

Please check against delivery

STATEMENT

BY

H.R.H. Prince Zeid Raad Zeid Al Hussein
Chair of the Peace Building Commission's Country-Specific Configuration for Liberia

Before

The Security Council

Agenda Item: The Situation in Liberia

16 March 2010

Mr. President,

I am honoured to present this briefing as the Chairman of the Peace Building Commission's Configuration for Liberia, and to be joining the SRSG and Head of Mission for UNMIL H.E. Ms. Ellen Loej. Given my current association with Liberia, I would also like to commend publicly the superb leadership of the SRSG in all areas involving UNMIL's work – and there is not a single person I met in Liberia who does not agree with this assessment -- and to acknowledge the very high quality and caliber of her two deputies, as well as the great contributions by the UNMIL Force Commander, and the Commissioner of UN Police. With every visit to the field I am also reminded of the extraordinary talent of the UN staff members and find myself in a position always of never knowing enough.

I would also like, Mr. President, with your kind permission to note publicly what I have said privately to the Council on a previous occasion: what I find encouraging about the future of Liberia is the great number of talented and committed officials and public personalities from the highest levels of government through the county and down to the district levels, from the judiciary and parliament to the independent commissions, in the LNP and the BIN, in civil and religious society and in the media. I have completed two visits to Liberia and I have learnt enormously from all of them.

Mr. President,

Before I focus on my presentation, may I first support entirely what the SRSG has said with respect to the Ivorian refugees. On 19 February I visited Sanniquellie in Nimba County – the worst affected county – and spoke both to the representatives of the county as well as to the senior Liberian officials who were with me. From all of them, I grasped fully just how quickly the security situation could degenerate either from any further swelling in the number of Ivorian refugees, or if no assistance was given to the Liberian authorities -- in the form of transportation and communication -- to manage this delicate situation as it exists now.

Mr. President,

While in Sanniquellie, I also met with a number of traditional leaders to learn about the alternative, traditional, land dispute mechanisms used by them. Many observers, as well as officials, both in and out of Liberia believe that sorting out the numerous land disputes would, as a priority measure and in conjunction with other measures like the use of the Palava Hut discussions, youth employment programmes, and ceremonies to memorialize the past, be sufficient in leading the country toward national reconciliation.

What became clear to me, in the course of my discussion with these traditional leaders, however, was the extent to which the problems of Liberia extend

some distance beyond the resolution of competing land claims. While it is undoubtedly true: sorting out land disputes would indeed go a long way toward blunting the lingering ill feelings which exist between the two principal communities in the country, they will not remove them. The land disputes have only amplified what is already there, has existed for a long time, it does not account for them entirely. And the Palava Hut mechanism is not a sufficient basis for dealing with the competing historical narratives either. It is a means for resolving fixed disputes, one that the Liberians place a great deal of trust in, and which has enjoyed broad success, but it generally works well only until the next crisis, problem or dispute, comes along. And if it were sufficient in sorting out the deeper resentments, Liberia would not have suffered the upheavals over the course of thirty years.

What is needed is a firmer foundation in the form of a single, uniform, historical narrative. The Truth and Reconciliation Commission proposed the establishment of a Historical Commission, and I believe that should be the centerpiece, and first step toward the construction, of a unified national memory. The government has, commendably, picked this up, although it has asked the Ministry of Education to undertake this activity. Most respectfully, I believe, however, this requires a much higher profile and I will continue to discuss this and other matters relating to national reconciliation with the Liberian authorities in due course, including the establishment of an archive where all the documents of state are housed and safeguarded.

Once a memory is established, the Palava Hut mechanism will have greater meaning as an instrument of national reconciliation, in that, hopefully, it would also provide the forum for reckoning, the precursor for reconciliation. And with a well-designed youth employment programme in place, surely the foundations for a lasting peace would be more secure. I should add, Mr. President, we are still awaiting a World Bank assessment of its own youth employment programme, before agreeing to the pilot project, as provided for in the Statement of Mutual Assessment.

Mr. President,

When in Sanniquellie, I also visited a Circuit Court that had recently been renovated by the UN. In speaking to a thoughtful judge, who was that day presiding over a particular proceeding, it came to my attention that while all cases before the circuit court were jury trials -- unless requested otherwise by the Counsel for Defence -- funds did not exist for the sequestration or the isolation of the jury, and most, if not virtually all, trials at that level in Liberia suffer from this shortcoming. The upshot is clear therefore: the justice system remains very prone to potential contamination. The Liberian authorities of course are well aware of this and the Law Reform Commission, whose commissioners appear to be exceedingly able, will, by now, have begun drafting together with the Ministry of Justice a new jury law.

I raise this point to underscore the fragility of the judiciary, following the many years of conflict and instability. The Government is very much committed to providing judicial services to areas beyond Monrovia, but it must be careful not to export a system, which is, in many ways, broken. The authorities must, for example, as a matter of some urgency, put into place a case tracking system. In my meetings with the very capable Minister of Justice, I was informed there were also plans to draft a witness protection law and a law broadening the subject-matter jurisdiction of the magistrate's courts, where possible. These steps need to be supported, particularly as progress is now being made on the creation of the first Hub – out of a total five Security-Justice Hubs -- in Gbanga, for which an initial disbursement of funds from the PBF has already been made available. I anticipate that several buildings within the Hub will have been constructed by the time the Configuration visits Liberia this coming June.

Mr. President,

It remains a great concern of mine that efforts by the Liberians to rebuild their Court system will require a considerable amount of time, and so the system itself will likely remain weak and penetrable in the short term. There is, however, an idea being promoted within the Liberian Government -- although I hasten to add it is still in its infancy -- that has generated some interest, focusing on the establishment of special courts for serious economic crimes with, potentially, a specialized police force. In view of the threat posed to Liberia and other countries of the sub-region from transnational organized crime, I believe this to be an idea worth investigating in greater detail with the Liberian government.

As a general rule, the approach I feel the PBC needs to adopt is for us to take the excellent ideas generated by the Liberian officials themselves: like the creation of the hub, the creation of a historical commission or the creation of special courts for serious economic crimes and to explore with them the manner by which we could be most helpful.

The Joint Steering Committee in Monrovia led jointly by the Liberian Minister of Planning and the Deputy SRSG Mr. Moustapha Soumare, who is also the Resident Representative and the Humanitarian Coordinator, has endorsed the priority plan, although it has still to be communicated formally to the Peace-Building Support Office. The plan is based on the Statement of Mutual Commitment and sets the stage for the subsequent programming document. In early February, a programming workshop was convened in Monrovia, which brought together senior representatives of the Liberian government and the UN Country team to isolate the so-called “priorities of the priorities.” It was a source of deep encouragement that the Liberian government was represented at the level of ministers, including the Minister of Finance. Even more significant was the commitment made by the Liberian ministers to provide at least some funding to each of the major projects, which could then, in time, be increased. A UN drafting group has taken the results of the workshop and put together a programming document now before the Liberian

Government. Once its input has been received, I intend to share this document with the Liberia Configuration, before then embarking on resource mobilization and follow-up.

Finally, Mr. President, prior to my last visit to Liberia, I had very useful discussions in Washington D.C. with officials from the US Department of Defence, and from the US State Department, including USAID. I also met with international civil society actors engaged in Liberia, and had very interesting meetings with the World Bank. I also held talks in Brussels with EU officials who are involved in Liberia and was much impressed by their insights. Here in New York, my meetings with INTERPOL, UNODC, and the ICTJ were all extremely beneficial. In all these discussions, I was encouraged to find a convergence of opinion: we all marveled at how Liberia has achieved so much since the end of the fighting in 2003 but all realized fully just how breathtaking the challenges confronting Liberia still are – and that, ultimately, we take nothing for granted.

Thank you Mr. President