currently, parcels exported from Côte d'Ivoire are accompanied by a document that is delivered after the inspection of each parcel by the Government's specialists. This document is not the same as a certificate of origin. Ivorian authorities claim that they lack the resources to afford the printing of such certificates and to install the hardware and software needed for feedback from transit and importing countries. The Ivorians claimed that they would be more engaged in the Kimberly Process if sponsorship were available.

C. Recommendation on diamonds

136. The diamond embargo on Liberia has contributed to the dramatic decline in the misuse of the Liberian label for diamond smuggling. The embargo has, however, reversed the problem, in effect, with continued smuggling of Liberian rough out of

the country and into neighbouring certification systems. If these certification schemes are to be credible, this situation needs to be dealt with urgently. Liberia should have its own credible certification scheme so that there is less incentive for Liberian rough to be deliberately mixed with rough of neighbouring countries.

137. Any dramatic increase in exports from Liberia could act as an early warning that the Liberian label is once more being used to launder non-Liberian diamonds. The Panel encourages the Government of Liberia to put in place a credible and transparent certification scheme which is independently audited by an internationally recognized audit company. This scheme should be independently assessed as credible and effective so as to facilitate the consideration of a monitored suspension of the diamond ban by the Security Council.

IV. Other sources of revenue and government expenditure

A. Background

138. The budget for the fiscal year 2001/2002 (July to June) was submitted late to Parliament, towards the end of November 2001, and adopted on 20 December 2001. The budget forecast expenditure of \$92 million, a decrease of some 9.5 per cent over the previous year. According to the Government and IMF, spending on defence takes up about half of income and, following a decision to reduce civil service wage arrears from 10 months to 4, non-wage domestic arrears continued to accumulate. On 18 October 2001 President Taylor claimed that his Government had spent \$25 million on the war in Lofa County.

139. According to IMF following its Article 4 assessment mission in December 2001 to Liberia, "Governance problems pervade Liberia's financial administration. Budgeting has become dysfunctional, tax incentives for large projects are granted on an ad hoc basis, the procurement system is weak, there are no apparent rules of oversight for purchases by the military ... there is little or no independent oversight of government operations". The Panel itself saw that the Auditor General's office was largely unfunded, unable to function while other government offices enjoyed support. Tax exemptions to concession holders were worth \$2.5 million in 2001 according to government figures.

140. In December 2001 the European Union initiated consultations under article 96 of the Cotonou Agreement following its decision in June 2001 to suspend its aid, totalling \$42 million, because of "worsening conditions" in the country. Article 96 allows for a consultation period of 60 days with a recipient country. Among the European Union's demands was that the Government of Liberia submit to a financial audit of its public finances. The Government consented just before the expiration of the two-month deadline given by the European Union.

141. The independent management and administrative audit is of selected government public and parastatal institutions. The aim of this European Union-funded initiative is to establish proper management, transparency and accountability in the public sector. The Panel welcomed this news as this may help to reduce the practice of opaque off-budget expenditure, which has been favoured for funding covert weapons procurement in violation of United Nations sanctions.

B. Rubber

142. Rubber production remains one of the major foreign exchange earners for the Government and the world's largest rubber estate — 90,000 acres with 11 million high-yielding trees at Harbel and Cavalla — is run by Firestone. Rubber production growth has reached a plateau. It increased by only 11 per cent in 2001 and low international market prices have affected profits. The rubber sector could begin an irreversible decline in years ahead. The gestation period for rubber trees is five to six years; considerable parts of the three main plantations are coming to the end of their productive life, and no significant replanting is under way. Rubber requires a longer-term approach and it remains a less easy target for "at source" off-budget expenditures, although once the profits enter the Government's accounts there is no guarantee on how they are used. The spread of the Lofa war has also affected rubber production, especially around Bomi.

143. The Government, in 2002, has removed its fuel tax exemption on the three main rubber producers and backdated the arrears. In December 2001 Parliament approved the Agriculture Concession Act, which effectively empowered the President to decide who was awarded new rubber concessions.

C. Logging

144. In its previous report (S/2001/1015) the Panel of Experts examined at length the timber industry and documented how in one case it had provided funds for weapons. Logging activities in 2001 apparently reached a plateau although it was one of the few areas of revenue growth for the Government because of efficiency in tax collection from logging activities, which netted \$6 million extra in 2001 over the previous year.

145. The war in Lofa County has badly affected timber production, and resulted in the loss of equipment. It has contributed to a steep decline in traffic through the port of Monrovia. Port figures overall provided by Bureau Veritas (BIVAC) show that large amounts of timber continue to be exported through Buchanan in 2002.

146. International scrutiny of the timber industry has resulted in the announcement of two initiatives. In August 2001 President Taylor announced that for the first time since his election in 1997 significant development aid from his Government, totalling \$7.5 million, will be distributed to five counties in south-eastern Liberia. These will be deducted from the total taxes collected annually from each county. Maryland, the home to some major logging companies will receive \$4 million paid by those companies, Sinoe, Grand Gedeh and River Gee will receive \$1 million each and Rivercess will receive \$500,000. A presidential committee has been established to discuss projects with each county and the funds are budgeted for the 2001/2002 fiscal year.

147. In a second initiative the Government on 17 January 2002 signed a memorandum of understanding with the National Environmental Commission of Liberia and the United States-based Conservation International Foundation for establishing a biologically representative network of protected areas covering at least 30 per cent of the existing forest area, some 1.5 million hectares. This initiative has been widely welcomed by environmentalists.

148. The Panel found that the Forestry Development Agency was last audited by the Auditor General in 1994. It will however fall under the European Union-funded audit. According to the Agency, during 2001 the highest production of round logs was recorded in March, with a volume of 138,647,956 m³, while in October the volume declined to 10,071 m³. Total production for 2001 was put at 982,292,020 m³ from 60 species of tree. Niangon represented some 12 per cent of total production in this period. There are 12 principal companies in the sector, which together produced 91.25 per cent of round logs in 2001. The Oriental Timber Company continued to dominate in 2001, with a total production of 484,087,982 m³, accounting for 49.28 per cent of total production.

149. In 2001 the three main destinations of round logs from Liberia were China (451,877,144 m³), France (98,694,358 m³) and Italy (48,822,283 m³). According to the Forestry Development Agency, FOB value reached \$79,833,926.79. These figures are likely to be underestimates because of tax evasion by companies and widespread corruption but the inspection of logs by BIVAC in 2001 has increased the Government's tax revenue from timber significantly. From January to March 2002 BIVAC inspected 33,740,041 m³ of log exports.

150. During its visit to Liberia the Panel continued to encounter keen advocates in non-governmental organizations and in the timber industry for the implementation of a United Nations embargo on round log exports and an independent audit of the industry. The Panel explained that this fell outside its immediate mandate but agreed to report these views. There were fewer advocates in Liberia for a total timber ban, although this remains an advocacy goal of a number of international non-governmental organizations.

D. Maritime and corporate registry

151. Liberia has the second largest maritime fleet in the world. In April 2002, Liberia's gross tonnage stood at 54,545,000 (29,191,000 net). There are to date 1,715 vessels registered under its flag of convenience (open registry).

152. In its previous report (S/2001/1015) the Panel of Experts documented how the Bureau of Maritime Affairs and its agent, the Liberian International Shipping and Corporate Registry, had been used for cover and funds for arms and transportation in violation of United Nations sanctions. The Commissioner of Maritime Affairs, Benoni Urey, continued to deny to the Panel that his Bureau was involved in such activities. The Panel has obtained additional documentation, including a passport and letter, showing that the arms dealer Sanjivan Ruprah had been a deputy commissioner of maritime affairs and maintained a close relationship with Urey.

153. A key finding of the Panel of Experts in its last report was that the Commissioner of Maritime Affairs and his Bureau are little more than a cash extraction operation and cover from which to fund and organize off-budget expenditures, including for sanctions-busting, and that the funds would need to be protected from Bureau misuse. The Ministry of Finance acted quickly and on 23 November 2001 announced that it would audit and ring-fence the Registry. On receipt of the funds the Ministry of Finance would channel the income through the Central Bank of Liberia and would segregate the funds for infrastructure, social, health and welfare development and support programmes.

154. On 3 December 2001 Liberia wrote to the International Monetary Fund requesting assistance to set up a financial monitoring mechanism. IMF replied on 14 December, welcoming the initiative, but claiming that the oversight proposed was primarily enterprise-specific and thus outside of the Fund's mandate. The Liberian authorities and their agent LISCRC have continued to seek a credible organization to provide financial oversight of the maritime revenue.

155. Figures provided by the Central Bank of Liberia for 2001 continue to show irregularities in figures from the Ministry of Finance and the maritime agent LISCRC. IMF noted, after its Article 4 consultations in December 2001, that reported payments from the shipping registry to the Government differed from collections at the Ministry of Finance by some \$2 million, possibly reflecting deductions at source by BMA or timing differences in the transfer of funds from offshore accounts.

Table 3
Maritime remittances, 2001

(United States dollars)

| <i>January-February</i> | <i>March-April</i> | <i>May-June</i> | <i>July-August</i> | <i>September-October</i> |
|-------------------------|--------------------|-----------------|--------------------|--------------------------|
| 387 272 | 489 091 | 1 198 181 | 0 | 3 356 363 |

Source: Central Bank of Liberia.

Table 4
Maritime remittances, September 2001 to February 2002

(United States dollars)

| | <i>Ministry of Finance</i> | <i>LISCRC</i> |
|----------------|----------------------------|------------------|
| September 2001 | 448 118 | 286 368 |
| October 2001 | 555 463 | 254 503 |
| November 2001 | 667 714 | 537 378 |
| December 2001 | 1 902 308 | 1 990 741 |
| January 2002 | 1 688 909 | 1 819 370 |
| February 2002 | 993 187 | 893 593 |
| Total | 6 255 771 | 5 781 885 |

Source: Ministry of Finance and LISCRC.

156. The Panel tried to examine the accounts of BMA but was informed that the generator had broken down and would be repaired only after the Panel had left Liberia. The Panel remains concerned about the activities of BMA. Although in October 2001 the authorities directed that government bank accounts be moved from commercial banks to the Central Bank of Liberia, BMA continues to maintain its three-signatory accounts at Ecobank in Monrovia. Although BMA should be funded by the Ministry of Finance with 10 per cent raised from the maritime revenues, the Panel found that it did not feature in the payroll status report of the Ministry of Finance (9 March 2002) and in the Bureau of the Budget's budget for the period from 1 July 2001 to 30 June 2002 BMA fell under the Government of Liberia

Special Commitment — budgeted for L\$ 48 million, more than the Senate. According to the Auditor General, his office last audited BMA in 1988.

157. The Panel did obtain figures from the Central Bank of Liberia, LISCOR and the Ministry of Finance. None of the figures match, and they show significant discrepancies illustrating the urgent need for independent auditing and oversight.

V. The travel ban

A. Complaints

158. The travel ban has continued to generate numerous complaints. Individuals on the list asked on what grounds they were on the list and how to appeal. The Panel also received several complaints from individuals who said that they had been wrongly accused of violating the ban by travelling. The Panel took all such complaints seriously and is investigating their veracity.

159. Following the publication of the Panel's previous report, the Government of Liberia circulated a memorandum reminding its officials not to travel. Indeed sightings of Liberian officials at Abidjan Airport have declined in 2002, owing to Monrovia's clamping down on certain types of travel for cost-saving and political reasons. However, a core of senior officials or business associates continues to flout the ban with impunity. A national of the Netherlands, Gus Kouwenhoven, has even boasted to the Liberian media that he travels regularly.

B. False passports

160. Problems with Liberian passports, including diplomatic passports, are well known and are also acknowledged by the Liberian authorities. According to the Government of Liberia, some embassies abroad have been involved in fraud. Much of the fraud and the lack of proper oversight due to the years of war had caused a proliferation of diplomatic passports without proper authorization.

161. President Taylor had all passports revoked in 1997 and new ones were introduced with unfalsifiable security features. The Foreign Ministry issues passports but other ministries may issue requests. The President also has discretionary powers to order the issuing of such passports. The Liberian National Investment Commission may also issue diplomatic passports to foreign businessmen who are appointed to find interested investors abroad. Since a special clause in the Liberian Constitution prohibits anyone not of Black African descent from becoming a Liberian citizen, foreigners can obtain some sort of honorary citizenship and become bearers of a Liberian diplomatic passport. Gus Kouwenhoven, for instance, has such a passport.

162. The Panel had during previous work in Liberia requested a full list of all the valid diplomatic passports that had been issued and a list was prepared by the Foreign Ministry, on the understanding that the list was not accurate. Foreign countries and Interpol regularly request clarification from Liberia on passports presented abroad. These requests are dealt with by the Liberian authorities and many irregularities had been rectified. Some cases related to wrongdoings by former

government officials or by embassies staffed with persons appointed by previous administrations, the Panel was informed.

163. The Panel has credible evidence, however, that the problem with diplomatic passports is also caused by the current authorities. As shown in the previous report, Sanjivan Ruprah, who was instrumental in arms supplies to Liberia, travelled with different diplomatic passports and under different names. For his sanctions-busting activities on behalf of the Government of Liberia he carried two different diplomatic passports as a deputy commissioner of the Bureau of Maritime Affairs. The Panel has now also found a document showing that Ruprah signed letters as deputy commissioner, on letterhead of the Bureau. The Panel wants to stress this point because, even after all the evidence presented in the previous report, the Commissioner of Maritime Affairs of Liberia kept claiming that Ruprah had nothing to do with his business.

164. The Panel found that a way to avoid being stopped at airports is for Liberian officials or businessmen affected by the United Nations travel ban to use multiple passports, issued under different names by the Liberian authorities. The Panel has obtained evidence of at least two such cases. Ambassador-at-Large Mohamed Salame, who plays a pivotal role in Liberia's operations through Côte d'Ivoire, has a diplomatic passport issued under his real name and another diplomatic passport, with a completely different identity, under the name of Ameri Al Jawad. The latter was issued in June 2001, just a few weeks after the imposition of the travel ban. In addition to copies of the two passports the Panel obtained corroborating documentary and direct oral evidence proving that Mohamed Salame has indeed been using that second passport while travelling. The Panel showed the pictures on these passports to several acquaintances of the Ambassador. All of them recognized both the pictures as those of Mohamed Salame. (See annex VIII.)

165. Another example is that of Moussa Cisse, a Guinean-born businessman who has been one of President Taylor's confidants for years and who plays a key role in the sale of diamonds and arms. The Panel has also obtained copies of both his passports, one a diplomatic passport under his own name as Chief of Protocol, Executive Mansion, and the other an ordinary Liberian passport under the name Mamadee Kamara. The Panel showed copies of both these passports to relatives and acquaintances of Moussa Cisse in Monrovia and they identified both the pictures as being of him. Copies of both these passports are in annex VIII to this report.

166. Another individual affected by the travel ban is Sam "Maskita" Bockarie of RUF. He was reported by the Panel in its previous report to be travelling under false names. The Ghanaian authorities have confirmed that Bockarie stayed in Accra in May 2001 under the assumed name of Sam Johnson (see para. 45 above).

167. During its previous visits to Liberia the Panel interviewed Gus Kouwenhoven at length and met him on different occasions. When the Panel questioned him about his breaches of the travel ban, he said he needed to travel for his business interests elsewhere in Africa. Although the Panel was not able to document this, several sources in Abidjan told the Panel he was seen there very frequently at the airport. Although the Panel inspected all the records and passenger lists of flights out of Monrovia from the start of the ban, his name did not appear in those records. The Panel also interviewed the owners of airlines in Abidjan. They did not know him as their customer. The Panel cannot explain how Mr. Kouwenhoven manages to travel without being recorded on passenger lists, unless he also has different passports or

travels under a false name. Many Liberians and expatriates in Monrovia and Côte d'Ivoire gave the Panel exact dates of his journeys from and to Liberia, always on Weasua flights, including:

- 22 December 2001, Gus Kouwenhoven arrived at Monrovia from Abidjan.
- 3 March 2002, Gus Kouwenhoven departed from Monrovia for Abidjan.
- 15 March 2002, Gus Kouwenhoven arrived at Monrovia from Abidjan.

Savings from the travel ban

President Taylor in his 2001/2002 budget speech, in November 2001, admitted that “with the imposition of United Nations sanctions on Liberia, came travel restrictions on certain officials of this government. While such action on the part of the United Nations limits our capacity to mobilize external commitments to our reconstruction needs, it curtails the proliferation of travel plans which, as we have seen in the past, have no bearing on the well-being of the people”.

Indeed the travel ban may have contributed to some significant savings. International travel consumed around \$600,000 of government funds per month in 1999. Following the Security Council travel ban many of these funds went unspent. Travel restrictions were extended to others not banned, further reducing expenditures. A circular reminding officials to respect the travel ban was circulated in November 2001 following the issuance of the report of the Panel of Experts (S/2001/1015) documenting violations. According to the Ministry of Finance these funds were first spent on fuel imports and more recently on helping to pay arrears of civil servants' salaries. This may have reduced government expenditures by about \$400,000 per month, a quarter of the average bill for monthly public salaries.

VI. The impact of sanctions on Liberia

168. The perception of average Liberians is that sanctions are affecting them. The Government has since May 2001 conducted an anti-sanctions campaign blaming the United States, the United Kingdom and the United Nations for the imposition of sanctions. The Ministry of Information runs this campaign. There have been two phases to the campaign: a first poster and billboard campaign in April and May 2001 was followed by demonstrations and critical reports in the press.

169. In 2002 the campaign entered a second phase, with 1,000 new posters distributed around Monrovia to be put up in government buildings claiming “arms embargo killing our people” and “sanctions: killing our economy” (see annex IX). The Government has also been actively trying to keep the population in ignorance about the sanctions and the work of the Panel of Experts.

170. When *The News* newspaper published on 16 November 2001 a feature about violations of the travel ban, it found itself suddenly confronted by a massive tax arrears demand and was forced to cease publication for several weeks. The Panel, when invited to appear on radio DC-FM for a phone-in show on 4 April 2002, was at

the last moment discouraged from participating by the manager of the radio station. The public was told that the programme was postponed “for technical reasons”.

171. In February 2002 the Senate Foreign Affairs Standing Committee in Monrovia held a series of hearings on the impact of sanctions, which included the testimonies of several respected persons from civil society who also called for sanctions to be lifted or modified. The Committee produced a confidential report on the sanctions, which also made recommendations on how to extricate Liberia from them. This was followed on 1 March 2002 by Senate resolution 003, which called on the United Nations to lift the arms embargo.

172. There have also been a variety of claims about the impact of sanctions. The University of Liberia Press Club, in a letter dated 14 January 2002 to UNOL, claimed that suicide rates had increased because of sanctions. One individual threatened to go on hunger strike because of United Nations sanctions but the Representative of the Secretary-General met him and encouraged him to consider an “exit” strategy because the “Council can take a long time to make a decision”. The individual decided then not to continue with his hunger strike. The Liberian Council of Churches wrote to UNOL in January about the “suffering of the Liberian people, socially, psychologically, economically and spiritually”.

173. The United Nations has been poor at defending the Security Council’s decision to impose targeted sanctions. This has also been highlighted by the report of the Secretary-General (S/2001/939 of 5 October 2001) on the humanitarian impact. The Panel found that few people had read the report of the Panel of Experts and that in Liberia downloading the report from the Internet is a rare, costly and time-consuming luxury. The United Nations needs to proactively distribute hard copies of the Panel’s reports to interested parties in Monrovia. Since the last report (S/2001/1015) is out of print, the Panel recommends that a second print run of 1,000 copies be arranged and that UNOL be requested to hold a series of workshops in Monrovia on the findings of the Panel to balance the one-sided nature of the current discussion.

174. Sanctions have caused some collateral damage. They and the war have contributed to the depreciation of the Liberian dollar. The Economist Intelligence Unit notes that until local traders abandon their practice of hoarding the United States dollar and refusing to do business in local currency, it will be difficult for the Government to stabilize the exchange rate. The state of emergency declared in February 2002 has increased the flight of capital and contributed more than the sanctions to a further downturn of consumer confidence. In public perception they are intertwined, however.

175. There has also been a steep increase in inflation since the imposition of sanctions. The rate of inflation was in single digits until July 2001, when inflation began to rise. By February 2002 the rate of inflation was recorded at 22.4 per cent, having risen from 3.8 per cent in May 2001 owing to rapid escalation in the prices of goods and services, in part because of sanctions but also because of the war and opportunistic profiteering by traders.

176. International non-governmental organizations also complained to the Panel that they still experience difficulties in finding funding from international donors for projects in Liberia but admitted this resulted as much from the Government's poor governance record and the war as from the sanctions. Liberia's relations with the World Bank group, however, have been frozen and will be re-evaluated when United Nations sanctions are lifted.

Annex I**Letter dated 5 March 2002 from the Secretary-General addressed to the President of the Security Council***

I have the honour to refer to Security Council resolution 1395 (2002) of 27 February 2002 concerning Liberia, in paragraph 3 of which the Council decided to re-establish the Panel of Experts on Liberia appointed pursuant to paragraph 19 of resolution 1343 (2001) for a further period of five weeks, commencing no later than 11 March 2002.

The Panel will conduct a follow-up assessment mission to Liberia and neighbouring countries, in order to investigate and compile a brief independent audit of the compliance by the Government of Liberia with paragraph 2 and of any violations of paragraphs 5, 6 and 7 of resolution 1343 (2001) and to report to the Council through the Committee established by paragraph 14 of resolution 1343 (2001). In paragraph 5 of resolution 1395 (2002), the Council requested that I appoint, in consultation with the Committee established by paragraph 14 of resolution 1343 (2001), no more than five experts to serve on the Panel.

Accordingly, I wish to inform you that, taking into account the requirements stated in resolution 1395 (2002), including that I draw, as much as possible and as appropriate, on the expertise of the members of the Panel of Experts established pursuant to resolution 1343 (2001), I have appointed the following four experts:

1. Mr. Atabou Bodian (Senegal, expert from the International Civil Aviation Organization)
2. Mr. Johan Peleman (Belgium, expert on arms and transportation)
3. Mr. Harjit Singh Sandhu (India, expert from Interpol)
4. Mr. Alex Vines (United Kingdom of Great Britain and Northern Ireland, expert on diamonds).

(Signed) Kofi A. Annan

* Previously issued under the symbol S/2002/237.

Annex II

Meetings and consultations

Côte d'Ivoire

Government

Airport Authority
Ministry of Mines, Geology and Environment
Ministry of Defence
Ministry of the Interior

Diplomatic, bilateral and multilateral agencies

Liberia
United Kingdom
United States of America
UNDP

Civil society

Centre for Democratic Empowerment
Modern Africa

Private sector

Air Inter Ivoire
Hotel Ivoire Inter-Continental

Others

Ms. Ellen Johnson-Sirleaf

Guinea

Government

Air Navigation Agency
Commissioner of Judicial Police
Directorate of Civil Aviation
Ministry of Foreign Affairs
Ministry of Defence
Ministry of Mines, Geology and Environment
Prefecture of Macenta
Sub-Prefecture of Daro
Village Chief of Badaro

Diplomatic, bilateral and multilateral agencies

Mano River Civil Society Movement Conference, Conakry
Secretariat of Roberts Flight Information Region
UNDP
UNHCR
United States of America

Private sector

Mr. Mohamed Yansane (Pecos)

Others

Liberian refugees in Daro and Kouankan camps

Liberia

Government

Ministry of Foreign Affairs

Ministry of Lands, Mines and Energy

Ministry of Transport

Ministry of Revenue

Ministry of Defence

Ministry of Finance

Office of the Auditor General

Bureau of Immigration and Naturalization

Bureau of Maritime Affairs

Central Bank of Liberia

Director of Civil Aviation

Expenditure Team (*Minister of Finance, Director of Budget, Deputy Minister of Revenue, Deputy Minister of Expenditure and Coordinator of International Economic Cooperation*)

Forestry Development Agency

Liberian Petroleum Refining Corporation

National Security Agency

Roberts International Airport

Task Force on Compliance with resolution 1343 (2001)

Diplomatic, bilateral and multilateral agencies

Canada

European Union

Guinea

Sierra Leone

UNDP

UNOL

United States of America

Civil society

Mr. Michael Kpakala Francis, Archbishop of Monrovia

Conservation International

Fauna & Flora International

Liberian Women Initiative

Médecins sans Frontières

National Campaign for Liberia's Survival (NACALS)

Save the Children, UK

Private sector

Mr. Eid, owner of Hotel Boulevard (now Hotel Royal)

Mr. George Haddad, head of Lebanese community

BIVAC

Diamond Star Company

Firestone

Global African Minerals

Mobil RIA
UMARCO (Liberia)

Media

Analyst
BBC
Reuters
The Enquirer
The News

Sierra Leone

Government

Ministry of Foreign Affairs
Ministry of Mineral Resources (in Freetown and Kenema)
Ministry of Justice
Sierra Leone Police (Special Branch and Criminal Investigation Department)
Sierra Leone Army

Private sector

American Diamonds in Bo
H. Shour and Sons
Ossailly Diamond office in Kenema
Rex Diamonds in Freetown
Salim Ossailly Diamond office in Bo

Diplomatic, bilateral and multilateral agencies

UNAMSIL
 Civilian police officers in Bo and Freetown
 Civil Affairs Officers in Bo
 Force Commander
 Military intelligence office, Freetown
 Military observers in Freetown, Bo and Buedu
United Nations Volunteers
United Kingdom

Civil society

Chiefs and Elders from Kailahun District
Civil Defence Force leaders at Brookefields Hotel, Freetown
International Crisis Group
RUF representatives

Miscellaneous

Air West, Togo

Africa Confidential

Amnesty International

Conciliation Resources

De Beers

Diamond High Council (Hoge Raad voor Diamant), Belgium

Department of Defence, USA

Department of State, USA

Directorates of Civil Aviation, Democratic Republic of the Congo, Moldova and Togo

Economist Intelligence Unit

Foreign and Commonwealth Office, United Kingdom

Global Witness

Human Rights Watch

International Monetary Fund

International Peace Information Service, Belgium

Interpol General Secretariat, Lyon (France)

J.P. Airlines Fleet in Switzerland (Mr. Sommers)

LISCR

LURD representatives

Merlin

Oxfam UK

Samih Ossailly, diamond dealer

Tiramavia, Moldova

The Perspective

Wall Street Journal

Annex III**Letter dated 28 December 2001 from the Permanent Representative of Ghana to the United Nations addressed to the Chairman of the Panel of Experts**

Further to my letter of 19 November 2001, which was in response to your letter of 1 October 2001, I wish to inform you that the Mission has been informed by the competent Ghanaian authorities that Mr. Sam Bockarie did visit Accra between 17 and 28 May 2001 and that he stayed at Ebony Hotel, Dzorwulu, in Accra under an assumed name, Sam Johnson, but has since not returned to Ghana.

I hope this information will be conveyed to the relevant United Nations bodies with a view to clearing Ghana of any suspicion of harbouring Mr. Sam Bockarie in violation of United Nations sanctions against Liberia.

(Signed) Nana **Effah-Apenteng**
Ambassador
Permanent Representative

Annex IV

Press release issued by the Government of Liberia

Monrovia-Micat — 15 February 2002 — An Antonov 12 Aircraft crashed early this morning, about 4 miles away from the approach to the Roberts International Airport (RIA) Runway, in Margibi County.

An Information Ministry release quotes the Transport Ministry and RIA authorities as saying, the Antonov 12 aircraft at about 5 p.m. this morning sought emergency landing permission while flying over Liberian Territory. The permission was granted.

However, a short time later, the release says the plane crashed and exploded upon impact.

Meanwhile, investigation into the crash is being undertaken by the Civil Aviation Department of the Ministry of Transport.

Annex V.A

Annex V.B

Annex VI.A

Annex VI.B

Annex VII

Annex VIII.A

Annex VIII.B

Annex IX