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**ECOWAS/ECOMOG Military Intervention in Liberia and  
Sierra Leone: Lessons Learned**

by

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Thesis  
submitted in partial fulfillment of the requirements for  
the Degree of Master of Arts (Political Science)

Acadia University  
Fall Convocation 2005

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This thesis is accepted in its present form by the Office of Research and Graduate Studies as satisfying the thesis requirement for the degree Master of Arts (Political Science).

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## **ABSTRACT**

The current interest in human security during intra-state conflicts is challenging the principle of non-intervention. Citizens sometimes need protection from autocratic leaders, from chaos when central government administration collapses, and from atrocities during intra-state conflict. When these conflicts affect neighboring states, there is pressure on them to take action in order to restore regional stability and, perhaps incidentally, to protect human rights.

This study documents how the loss of political control and authority and the spill-over effects of intra-state conflicts threatened West African peace and stability during the civil wars in Liberia and Sierra Leone. The chaos arising from the collapse of central government administration, the fear of conflict spill over, and concern about the violation of basic human rights encouraged West African states to override the principle of non-intervention in sovereign states.

The Nigerian-led ECOWAS/ECOMOG military intervention brought together states with diverse political, strategic and humanitarian goals which, combined with logistical shortcomings, resulted in severe challenges to the organization and deployment of the peace keeping and enforcement operations. These shortcomings led to prolonged misery in the region and exposed the vulnerabilities of sub-regional organizations in conflict management. This is significant given the reluctance of the USA and other major powers to intervene unless their national interests are threatened. Sub-regional organizations such as ECOWAS have limited resources to undertake conflict management and may be prone to regional rivalries and issues of leadership.

## ABBREVIATIONS

ADB	African Development Bank
AAFC	Allied Armed Forces of the Community
ACS	American Colonization Society
ADB	African Development Bank
AFL	Armed Forces of Liberia
AFRC	Armed Forces Revolutionary Council
APC	All People's Congress
ANAD	Accord de Non Aggression et d' Assistance en matiere de Defense
AU	African Union
ECOWAS	Economic Community of West African States
ECOMOG	ECOWAS Military Monitoring Group
EC	European Community
EO	Executive Outcome
EU	European Union
GDF	Grand Gedeh Defence Force
GSA	General Services Administration
IGNU	Interim Government National Unity of Liberia
IMF	International Monetary Fund
INPFL	Independent National Patriotic Front of Liberia
JWT	Just War Theory
LAMCO	Liberian and American Mining Company



LPC	Liberian Peace Council
LDF	Lofa Defence Force
LUDF	Liberian United Defence Force
LURD	Liberians United for Reconciliation and Democracy
MOJA	Movement for Justice for Africa
MRM	Movement for the Redemption of Muslims
MAD	Mutual Assistance on Defence
NAM	Non-alignment Movement
NATO	North Atlantic Treaty Organization
OAU	Organization of African Union
ONUC	United Nations Operation in the Congo
PK	Peacekeeping
PE	Peace Enforcement
PKO	Peacekeeping Operations
PAL	Progressive Alliance of Liberia
PRC	People's Redemption Council
PPP	Progressive Peoples Party
SLA	Sierra Leonean Army
RUF-SL	Revolutionary United Front of Sierra Leone
NFRD	National Front for the Restoration of Democracy
NPRC	National Provisional Ruling Council
NCOs	Non-Commissioned Officers
NPFL	National Patriotic Front of Liberia

SLC	Sierra Leone Company
SLIP	Sierra Leone Initiative for Peace
SLLC	Sierra Leone Labor Congress
SLPP	Sierra Leone People's Congress
SAP	Structural Adjustment Programs
SBU	Small Boys Unit
SMC	Standing Mediation Council
TWP	True Whig Party
TRC	Truth and Reconciliation Committee
ULIMO	United Liberation Movement for Democracy in Liberia
UNAMSIL	United Nations Assistance Mission in Sierra Leone
UNDPKO	UN Department of Peacekeeping Operations
UNEF	United Nations Emergency Force
UNPROFOR	United Nations Protection Force
UNOMSIL	United Nations Observer Mission in Sierra Leone
UNSOM	United Nations Operation in Somalia
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UNIFTA	United Task Force
UNTAC	United Nations Transitional Authority in Cambodia
USA	United States of America
WMD	Weapons of Mass Destruction

## ACKNOWLEDGEMENTS

It is now time to put a final full stop to this project which has taken longer time to complete than anticipated. The journey on the project has been thorny, rough, bumpy and stressing as obstacles of various sizes, shapes, colors and dimensions challenged me.

A Swahili proverb says that it takes a whole village to raise a child and like that proverbial child this project needed help to reach maturity and hence many deserved to be thanked for the various help rendered. My first and foremost thank goes to the Almighty God who granted me the strength and ability to come this far before and during this project.

I am particularly indebted to my supervisor, Dr. Malcolm Grieve at the Dept. of Political Science, Acadia University, who provided wise, gentle and undeviating guidance, correction and encouragement and had shown concern and patience in difficult times.

My appreciation goes to my wife, Victoria, who had to put up with my absence, silence and fluctuating moods during the course of this project. I also thank my extended families and friends for bearing with me and their faithful prayers and support.

I want to thank the following for their friendship and concern: Pastors Ruby and Bruce Patstone and family and all the members of the Lamb's Way Christian Ministries, Wolfville, NS. To Wellesley Davison, I say you are a great guy and thanks for your hospitality and supports. Kevin Madison must be mentioned as he has been a great colleague whose company I enjoyed. Thanks to Xuetong Jane Ma for being a little, but a great sister. To the Ghanaian and other African students at Acadia University, I say "akpe" for the company and the fun we had together.

I want to thank Acadia University, the Political Science Dept. and the Faculty of Arts for giving me the opportunity to study here. Thanks to the Acadia Graduate and Research for providing the funding for the research.

I want to extend my appreciation to the librarians at the Pearson Peacekeeping Centre, Cornwallis, NS for helping me look for the materials needed for this project.

Finally, I want to render my heartfelt and special thanks to Mamma Turid Dagmar Gudmundsen of Tromsø, Norway, for her sacrifice, encouragement and support all these years. This project would not have been completed without your tremendous help. To you I say *Tusen hjertelig for hjelpen!* I'll always be deeply indebted to your kindness.

To all whose names I have not mentioned here I thank you for your help in diverse ways. When you hear the cock crows tomorrow or the birds chirp in the woods, it is me trying to say, "*Akpe na mí katã. Do menya wona o. Mawugã ne yra mí.*"

*This thesis is dedicated in honor of your cherished memory, **Papa**. Your struggles to give me an education that was denied you were and will never be in vain. Your death has not taken away the dream. You are always in my heart. I love you.*

## **Chapter 1: INTRODUCTION**

When the Cold War came to an end many were optimistic that the world would become more peaceful due to the positive signs of cooperation within the United Nations Security Council (UNSC). Instead there was an upsurge of internal conflicts which were overshadowed during the Cold War ideological rivalry.<sup>1</sup> In other words, instead of a new world order, there has emerged in the post-Cold War era, a new world disorder.

The developing world is witnessing increased marginalization, the mounting dangers of proliferation of weapons and ammunitions, but at the same time the growing tide of democratization is coupled with rising concern about human rights. There is heightened insecurity in the upsurge of intra-state conflict which has the tendency to engulf a whole (sub)-region. For example, the Rwandan civil war which spilled over to the neighboring states in central and eastern Africa, and the Liberian civil war spilled over to West African sub-regional states of Sierra Leone, Guinea-Bissau, and Gambia. These are clear indications of this insecurity dilemma.

There has also developed a disturbing trend in international relations in which major powers are increasingly removing themselves from the affairs of most parts of the world, especially Africa, when their geo-political and economic interests are not threatened. African states are marginalized strategically as they are of little value and interest to the big powers.

The African continent which used to be a playground for the superpowers saw its hope for peace and development dashed into pieces by the upsurge of intra-state conflicts

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<sup>1</sup> In this thesis intra-state conflict, internal conflict and civil wars are used interchangeably.

which are distinct from inter-state conflicts of the Cold War era. The intra-state conflicts with ethnic undertones occur at an immense human cost and violation of human rights.

Political stability, an essential condition for any meaningful socio-economic development, has eluded many African states. Coups and counter-coups, murder, bribery and corruption, poverty, hunger, and famine have become synonymous with post-independent Africa. Countless people have been uprooted and displaced from their homes and communities. Renewable and non-renewable resources have been wasted in pursuit of the desire to stay in power indefinitely. Loans and grants received for the development of the various states have been stashed away by leaders in Western banks for personal use. This obnoxious attitude throws the countries further into abject poverty. Those who challenged their leaders found themselves in prison, murdered or maimed.

During the Cold War era, a certain set of ideas about sovereignty and non-intervention were predominant, but this did not deter countries from embarking on interventions when their geo-political and economic interests were threatened. The change in the international system in the post-Cold War era has seen a shift in which there are calls for intervention, especially military intervention, due to the large human rights violation within sovereign states and sovereignty is being bypassed if international peace and stability are threatened. The assumption is that if intervention is allowed in intra-state conflicts, it will undermine the respect for sovereign equality which are embodied in national self-determination.

After the mid-1980s, Liberia experienced a dramatic change in its political history in which over a century old political and social hegemony of Americo-Liberians was challenged and squashed by indigenous Liberians through a military coup d'etat led by

Staff Sergeant Samuel Doe. His leadership was replete with ethnic favoritism, nepotism, murder and assassination of political opponents leading to an insurrection in December 1989 under the leadership of Charles Taylor and his National Patriotic Front of Liberia (NPFL). With time the conflict escalated and many innocent civilians were murdered as the NPFL moved towards the capital, Monrovia to take over political power from Samuel Doe. Other factions joined the race for political power with more atrocities being committed by Armed Forces of Liberia (AFL) and the rebels alike. The international community was reluctant to intervene.

Since its independence in 1961 Sierra Leonean political history featured weak administration, coups d'état and counter coups, nepotism, victimization of political opponents and assassinations. There were many unsuccessful attempts to overthrow the various governments. But in March 1991 the Liberia conflict spilled over to the neighboring state of Sierra Leone. The insurrection was led by Foday Sankoh (former corporal in the Sierra Leonean Army) and his Revolutionary United Front (RUF). The RUF survived five different regimes and caused a lot of havoc in which innocent people were massacred or maimed. In 1997, the Armed Forces Revolutionary Council (AFRC) overthrew the democratically elected government of Armed Tejan Kabbah and invited the notorious RUF to join in the political administration of the country. Again the international community did not lift a finger to restore peace and stability in Sierra Leone as in Liberia.

The use of child soldiers was common in both conflicts. Children, who were recruited either willingly or by force by the rebel forces, joined the rebels in order not to face ruthless attack, hunger or subsequent murder. These children were witnesses to their

sisters and mothers raped and other family members butchered to death by the rebel forces. To be a recruit was a better alternative to hunger and eventual death. Girls and women were raped and some were forced to become sex slaves for the rebel leaders.

In order to fund the war, the rebels exploited the rich diamond deposits of Liberia and Sierra Leone which they sold on the international market. The revenue from the sale of the diamonds was used to buy more weapons from illegal dealers.

Many people became internally displaced while others fled the country due to the conflicts in these two states. The refugee influx into the neighboring states became a source of insecurity and instability in the sub-region. The fear of further spill over of the conflicts into the whole sub-region was of great concern to the leaders in the sub-region. The burden of sub-regional peace and security fell on the Economic Community of West African States (ECOWAS) to resolve the conflict at any cost. ECOWAS was formed on May 28, 1975 to promote economic and social cooperation within the sub-region.<sup>2</sup> Though security issues were not included in the initial ECOWAS agreement, a “Protocol on Non-Aggression” was signed in April 1978 which is to act as constraint on the member states from interfering in the domestic affairs of each other.<sup>3</sup> In May 1981, the Community signed a Protocol on Mutual Defence (MAD) pledging to be “each others’ keeper” in case of external attack.<sup>4</sup>

In August 1990 ECOWAS sent a peacekeeping force, ECOWAS Military Monitoring Group (ECOMOG) to Liberia to keep a peace that was non-existent. ECOMOG had to oscillate between peacekeeping and peace enforcement due to the situation on the ground. A Nigerian contingent of ECOMOG stationed in Sierra Leone in

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<sup>2</sup> See *Treaty of the Economic Community of West African States (ECOWAS)*, May 22, 1975

<sup>3</sup> See ECOWAS Protocol on Non-Agression, April 22, 1978

<sup>4</sup> See ECOWAS Protocol Relating to Mutual assistance on Defence, May 22, 1981

transit to Liberia helped restored the overthrown elected regime of Tejan Kabbah in 1998. This began another difficult task for ECOMOG-II. ECOWAS became the first sub-regional organization that initiated, implemented and executed a peacekeeping operation in the world before it was taken over by the United Nations. ECOWAS efforts to bring the warring factions to the negotiation tables were frustrated by the support given to the insurgents by some of the member states of ECOWAS, especially the francophone states which brought to the fore the latent francophone-anglophone division within the organization.

ECOMOG troops, especially the Nigerian contingent indulged in crimes against established rules of peacekeeping and warfare – excessive use of force, looting, killings and detention of groups of people including civilians. The presence of ECOMOG resulted in the prolongation and broadening of the conflict rather than containing it and bringing it to an earlier resolution.

ECOWAS actions in Liberia and Sierra Leone violated the state sovereignty and the non-intervention principles in the internal affairs of sovereign independent states. ECOWAS leaders on the other hand argued that it was their legal, moral and humanitarian obligation to militarily intervene for the sake of peace and security of the sub-region.

## **OBJECTIVES**

The main objective of this study is to explore and assess the rationales for ECOWAS military intervention in the civil wars in Liberia and Sierra Leone and the political, legal and ethical implications of the interventions. Secondly, the study seeks to contribute to the wide discussion of “military intervention” and its short and long term



implications. In order to pursue these objectives, the following pertinent questions have been selected for exploration: Has peacekeeping in the post-Cold War era become obsolete? Why were the international community and other bodies initially reluctant to intervene militarily in Liberia and Sierra Leone? What were the rationales for ECOWAS members' military action? What were the impediments faced by ECOMOG? Can ECOMOG's experience be a model for conflict resolution in West Africa and the rest of the world plagued with intra-state conflicts?

In this thesis I will argue that the upsurge in intra-state conflicts wars, conflict spill over, refugee influx and the abuse of human rights are justifications a military intervention. These conflicts are threat to sub-regional peace, security and stability. And finally, considering the inadequacies embedded in the ECOWAS defense protocol, the mechanism under which it operates needs to be amended in order to meet the necessary legal, political, financial and logistics requirements thereby closing all the loopholes to facilitate a better intervention mechanism.

This study is based on data collected during the summer of 2003 at Pearson Peacekeeping Centre, Cornwallis, University of Toronto, Toronto, University of Manitoba, Winnipeg and to a lesser extent at Acadia University, Wolfville. It was practically impossible to collect primary data due to distance and financial constraints. I did interview two scholars on the nature of the conflict in West Africa, the changing nature of sovereignty and military intervention and the future of the role of sub-regional organizations in the resolution of intra-state conflicts.<sup>5</sup> Most data collected were in the

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<sup>5</sup> In May 2003 I interviewed Dr. Rob Matthews and Tom Tieku both of Political Science Department, University of Toronto, ON.

form of official documents (UN and ECOWAS), journals, reports, books, magazines, newsletters and newspaper articles.

## **CONFLICTS IN AFRICA**

The African continent has become synonymous with civil conflicts. The causes of these conflicts have both internal and external dimensions. Internally, African leaders are known for clinging to political power. Few of them have voluntarily relinquished power or allowed themselves to be defeated in a political election while the majority of them have either been forced out of office through a popular revolt, armed insurrection or military coups d'état.

In their quest to remain indefinitely in power many African leaders devised strategies to that effect – summary execution of opponents, imprisonment without charges and trials, unaccounted disappearance of opposition leaders and the contracting of mercenaries. All these conditions led to poverty, political instability and at worse civil wars which have become a common phenomenon. The deplorable conditions in turn led to countless number of people being uprooted and internally displaced from their homes and communities others seeking shelter and security in foreign countries and cultures.

Personal rule and corruption have become the norms of the day.<sup>6</sup> The result is weak states, which are unable to take care of their populations. Robert Jackson refers to them as quasi-states because outwardly they resemble states in name only while the inner

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<sup>6</sup> This is characterized by the prevalence of patronage politics, clientelism and patrimonialism. See David K. Leonard and Scott Straus, *Africa's Stalled Development: International Causes and Cures* (Boulder: Lynne Rienner Publishers, 2003), pp. 2-8. According to J.I. Clarke, the "personal rule" attitude of most leaders could be traced back to the pre-colonial era in chiefdoms where the "chief's rule was largely personal as he had no recognized body of councilors, though he appears to have usually consulted a body of sub chiefs." See Clarke (ed.) *Sierra Leone in Maps: Geographic Perspectives of a Developing Country* (New York: Africana Publishing Corporation, 1969), p. 31

workings of the state are lacking in “political will, institutional authority and organized power to protect human rights or to provide socio-economic welfare.”<sup>7</sup>

Underlying these internal problems is the relationship between Africa and the outside world. Although the African continent is geographically a homogeneous entity, it is politically, religiously and culturally heterogeneous. The origins of these entities existed before the partition of Africa by European powers in Berlin in 1844/45 which saw the systematic division of the continent amongst European powers with the aid of poor maps and with scant attention to African people and without thoughtful consideration to ethnic and cultural differences.<sup>8</sup> People of different ethnic background were forced into artificial entities - Nigeria, Sierra Leone, Ghana, Sudan, Rwanda, Cote d'Ivoire, South Africa and Togo among others.

The Transatlantic Slave Trade and later colonization had impoverished the continent as able bodies were sent to the Americas to work. Natural resources, both renewable and non-renewable, were robbed from the continent to develop Europe.

By the 1960s many of African nation-states had gained independence from their colonial masters, but the artificial borders were maintained in order not to disrupt and throw the new states into disarray after many years of struggle for independence. Adebayo Oyejide and Abiodun Alao note that any attempt to redraw the inherited boundaries, though irrational, would create more problems than it would solve hence, “apart from the charter, the sanctity of these boundaries was further endorsed by the resolution of the 1964 Organization of African Union (OAU) summit conference held in

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<sup>7</sup> Robert H. Jackson, *Quasi-States: Sovereignty, International Relations and the Third World* (Cambridge: Cambridge University Press, 1990), p. 21

<sup>8</sup> Oliver Furley, “Africa: The Habit of Conflict” in Oliver Furley (ed.), *Conflict in Africa* (London: I.B. Tauris, 1995), p. 2

Cairo, Egypt.”<sup>9</sup> African leaders were interested in consolidating their political positions against their political rivals hence they did not resolve the problem of the differences in the ethnic composition of the states they inherited.

The intra-state conflicts on the continent are concerned with who is to wield political power. The key actors in a conflict pursue not only political power, but also control of lucrative economic markets, crush their opponents in order to gain legitimacy and/or followers and the “elites who promote conflict often justify their cause as part of a grander scheme” thereby claim to be fighting for their “community.”<sup>10</sup>

Dent Ocaya-Lakidi, among others, is of the view that the latent causes and the forms of conflict on the continent could be traced back to the colonial administration which fostered uneven “development” which led to the “inequalities in the relative economic, social, and political fortunes of various ethnic and regional groups inhabiting the same countries.”<sup>11</sup> The worst of all, he notes, is the “divide and rule” strategy pursued by the colonial administration “which hampered the integration of different ethnic groups into a unified whole.”<sup>12</sup> The outsiders also provided “distorting mirrors” which reflected negative images of themselves [ethnic groups] which in turn contributed to a negative stereotyping of different ethnic groups.”<sup>13</sup> Unfortunately, after the departure of the colonialists, African leaders continued the divide and rule strategy. This resulted in the marginalization of various ethnic groups and areas with poor resource which at times led to lack of equity in the distribution of the nation’s resources.

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<sup>9</sup> Adebayo Oyeade and Abiodun Alao (eds.), *Africa after the Cold War: The Changing Perspective on Security* (Trenton, NJ: Africa World Press, Inc., 1998), p. 7

<sup>10</sup> David K. Leonard and Scott Straus, *Africa’s Stalled Development: International Causes and Cures* (Boulder, CO: Lynne Rienner Publishers, 2003), pp. 58

<sup>11</sup> Dent Ocaya-Lakidi, “Africa’s Internal Conflicts: The Search for Response” in Report of a High-Level Consultation, (23-25 March, 1992, Arusha, Tanzania), p. 7

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

Of the immediate causes of conflict on the continent, Ocaya-Lakidi argues that most conflicts erupted from the earlier period and were closely related to “factors rooted in the negative legacy of colonialism, those that aroused a sense of injustice and external factor that exacerbated conflict.”<sup>14</sup> This is evidenced in the arbitrary borders which cut across segments of the same ethnic groups among different contiguous state, creating a potential for irredentism and giving an inter-state dimension to internal conflicts – across-border ethnic dynamics is beyond the wildest imagination of many “outsiders”.<sup>15</sup> In addition, individuals or groups feel that they are deprived of their

political rights or participation, or the opportunity to develop their self-worth, equitable access to economic resource or resources or opportunities, economic conditions of majority of a reasonable means of livelihood, security of the of the person and property cannot be effectively guaranteed.<sup>16</sup>

Faced with this situation people would either demand to secede from the larger society or would also like to take part in the equitable distribution of the national goods.

External factors also contributed to the many potential conflicts on the continent which were transformed into actual ones due to the stakes some interested outsiders have ongoing conflict. The direct intervention of outsiders in the post-colonial era for their national interests also exacerbated the situation on the continent. The internal power struggles among post-independent African elites brought about outside intervention which played one group against the other in areas where their interests were threatened.

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<sup>14</sup> Ibid.

<sup>15</sup> It is interesting to note that people living in, for example, Ghana, but have their farms in Togo, their eastern neighbor, have to cross the border every time they wanted to work on their farms. The situation becomes more complicated with national identities: My maternal grandparents are Togolese by nationality and my father and his parents and I are Ghanaians by nationality, but we are all Ewes by ethnic identity.

<sup>16</sup> Ocaya-Lakidi, pp. 7, 8

For example mining companies in Katanga became involved in the Congo crisis in the 1960s; South Africa's wars against the Frontline States and the supply of arms to Angola, Chad, Liberia, and Rwanda among others.<sup>17</sup> Many of the African states did not totally sever ties with their formal colonial master with whom they signed all forms of bi-lateral agreements in areas of defense and economics.

The forms of conflict on the African continent are not homogeneous. In some cases various groups became embroiled in the conflicts and the states acted as an arbiter. The state may be successful in settling the differences through negotiations. In other instances, the state is either the contesting party or is being used by particular ethnic group(s).<sup>18</sup> This form of conflict – state against group(s) – is predominant on the continent. Our case studies will explain this further. The state uses all methods and resources at its disposal to suppress any opposition. This leads to a high rate of dissident attacks and further insurrection. The insurgents receive help from outside especially from the neighboring states and these results in the internationalization of the conflicts. The refugee influx, conflict spill over, economic and social hardships on the limited resources of the receiving states are just but few of the problems that face African states in times of conflict.<sup>19</sup> Conflicts have thus become a common phenomenon on the African continent and this attracts the attention of the international community to address these conflicts through humanitarian intervention. In addition, these conflicts are hindrances to economic development and are bad for trade. Africans have adopted many mechanisms to combat these conflicts but with limited success. The mechanisms and structures of the

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<sup>17</sup> Ibid., p. 8

<sup>18</sup> Ibid.,

<sup>19</sup> Most African states have had their share of the internal conflict – Liberia, Algeria, Democratic Republic of Congo, Belgian Congo, Sierra Leone, Guinea Bissau, the Gambia, Togo, Rwanda, Burundi, Angola, Mozambique, Central African Republic, Nigeria, Mali and Cote d'Ivoire, just to name a few.

international system itself, (for example the Cold War antagonism between the East and the West, the weapon industry and the trade barriers to African goods), can be said to be a hindrance to successful eradication of the conflict on the continent,

The Cold War was a blessing in disguise for many African leaders as they manipulated the main ideological antagonists – USA and former Soviet Union– to improve their prospects of receiving aid. The strategy was to make the Cold War blocs compete in offering them aid and investment without committing themselves to either. Apart from using the antagonists for their needs, the Cold War could be said not to have been a key issue to Africans as they were concerned with domestic nation-building and economic development while at the same time trying to unite and emancipate the rest of the continent under white supremacy and colonial domination. The African leaders (together with other Third World leaders) found a balance between the East-West divide by joining the Non-Aligned Movement (NAM) in 1961. The NAM as a “common bond was to be a foreign policy independent of the superpowers or associated blocs, then polarized by the Cold War.”<sup>20</sup> Simply put, NAM is “a policy with regards to blocs” which the leaders approved of and it became an important driving force in the establishment of the Charter of the OAU in 1963 in Addis Ababa, Ethiopia 1963.<sup>21</sup> In a broader perspective NAM’s original focus was on “worldwide issues of promoting peace, resolution of disputes, and coexistence,” but its narrower political concerns include, “the threat to world peace, decolonization, racial discrimination, and foreign intervention.”<sup>22</sup>

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<sup>20</sup> Richard L. Jackson, *The Non-Aligned, the UN and the Superpowers* (New York: Praeger Publishers, 1983), p. 8

<sup>21</sup> Article III, Section 7, OAU Charter. It is worthy to note that from 2001 the OAU changed its name to African Union (AU). In this thesis I’ll maintain the old name, but will use “AU” where I deem it appropriate.

<sup>22</sup> Gopal Krishna, “India and the International Order – Retreat from Idealism” in Hedley Bull and Adam Watson (eds.), *The Expansion of International Society* (Oxford: Clarendon Press, 1984), pp. 278

Third world leaders saw the importance of NAM as the exercise of their sovereignty. As the Colombian President Belisario Betancur succinctly puts it, “Our proposal to join the non-aligned group is an affirmation of sovereignty...It is a question of not being a satellite of any one power center and of maintaining our own power of decision.”<sup>23</sup> The strategy adopted was to withstand the manipulation of the two blocs. If the leaders were to be committed to either of the power blocs, this would “give foreign powers an opportunity to create a neo-colonial relationship with them which would eventually jeopardize their independence,” thereby tampering with their sovereignty.<sup>24</sup> By this strategy they were able to help preserve world peace and stability. Unable to intervene directly, the superpowers fought proxy wars through their unsuspecting African allies. The civil wars in the Congo in the 1960s and Angola in the 1970s are illustrative.

In their effort to preserve the peace and stability on the continent, African leaders developed a mechanism to that effect. The formation of the OAU in 1963 was not only to consolidate the territorial integrity and sovereignty of states, but also to forge a unity among the states on the continent. Cognizant of the artificial borders and the fear of meddling in each other’s affairs, the leaders resolved to help each other in pacific settling of disputes among themselves and within their respective borders and to respect the territorial integrity and sovereignty of each other. It was no surprise that OAU did not embark on any significant intervention among its member states.<sup>25</sup>

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<sup>23</sup> Quoted in Richard L. Jackson, op. cit., p. 8

<sup>24</sup> Adebayo Oyeade and Abiodun Alao (eds.), *Africa after the Cold War: The Changing Perspective on Security* (Trenton, NJ: Africa World Press, Inc., 1998), p. 6

<sup>25</sup> John W. Haberson and Donald Rothchild, “The African State and State System in Flux” in John W. Haberson and Donald Rothchild (eds.), *Africa in World Politics: The African State and State System in Flux* (Boulder, CO: Westview Press, 2000), p. 13



The OAU's attempt at peacekeeping in Chad (1981-1983) was stalled by "inadequate financial and material support combined with logistical, mission, and communication difficulties."<sup>26</sup> Despite the unsuccessful experience in Chad, OAU intervened in the Rwandan conflict in 1990 and Burundi in 1993. In Rwanda, OAU intervention was possible due to structure of command and joint collaboration of political and military commission with representatives from Burundi, Uganda, Zaire (Congo), Belgium, and France and the United States.<sup>27</sup> The joint collaboration gave broad legitimacy to the forces. In the case of Burundi, the OAU received help from Mali, Burkina Faso, Cameroon, Niger and Tunisia.<sup>28</sup> This shows that the OAU could embark on any successful mission without outside help. Though the respect for territorial integrity and sovereignty ranked high, multilateral intervention was deemed necessary and some countries embarked on unilateral intervention, for example, Tanzania in Idi Amin's Uganda in 1979.<sup>29</sup>

Though lacking financial and material resources, the post-Cold War era taught the Africans that they have to take the bull by the horns when it comes to domestic conflict that is ravaging the continent. It was upon this note that in 1993 the OAU established the "Mechanism for Conflict Prevention, Management and Resolution" with its main objective being "the anticipation and prevention of situations of potential conflict from developing into full-blown conflicts."<sup>30</sup> Thus, the goal prompted OAU's attempt to pursue peacemaking and peace building efforts not only in times of full-blown conflicts,

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<sup>26</sup> Ibrahim A. Gambari, "The Role of Foreign Intervention in African Reconstruction" in William I. Zartman (ed.), *Collapsed States: The Disintegration and Restoration of Legitimate Authority* (Boulder: Lynne Rienner Publisher, 1995), p. 229

<sup>27</sup> Ibrahim A. Gambari, in William I. Zartman, op. cit., p. 231

<sup>28</sup> Ibid.

<sup>29</sup> Oyebade and Alao, op. cit., p. 9

<sup>30</sup> See Organization for African Unity, "The OAU Mechanism for Conflict Prevention, Management and Resolution" (Addis Ababa: Organization of African Unity, 1993).

but also in post-conflict situations. However, due to the rigid adherence to the principle of state sovereignty and respect for territorial integrity and lack of funds prevent the leaders to work together to achieve this goal. Thus the mechanism that was put in place became mere rhetoric as Africans are still not in the position to play any significant role in bringing about peace and stability to the continent. The OAU therefore could not embark on intervention despite the violation of human rights and the massacre of innocent people in many of the civil conflicts.

The presence of a conflict is a threat to security, stability and economic infrastructure and development in the regions where they occur. Arms procured from the superpowers and different independent suppliers helped African leaders to clamp down on opposition or rebellious ethnic groups. The use of force prevented some of these conflicts from escalating out of proportion. However, with the end of the Cold War, many powers in the West began to redefine their strategic interests around the world. They became reluctant or disinterested towards the involvement in the foreign conflicts which do not have direct impact on their national interests. The result is selective international intervention in conflicts. The upsurge of intra-state conflicts in the post-Cold War era, the limited resources at the disposal of the UN and the realization that the UN cannot meet the demands of world conflicts, has made regional and continental bodies take some of UN peacekeeping responsibilities. This does not necessarily mean that the UN has become dysfunctional in the area of peacekeeping, but rather could incorporate these bodies into realizing its goals.

In the post-Cold War era, there has emerged a new standard of intolerance for human misery and atrocities. The principle of non-intervention is giving way to

intervention, especially humanitarian intervention for the purpose of protecting human life from atrocities committed by government and insurgents.

African leaders appeared to have awakened to the reality of the threat to regional and sub-regional security posed by internal conflicts. The cherished non-interference principle as stipulated in the UN and the OAU Charters is being challenged. African leaders have recalled that the instability in one country could easily spill over to their neighbors. There is the need for Africans to take matters in their own hands as the West is reluctant to help Africa resolve its conflicts. William Nhara notes that:

“Regional organizations should realize that there is a need to take on the primary responsibility for their own problems, especially those relating to issues of peace, security and stability. This is necessary as Africa’s *external partners are increasingly less enthusiastic about sharing its problems.*”<sup>31</sup> (italics added).

Nelson Mandela expressed his concern about how African leaders are hiding behind the principle of non-interference in the internal affairs of each other. He challenged his fellow African leaders when he said “we must all accept that we cannot abuse the concept of national sovereignty to deny the rest of the continent the right and duty to intervene when, behind those sovereign boundaries, people are being slaughtered to protect tyranny.”<sup>32</sup> Boutros Boutros-Ghali also argued that the “defense of the oppressed in the name of morality should prevail over frontiers and legal documents.”<sup>33</sup> This means that there must be a relaxed or elastic interpretation of the principle of non-intervention when there is a breakdown of governance, massive abuse of human rights or

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<sup>31</sup> Quoted in Jeffrey Herbst, “Western and African Peacekeepers: Motives and Opportunities” in John W. Haberson and Donald Rothchild (eds.), *Africa in World Politics: The African State in Flux* (Boulder, CO: Westview Press, 2000), p. 310

<sup>32</sup> Quoted in Robin Luckham and Gordon White (eds.), *Democratization in the South: The Jagged Wave* (New York: Manchester University Press, 1996).

<sup>33</sup> This seems to have been his interpretation of the UN Security Council Resolution 688 of April 1991 which approved intervention on “the right to interfere on humanitarian grounds.”

destruction. In short, there has emerged a growing demand for intervention in the domestic affairs of sovereign states on the basis of violation of human rights.

The reluctance of the international community has prompted Economic Community of West African States' (ECOWAS) Monitoring Group (ECOMOG) to intervene militarily in civil wars in Liberia and Sierra Leone. ECOWAS, as a sub-regional organization initiated, implemented and embarked on a multilateral intervention in order to avert the potential for sub-regional destabilization through conflict spill over. It is this novel gesture of ECOWAS that captured my interest and hence the desire to investigate this unique adventure in the sub-region. What also makes the ECOWAS initiative interesting is that it was the first time that a sub-regional organization initiated, implemented and embarked on an intervention mission and was endorsed and later joined by the UN. This demonstrates the supportive role of the UN to regional initiatives that are consistent with Boutros Boutros-Ghali's concept spelled out in his 1992 *Agenda for Peace* in which regional organizations are encouraged to participate in resolving regional conflicts.

It has become apparent that when governments lost control of their political authority and state degenerated into chaos anarchy and when there is fear of conflict spill over to neighboring states and the conflict would become a threat to sub-regional peace and security, a military intervention becomes necessary.

## **ROADMAP OF THE THESIS**

The thesis is organized in five chapters. Chapter two explores the theoretical concept of Intervention. We look at various reasons or justifications for intervention in the domestic affairs of states. Also in this chapter we differentiate between peacekeeping

and peace enforcement as forms of military intervention. There is a discussion on humanitarian intervention which has become an important argument for intervention in the internal affairs of states. States would rather embark on multilateral intervention than unilateral one as the former gives a broad legitimacy for such operations. We therefore conclude the chapter with a discussion on multilateral intervention.

Chapter three, a descriptive analysis, traces the background to the states of Liberia and Sierra Leone and the remote and immediate causes of the civil wars in the two states. Here we also discuss the initial reluctant response of United States, OAU, Great Britain and the UN. As every decision to intervene is a political decision, we therefore look at ECOWAS' attempt to resolve the conflicts through diplomacy – peace negotiations. We then discuss ECOMOG actions which oscillated between peacekeeping and peace enforcement due to the situation on the ground. Finally, an attempt is made at comparing the two civil wars and ECOMOG's intervention.

Chapter four analyzes the effects of the conflicts, the consequences of loss of political authority in Liberia and Sierra Leone and the legal and political implications of ECOMOG interventions and the problems faced by ECOMOG.

Finally, chapter five concludes this discussion with the possible lessons that may be learnt from ECOWAS/ECOMOG intervention in Liberia and Sierra Leone for a better conflict management in the sub-region.

## **Chapter Two: The Concept of Intervention**

*Policy makers plan interventions, nations sustain them ...*

James N. Rosenau<sup>1</sup>

Member states of the international community have principally agreed not to interfere in the domestic affairs of each other hence they pledged to respect the sovereignty of each other. This means that non-intervention is the key prerogative of sovereign states. The United Nations Security Council (hereafter UNSC) is charged with the preservation of international peace and security and mandated to embark on intervention when the peace and security of the international community are at stake or threatened. States prefer to embark on a multilateral intervention in order to gain a broader legitimacy than unilateral intervention which would incur the accusation of violation of non-intervention principle as stipulated in international law.<sup>2</sup> This does not mean that states do not embark on unilateral intervention as history is replete with individual states intervening in the domestic affairs of others for various reasons - national interest and at times citing human rights violation and/or moral obligations - invoking the various provisions in international law to legitimize their actions.

The concept of intervention can be used to help us understand and analyze the rationales for ECOWAS military intervention in the civil wars in Liberia and Sierra

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<sup>1</sup> James N. Rosenau, *The Scientific Study of Foreign Policy* (New York: Nichols Publishing Company, 1980) p. 355

<sup>2</sup> Article 2(4) clearly prohibits unilateral intervention in stating that “the threat or use of force against territorial integrity or political independence of any state, or in any other manner consistent with the Purposes of the United Nations.”

Leone. We first look at the concept of intervention with peacekeeping and peace enforcement as forms of military intervention. We then look at humanitarian intervention and multilateral intervention with the former as important justifications for breaching sovereignty though there are other competing hypotheses for these forms of intervention. This sets the tone for discussion for the rest of this thesis as these were constant reasons given by many ECOWAS leaders for embarking on intervening militarily in the domestic affairs of independent sovereign states of Liberia and Sierra Leone.

The changes in the conditions in the post-Cold War era, especially the upsurge of intra-state conflicts and the development of human rights issues have resulted in bringing to the forefront the debates about the relevance of intervention. The target states of international concerns react by asserting the traditional principles of sovereignty and territorial integrity. The dilemma here is how to express the right to self-determination and limit intervention without jeopardizing the principles of sovereignty. In other words, the international community is thus faced with the problem of how to reconcile intervention in the domestic affairs of independent sovereign states with the traditional concept of state sovereignty which implies freedom from interference by others – the principle of non-intervention – when states violate human rights and when the international peace and security is threatened. One cannot but notice the paradox of the UN as on one side aims to promote human rights, while on other side prohibits interference in the domestic jurisdiction of member states when not only human lives are in danger, but also when the economic infrastructure upon which development of these very countries depend are being destroyed.

The increased awareness of human rights and the obligations that leaders have to protect their citizens, could lead one to say that the abuse of human rights has become intolerable hence the call for intervention within sovereign borders.

Non-intervention in the domestic affairs of independent sovereign states is endorsed by international law and international organizations e.g. UN, AU, and OAS. This makes intervention a contested concept in international relations. The word “intervention” carries with it a negative moral and legal connotation in the international relations literature in which the concepts of state sovereignty and self-determination are the prerogatives of states, but when considered from “humanitarian” point of view, it carries with it a positive moral and legal connotation. The environment under which the concept has been operating has changed so must the non-intervention clause attached to it. This change is evidenced in the nature of conflict in the international system as manifested in the rise of intra-state conflict as opposed to inter-state conflict during the Cold War in which the principle of non-intervention was an important attribute of states. During the Cold War, the US intervened in South American states; France and Soviet Union in many of the African states and apartheid South Africa intervened in the “Frontline” states. These interventions were conducted for political, ideological, economic and security reasons. The last decade of the twentieth century had witnessed an influx of international concern about intervention, democracy and human rights and refugee problems which is playing a determining role in the change in international community’s attitude towards positive sovereignty and interventionism. This does not erode the concept of state sovereignty.



Intervention has been used to describe a wide range of action undertaken by outsiders in order to influence the internal affairs of a sovereign state as this concept has evolved following the 1648 Treat of Westphalia. Intervention literature is replete with discussions of various actions through which one state experiences the impact of another – military, propaganda, economic, diplomatic, ideological, etc.<sup>3</sup> Many scholars regard intervention as a “third party action in the context of alliance”, “UN-sanctioned humanitarian interventions,” and “militarized interventions.”<sup>4</sup> One could say that all these attempts are more or less descriptions of what intervention is and are too broad to capture a particular action of state sovereignty violation.

The definition of intervention suggests that it is a “dictatorial or coercive interference by an outside party or parties in the sphere of jurisdiction of a sovereign state, or more broadly of an independent political community.”<sup>5</sup> John Vincent sees intervention as being “... aimed at the authority structure of the target state. It is not necessarily lawful or unlawful, but it does break a conventional pattern of international relations.”<sup>6</sup> This definition implies an intervention in the state by outsiders and it is a breach of international convention, whether it is unilateral or multilateral, which is derived from the principle of sovereignty. To Hedley Bull, intervention in the sense of coercive interference by outside parties in the sphere of jurisdiction of a state is “an

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<sup>3</sup> James Rosenau, “Intervention as a Scientific Concept” in James Rosenau (ed.), *The Scientific Study of Foreign Policy* (New York: Nichols Publishing Company, 1969), pp. 344-345

<sup>4</sup> See Jean-Sébastien Rioux, “Third Party Interventions in International Crisis: Theory and Evidence” a paper presented at the annual meeting of the *Atlantic Provinces Political Studies Association*, St. John’s Newfoundland & Labrador, (26-28 September 2003), p. 5

<sup>5</sup> Francis Lawrence L. Oppenheim quoted in Hedley Bull (ed.) *Intervention in World Politics* (Oxford: Clarendon Press, 1984), p.

<sup>6</sup> John R. Vincent. *Non-Intervention and International Order* (Princeton: NJ, Princeton University Press, 1974), p. 13

endemic or built-in feature of our present international arrangement.”<sup>7</sup> Thus, intervention is bound to take place as part of the feature of international system. Using Bull and Vincent’s classical definition with some modification, Robert Jackson seems to agree that intervention is “interference by a sovereign state, groups of such states, or international organization, invoking the threat or use of force or some other means of duress, in the domestic jurisdiction of an independent state against the will or wishes of its government.”<sup>8</sup> This definition encompasses multilateral and unilateral intervention, use or threat of use of force within the borders of other states. States that embark on unilateral intervention for whatever reason incur the criticism of having ulterior motives than what their acclaimed motives are. Multilateralism can give states a broader legitimacy.

In a search for a better definition of “a third party intervention” Jean-Sébastien Rioux, the Canada Research Chair in International Security, states:

A third party intervention is a concrete action, be it political, economical, or military, undertaken by a government or intergovernmental actor of the international system, the purpose of which is to affect the direction, duration or outcome of an internal/civil or international conflict. As such, intervention is a response to an ongoing crisis/conflict and has a convention-breaking character (i.e., it is an extraordinary measure).<sup>9</sup>

Rioux maintains that this operationalization is both inclusive and useful because “it is concerned [with] only concrete steps undertaken by third parties – actual political or military decisions ... the operationalization is action-based.”<sup>10</sup> Though this definition seems to have captured the scope of third party intervention, it does not tell us about the

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<sup>7</sup> Hedley Bull (ed.) *Intervention in World Politics* (Oxford: Clarendon Press, 1984), p. 181

<sup>8</sup> Robert H. Jackson, *The Global Covenant: Human Conduct in a World of States*, (Oxford: Clarendon Press, 2000), p. 250

<sup>9</sup> Jean Sébastien Rioux, op. cit. p. 10. He notes that the involvement of third party interveners can occur at varying levels and take different forms including bilateral or international discussion, fact-finding, good offices, condemnation, “a call for action”, mediation or conciliation, arbitration, sanctions, and peacekeeping or military intervention. p. 7-8

<sup>10</sup> *Ibid.*, p. 11

nature of parties to the conflict itself – two or more rebels, insurgents, etc. In this thesis, I'll adopt this definition and the operationalized military intervention definitions of James Rosenau - “the movement of a specific number of troops into or near the target society” (though this excludes economic and political intervention) and Fredrick Pearson’s definition which states the “movement or troops or military forces by one independent country or a group of countries in concert, (or colony of an independent country), across the border of another independent country.”<sup>11</sup> These definitions implicitly make us aware that there is a crisis and encompass a “concrete event” - military action. The event is either unilateral or multilateral and has a specific goal in mind. Though it does not tell us about the nature of the parties to the conflict, it will be assumed that considering the intra-state nature of the conflicts, there could be at least two involved. One could say that a common thread that runs through all these definitions is the exercise of coercive force directed at a specific sovereign target, the actors, the type of intervention, the activity, the purpose and context and that it is against the principle of state sovereignty.<sup>12</sup> As we shall discuss later, ECOMOG took a concrete action against the warring factions in Liberia and Sierra Leone. The composition of the ECOMOG force could be said to represent a multilateral approach to the conflicts in Liberian and Sierra Leone, though not every member state of ECOWAS supported the military action. Intervention may undermine the stability of the international system, but some may uphold human rights and preserve international order. Intervention should be evaluated according to the purpose it serves - to uphold human rights or preserve international peace and order - and not the means to achieve this goal.

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<sup>11</sup> James N. Rosenau. p. 349; Fredrick Pearson, “Foreign Military Intervention and Domestic Disputes” *International Studies Quarterly* 18: (1974), p. 261

<sup>12</sup> Vincent, op. cit., pp. 4-13

## **Military Intervention – Peacekeeping and Peace Enforcement**

Military intervention is an extreme type of intervention and it is an important aspect of the attempt by the international community to deal with threats to international peace and security.<sup>13</sup> Peacekeeping is a specific aspect of military intervention. The last decade or so has witnessed much emphasis on humanitarian aspect of intervention in intra-state conflicts. This has led to an injection of what is termed “peace enforcement” which could be said to be an extension of peacekeeping. This is not to say that “peace enforcement” has not been used in the past. For example, it was used by the UN in the Congo crisis and by US in Somalia in 1992-93.

### **Peacekeeping**

Peacekeeping (hereafter PK) is not mentioned in the UN Charter though it is one of the cornerstone mechanisms for maintaining international peace and order.<sup>14</sup> PK was developed as a method of assisting in achieving the main aim of the UN which is maintenance of international peace and security defined in Article 1 of the UN Charter, but PK “goes beyond purely diplomatic means for the peaceful settlement of disputes as described in Chapter 6 of the UN Charter but falls short of military or other enforcement provisions of Chapter 7.”<sup>15</sup> According to *International Peace Academy*, PK is “The prevention, containment, moderation, and termination of hostilities, through the medium of a peaceful third party intervention, organized and directed by internationally, using

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<sup>13</sup> States also use a benign form of intervention - economic sanctions.

<sup>14</sup> However, the UN Charter mentions peacekeeping operations (PKO) as “an operation involving military personnel, but without enforcement powers, undertaken by the United Nations to help maintain or restore international peace and security in areas of conflict.” See United Nations Publication, 1990

<sup>15</sup> United Nations Document S/25 402, 12, 1993

multinational forces of soldiers, police, and civilians to restore and maintain peace.”<sup>16</sup>

Paul Diehl defines PK as “the imposition of neutral and lightly armed interposition forces following a cessation of armed hostilities, and with the permission of the state on whose territory these forces are deployed, in order to discourage a renewal of military conflict and promote an environment under which the underlying dispute can be resolved.”<sup>17</sup>

Though this definition captures the scopes of the functions of PK it is mostly appropriate for inter-state conflict, in contrast to intra-state post-Cold War conflicts in which more than two parties are involved in the conflict and there are much atrocities being committed against non-combatant civilians. The main attributes of PK include non-enforcement, limited military capability, neutrality and consent.

Non-enforcement means that the peacekeepers do not use force and cannot engage in fighting with the warring factions, but force could be used for self-defense purposes. Under normal circumstances there must be a cease-fire before the peacekeepers arrive. In the area of limited military capability, the peacekeepers are not fully equipped as traditional armies. They are lightly armed in case of self-defense. An important aspect of peacekeeping is the neutrality of the peacekeeping troops. They must not be perceived by either party to the conflict as taking sides as this will jeopardize the cease-fire. In the area of consent, both parties to the conflict must accept and respect the presence of the peacekeepers. Without this consent it would be difficult for peacekeepers to be an inter-positioning force and may face the danger of being attacked as they would be regarded as supporting the other party to the conflict. Embarking on an intervention without consent

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<sup>16</sup> Indar Jit Rikye, Michael Harbottle and Bjorn Egge, *The Thin Blue Line: International Peacekeeping and Its Future*, 1974, p. 11, cited in Paul F. Diehl *International Peacekeeping* (Baltimore: The Johns Hopkins University Press, 1994), p. 5

<sup>17</sup> Paul F. Diehl. *International Peacekeeping* (Baltimore: The Johns Hopkins University Press, 1994), p. 13

is a violation of international law – disrespect for state sovereignty of the country in question. Though permission for the operation is granted, it could be withdrawn by the host country.<sup>18</sup>

While on the mission, the responsibility of the peacekeepers is to defuse tension, stabilize the conflict situation enough to enhance peaceful settlement and enable the dispute to be moved from the battlefield to the negotiation table. It is the duty of the peacekeepers to ensure that the terms of the peace agreement are not violated and that there is cessation of hostilities. Peacekeepers also try to maintain law and order and engage in humanitarian activities. Though peacekeepers may engage in humanitarian activities, it is worth knowing that the traditional peacekeeping missions were initiated in the name of security, not in the name of humanity. This means that it is the threat that is posed by the conflict to the international community that calls for the mission. The humanitarian aspect could be said to be a related issue.

One could therefore agree with Arthur Cox's description that PK is "an activity which requires the use of soldiers, not to fight and win, but to maintain cease-fires, and keep law and order while negotiations are being conducted."<sup>19</sup> PK could also be regarded in many respects as

a reversal of the use of the military personnel foreseen in the Charter. It has been developed for situations where there is no formal determination of aggression. Its practitioners have no enemies, are not there to win and can use force only in self-defense. Its effectiveness depends on voluntary cooperation.<sup>20</sup>

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<sup>18</sup> Ibid., p. 9. A vivid example is the demand by the Egyptian president, Abdel Nasser that peacekeeping troops depart from his territory as he believed that the Western peacekeeping troops were pro-Israel.

<sup>19</sup> Arthur M. Cox, *Prospects for Peace* (Washington D.C.: Brookings Institute, 1968)

<sup>20</sup> United Nations, *The Blue Helmets* (New York: United Nations Department of Public Information, 1985), p. v

The voluntary aspect of the UN operations has been a serious drawback in its attempt to achieve its main objective of maintaining order and peace. For example, with no standing army, the UN relies on its members to volunteer troops for its operations. As we shall be discussed in the next chapter, ECOMOG was initially deployed as a peacekeeping force. ECOWAS suffered the same drawback as the UN it did not have a standing army and had to rely on the benevolence of the willing member states to contribute troops for its peacekeeping operations.

### **Peace Enforcement**

The post-Cold War conflicts pose serious problem to traditional peacekeeping operations due to the intra-state nature of the conflicts. With many parties or factions to the conflicts it becomes increasingly difficult to negotiate with all of them without being branded partial in the negotiations and worse of all the tendency of the parties not to keep cease-fire agreements. Therefore there is the need for a strategy to cope with this problem. Peace Enforcement (hereafter PE) entails a combat operation in which the objective is to compel the warring factions to stop fighting without their consent and to go to the negotiating table. PE, according to the US *Army Field Manual*, is “operations carried to restore peace between belligerent parties who do not consent to intervention and who may be engaged in combat activities.”<sup>21</sup> In other words, PE is how state(s) apply military force or the threat of its use to separate belligerent parties or engage in combat with parties to the conflict in order to maintain or restore peace.

PE in the first place violates not only the principle of state sovereignty but also every principle of war. It lacks the consent of the relevant warring factions as military

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<sup>21</sup> US *Army Field Manual*, 1995, pp. 2-5

force is used in an attempt to force the parties to reach a political settlement.<sup>22</sup> In order to bring the warring factions to a cease-fire agreement, the ability of the interveners to attack the target must be greater than that of the warring factions and their allies.<sup>23</sup> This also is a deviation from the traditional peacekeeping operations in which the peacekeepers are lightly armed for the sake of self-defense.

What distinguishes PK from PE is level of consent, levels of impartiality and levels of force with PK receiving higher level of consent and impartiality.<sup>24</sup> One could say that PE is a step forward from PK in its traditional conception.

Under the Chapter VII of the UN Charter, an enforcement action could be invoked to pursue an agreed end. PE is not a new phenomenon in the history of UN operations. The UN intervention in the Congo (ONUC, 1960-64) is an example of Cold War era peace enforcement. The post-Cold War era seems to favor enforcement actions considering the change in the nature of conflict. Examples of post-Cold War UN Peace Enforcement includes United Nations Operation in Somalia (UNSOM I & II), UNIFTA (1992-95) and United Nations Protection Force (UNPROFOR 1992-1995) in Croatia and North Atlantic Treaty Organization (NATO)'s 1999 air strikes against Bosnia Serb targets in Kosovo. ECOMOG had to embark on peace enforcement strategies in Liberia as peacekeeping efforts in Liberia failed and in Sierra Leone ECOMOG went in enforcement strategy to force the warring factions to a cease-fire.

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<sup>22</sup> Paul Diehl is of the view that peacekeeping forces could intervene in a conflict without the consent of the parties involved in order to stop the fighting and impose order and suggests that for a PE to be successful there must exist a leader willing to take the responsibility of directing enforcement, and a quick identification of the target of the enforcement action. See Diehl, "The Conditions for Success on Peace Operations" in Paul F. Diehl (ed.) *The Politics of International Organization: Patterns and Insights* (Chicago: Dorsey Press, 1989), pp. 173-188

<sup>23</sup> See Inis Claude, *Swords into Ploughshares* (New York: Random House, 1984)

<sup>24</sup> See Oliver Ramsbotham and Tom Woodhouse, *Humanitarian Intervention in Contemporary Conflict: A Reconceptualization* (Cambridge, Polity Press, 1996), p. 120



## **Humanitarian Intervention**

The post Cold War era has been an eye-opener to situations that were overlooked or were blurred by the East-West ideological antagonisms. The world is witnessing a sea change in the international system and there is a demand for the respect of human rights, responsibility and accountability on the side of state leaders concerning their treatment of citizens within territorial boundaries. There is increased intolerance for human misery and atrocities committed by leaders especially those in the developing countries. The international community is charged with the responsibility of intervening in the domestic affairs of independent sovereign states for the abuse of human rights. There seems to be a new commitment for both moral and legal terms to alleviate the suffering of oppressed people around the world. In the post-Cold War era, the legal basis of the notion of sovereignty has not changed, but the environment in which the concept is applied has changed hence there is the need for a reconsideration of the concept. The human right of the individual is now taking precedence over that of state sovereignty. Outsiders could intervene in the domestic affairs of sovereign states thereby disregarding the legal state sovereignty. Thus, humanitarian intervention is gaining more ground. Boutros Boutros-Ghali, in his report to the UNSC in 1992 stated that “Respect for a (state’s) fundamental sovereignty and integrity is crucial to any common international progress... Nevertheless the time of absolute and exclusive sovereignty ... has passed...Its theory was never matched by reality.”<sup>25</sup> This is a huge blow to the concept of sovereignty and dictators as sovereignty of the leader is no more absolute and exclusive because when a leader violates the rights of its citizens within its territorial borders, the international community

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<sup>25</sup> Quoted in Gene M. Lyons and Michael Mastanduno (eds.), *Beyond Westphalia? State Sovereignty and International Intervention*, (Baltimore: The Johns Hopkins University Press, 1995) p. 2

has a moral and legal obligation to intervene on behalf of these citizens. During the Cold War era, the major powers avoided open and direct involvement due to the fear of counter-intervention and escalation of a general war. In order to avoid intervention, governments must live up to their obligations both to their citizens and other states. Giaunide Michelis, an Italian Foreign Minister sees the precedence that human rights have over state sovereignty and states that "Intervention that is primarily aimed at securing the protection of human rights and respect for the basic principle of peaceful coexistence is prerogative of the international community which must have the power to suspend sovereignty whenever it is exercised in a criminal manner."<sup>26</sup> Mr. Kofi Annan, the UN Secretary-General, called for a reconsideration of the issue of state sovereignty versus the sovereignty of the individual when he noted that individual sovereignty

by which I mean the fundamental freedom of each individual, enshrined in the Charter of the UN and subsequent international treaties – has been enhanced by a renewed and spreading consciousness of individual rights. When we read the charter today, we are now than ever conscious that its aim is to protect individual human beings, not to protect those who abuse them.<sup>27</sup>

Thus policy makers are becoming conscious of the rights of their citizens. The call for humanitarian intervention, though not new has attained a high level of consideration. It has become clear that when a large number of people are being afflicted by death and suffering due to civil conflict, disease, famine and hunger and their national governments are not able to or are unwilling to help, there is the need to intervene on humanitarian grounds. There is a clear distinction between humanitarian intervention and pure

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<sup>26</sup> Quoted in Keith Hindell, "Reforms for the United Nations" in *The World Today* 48, February, (1992), p.30

<sup>27</sup> Kofi Anan, in *The Economist*, Sept. 19 1999, p. 49

humanitarian action.<sup>28</sup> The Humanitarian interventions relates to natural or man-made disaster and humanitarian action is about operations relating to inevitable use of force or the threat to use force in order to bring peace to a state. Humanitarian intervention as used in this paper falls under military intervention, the threat and the use of military force.<sup>29</sup>

Terry Nardin is of the view that as though humanitarian intervention has few supporters in modern international law, there is evidence to show that it was practiced in the past in order to “enforce standards of civilized conduct when rulers violate standards and finds expression today in the widely held opinion that states, acting unilaterally or collectively, are justified in enforcing respect for human rights.”<sup>30</sup> He suggests that in order to resolve the moral problem of humanitarian intervention, we only need to “relocate” it out of the domain of sovereignty and self-defense and translate it into the “discourse of rectifying wrongs and protecting the innocent” and therefore be in position to defend it. In other words, there is the need to assess the practical will of humanitarian intervention.

The Cold War era had witnessed some humanitarian intervention as evidenced in the case in which the brutal regime of Idi Amin of Uganda was overthrown by Julius

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<sup>28</sup> In December 1991 the UN General Assembly adopted Resolution 48/182 which committed states to provide access to people in need and states are responsibilities for the well-being of their citizens. Cited in Jan Eliasson, “Humanitarian Action and Peacekeeping” in Olara A. Otunnu and Michael W. Doyle, (eds.), *Peacemaking and Peacekeeping for the New Century* (Oxford: Rowman & Littlefield Publisher, Inc., 1998), p. 207

<sup>29</sup> Wil Verwey broadly defines humanitarian intervention as “the threat or use of force by a state or states abroad, for the sole purpose of preventing or putting a halt to a serious violation of fundamental human rights, in particular the right to life of persons, regardless of their nationality, such protection taking place neither upon authorization by relevant organs of the United Nations nor with permission by the legitimate government of the target state.” See Verwey, “Legality of Humanitarian Intervention after the Cold War” in E. Ferris (ed.), *The Challenge to Intervene: A New Role for the United Nations?* (Uppsala, Sweden: Life and Peace Institute, 1992), p. 114

<sup>30</sup> Terry Nardin, “The Moral Basis of Humanitarian Intervention” *Ethics & International Affairs*, vol. 16, 1 (2002), pp. 57-58

Nyerere of Tanzania. Amin had killed a large number of people and deported many Ugandan-Asians.<sup>31</sup> In addition, there were many people running away from the atrocities into Tanzania. Nyerere deemed it his moral obligation and practical duty to intervene in Uganda for humanitarian reasons and according to him “no other government or anyone else in the world has the right to overthrow Amin’s regime. That is the matter of principle... But Amin’s regime was a brutal one, and the people of Uganda have that right.”<sup>32</sup> Though Nyerere respected the sovereignty and state inviolability according to the OAU Charter, he was forced to take unilateral action against Amin for humanitarian purposes.

The post-Cold War era, on the other hand has seen an increase in humanitarian intervention. An unusual humanitarian intervention in the post-Cold War era that was endorsed by the UN Security Council Resolution (UNSCR) 688 was the demand that there be an immediate end to repression of the Kurdish population in northern Iraq under the Saddam Hussein government. The resolution led to the establishment of “safe havens” which allowed Kurdish exiles to return to Iraq under international protection.<sup>33</sup> The UNSC’s resolution had linked humanitarian concerns with international peace and security and had given humanitarianism greater consideration than non-intervention. The question that is left to be answered is whether the repression of the Kurdish population in northern Iraq was much better until the overthrow of Saddam by the “coalition of the

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<sup>31</sup> According to Amnesty International Report of 1983, there was an estimate of between 100, 000 and 500, 000 people killed by the Amin government by the time that he was overthrown. See Amnesty International, “Extra-Legal Executions in Uganda” in *Political Killings by Government*. (London: Amnesty Internal, 1983), pp. 34-43

<sup>32</sup> *African Contemporary Record*, 11 (1978-9) B430 cited in Nicholas Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2002), p. 118

<sup>33</sup> See Edward Mortimer, “Under what Circumstances should the UN Intervene Militarily in a “Domestic” Crisis in Olara A. Otunnu and Michael W. Doyle, (eds.), *Peacemaking and Peacekeeping for the New Century* (Oxford: Rowman & Littlefield Publisher, Inc., 1998)

willing” in April 2003. We must not forget that the Kurds demanded a sovereign state of their own which infuriated Saddam Hussein.

Though humanitarian intervention in principle violates negative state sovereignty one could not agree more with the observation of Michael Reisman and S.M. McDougal that humanitarian intervention does not seek territorial change neither does it challenge political independence of the target state and there is no inconsistency with the purposes of the UN but is “rather in conformity with the most fundamental peremptory norms of the Charter, it is a distortion to argue that it is precluded by Article 2(4).”<sup>34</sup> This means that humanitarian intervention neither alters the territorial boundaries nor does it affect the independence of a state. It upholds the goal of the UN Charter to protect the populace from abuse by their leaders. Sovereignty is losing ground as an absolute good compared to humanitarian concerns. Human interest is replacing national interest without jeopardizing the legal framework of state sovereignty. Humanitarian intervention is a necessary means against chaos in a world where internal strife threatens rapid spill over across state borders. Michael Walzer is of the view that humanitarian intervention is justifiable when it is a “response (with reasonable expectations of success) to acts that shock the moral conscience of mankind” and would that any state that has the ability of stopping the slaughter of people should have a duty to intervene.<sup>35</sup>

Humanitarian concerns had been the battle cry of leaders who supported the military action in Liberia and Sierra Leone due to the atrocities committed by both

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<sup>34</sup> Michael Reisman and S.M. McDougal quoted in A.C Arendt and R. J. Beck, *International Law and the use of Force: Beyond UN Charter Paradigm* cited in Nicholas J. Wheeler op. cit., p. 44

<sup>35</sup> Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 3<sup>rd</sup> Edition (New York: Basic Books, 2000), p. 107

government forces and the rebels. It will be clear in this thesis that the supporters of the military actions had other motives than the acclaimed humanitarian concerns.

### **Multilateral Intervention**

For any intervention, including humanitarian intervention, to gain broad legitimacy in the international community, states would prefer multilateral intervention and thereby not being accused of hidden national interests. With multilateral actions states increase the transparency of their actions to other states and so reassure states that opportunities for adventurism and expansion will not be used. States preferring multilateral intervention to unilateral one would be serving the interest of the UNSC which has the sole responsibility of endorsing such actions and states that would go unilaterally intervene would incur the displeasure of other states. However, this does not mean that states have not intervened unilaterally. States would consider multilateral intervention as legitimate when

a government commits a consistent pattern of gross human rights violations that shock the conscience of mankind ... where sovereignty claims are contested or where no recognized central authority exists ... international institutions demonstrated the authority and willingness to establish tribunal to judge those who are accused of violating the Hague conventions and protocols [and] intervention for humanitarian purposes is justified for moral reasons.<sup>36</sup>

Examples of multilateral actions include among others the US, British and French efforts to protect Kurdish and Shiite populations inside Iraq after the Gulf War, the United Nations Transitional Authority in Cambodia (UNTAC) mission to end starvation and reestablish a democratic political order in Cambodia, the UN effort to end starvation and construct a democratic state in Somalia, and efforts by UN and NATO troops to protect

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<sup>36</sup> Bruce Cronin, *op. cit.* pp. 157-159

civilian, especially Muslim, populations from primarily Serbian forces in Bosnia and Kosovo and the US and Coalition invasion of Iraq.<sup>37</sup>

In contrast to multilateral intervention embarked on by the UN and regional organizations, conflicts in the international community were replete with unilateral intervention for geopolitical, economic and strategic reasons. Cases worthy of note include Tanzania in Uganda (1979), South Africa in Lesotho (1998), Vietnam in Cambodia (1978-79), and France in Central Africa Republic (1979), US in Panama (1988), Grenada (1983), and Nicaragua (1986).

The end of the ideological rivalries between the West and the East has raised hopes of what the UN must do to bring peace and security in many conflicts in the world with revived cooperation within the UNSC.

It thus came as no surprise when UN peacekeeping operations more than doubled within a few years at the end of the Cold War. The UN undertook 14 peacekeeping operations in the period between 1948 and 1988. From 1988 to the middle of 1997 it mounted 27 peacekeeping operations.<sup>38</sup> The traditional peacekeeping operations do not fit in the new environment with intra-state conflicts characterized by total breakdown of law and order with warlords carving districts for themselves, non-existent government authority and combatants who are ignorant of international laws on proper conduct of war and treatment of non-combatants and child-soldiers concerning wars. Intervention has become a reality taking into consideration immeasurable human suffering, violation of

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<sup>37</sup> See Martha Finnemore "Constructing Norms of Humanitarian Intervention" in Peter J. Katzenstein, *The Culture of National Security: Norms and Identity World Politics*, (Columbia: Columbia University Press, 1996).

<sup>38</sup> See Anthony McDermott, *Humanitarian Force* (Oslo: The Norwegian Institute of International Affairs and International Peace Research Institute, PRIO) Report 4/1997

human rights, and the fear of conflict spill over which can result in an international threat to peace and security.

The demand and the pressure on states for more participation to alleviate the suffering of others in different parts of the world is in a way brought about by the national and international news media especially the “CNN factor” in which the international mass media shapes the international response to war while the national mass media help influence local behavior within war. Through the media the public was able to identify war fought with human rights abuse and human misery of vast proportion that contributed to the “passionate demand for intervention.” The international community can no more ignore the deplorable plight of the innocent, the aged, women and children. In Somalia, Iraq, former Yugoslavia, Liberia, Sierra Leone, Guinea-Bissau, the Congo, Rwanda, among others, “the western publics forced their generally reluctant governments to support intervention” when the number of the “body bags” started to pile up.<sup>39</sup>

## CONCLUSION

Intervention practices imply violation of state sovereignty, but the international community intervenes when states do not live up to expectation of the institution of sovereignty - abuse of human rights and collapse of states - in pursuit of international peace and security. Despite its protective shield by international law, sovereign states, especially the weaker ones, become subjects of intervention either unilaterally or multilaterally for national interest or altruistic reasons.

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<sup>39</sup> James Mayall (ed.), *The New Interventionism 1991-1994 – United Nations Experience in Cambodia, Former Yugoslavia and Somalia* (Cambridge: Cambridge University Press, 1996), p. 22



Military intervention is embarked upon as a last resort when all other means of resolving conflicts become fruitless. In peacekeeping operations, the military supports diplomatic efforts to validate a truce. In intra-state conflicts, embarking on peacekeeping operations becomes difficult due to the number of factions that may be involved in the conflict. In this scenario, the principles of peacekeeping become problematic and as a result peacekeepers have to resort to peace enforcement which does not need the consent of the factions to the conflict and the military is allowed to use force in order to force the factions to cease fighting.

In the post-Cold War era, the development of human rights and humanitarian norms and the demand for good governance has called for a humanitarian intervention in which soldiers are dispatched to alleviate humanitarian crisis. One could therefore say that the attribution of rights and duties to human beings has penetrated the impermeable wall of sovereignty.

In order to protect and assist victims of intra-state conflicts governments should be held responsible for how they treat their citizens and should no longer be completely shielded by the principles of sovereignty while they violate the human rights of the citizens they claim to represent. It is therefore not to be considered overemphasis when it is suggested that since the nature of conflict is changing there needs to be re-thought of concept of intervention. The re-thought should be a flexible interpretation of intervention when human rights are violated, state collapse and when there is fear of conflict spill over which may threaten the peace and security of the international community.

Having laid the foundation for the theoretical approach to our study, we now turn our attention to the next chapter which discusses our case study – the ECOMOG intervention in the civil wars in Liberia and Sierra Leone.

### **Chapter Three: The Civil Wars And ECOWAS/ECOMOG Intervention**

*“So the question is, where does a country whose government has collapsed, and with warring factions that are unable to reach an agreement, and unable to establish any form of authority, where does this country go, what do the people do, what then becomes the most crucial issue in their survival? Is it the question of their preservation of their own humanity, or is it the question holding to some legal notion of sovereignty?”<sup>1</sup>*

*“At what point does an intolerable wrong within a sovereign state’s borders require forming a UN posse to aid victims and punish wrongdoers? At what point does the world stop depending on posses and institutionalize a system of international law enforcement?”<sup>2</sup>*

The rise of intra-state conflicts has become a common phenomenon in the post-Cold War era in contrast to inter-state conflicts which characterized the Cold War era. Africa, which has become synonymous with civil wars, has seen its states thrown into political instability. It is no uncommon truism that no essential economic development can take place in the midst of political instability and civil conflict. Personal rule syndrome, corruption and unequal distribution of economic resources, political and administrative opportunity are but few of the causes of the upsurge in intra-state conflict. These conflicts come with immense human cost, violation of human rights, and influx of refugees to neighboring states and spill over of the conflicts which have the tendency to engulf a whole region. These situations generate pressures for the international community to take action in order to preserve international peace and security. The failure of the international community to intervene in such civil wars is in consonant with principles of non-intervention and results in more conflict and insecurity. The question of great concern is whether the international community and powerful states will continue to

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<sup>1</sup> Amos Sawyer, President of the Liberian Interim Government of National Unity, August 1991

<sup>2</sup> “Peace on Earth, by Posse” *New York Times* Editorial December 28 1992

hide behind the concept of sovereignty of the state and non-intervention and neglect the security of the individual in the midst of collapsed political administration, instability and civil conflict.

Present day Liberia and Sierra Leone, like other areas in West Africa, had contact with Europeans, first with Portuguese (mid-14<sup>th</sup> century) and later with the French, British and the Dutch who traded with the coastal peoples in various commodities including ivory, animal hides, spices and gold.<sup>3</sup> The high demand for extra manual labor in the Americas resulted in many Africans taken as slaves and when there were no “servants, pawns, serfs and subjects” to be sold as slaves, “the African partners turned mostly to their interior neighbors to satisfy the increasing demands of their European partners” and with the end of the slave trade “Africa was left with inter-ethnic hostilities, undermined systems of government and a disrupted social order.”<sup>4</sup> As a result of this the “demographic, economic, social and even psychological trends and development throughout the African continent” was distorted.<sup>5</sup>

Liberia and Sierra Leone already existed as separate entities under the control of the US and Great Britain during the partition of Africa at Berlin Conference in 1884/85 respectively. Liberia and Sierra Leone were founded as a free haven for freed slaves from the US and Great Britain and the British possessions in America respectively when the abolition of the obnoxious slave trade and slavery became a reality.<sup>6</sup>

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<sup>3</sup> Elwood D. Dunn and Byron S. Tarr, *Liberia: A National Polity in Transition* (London: The Scarecrow Press, Inc., 1988), p. 12

<sup>4</sup> *Ibid.*, pp. 16, 17

<sup>5</sup> Ugboaja F. Ohaegbulam, *West African Responses to European Imperialism in the Nineteenth and Twentieth Centuries*, (Lanham, MD: University Press of America, Inc., 2002), p. 97

<sup>6</sup> See Christopher Clapham, *Liberia and Sierra Leone: An Essay in Comparative Politics* (Cambridge: Cambridge University Press, 1976)

In this chapter we attempt a descriptive analysis of the civil wars in Liberia and Sierra Leone that precipitated the military intervention by ECOMOG. The historical setting in which the wars were fought must be taken into consideration in order to fathom the gravity of the conflicts thereby offering a better scope of analysis. We first look at the background of the establishment of Liberia as a settlement for freed slaves from the US followed by a discussion on the remote and immediate causes of the Liberian civil war, the various factions and their activities. Ideally the international community represented by the UN should have promptly intervened to stop the atrocities, but as it is usually late to respond due to bureaucratic bottlenecks and inadequate resources at its disposal, the UN's response to the Liberian crisis was initially a reluctant one and this brings us to the discussions of the reasons for the initial reluctance of the international community, OAU, and the US to intervene. Before discussing the ECOMOG's military intervention in Liberia, we look at the establishment of ECOWAS and the formation of ECOMOG as a peacekeeping force.

The Liberian conflict eventually spilled over to Sierra Leone despite the attempt by ECOWAS to contain the conflict within Liberia. We look at the historical background of Sierra Leone as a settlement for freed slaves from Great Britain and its territories. This is followed by discussion of the remote and the immediate causes of the civil war in Sierra Leone. As was the case in Liberia, the international community and this time Great Britain, Sierra Leone's former colonial master, were reluctant to intervene. We look at the possible reasons for this reluctance. We then discuss the intervention of ECOMOG-II. The final section of this chapter compares ECOWAS intervention in the two wars. I want to emphasize that the discussions of the conflict are limited to the period between

December 1989 and 1997 in the case of Liberia when Charles Taylor was declared the winner of the 1996 Presidential elections and in Sierra Leone the life line of the conflict is from 1991 when Foday Sankoh started his insurrection up to the time ECOMOG forces completed its withdrawal from Sierra Leone in May 2000.

### **Liberia at a Glance**

Prior to the arrival of the emancipated slaves, the Liberian coast, known as the Grain Coast was visited by Europeans (the Norman-French, the Portuguese, the Dutch, the Danes, the English and the French) who traded in grains, gold and slaves.<sup>7</sup> The Republic of Liberia was founded essentially through American philanthropy under the auspices of the American Colonization Society (ACS) as a refuge or asylum for the emancipated African-American slaves often referred to as “free men of color.”<sup>8</sup> The purpose for the founding of Liberia was to “solve some of the problems of slavery in our Southern States.”<sup>9</sup> Thus, after extracting their labor, the ex-slaves became public liabilities and hence had to be disposed of and there was no better place than to establish a “colony of mulatto and black Americans on the West African coast both as a homeland for a population unwanted in the US and for the promotion of American commerce.”<sup>10</sup> A plot of land was bought from the chiefs of the area at a very ridiculous low price for the settlement of the freed slaves after the first attempt at establishing a settlement at Sherbro Island proved disastrous due to sickness and death.<sup>11</sup> Elwood Dunn and Byron Tarr asserted that the settlement of the freed slaves at Mesurado Cape in 1822 “marked the

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<sup>7</sup> See David Lamb, *The Africans: Encounters from the Sudan to the Cape* (Toronto: Methuen, 1984)

<sup>8</sup> See Harold Nelson (ed.), *Liberia: A Country Study* (Washington DC: American University, 1984), p. 8; Amos Sawyer, *Dynamics of Conflict Management in Liberia* (Accra: Institute of Economic Affairs, 1997), p. 3

<sup>9</sup> Earle R. Anderson, *Liberia: America's African Friend* (Westport, Connecticut: Greenwood Press Publishers, 1976), p. vii

<sup>10</sup> Dunn and Tarr, op. cit., p. 3

<sup>11</sup> Anderson, op. cit., pp. 66 and 68

effective introduction of the 1648 Westphalia-originated concept of modern nation-state... the colonial settlement soon acquired a “fixed” territory, nucleus population, even if restrictive, and de facto “sovereignty” on the African soil.<sup>12</sup> This means that before the arrival of the Europeans, “sovereignty” was not a known phenomenon, but one could argue that each ethnic group was sovereign in its political and socio-economic setup and they had indulged in “military intervention” in the affairs of their neighbors for strategic and economic reasons – access to good drinking water, fertile land, trade, etc.

Liberia is not a homogenous ethnic society. Indigenous Liberians consist of sixteen major ethnic groups which were organized in small isolated chiefdoms before the arrival of the freed slaves from the US.<sup>13</sup> It is interesting to note that some sections of the ethnic groups in Liberia can be found in Sierra Leone (the Mende), La Côte d’Ivoire (the Krahn) and in Guinea (the Mandingos).<sup>14</sup> This division of the ethnic groups across national boundaries (a common feature in Africa) played a significant role in conflict spill over to the neighboring countries and further destabilization of the sub-region. The settlers thus became the seventeenth “ethnic group” in Liberia known as Americo-Liberians and constituted 5 percent of the population. When the settlers arrived the ACS and American government agents had the responsibility of taking care of initial settlement duties for the settlers. This means that the freed slaves were in a way still under the white man’s rule, something they were trying to avoid since their freedom.

With the establishment of a new political community, three constitutions, modeled after that of the US, were drafted between 1822 and 1847 with a “central state,

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<sup>12</sup> Dunn and Tarr, p. 21

<sup>13</sup> These include the Bassa, Dei, Gbandi, Gio (Dahn), Glebo, Gola, Kissi, Kpelle, Krahn (Wee), Kru, Kuwa (Belle), Lorma (Buzzi), Mano (Ma), Mandingo (Manding), Mende and Vai. See figure 2 for their locations.

<sup>14</sup> W. Ofuately-Kudjoe, “Regional Organizations and the Resolution of Internal Conflict: The ECOWAS Intervention in Liberia” *International Peacekeeping*, Vol. 1, no.2, Autumn 1994, p. 265

endowed with the attributes of sovereignty but with governmental powers in the legislative, executive, and judicial domains delegated to the ACS for circumscribed period.”<sup>15</sup> It should be noted at this early stage that the indigenous Liberians were not included in the considerations for a central state. This omission would be a contributing factor to the civil war as the settlers ignored the presence of the indigenous people and denied them access to political, social and economic activities of Liberia. The 1847 Constitution of Liberia that was created reflected a political formula of “core-periphery reality” which established “a repatriate state with the tacit understanding of gradual indigenous assimilation into that state.”<sup>16</sup>

In 1926, the Firestone Plantations Company, started dealing in rubber and tire with most of the proceeds going to the US, leaving the host country with negligible returns.<sup>17</sup> The prominent families of the settlers became the middle-men as they provided the top local managerial personnel as well as the consultations to Firestone in its exploitative ventures in Liberia.

The most dominant mining industry in Liberia was in iron ore whose product was controlled by foreign concerns and was the single largest source of government foreign revenue. Diamond and gold are the other economically significant minerals that were mined by small-scale Liberian prospectors and miners with a lot of Asians and West African nationals with the Liberian and American Mining Company (LAMCO) having the largest contract in Liberia. LAMCO also extracted a lot of resources from the country without giving anything back to the society.

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<sup>15</sup> Dunn and Tarr, *op. cit.*, p. 23

<sup>16</sup> *Ibid.*, p. 50

<sup>17</sup> *Ibid.*, p. 58



## Civil War in Liberia

When Liberia became independent in 1847, the Americo-Liberians began to rule the country - an exclusivist oligarchy of settlers who governed with the aim of “civilizing” the natives. They wielded a monopoly of power and dominated the political, economic and social life of the country, though they were only about five per cent of the total population. The natives were excluded from the central government administration and were subjected to different laws than the settlers. It was not until President Tubman’s “Unification Policies” of 1944 that the gap between the indigenous people and the settlers were somehow narrowed. The policy was granted “as a result of the struggle of African societies, which had resisted incorporation up to 1935.”<sup>18</sup> This does not mean that the majority of the natives shared equal power and opportunities with the Americo-Liberians during the Tubman administration.

The True Whig Party (TWP), established in 1869, was a de jure political party that ruled Liberia for almost a century and played an important role in the historical, political and socio-economic life of Liberia. Nepotism was the vehicle through which the party operated. For example, the relatives of President Tubman were appointed to sensitive and important positions both inside and outside the country. His son, Shad Tubman Jr., was President of the Confederation of Trade Unions. President William Tolbert’s junior brother, Steve, was the Finance Minister while his senior brother, Frank was the President of Senate and Senator for Montserrado County. His daughters were both Deputy Ministers of Education with each in charge of instruction and supervision.<sup>19</sup>

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<sup>18</sup> Festus B. Aboagye (Lt. Col.), *ECOMOG: A Sub-Regional Experience in Conflict Resolution, Management and Peacekeeping in Liberia* (Accra: SEDCO Publishing Ltd., 1999), p. 12

<sup>19</sup> See George E. S. Boley, *Liberia: the Rise and Fall of the First Republic* (London: Macmillan, 1983)

The educated natives began to realize how they were deprived by the Americo-Liberians in the power politics of the country. In the 1970s, the TWP began to face challenges from a few determined and dedicated native Liberians led Dr. Togba-Na Tipoteh, Dew Mason and Dr. Amos Sawyer (who later became the President of the Interim Government National Unity of Liberia) – who founded the Liberian chapter of the Pan African organization, “Movement for Justice for Africa” (MOJA), with the aim of working towards “raising the consciousness of the masses and their mobilization in concrete political action against oppression... through show-down, stoppages and militant action.”<sup>20</sup> It became clear that the government was unable to respond to the yearnings of the educated natives who were proud enough not to sell their political birthrights to the Americo-Liberian political oligarchy.

On April 14, 1979 a riot broke out in Monrovia as a result of Tolbert’s proposal to raise the price of rice (staple food of Liberia) from \$22 to \$30 a bag, in an effort to discourage costly imports, and to stimulate domestic production.<sup>21</sup> Political opponents became suspicious as the President and his family were large scale rice-farmers and their motive was aimed at reaping huge profits. As the protesters marched towards the Executive Mansion (the President’s residence), the TWP dispatched soldiers from Guinea to assist the Armed Forces of Liberia (AFL) to quell the riots opened fire on the demonstrators killing hundred people and over five hundred injured.<sup>22</sup> Tolbert declared a state of emergency and detained opposition leaders, but MOJA, Progressive Alliance of Liberia (PAL), Progressive Peoples Party (PPP) and other radical networks were able to

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<sup>20</sup> *African Confidential*, 1980, p. 7

<sup>21</sup> James Youboty, *Liberian Civil War: A Graphic Account* (Philadelphia, PA: Parkside Impressions, 1993)

<sup>22</sup> Christopher Clapham, *Third World Politics: An Introduction*, (London, Routledge, 1992), p. 135; Youboty, op. cit., p. 67

capitalize on the grievances of the people to acquire genuine popular support. Tolbert banned the PPP, detained its leaders and other militants and threatened to execute them.

The growing resentment of the natives against the Americo-Liberians especially after the rice riots of April 1979 had a dramatic effect on the history of Liberia. On April 12 1980, a group of non-commissioned officers (NCOs) seized political power through a military coup d'état led by Samuel Doe, a Master Sergeant in the Liberian Army. The NCOs were all tribal soldiers of the National Guard.<sup>23</sup> The 1980 coup saw not only the overthrow of the century and a half of Americo-Liberian political hegemony, but also the demise of the TWP. President Tolbert and later thirteen senior members of his Administration and the TWP were summarily and publicly executed. The early stages of the violent coup was applauded by many natives, as the dream of political power and control of wealth was about to change hands from minority Americo-Liberians to the majority natives. Doe embarked on getting rid of the Americo-Liberian hegemony in the country and this resulted in many of them seeking political asylum in the US.<sup>24</sup>

Doe failed to reform the political landscape of Liberia in his early years by incorporating the radical groups and some of the former officials from the Tolbert Administration and promoted some of them into top ranks of the civil service in his new government as this gave him both internal and international legitimacy.<sup>25</sup> His further attempts to eliminate all traces of the old regime were stalled as the influence of the old Administration engulfed the whole state bureaucracy and the large portion of the economy. Without the support from these groups, his attempts were bound to fail. He

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<sup>23</sup> David Lamb, *The African, Encounters from the Sudan to the Cape* (Toronto: Methuen, 1984).

<sup>24</sup> Amos Sawyer, *Effective Immediately: Dictatorship in Liberia, 1980-1986 – A Personal Perspective* (Bremen: Liberia Working Group Paper, No. 5, 1987)

<sup>25</sup> William Reno, *Warlord Politics and the African States* (Boulder, CO: Lynne Rienner Publishers, Inc. 1999), p. 82

found it difficult to transfer the benefits of state power to new beneficiaries because the Americo-Liberians held onto their customary privilege which included holding a stake in state power.<sup>26</sup> Due to the lack of effective bureaucracy and with self-interested political and economic elite with global ties, Doe found out that “he could not automatically acquire impressive wealth, fix Liberian economic problems, build a regular following or finance a military capable of defending his regime.”<sup>27</sup> Faced with these problems, Doe’s need for consolidation of his power and control of the existing political power networks made him to revert to the same acts for which he overthrew the Tolbert regime.

Doe’s regime was accused of the “misuse of state resources, alongside an arrogant contempt for minimal standards of human rights, state terror, arbitrary arrests, imprisonment, torture, secret and public executions... systematically organized to thoroughly intimidate the populace” and as a result his popularity began to wane and out of panic he continued his brutal elimination of his associates and opponents.<sup>28</sup> He saw enemies in almost every fiber of the society and hence sacked all those who helped him to gain power and placed people of his ethnic group, Krahn, (which comprised of only 4 percent of the population of the country), at the top military and security positions.<sup>29</sup> These tendencies fuelled ethnic rivalry within the armed forces. Doe faced increasing opposition for his corrupt, autocratic and ethno-centered regime including coup attempts and assassination plots against him. Thomas Quiwonkpa, his second-in-command was implicated in such plots when Doe rigged the 1985 elections. Quiwonkpa and his

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<sup>26</sup> Eghosa E. Osaghae, “The Ethnic and Class Character of Political Conflicts in Liberia” in Okwudiba Nnoli (ed.), *Ethnic Conflicts in Africa* (CODESRIA BOOK SERIES, Nottingham: Russell Press Ltd., 1988), p. 81

<sup>27</sup> *Ibid.*, p. 82

<sup>28</sup> See *West Africa*, No. 2066, 1990

<sup>29</sup> Christopher Clapham, “Liberia” in Donald Cruise O’Brien, John Dunn and Richard Rathbone (eds.), *Contemporary West African States* (New York: Cambridge University Press, 1989), p. 103

collaborators were executed and Doe's army further brutally purged the Nimba County of Gios (Quiwonkpa's clan) and others (for example, the Manos), leaving over thousand dead.<sup>30</sup>

Doe was pressured by the international community to return the country to civilian rule and typical of African military leaders who change their military uniforms to civilian clothes, he presented himself as a Presidential candidate for the 1985 elections which he won by rigging the results, giving him and his National Democratic Party of Liberia (NDPL) 50.9 percent victory over his opponents. Though the election was fraudulent, the US government regarded it as legitimate.<sup>31</sup> This endorsement of the fraudulent election by the US must be explained in the light of the country's military, strategic and economic interests.

The brutality coupled with corruption of Doe's regime saw decline in all the formal export earning sectors (rubber, iron ore and timber) as some larger firms pulled out of Liberia, for example, the National Iron Ore Company left in 1985, the Bong Mining Company's German owners wound down its operations in 1988 and LAMCO left in 1989.<sup>32</sup> Financially, the country was going down hill as loan from the World Bank, International Monetary Fund (IMF) and African Development Bank (ADB) were frozen and the worst of all, US aid to the country was cut off due to the failure of the regime to

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<sup>30</sup> Robert Kappel and Werner Korte (eds.), *Human Rights Violations in Liberia, 1980-1990: a Documentation* (Bremen, 1990), p. 292

<sup>31</sup> The US Under-Secretary for Africa, Chester Crocker's remark of the result, in his testimony before the Subcommittee on Africa was that this was "virtually unheard of in the rest of Africa where incumbent rulers normally claim victories of 95 to 100 percent." See Chester Crocker, "Recent developments in Liberia," Testimony before the Subcommittee on Africa (Washington D.C. Foreign Affairs, United States Senate (10 Dec. 1985)

<sup>32</sup> William Reno, *op cit.*, p. 86

pay back \$7 million in arrears on a military loan.<sup>33</sup> Thus, Liberia was slowly receding into a collapsed state as the political, social and economic situation deteriorated.

It came as no surprise when in December 1989, Charles Taylor, a former head of the General Services Administration (GSA) responsible for the purchase of equipment for the government from the US, in Doe's government, began an insurrection which threw the country into over a decade of civil war. Taylor was accused by Doe's regime of embezzling a sizeable amount of money (\$922,382) and fled to the US.<sup>34</sup> He was jailed in Boston, Massachusetts, but escaped while awaiting extradition, and visited exiled opponents of Doe's regime in Libya, Burkina Faso, Cote d'Ivoire, Ghana and Sierra Leone.<sup>35</sup>

Doe's inhuman rule could not go unchallenged by the Liberian citizens, the main victims of his decade-long dictatorial atrocities. On the December 24 1989, Charles Taylor and his National Patriotic Front of Liberia (NPFL) marched into Nimba County, north-east of the country from Cote d'Ivoire and started his insurrection which developed into a full-fledged civil war.<sup>36</sup> Taylor's main aim was to unseat Doe's regime and to restore the Americo-Liberian hegemony and dignity which was shattered by Doe. The rebels exploited the hostility between the Gios and the Manos and the government over the rigging of the 1985 election and the brutal repression after Quiwonkpa's coup attempt. It was alleged that Taylor's army was composed of mercenaries from Burkina

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<sup>33</sup> Ibid., p.88

<sup>34</sup> Matthew Brellis "Rebel's Saga: Mass. Jail to Showdown for Power" in *Boston Globe*, 31 July 1990

<sup>35</sup> *African Concord*, "Portrait of a Rebel" 24 Feb. 1992; *New African*, July 1991, 22-23; David L. Marcus, "Liberian President has Problem in Plymouth" *Boston Globe*, August 14 1997

<sup>36</sup> *Daily Observer*, 9, 213 (3 January 1990)

Faso, Gambia, Ghana, Sierra Leone and Nigeria.<sup>37</sup> Though the rebels posed little military threat, the AFL (predominantly Krahn) visited a further round of brutal repression on Nimba County, driving many Gios and Manos into the bush.<sup>38</sup> The AFL killed as many as 5 000 people including unarmed men, women and children belonging to these ethnic groups.<sup>39</sup> Eventually, the Gios and the Manos became either willing or forced recruits into Taylor's army.<sup>40</sup> The AFL also began killing Gios and Manos in its own ranks and in Monrovia, rounded up Gios and Manos suspected as NPFL collaborators because some members of these ethnic groups were joining the NPFL.<sup>41</sup>

The vengeful brutality of the AFL alienated the local people and by April 1990, the rebels had completely pushed the AFL out of Nimba County. By May, the NPFL began a determined march towards Monrovia with horrible human cost of the war which had generated into a vicious bloodbath with innocent civilians as the primary casualties.<sup>42</sup> As the NPFL entered each town, Krahn, Mandingoes and government sympathizers were killed in a grotesque way in its continued attempt to purge all undesirable elements. When they took the port of Buchanan they killed hundreds of Krahn and Mandingo people who had taken refuge there.<sup>43</sup> The characteristic pattern of the rebels was that of

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<sup>37</sup> Osaghae, Eghosa E., "The Ethnic and Class Character of Political Conflicts in Liberia" in Okwudiba Nnoli (ed.), *Ethnic Conflicts in Africa* (CODESRIA BOOK SERIES, Nottingham: Russell Press Ltd., 1988), p. 153

<sup>38</sup> *Africa Watch*, "Liberia: Flight from Terror. Testimony of Abuse in Nimba County" (New York: Africa Watch, 1990)

<sup>39</sup> See *Nigerian Journal of International Affairs*, 1991: 103

<sup>40</sup> Youboty, op. cit., p. 175

<sup>41</sup> US State Department Human Rights Report for 1990, *Liberian Studies Journal*, XVI, I (1991), pp. 117-118

<sup>42</sup> Ibid

<sup>43</sup> Agence France-Press Despatch, June 5 1990

“selective *tie-bay*, *dee-bee-die*, brain-blowing throat-cutting, chest-splitting and other forms of grotesque summary executions.”<sup>44</sup>

The government also continued its atrocities against civilians suspected of being collaborators with the rebels. It distributed weapons and recruited people with no military backgrounds into AFL. The AFL was reported of killing about 600 of the 2000 people (mostly internally displaced Gio and Mandingo women and children) who sought refuge in an Anglican Church.<sup>45</sup>

By mid-May 1990, the NPFL had seized two-thirds of the country and most of the south-eastern part. It continued its advance towards Monrovia by attacking and capturing Gbarnga, the last main town to Monrovia. Strategically, Taylor and his NPFL attacked from two points with those under Taylor’s command moving from the north-east while the other group under Prince Johnson advanced towards Monrovia from the north-west. The rebels cut off water and electricity supplies and phone lines thereby isolating Monrovia from the rest of the country. The steady move of the NPFL sent a wave of panic through the civilians and when they finally arrived in Monrovia on 23 July there was looting of shops and massacre of people. Doe became “a virtual prisoner in his sea-front mansion” as he could not leave the Presidential Mansion because the rebels surrounded the residence and his bodyguards, comprising mainly the Krahn, could not let him go without giving them a sort of collective safety.<sup>46</sup> A point of interest to note at this stage of the conflict is Doe’s position – could he be regarded as the leader of the Republic of Liberia who wields ultimate authority over his subjects noting that 90 percent of the

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<sup>44</sup> Aboagye, op. cit., p. 37. The *tie-bay* was “act of pulling the victim’s hands behind them and tightly tying up. It was accompanied by excruciating pains and could permanently disable victims’ hands. *Dee-bee-die* was the expression for killing a victim.” See note on p. 41

<sup>45</sup> Youboty, op. cit., p. 234

<sup>46</sup> *Africa Research Bulletin*, 15 August 1990, p. 9772



country had fallen to Taylor? The answer to this question will be addressed in the next chapter.

As anarchy reigned in Liberia, the state of Liberia could be said to have collapsed as the intensity and scope of the conflict engulfed the rest of the country with many actors vying for political power. There was an absence of legitimate functioning order (no system of internal law and order) as the nation fragmented among the warring factions and the economy of Liberia was in ruins. Many Liberians became internally displaced and the rest sought refuge in the neighboring states in West Africa. The AFL which had the responsibility of protecting the people from external aggression itself became the aggressor as many people regarded as collaborators and sympathizers of the rebels were maimed and the rebels on their part murdered the supporters of the government and other rebel groups.

The early stages of the conflict mirrored ethnic tension between Gio/Mano/Americo-Liberians on one hand and the Krahn and Mandingo on the other, a situation which was almost absent before Doe came unto the scene. As the conflict expanded in scope and intensity other ethnic groups became part of one of the factions or the other. None of the leaders of the various factions proposed any concrete plan to redeem the political, social and economic chaos in the country. It became clear that each faction leader was interested in the riches of the country. Taylor vowed to remove Doe in order to eradicate corruption and tribalism, but his actions - disregard for peace agreements/accords - showed that he was not interested in any democratic principles in order to return Liberia to normalcy. It was only when he lost much of his "Taylorland" to other rebels that he agreed to the demands for a general election. Those who were against

Taylor and his NPFL were not interested in democracy either, but were rather ad hoc ethnic armies ready to combat Taylor's imminent threat.

### **Factions to the Conflict**

The Liberian civil war witnessed at least seven rebel groups who aimed at taking control of the country and to profit from the mineral resources especially the diamond trade. Many of these groups were a breakaway group from existing ones as the conflict engulfed the whole country.

Charles Taylor and his NPFL wanted to overthrow Doe's government in order to restore Americo-Liberian supremacy in the country. Taylor's troops consisted of dissidents from the sub-region, but as he marched towards Monrovia he recruited Liberians who were against Doe's dictatorial regime and suffered enormously at the hands of AFL.<sup>47</sup> Taylor now had at his disposal about 15 000 troops and men from the Gio, Mano, Grebo, Kru, Americo-Liberians and regular soldiers that had defected from the AFL. Taylor enlisted many child soldiers and illiterate people.<sup>48</sup> It should be noted that it was not only Taylor that enlisted child soldiers, but other rebel groups and the AFL did the same. According to Festus Aboagye, the method of operation exhibited by the combatants

lacked any sense of civic and national consciousness... many were wicked beyond description, normally driven by ethnic vindictiveness, drug addiction and youthful adventurism to commit heinous war crimes and crimes against humanity.<sup>49</sup>

A disagreement between Taylor and his commander, Prince Johnson, led to the split with Johnson forming his own group, the Independent National Patriotic Front of Liberia

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<sup>47</sup> Aboagye, op. cit. p. 49

<sup>48</sup> *Africa Confidential*, Vol. 31 No. 15, 27 July 1990, p. 35

<sup>49</sup> Aboagye, op. cit. p. 44

(INPFL). The split was attributed to execution of some of NPFL troops after they suffered a crashing defeat at Ganta.<sup>50</sup> Johnson accused Taylor of killing his mother and other members of his family.<sup>51</sup> Johnson had realized that Taylor was interested only in seeking personal power. The INPFL was better organized and displayed more operational aggression than the NPFL in the capture of limited vital objectives such as Freeport. It was Johnson's troops that controlled some parts of Monrovia that captured and assassinated President Doe under mysterious circumstances at ECOMOG's Headquarters on September 10 1990.<sup>52</sup> After its significant assassination of Doe, INPFL became irrelevant and some of its members rejoined the NPFL. INPFL was dissolved in September 1994 and Prince Johnson fled to Nigeria and sought a political asylum. The importance of the INPFL, among others, deprived Taylor of conquering Monrovia and taking over as leader of Liberia. INPFL initially hailed the arrival of ECOMOG but later attacked ECOMOG and infiltrated ECOMOG which possibly led to the death of Doe.

Alhaji Kromah, a professional journalist and a former Information Minister founded the Movement for the Redemption of Muslims (MRM) in Guinea among the Liberian refugees on 21 February 1991. MRM's intention was to protect the Muslims and according to Kromah, they were the "single most victimized in the whole conflict."<sup>53</sup> Kromah was referring to the Mandingoes who were victims of the numerous attacks by Taylor's troops for their support for Doe and enlistment in the AFL. Kromah later joined forces with United Liberation Movement for Democracy in Liberia (ULIMO) which was

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<sup>50</sup> Aboagye, op. cit., p. 36

<sup>51</sup> Mark Huband, *The Liberian Civil War* (London: Frank Cass, 1998), p. 171

<sup>52</sup> Leonard Brehun, *Liberia: The War of Horror* (Accra: Adwinsa Publication, 1991) pp. 82-89 A possible explanation for the mysterious circumstances could be that there was an INPFL informant inside ECOMOG headquarters and due to the weak security structure inside the headquarters.

<sup>53</sup> *Weekend Spark* (Freetown) 26 April 1991

launched in Conakry on 29 May 1991.<sup>54</sup> Before the merge, General Albert Karpah, a former Defense Minister and Doe's ambassador to Sierra Leone formed the Liberian United Defence Force (LUDF) when the Revolutionary United Front (RUF – Sierra Leone) and NPFL attacked Sierra Leone on 23 March 1991. Karpah aimed at helping the government of Sierra Leone to crush the RUF and NPFL. He had in his troops AFL veterans and other Liberian refugees in Sierra Leone. Many of the Mandingo refugees joined LUDF. Karpah also joined forces with George Boley, a former minister in Doe's government and his Liberian Peace Council (LPC). Thus the ULIMO was a conglomeration of LUDF, MRM and LPC. The significance of ULIMO was its international composition – Sierra Leone and Guinea – which fought proxy wars. The NPFL helped the RUF to gain grounds in Sierra Leone and ULIMO received support from Sierra Leonean and the Nigerian governments to fight against RUF/NPFL. The ULIMO reentered Liberia and received support from the Nigerian, Sierra Leonean and Guinean contingents of ECOMOG.<sup>55</sup>

ULIMO later split into two factions with ethnic undertones as a result of internal leadership bickering in which Karpah was murdered. In APRIL 1994, the group was divided between Roosevelt Johnson, (ULIMO-J) a Krahn, and Alhaji Kromah (ULIMO-K), the Mandingo Muslim who advocated for a jihad against Charles Taylor. This split shows the ethnic dimensions of the conflict and as the number of factions increased, so does the intensity and scope of the conflict.

In 1994 the Lofa Defence Force (LDF) was established in refugee camps in Guinea with Francois Massaquoi as its leader. LDF crossed northern border of Guinea

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<sup>54</sup> Aboagye, p. 50

<sup>55</sup> James Butty, "What Does ULIMO Want?" in *West Africa*, 3912 (7 Sept. 1992), p. 1519

into Liberia and attacked ULIMO-K in a local fight.<sup>56</sup> The LDF was initially allied to NPFL forces, but some of its members later joined the anti-NPFL camp.

Small Boys Unit (SBU) was composed of ruthless child soldiers enlisted in the rebels' army who went round killing people. Their atrocities shocked the international community. These child soldiers who witnessed the brutal rape and massacre of their parents, siblings and relatives were either forced into joining the rebels like other relatives or joined in order to arm themselves in self-defense for their survival. The NPFL was the first to organize child fighters into SBU. The SBU soldiers were aged between 9 and 13. It was estimated that 20 percent of the child soldiers in Liberia were less than 18 years while 10 percent were under 15 years.<sup>57</sup> There were about 15 000 to 20 000 boy soldiers during the Liberia civil war and only 4 306 were disarmed in 1996-97.<sup>58</sup>

### **The Response of the International Community**

When the civil war started in Liberia, the international community (UN), United States and OAU did not take any immediate collective action to intervene. The expectation from the Liberians and people in the sub-region was that these bodies would have intervened militarily in order to stop the atrocities against civilians in Liberia. The main concern of the international community was the Gulf War in order to restore the sovereignty of Kuwait which became a victim of Saddam Hussein's aggression.

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<sup>56</sup> Martin Lowenkopf, "Liberia: Putting the State Back Together" in William I. Zartman (ed.), *Collapsed States: The Disintegration and Restoration of Legitimate Authority* (Boulder, CO: Lynne Rienner Publishers, 1995), p.93

<sup>57</sup> *Africa Report*, "The Child Soldiers" July-August 1994. The Geneva Convention on the Rights of the Child defines a child as any person under 18 years old hence the Convention prohibits the recruitment of any one under 15 years.

<sup>58</sup> Aboagye, op. cit., p. 51

It was the expectation of all Liberians that the US, the informal colonial master of Liberia, would intervene militarily or at least create a safe haven for civilians.<sup>59</sup> The US government's response to the expectations and calls was that the "resolution of this civil war is a Liberian responsibility... a solution to Liberia's current difficulties will be viable if it is worked out by Liberians themselves and had broad internal support."<sup>60</sup> In other words, the US regarded the conflict in Liberia as an internal affair and hence consent of the warring factions was needed before any military intervention could take place. When Johnson took some US citizens as hostages with the aim of being recognized as a contender in the struggle for political power this did not provoke US intervention. Neither did the church-sponsored march to the US Embassy in Monrovia which "appealed for American help in ending the war" as the pleas for intervention fell on deaf ears. Nor did the calls from the European Community (EC) change the position of the US.<sup>61</sup> It is interesting to note that US covert involvement was not totally absent as US Rangers, alongside Israeli forces were actively involved in combat against Taylor's rebels in the early years of the conflict.<sup>62</sup> At a later time the US was accused of sharing intelligence information with Taylor's NPFL including enemy troops.<sup>63</sup>

During the Cold War, US interests in Liberia were tied to large military and intelligence apparatus – satellite communications installations and a radio relay station

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<sup>59</sup> Hiram A. Ruiz, "Uprooted Liberians: Casualties of a Brutal War" cited in David Wippman "Enforcing the Peace: ECOWAS and the Liberian Civil War" in Lori Fisher Damrosch (ed.), *Enforcing Restraint: Collective Intervention in Internal Conflicts* (New York: Council on Foreign Relations Press, 1993), p. 165

<sup>60</sup> See Testimony of Assistant Secretary, Herman J. Cohen, US House of Representatives, Sub-committee on Africa of the Committee on Foreign Affairs, 101<sup>st</sup> Congress, 2<sup>nd</sup> Session, 19 June 1991

<sup>61</sup> John E. Inegbedion, "ECOMOG in Comparative Perspective" in Timothy Shaw and Julius Emeka Okolo (eds.), *The Political Economy of Foreign Policy in ECOWAS* (London: Macmillan, 1994), p. 227

<sup>62</sup> *West Africa*, March 12, 1990

<sup>63</sup> *West Africa*, December 2, 1991

(Voice of America) for propaganda purposes.<sup>64</sup> Liberia's Freeport also served strategic purposes for US Marines and naval ships. From a commercial perspective, many US commercial vessels were registered in Liberia under a flag of convenience. In the post-Cold War environment Liberia is of no value and therefore lacks any significance in US strategic and geopolitical calculations compared to the Gulf crisis which posed a much larger threat to US economic interests. At the same time the US was not thrilled by Doe's undemocratic rule and human rights violations.<sup>65</sup> The best that the US did was to evacuate its citizens and foreign nationals in early August emphasizing that "the Marine presence does not indicate or constitute any intention on the part of the US Government to intervene militarily in the Liberian conflict."<sup>66</sup> However, it must be noted that US officials later played important role in facilitating negotiations in Liberia though the government's involvement had been low-keyed and circumspect.<sup>67</sup> The US also provided a backing for ECOMOG, notably in underwriting the deployment of Senegalese troops in 1991-93 and East African troops (Uganda and Tanzania) in 1994-95.<sup>68</sup> Furthermore, it provided a substantial assistance towards the costs of ECOMOG's operations to the tune of \$40 million of logistical assistance in 1996.<sup>69</sup> It could be asserted that had there been an earlier active involvement by the US, the conflict would not have taken so much human toll if not ended earlier.

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<sup>64</sup> Aboagye, op. cit., p. 219

<sup>65</sup> W. Ofuatye-Kudjoe, "Regional Organizations and the Resolution of Internal Conflict: The ECOWAS Intervention in Liberia" *International Peacekeeping*, Vol. 1 No.3 Autumn, (1994) p. 269

<sup>66</sup> See US President's Press Secretary Fitzwater Press Briefing, 5 August 1990, Document 45; Wippman, op cit., p. 165

<sup>67</sup> *West Africa*, May 28, 1990; April 15, 1991; September 2, 1991; November 25, 1991. Among the prominent officials at negotiation table included former President Jimmy Carter, Rev. Jesse Jackson and former US Assistant Secretary of State for African Affairs, Herman Cohen.

<sup>68</sup> Martin Lowenkopf, op cit., p. 98

<sup>69</sup> See "US Report on Liberia: United States Agency for International Development" (Washington, 30 September 1996)

The reluctance of the US to intervene in Liberia gave the UN the chance to intervene as it has regained new legitimacy in the world community for the preservation of international peace and stability. At the onset, the UN tried to bring resolution to the conflict when on May 28 1990 the Secretary General made an attempt to bring the issue before the Security Council. Unfortunately, the African members, Ethiopia and Zaire, blocked the proceedings as they “were not prepared to have the Security Council deal with Liberia.”<sup>70</sup> They were afraid of any precedent that this might set which could be applied to them later.<sup>71</sup> Cote d’Ivoire, which supported Taylor, was particularly resistant to have discussion on Liberia, but Houphouet-Boigny presented a proposal to Perez de Cuéllar asking for the replacement of ECOMOG forces by UN forces. It was therefore no surprise that Taylor consistently insisted that he would allow only UN forces to disarm his troops and not the Nigerian-led ECOMOG. An attempt by France, Belgium, Spain and Italy on July 31 1990 to arrange a meeting to discuss the Liberian issue and its related human rights violations and refugee problems in the Security Council also failed.<sup>72</sup> On August 8 1990, Nigeria presented the ECOWAS Peace Plan to the Security Council in consonance with Article 54 of the UN Charter. Unfortunately, the Security Council declined to adopt the resolution. Renewed hostilities prompted the Security Council in 1992 to adopt Resolution 788 which imposed an arms embargo on all combatants except ECOMOG.

Though the OAU was concerned about the scale of humanitarian crisis in Liberia it lacked political will and the resources for intervention. It ignored charges from within West Africa that the ECOMOG intervention lacked legality, arguing that the principle of

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<sup>70</sup> Tunji Lardner Jr., “The Somalia Tragedy” in *West Africa* March 16-22, 1992 , p. 449

<sup>71</sup> Wippman, op cit., p. 165

<sup>72</sup> *African Research Bulletin*, 1-30 September 1990: 9841



non-interference as enshrined in its Charter does not excuse indifference to such magnitude of disaster. But OAU participation was low-keyed in ECOWAS diplomatic initiatives, for example, its Secretary-General, Salim Ahmed Salim, was a witness to the original ECOWAS Peace Plan of 1990. The best that the OAU did was to hail “the laudable efforts deployed by ECOWAS and expressed its total support for its initiatives.”<sup>73</sup> The OAU later on sent special envoys as witnesses during the negotiations leading to the Cotonou and Abuja Peace Accords. The OAU also assisted in co-ordination between the UN and ECOWAS. The regional response to the Liberian crisis loosened the OAU’s cardinal principle of non-interference in the domestic affairs of member states. Further, an OAU resolution tabled in July 1996 called for the imposition of severe sanction on Liberia faction leaders, and supported calls to consider setting up of war crime tribunal to deal with human rights violations arising from the conflict. On the whole one could conclude that the response and role of OAU to the peace process in Liberia had been marginal, symbolic and limited in support of ECOWAS initiatives.

In general one can say that the international community failed Africa in general and Liberia in particular, and the indifference of the UN, OAU and US could not be expressed more succinctly than in the words of the UN Secretary-General Mr. Kofi Annan when he bluntly admitted that “by not averting these colossal human tragedies, African leaders have failed the people of Africa; the international community had failed them, the United Nations has failed them.”<sup>74</sup> The official support by the OAU and the US to the ECOWAS military intervention in Liberia could be interpreted to mean that the

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<sup>73</sup> M. Weller, “OAU Council of Ministers: Resolution on the Conflict in Liberia” in M. Weller (ed.), *Regional Peacekeeping and International Enforcement: The Liberian Crisis* (Cambridge: Cambridge University Press, 1991), p. 140

<sup>74</sup> See UN Secretary-General’s report presented in April 1998

international community has acknowledged the importance of ECOWAS' effort in sub-regional conflict management when the international organizations are not ready.

### **ECOWAS and the Formation of ECOMOG**

The Economic Community of West African States (ECOWAS) was established on 28<sup>th</sup> May 1975 to promote economic and social cooperation within the 15 states of the West African sub-region.<sup>75</sup> Members pledged their commitment to “create a homogenous society leading to unity of the countries of West Africa” with the main objective being trade liberalization and the free movement of people.<sup>76</sup> Other objectives include cooperation in the areas of agriculture, transport and communication, and energy and industry.<sup>77</sup> The main organs of ECOWAS include the Authority of Heads of States and Government (the main decision-making body), the Council of Ministers, the Executive Secretary, a Tribunal and several technical and specialized Commissions.

Security issues were not initially included in ECOWAS agreements, but events of the following years prompted the Community to sign a “Protocol on Non-Aggression” on 22 April 1978. This Protocol which was based on Article 2(4) of the UN Charter, Article 3(2) of the OAU Charter and the Resolution of the Summit of Heads of States and Governments of the ECOWAS held in Lomé, Togo on 5 November 1976 regarding the signing of an annexed Protocol on non-recourse to force by Member States of the Community in which

Member States shall, in their relation with one another, refrain from the threat or use of force or aggression or from employing any other means inconsistent with

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<sup>75</sup> The heads of government signed the ECOWAS Treaty in Lagos. The member states include Benin, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania (but withdrew at the latter part of December 2000), Niger, Nigeria, Senegal, Sierra Leone, Togo and Upper Volta (now Burkina Faso). The Island of Cape Verde joined in 1977.

<sup>76</sup> See *Treaty of the Economic Community of West African States*, Article 2(2) and Article 27

<sup>77</sup> See *West Africa “ECOWAS: Seventh Anniversary”*, May 24, 1982

the Charters of the United Nations and the Organization of African Unity against the territorial integrity or political independence of Member States.<sup>78</sup>

The Member States, according to Article 2, are also to desist from “committing, encouraging or condoning acts of subversion, hostility or aggression” against one another. Article 5(1, 2) of the Protocol enjoined the Member States to resort to the pacific means of settling disputes and to refer disputes that cannot be settled amicably to the Committee of the Authority. One could say that this Protocol is in line with the concept of non-interference in the domestic affairs of the independent sovereign states as stipulated in the charters of international organizations – UN and OAU. But the leaders were shortsighted as there were no provisions to repel any external aggression and/or external support given to internal insurrection and revolt within the Member States. This omission became evident due to development of situations in the following years.

The political landscape in the sub-region has changed drastically with a lot of military coups d'état, counter coups, palace coups and subversive activities since the signing of the Protocol on Non-Aggression in 1978. The leaders noted that “...economic progress cannot be achieved unless the conditions for the necessary security are ensured in all Member States of the Community.”<sup>79</sup> In order to create a conducive atmosphere in which economic development and activities could thrive, the Member States adopted a defense protocol - the ECOWAS Protocol Relating to Mutual Assistance on Defence (MAD) on May 29 1981 and later came into force on September 30 1986. This Protocol expresses the Member States pledge for “being each other’s keeper” and this allays the fear of aggression from their neighbors. It became clear that an attack on one member

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<sup>78</sup> ECOWAS Protocol on Non-Aggression, 22 April 1978, Article 1

<sup>79</sup> ECOWAS Protocol Relating to Mutual Assistance on Defence, *Preamble*, 29 May 1981

state implies attack on the Community as a whole. Member States are to give mutual aid and assistance for defense against armed attack or aggression whether it comes from within the state or without. Further, members are to take the appropriate steps in case of conflict between members and when an internal conflict is supported by outsiders. In light of MAD, an elaborate response mechanism including regional defense force - the Allied Armed Forces of the Community (AAFC) - was to be established as a peacekeeping force. Thus, the import of this Protocol places equal emphasis on threat from within the states and from outside. The peculiar thing about this Protocol is that state sovereignty could be overridden, according to Article 4, in case of “internal armed conflict within any Member States engineered and supported actively from outside likely to endanger the security and peace in the entire community.” In other words, unlike the non-intervention clause enshrined in both the UN Charter and that of the OAU, the protocol makes provision for legitimate intervention in the internal affairs of Member States. Ralph Onwuka sees the Defence Protocol as necessary because of the “political instability generated mainly by border claims, and the activities of political dissidents and/or refugees of one country living in an alien ECOWAS territory.”<sup>80</sup> In light of this, one could deduce that the adoption of the Defence Protocol brought to the fore the primary concern of West African leaders - regime security - and also that it laid the basis for the eventual transformation of ECOWAS into a “Collective Defence System.”<sup>81</sup> It is now left to see how the leaders utilized the provision in the Protocol through its legal

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<sup>80</sup> Ralph Onwuka, “The Role of ECOWAS in Ensuring a Working Peace System” in A.A. Owuseku (ed.), *Towards an African Economic Community: Lessons of Experience from ECOWAS* (Ibadan: Nigerian Institute of Social and Economic Research, 1986), p. 382

<sup>81</sup> See Tom Imobighe, “ECOWAS Defence Pact and Regionalism in Africa” in Ralph Onwuka and Amadu Sesay (eds.), *The Future of Regionalism in Africa* (New York: St. Martin’s Press, 1986), p. 117

assessment, management and administrative mechanism in the civil wars in Liberia and Sierra Leone.

The MAD protocol remained an empty declaration of intentions as there were no institutions created to enforce its policies as a security regime in the sub-region. This was due to the fact that the protocol was not implemented hence ECOWAS could not rely on any structure created for conflict resolution. The non-existence of appropriate ECOWAS institutions – a Defense Council, Defense Committee a joint Command of Allied Armed Forces and Deputy Secretary for Military Affairs – as stipulated in the protocol was a serious drawback for the Community to tackle security issues in the sub-region.<sup>82</sup>

It is of interest to note that in a Revised ECOWAS Treaty of July 1993, provision is made for a security regime which deals with cooperation in political, judicial and legal affairs, regional security and immigration. It enjoins: 1. Member States undertake to work to safeguard and consolidate relations conducive to maintain peace, stability and security within the region. 2. In pursuit of these objectives, Member States undertake to cooperate with the Community in establishing and strengthening appropriate mechanism for the timely prevention and resolution of intra-state and inter-state conflicts and 3. The detailed provision governing political, regional peace and stability shall be defined in the relevant Protocol.<sup>83</sup> These provisions in the Revised Treaty without any doubt emphasize the seriousness which the Community attaches to security issues in the sub-region.

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<sup>82</sup> See *ECOWAS Protocol Relating to Mutual Assistance on Defense*, Article 5, 7, 8, 9, 11 and 12 (29 May 1981)

<sup>83</sup> See *Revised ECOWAS Treaty*, Chapter 10 Article 58.

Later on security concerns further led ECOWAS to establish a formal permanent mechanism for the prevention and supervision of peacekeeping in the sub region.<sup>84</sup> In March 1998 it was decided that the existing ECOMOG should serve as the basis for future peacekeeping body of ECOWAS.<sup>85</sup> The Community may be said to be breaking new grounds in this area compared to the UN which has no permanent peacekeeping troops but is at the mercy of member states that voluntarily contribute to the forces to be sent to conflict areas. One could argue that because the security situation in the West African sub-region directly affects member states they are therefore sensitive to the heightened demands for security in the sub-region.

### **The Formation of ECOMOG**

The conflict in Liberia became an important issue during the annual meeting of ECOWAS in Banjul, the Gambia in May 1990. The reluctance of the UN, OAU and the US to intervene in the conflict forced the states of the sub-region to take the matter in their own hands to stop the carnage and the atrocities which had become the order of the day in Liberia. The member states agreed to set up a five-member Standing Mediation Council (SMC) with the task of finding a peaceful settlement for the Liberian conflict.<sup>86</sup> The Authority was convinced that “regional security and stability, as well as peace and concord, are necessary conditions for effective sub-regional co-operation and integration” and that it was fully aware of “the disruptive effect that recurrent situations of the conflict

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<sup>84</sup> Afetor Kuma, “ECOWAS Extraordinary Summit Ends in Lomé” *Panafrican News Agency*, 12 March 1998

<sup>85</sup> *BBC News*, “West African Ministers agree on Peacekeeping Force” 13 March 1998

<sup>86</sup> See ECOWAS Decision A/DEC.9/5/90. The members of SMC included Ghana, Mali, Nigeria Togo, and Gambia (chair to ECOWAS).

and dispute among member state have on the ultimate ECOWAS goal of harmonious and united West Africa.”<sup>87</sup>

According to then ECOWAS Executive Secretary, Abbas Bundu, the Liberian civil war “was a problem from which everyone else was running away... the leaders within the sub-region felt that they had a responsibility to the people of Liberia, and indeed to the wider international community to try and find a solution to the problem.”<sup>88</sup> The SMC was established with the strict operating guidelines “to act for and on behalf of the Authority of the ECOWAS in settling disputes and conflicts.”<sup>89</sup> The responsibility of the SMC was to “ensure that peace and stability is maintained within the sub-region and in the African Continent as a whole, for they believe that the tragic situation in Liberia poses a threat to international peace and security.”<sup>90</sup> Thus, the SMC was not only concerned with the sub-region, but also the whole continent hence was given a purely mediatory role and was neither mandated nor permitted to call for military intervention. ECOWAS used its diplomatic channels through the offices of successive ECOWAS Executive Secretaries, the Authority of Heads of State and the Council of Ministers to try to reach a political settlement or at minimum to achieve a compromise between the warring factions in Liberia.

As part of its mediatory role, the SMC scheduled a peace talk between Doe’s Government (which could be regarded technically as still in power) and Taylor’s NPFL. The representatives of NPFL rejected a cease-fire plan and continued its insurgency.

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<sup>87</sup> See address by General Ibrahim Babangida, President of Nigeria at the 13<sup>th</sup> Summit of the Authority of ECOWAS Heads of State and Government, Banjul, the Gambia, May 28-30, 1990

<sup>88</sup> *West Africa*, 2-8 March 1992, p. 386

<sup>89</sup> Emeka Nwokedi, *Regional Integration and Regional Security: ECOMOG, Nigeria and the Liberian Crisis* (Bordeaux: Centre d’Etude d’Afrique Noire, 1992), 6

<sup>90</sup> Final Communiqué, First Session of ECOWAS Standing Mediation Committee 7 August 1990

With 90 percent of the country under his control, Taylor declared himself as President of what he called “Greater Liberia” (Taylorland) on July 27 1990.

The SMC members convened a meeting on August 6-7 1990 in Banjul, the Gambia, to find solution to the growing security problems in Liberia.<sup>91</sup> Also present were the OAU Secretary-General, Guinea and Sierra Leone (due to their geographical proximity to Liberia, consideration of conflict spill over and problem of refugee influx). The result of this meeting was an ECOWAS Peace Plan which was accordingly approved by the Authority of ECOWAS Heads of State and Government on August 25 1990. The SMC called on all factions to observe an immediate cease-fire, the establishment of a peacekeeping force dubbed ECOWAS Monitoring Group (ECOMOG) with the mandate to “keep peace, restore law and order and ensure that a cease-fire agreed to by the warring factions in Liberia was respected.”<sup>92</sup> The SMC also emphasized that the “sole purpose of the ECOWAS peacekeeping force is to create the necessary conditions for normal life to resume to the benefit of all Liberians.”<sup>93</sup> There was to be a broad base interim government, elections to be held within 12 months under the supervision of an ECOWAS Election Observer Group, and the creation of a Special Emergency Fund for ECOWAS operations in Liberia.<sup>94</sup>

ECOMOG was to be under the authority of the Chairman of ECOWAS and was to assist the SMC in supervising the implementation of the Liberian Peace Plan it proposed (and was duly approved by the Authority of ECOWAS Heads of State and

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<sup>91</sup> ECOWAS Standing Mediation Committee Decision A/DEC.9/5/90

<sup>92</sup> Ibid

<sup>93</sup> Ibid

<sup>94</sup> See Decision A/DEC/3/8/90 on the Establishment of a Special Emergency Fund for ECOWAS Operations in the Republic of Liberia. A budget of about \$50 million was projected for financing the military operations and for the immediate humanitarian needs Liberians. A voluntary contribution was expected from member states of ECOWAS, OAU and other friendly countries.



Government on August 25 1990). ECOMOG was also to see to the compliance of the cease-fire by all the factions to the Liberian war.<sup>95</sup> Further, SMC recommended that there was to be a Special Representative appointed by the Executive Secretary of ECOWAS. His responsibility is to work in close collaboration with the Force Commander and assist in carrying out the operations of ECOWAS.<sup>96</sup> One can deduce from SMC recommendations and the establishment of these institutions that ECOWAS is on the track of taking care of the security threats in the sub-region. However, these recommendations were not without criticism.

As the focus of this thesis is the military intervention, the political/diplomatic intervention will not be discussed in detail, but suffice it to say that from Banjul in 1990 to Bamako to Yamoussoukro to Cotonou to Akosombo to Accra to Abuja and back to Accra and then to Abuja again, ECOWAS diplomacy maneuvered its way through the hostilities in an effort to maintain regional peace and to restore normalcy to Liberia. The search for political/diplomatic resolution led to at least 13 peace agreement/accords.<sup>97</sup> ECOWAS utilized diplomatic initiatives to achieve specific objectives: the installation of an interim government and the negotiation of a political settlement amongst warring factions. Though each peace agreement was greeted with much optimism, most of the thirteen agreements since 1990 differed from each other only in details. A clear pattern of representation problem could be identified in the various attempts at resolving the conflict. Richard Carver has observed that the common characteristics of all the Liberian Agreements/Accord include the emergence of new factions such as the LPC after the Cotonou Agreement which were not signatories to the agreement; major factions were

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<sup>95</sup> ECOWAS Standing Mediation Committee Decision A/DEC.1/8/90

<sup>96</sup> Ibid.

<sup>97</sup> See Appendix 2

themselves split with violent internal disputes for example INPFL split from the NPFL, the ULIMO faction split into ULIMO-J and -K.; ECOMOG was regarded by some factions, especially the NPFL, as a party to the conflict and not as a neutral peacekeepers; and the leaders of the various factions had an overwhelming political and military interest in maintaining the uncertain status quo rather than ceding power to a responsible and accountable civilian administration.<sup>98</sup> These characteristics cast doubt on the prospects for permanent peace up to 1994. The problem posed by these situations in which new factions emerged after an agreement was brokered were that it made it frustrating to negotiate with the warring factions without being accused of partiality and this easily derailed previous agreements. Edouard Benjamin observed that the factional leaders

seem to be divided more by personal interests than by political differences...the question arises whether it is befitting that those considered as 'men of arm' should continue to sign agreement on issues germane to the political and institutional future of their country in place of political parties.<sup>99</sup>

The inability of the faction leaders to sign and respect cease-fire- and peace agreements means that the faction leaders did not have any immediate plan to resolve the conflict other than to enrich themselves from the natural resources they control.

### **ECOMOG in Liberia**

The failure of the SMC to negotiate a successful peace deal with the warring factions resulted in SMC calling for a military action as a last resort by sending a peacekeeping force to Liberia. The SMC based its decision on humanitarian grounds claiming that "presently, there is a government in Liberia which cannot govern and contending factions which are holding the entire population as hostage, depriving them of

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<sup>98</sup> Richard Carver, *Liberia: What Hope for Peace* WRITENET for UNHCR/CDR. February 1996

<sup>99</sup> Edouard Benjamin, Executive Secretary of ECOWAS, "ECOMOG: The Political Perspective" in an address to the National War College Course in Lagos, Nigeria (21March, 1995)

food, health facilities and other basic necessities of life.”<sup>100</sup> Doe and Johnson applauded the SMC decision to send peacekeepers to Liberia, but Taylor vehemently opposed the decision and vowed to attack any military intervention because ECOMOG intervention would be a “flagrant act of aggression... I have given orders to open fire on any strangers setting foot on our territory.”<sup>101</sup> He accused Nigeria of masterminding the formation of ECOMOG in order to retain Doe as President thereby denying him his ascendancy to power in Liberia.

From the onset, opposition to the deployment of ECOMOG arose within the rank of ECOWAS Heads of State. In the first place, a quick look at the composition of the SMC and those present at the Banjul SMC will reveal that Anglophone states were in the majority. This incurred the displeasure of the Francophone members of ECOWAS and notably President Compaoré of Burkina Faso who challenged not only the invocation of Article 4(b) of MAD as inappropriate but also the establishment and the composition of the SMC as it was regarded as a hidden scheme undertaken by the Anglophone states led by Nigeria to dominate the sub-region.<sup>102</sup> Further, the Burkinabe President, basing his argument on the notion of peacekeeping and inter-state conflict, expressed his disagreement and argued that the SMC had “no competence to interfere in member states’ internal conflicts, but only in conflicts breaking between member countries.”<sup>103</sup>

Togo, which was a member of the SMC refused, to send troops to Liberia “until the three Liberian factions agreed to a mediatory mission” in order to “avoid any

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<sup>100</sup> Final Communiqué, First Session of ECOWAS Standing Mediation Committee 7 August 1990

<sup>101</sup> BBC Monitoring Report, 15 August 1990

<sup>102</sup> See Aguda Akinola, “The Concept of Sovereignty and Non-Intervention in Internal Affairs of States”, in Margaret Vogt and Aminu (eds.), *Peacekeeping as a Security Strategy in Africa* (Fourth Dimension Publishers, 1996)

<sup>103</sup> Cited in David Wippman, *op. cit.*, p. 168

initiative that might worsen the situation.”<sup>104</sup> Mali also refused to contribute troops to ECOMOG. According to John Inegbedion, the refusal of Mali and Togo to contribute troops to ECOMOG was due to pressure from Houphouet-Boigny who was regarded as the Old Man of the sub-region.<sup>105</sup> Thus even before ECOMOG began its military actions in Liberia there was an Anglophone and Francophone division and this raised questions about whether there was any hope for the mission.

Despite oppositions from some members of ECOWAS, a contingent was assembled at Queen Elizabeth Quay in Freetown, Sierra Leone, for onward deployment to Monrovia. On August 24 1990, ECOMOG under the command of Ghana’s General Arnold Quainoo, landed in Monrovia to commence its military action dubbed “Operation Liberty”. Quainoo was optimistic that within six months ECOMOG would finish its peacekeeping task, but this optimism did not last long.<sup>106</sup> The military contingent of 3 000 was drawn from contributing SMC member states (except Togo) in addition to troops from Guinea and Sierra Leone.

Doe was delighted to have ECOMOG in Liberia as he saw the force’s presence as a means of restoring peace to the country and he “hoped that it [ECOMOG] would not take sides.”<sup>107</sup> Johnson on his part offered his support and cooperation to ECOMOG and expressed his force’s willingness to fight alongside with ECOMOG.<sup>108</sup> True to his vow, Taylor’s NPFL launched offensive attacks when ECOMOG landed in Monrovia. This was the beginning of the numerous attacks on ECOMOG by NPFL.

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<sup>104</sup> BBC Monitoring Report, August 25 1990

<sup>105</sup> Inegbedion, *op. cit.*, p. 230

<sup>106</sup> BBC Monitoring Report, August 27 1990

<sup>107</sup> BBC Monitoring Report, August 30 1990

<sup>108</sup> BBC Monitoring Report, August 27 1990

The attacks on ECOMOG made it obvious that unless its term of reference was changed and its operating procedures significantly upgraded, the situation would continue to deteriorate and subsequently, there would be no peace and installation of the interim government. ECOMOG could not keep a peace that never existed. ECOMOG had to establish some form of order through effective policing action especially in Monrovia, while arrangements were being made for establishment of an interim government.<sup>109</sup>

Within a month of landing ECOMOG's strategy had evolved into a conventional offensive one with the aim of driving the NPFL out of Monrovia and creating a buffer zone around the city. ECOMOG had another 3 000 (mostly Nigerians) added to its force. ECOMOG compromised its neutral position when it fought alongside AFL and INPFL. Though ECOMOG's initial mission was peacekeeping, the actual mission oscillated between peacekeeping and peace enforcement, a "major departure from the original mandate" due to the aggression of Taylor and other rebel forces.<sup>110</sup> ECOMOG thus remained as an enforcement unit for some time after its deployment due to the situation on the ground.

The capture and subsequent assassination of Doe on September 10 1990 by Johnson's troops while Doe was visiting ECOMOG's headquarters resulted in ECOMOG's expanded mandate to enforce a cease-fire, clear the capital city of all threat of attack, and to establish and maintain effective buffer zone. The expanded mandate also brought a change in the strategy of ECOMOG. In the first place, the Ghanaian commander was relieved of his duty and was replaced by a Nigerian, Maj. Gen. Joshua Dogonyaro. From then on all the commanders of ECOMOG were Nigerians. Under the

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<sup>109</sup> *Nigerian Journal of International Affairs*, Vol. 17, No. 1, 1991:106

<sup>110</sup> Kaye Whiteman, "Towards Peace in Liberia" *West Africa* (Nov 26- Dec. 1 1994), 2894

new commander ECOMOG delivered a devastating blow to Johnson's and Taylor's troops who were terrorizing and killing people and destroying property. ECOMOG's offensive operation paved the path for the evacuation of 30 000 refugees and the release of 5 000 prisoners-of-war.<sup>111</sup> ECOMOG's operation and control of strategic positions forced Taylor's troops out of Monrovia. At this stage one could say that ECOMOG achieved some success. The offensive also made Taylor sign a cease-fire agreement on November 29 1990.<sup>112</sup>

While ECOMOG embarked on its peace-enforcement mission, the SMC persisted in its efforts to find a political solution to the dispute as evidenced in the four Yamoussoukro Accords under the leadership of Houphouet-Boigny, the Ivorian leader. The meetings of June to October 1991 saw the formation of the Committee of Five which included Burkina Faso, Cote d'Ivoire, Senegal, Guinea and Togo. The first three accords were not successful as Taylor refused to abide by their terms. The Yamoussoukro IV Accord of October 30 1991 brought significance into the conflict as it bridged the gap between the Francophone and the Anglophone divide. One is tempted to suggest that "the francophones took the lead in mediation and left the military operations largely to the anglophones."<sup>113</sup> This accord also provided for the disarmament under ECOMOG supervision within 60-day time frame before repatriation, rehabilitation and nation-wide elections.<sup>114</sup> Further, this Accord called for the establishment of a buffer zone on the border with Sierra Leone and ECOMOG to control all air and sea ports as well as border crossings. Furthermore, in early 1992, Senegal sent 1 500 troops to Liberia as part of the

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<sup>111</sup> Aboagye, op. cit., p. 90

<sup>112</sup> Inegbedion, op. cit., p. 233

<sup>113</sup> Adebajo, Adekeye, *Building Peace in West Africa: Liberia, Sierra Leone and Guinea-Bissau* (Boulder, CO: Lynne Rienner Publishers, 2002), p. 53

<sup>114</sup> Aboagye, p. 101

implementation of this accord, but withdrew after only one year due to domestic problems. Thus by 1993 ECOMOG had about 12 000 in Liberia (See Table 1.1).

On October 15 1992 NPFL launched “Operation Octopus” against Monrovia. This operation was designed by Taylor to wrestle power from the Interim Government, create crisis in the city in order to influence UN intervention which would replace ECOMOG troops and to deprive ULIMO, a rival faction, from gaining control of Monrovia.<sup>115</sup> In other words, Taylor wanted to manipulate and dictate the pace and focus of the democratization process. ECOMOG’s headquarters came under heavy attack but ECOMOG’s planes bombarded various strategic points thereby repelling Taylor’s hold on the city. “Operation Octopus” left over 3 000 people dead, 14 civilians taken as hostages including four UN staff, and the abduction and relocation of orphans behind NPFL lines.<sup>116</sup>

ECOMOG’s offensive use of air and naval power recaptured significant territory from Taylor. It also led to the surrender of 700 NPFL rebels, more than 100 child soldiers from SBU, 40 000 refugees and the recapture of significant territories from NPFL.<sup>117</sup>

ECOMOG was thus:

...forced into a defensive-offensive posture in an operation which months later pushed NPFL forces far from the capital. When it was over, the NPFL had lost several strategic areas and economic zones... to ECOMOG and the civil authority of President Sawyer.<sup>118</sup>

This offensive also forced Taylor to declare a unilateral cease-fire and demand the presence of UN political negotiations which led to the Geneva II – Cotonou Accord.

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<sup>115</sup> Ibid., p. 106

<sup>116</sup> Ibid., p. 107

<sup>117</sup> Ibid., p. 113

<sup>118</sup> *West Africa* (August 23-29 1993), p. 1484

After Taylor's "Operation Octopus" ECOMOG force was again reinforced to a whopping total of 16 000 of which 12 000 were Nigerians and at the same time as its mandate was changed to peace enforcement. Thus again we see the dominance of the ECOMOG by Nigeria which in turn confirmed the criticism leveled against it that it wanted to exhibit its hegemonic tendencies in the sub-region. Nigeria's domination of ECOMOG and insistence on not involving other contingent commanders in the planning for the military operation was justified by its contribution and thus claimed that it must determine the military planning as their previous experience of sharing military plans with other troops resulted in security breaches.<sup>119</sup>

The Abuja Peace Process and accord of August 19 1995 resolved a comprehensive cease-fire on August 26 in which there was to be troop withdrawal, full ECOMOG deployment by December 1995, demobilization by January 1996, repatriation, demobilization, disarmament and elections to be held on August 20 1996.<sup>120</sup> ECOMOG was to monitor the borders and man every entry points by land, sea or air in order to ensure that no arms or ammunition come into the country, assemble and disarm factional combatants, verify the movement of arms, assist in the return of refugees and internally displaced people and to conduct confidence patrols for free and fair elections and ECOMOG's strength to be projected from 7 269 to 12 000 to be deployed to various parts of the country.<sup>121</sup> The new role conferred on ECOMOG was thus far beyond the initial peacekeeping mission.

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<sup>119</sup> Adebajo, p. 56

<sup>120</sup> Aboagye, op. cit., 123

<sup>121</sup> Ibid., p. 124



Table 1.1: The Composition of ECOMOG, February 1993

Country	Troops in ECOMOG	National Total
Gambia	150	900
Ghana	1 500	11 900
Guinea	600	9 700
Mali	6	7 300
Nigeria	9 000	94 000
Sierra Leone	700	3 100
TOTAL	11 956	127 450

Source: John E. Inegbedion, "ECOMOG in Comparative Perspective" in Timothy M. Shaw and Julius E. Okolo, (eds.), *The Political Economy of Foreign Policy in ECOWAS States* (New York: St. Martin's Press, 1994), p. 231

The promising cease-fire after the Abuja agreement was violated by intensive and chaotic fighting between ULIMO-J and ULIMO-K, between LPC and NPFL and NPFL and ULIMO-K in December 1995. ECOMOG became a target for the rebels in different parts of the country. For example, ECOMOG was ambushed by ULIMO-J at Gbarma on December 28 1995 and a fight erupted between ECOMOG and ULIMO-J at Tubmanburg and ECOMOG was attacked at Kle Junction on January 2 1996.<sup>122</sup> In April and May 1996, violence erupted leading to a total breakdown of law and order. The destruction was more than during the previous seven years that the war lasted. ECOMOG was able

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<sup>122</sup> Ibid., p. 126

through show of force to prevent the escalation of crisis although considerable damage was done to Monrovia.<sup>123</sup>

Disarmament of the warring factions was one of the factors of great concern in the ECOWAS Peace Plan for Liberia hence the SMC considered a comprehensive disarmament program as stipulated in Article 1 (2) of ECOWAS decision for the establishment of ECOMOG which called on warring factions to

“cease all activities of a military or para-military nature; surrender all arms and ammunition to the custody of the ECOWAS Cease-fire Monitoring Group (ECOMOG) refrain from importing or acquiring or assisting or encouraging the importation and acquisition of weapons or war materials...”<sup>124</sup>

Assistance received from the US, European Union and the Netherlands equipped ECOMOG with the much needed logistics to embark on its disarmament, demobilization and electoral process. By November 1996 ECOMOG was deployed to the whole of Liberia for the disarmament which began on November 22 and had to be extended to February 7 1997 after the original deadline of December 31 1996. About 20 332 fighters including children and 250 adult females were disarmed at the end of the whole process in which over 10 000 weapons as well as 1.2 million pieces of ammunition were handed over to ECOMOG while ECOMOG’s corridor-and-search operations around the country brought 122 162 pieces of ammunition and 917 weapons.<sup>125</sup> Not all weapons and ammunitions were collected, as the subsequent years during Taylor’s regime showed.

Charles Taylor, who won the Presidential election, agreed to have the weapons collected destroyed under the auspices of the ECOWAS, UN, and OAU and the Liberian

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<sup>123</sup> Adebajo, *op. cit.*, p. 63

<sup>124</sup> ECOWAS Standing Mediation Committee, Decision A/DEC.1/8/90, on the Cease-fire and Establishment of an ECOWAS Monitoring Group for Liberia, (Lagos: ECOWAS Secretariat, 1990)

<sup>125</sup> Adekeye, p. 64

Government on June 26 1999. On July 26, 1999, 1 500 small arms were cut up and symbolically incinerated in huge metal baskets amid military fanfare with Heads of State of Nigeria, Sierra Leone and Mali together with former ECOMOG Commanders as witnesses. The UN Secretary-General hailed the exercise and depicted it as the largest public display of conventional weapons destruction in peacetime and concluded that “today, with these flames of peace, peace in Liberia burns more brightly, and we can see a glimmer of hope for peace and security across the African continent.”<sup>126</sup> Though the destruction of these weapons and molding them into farming implements from the metal residue meant that Liberia literally turned its weapons of conflict and destruction into ploughshares, the Secretary-General was wrong as the conflict only subsided for a while and the weapons that were not handed over found its use again by the factions during Taylor’s brutal regime

Since Taylor’s ascension to power, the country knew no peace as he ruled the country with iron hand with wanton killing of his opponents - especially the new rebel group, Liberians United for Reconciliation and Democracy (LURD) - who demanded his resignation. He was also indicted by the UN-backed International Tribunal for war crimes in Sierra Leone for his role in arming the Revolution United Front (RUF) of Sierra Leonean since 1991. The pressure from human rights organizations and the international community forced him to relinquish power on August 11 2003 and was given political asylum in the State of Callabar, Nigeria.<sup>127</sup> Even though in exile, Taylor continued to influence the affairs of Liberia through his loyalists. This impaired the job of securing total peace in Liberia.

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<sup>126</sup> See UN-IRIN West Africa, 27 July 1999

<sup>127</sup> See <<http://www.cnn.com/2003/WORLD/Africa/06/10/Liberia.taylor>> (10 June 2004)

## Sierra Leone at a Glance

The fear of the leaders of the sub-region that the conflict in Liberia could possibly spill over to other states in the sub-region came true when in March 1991, Foday Sankoh and his Revolutionary United Front of Sierra Leone (RUF-SL) began an insurgency in the country. Thus the attempt to contain the Liberian conflict was not successful. Before discussing the conflict in Sierra Leone and the intervention by ECOMOG, it is appropriate that we do a background analysis of the territory now called Sierra Leone.

The “Province of Freedom” or “Free Town” was established as a place for settlement of freed slaves between 1787 and 1850. The freed slaves arrived in Freetown in four segments. The first segment, known as the “Black Poor” was relocated to Freetown after the Parliament of Britain abolished slavery on British soil in 1787 upon the Somerset Decision of 1772 which stated that “as soon as any slave sets his foot on English ground he becomes free.”<sup>128</sup> The Black Poor were sent to Sierra Leone “where they could sustain themselves as free people.”<sup>129</sup> The second segment arrived from Nova Scotia known as the “Black Loyalists” and was originally from the United States who fought for the British during the American Revolution. They decided to leave NS when the land promised them did not materialize and they were determined to set sail “back to their ancestral home land.”<sup>130</sup> The third segment, “the Maroons”, were slaves who escaped and lived in the mountains of West Indies especially, Jamaica. The final segment

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<sup>128</sup> This was the judgment handed down by Lord Mansfield which brought an end to slavery in England but not in its territories. Quoted in Doris A Banks Henries, *Africa: Our History* (Toronto, ON: Collier-Macmillan Canada Ltd., 1969) p. 89

<sup>129</sup> James W. ST. G. Walker, *The Black Loyalists: The Search for a Promised Land in Nova Scotia and Sierra Leone, 1783-1879* (Toronto: University of Toronto, 1992), p. 97

<sup>130</sup> Upon arrival in Freetown Captain Thomas Thompson bought “a tract of land bordering the harbor measuring 20 miles by 20 square miles” from Temne ruler, King Tom worth £59 1s. 5d which he exchanged for trade goods. See James W. ST. G. Walker, *The Black Loyalists: The Search for a Promised Land in Nova Scotia and Sierra Leone, 1783-1879* (Toronto: University of Toronto, 1992), p. 99; Doris A. Banks Henries, op cit. pp. 89-92

of the freed slaves to have arrived in Freetown was the so-called “Recaptives”, also known as the “Liberated Africans” They were people “rescued from ships stopped by the British navy on the high seas after passage of the Anti-Slavery Act of 1807.”<sup>131</sup>

Freetown was under the Sierra Leone Company until 1807 when it became a British Crown Colony in 1808 and gained independence on April 27, 1961. The British administered the Crown Colony by appointing representatives from England to assist the settlers. The British adopted “Indirect Rule”, a system whereby the Colonial government used “traditional rulers or those appointed by British colonial authorities as agents or local government.”<sup>132</sup> Indirect rule deprived the traditional rulers of the concept of popular sovereignty which existed in Sierra Leone before the arrival of the Europeans. Ugboaja Ohaegbulam notes that in pre-colonial Sierra Leone, the king among other things “was obliged to consult his elders before initiating warfare. If it appeared to them that the war was unjust, or that the enemy was very strong, they told the king that they could not help him and gave orders for peace despite the king.”<sup>133</sup> Thus the king was not a despot and an absolute sovereign.

The colonial government appointed people as “chiefs” who had no chieftaincy lineage nor had a popular following. These appointments eroded the African ruling principle of chieftom in which the people accept their chiefs and the chiefs in turn fight for their societies.<sup>134</sup>

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<sup>131</sup> John L. Hirsch, *Sierra Leone: Diamonds and the Struggle for Democracy* (Boulder: Lynne Rienner Publishers, 2001), p. 23

<sup>132</sup> Ugboaja F. Ohaegbulam, op. cit., p. 185

<sup>133</sup> Ibid., p. 36

<sup>134</sup> Ibid.

The dominant ethnic groups in Sierra Leone are Mende, Temne, and Limba.<sup>135</sup>

The Creole (Krio) people who are the descendants of the settlers made up of the 10 percent of the population.

Sierra Leone has rich mineral deposits including diamonds, titanium ore, bauxite, iron ore, chromium and gold. The diamond deposits in Sierra Leone became a contributing factor to the continuation of the civil war as the rebels seized and sold the diamonds to fund the war.

Unlike Americo-Liberians who dominated the political, social and economic life of Liberia, the situation for the Creoles was different as they had to struggle for hegemony especially after independence from Britain.

### **Civil War in Sierra Leone**

Since its independence on April 27 1961, Sierra Leone suffered from weak central government administration. Most of the regimes in Sierra Leone “pursued patronage-oriented policy strategy which involved the incorporation of elite figures from rural society.”<sup>136</sup> This is in contrast to what happened in Liberia where the hinterland was totally neglected by the successive Liberian leaders until Tubman’s “Unification Policy”.

The early post-independent years in Sierra Leone politics could be deemed as liberal democracy and competitive politics under Milton Margai (1961-1964) and his brother Albert Margai (1964-67) of the Sierra Leone People’s Congress (SLPP). Unfortunately, this budding political setup, inherited from the British was “limited by Albert Margai’s growing authoritarianism and undermined by the failure of the political

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<sup>135</sup> Others include the Susu, Kono, Gola, Kissi, Koranko Gallinas, Fula, Mandingo, Sherbro, Vai, Loko, Kru, Yalunka, and Krim. See Appendix Seven.

<sup>136</sup> Stephen P. Riley, “Liberia and Sierra Leone: Anarchy or Peace in West Africa” *Research Institute for the Study of Conflict and Terrorism* Conflict Studies no. 287, Feb. 1996, p. 4

leadership to respect the results of the 1967 election” which he lost” to Siaka Stevens of All People’s Congress (APC).<sup>137</sup> However, a military intervention led by Brigadier David Lansan deprived Stevens of the presidency sending Stevens to exile in Guinea. The aim of military incursion was to restore the status quo ante in the ethnic and ideological balance, but a counter-coup a year later by junior officers reinstated Stevens as the democratically elected Head of State.<sup>138</sup>

The intervention of the military showed the underlying ethnic factor, which at the onset was latent, in Sierra Leonean society. The Margai brothers and the SLPP drew support from all over the country, but the opposition and non-Mende members of SLPP regarded the party as representing mainly the interest of Mende and their close allies and the neglect of the regional imbalance in power distribution.<sup>139</sup> The hidden seed of ethnicity sown by the Margai brothers and the SLPP through various mechanisms elevated and favored their ethnic groups especially the Mende.

The APC under Siaka Stevens abandoned the participatory democracy system began by the Margai brothers by advocating for a single-party system - first toyed with by Albert Margai, but lacked the necessary support for its implementation - in 1978 and thereby depriving the state of any opposition party and competitive politics, a position the APC enjoyed during the Margai brothers’ regime. During Stevens’ regime there existed an institution of a “highly centralized, inefficient, and corrupt bureaucratic system of

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<sup>137</sup> Ibid., pp. 4-5

<sup>138</sup> Abdel-Fatau Musah, “A Country Under Siege: State Decay and Corporate Military Intervention in Sierra Leone” in Abdel-Fatau Musah and ‘Kayode J. Fayemi (eds.), *Mercenaries: An African Security Dilemma* (London: Pluto Press, 2000), p. 81

<sup>139</sup> Joe, A. D. Alie, “Background to the conflict 1961-1991): What went wrong and why?” in Anatole Ayissi and robin-Edward Poulton (eds.), *Bound to Cooperate: Conflict, Peace and People in Sierra Leone* (Geneva: United Nations Institute for Disarmament Research, UNIDIR/2000/19), p. 21

government, marginalizing the people and robbing them of their rights and freedoms.”<sup>140</sup> This description also fit all the subsequent regimes of Sierra Leone. Stevens’ highhandedness prompted revolts and an attempted military coup on March 23 1971 led by Force Commander John Bangura, a relation of Foday Sankoh who was also implicated in the attempted coup and was jailed. Bangura and the other plotters were arrested and executed. Sankoh’s insurrection which started on March 23 1991, was either a mere coincidence or a calculated move to finish the job began twenty years earlier.

With the excessive centralization of public administration, the population at the grass-roots level was deprived of any meaningful democratic participation. It was no surprise that the state began to collapse and neighboring states never hesitated to meddle in its politics and hosted dissident movements thus encroaching on the sovereign right of the country.<sup>141</sup> This undermined the territorial integrity of the state and non-intervention in the domestic affairs of sovereign states to which all the neighboring states are signatories to under the UN, OAU and ECOWAS Charters.

Stevens also embarked on ethnic/regional divide strategy by replacing Mendes with Northerners in high and powerful positions in the army. With the introduction of the one-party system political leaders “established clientist relation with potentially powerful groups” including the intellectual community, the army and the labor unions, but judges and those who were not members or sympathizers of the APC were sidelined, intimidated and harassed.<sup>142</sup>

Violence and intimidation characterized the first election in Stevens’ one-party system in 1982 and this had serious repercussions as citizens who suffered especially in

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<sup>140</sup> Ibid., p. 18

<sup>141</sup> Ibid., p. 20

<sup>142</sup> Ibid., p. 27



the Pujehun District formed themselves into a guerrilla group, the *Ndogbowusi*, in order to protect themselves against the “state sponsored terrorism.”<sup>143</sup> This group became an easy target for RUF recruitment during the civil war.

The youth and student of the country were neglected by Stevens and this bred in them radicalism and rebellion and became a ticking bomb which the RUF easily capitalized upon and enlisted them into its service as it promised “hope, power and new meaning of life” which the government was not capable of.<sup>144</sup> Call for social and economic reforms was regarded as state criticism and the government forces and its thugs clamped down on students’ riots and protest which spread across the country.

The defense of a state is the prerogative of its armed forces to ensure territorial sovereignty. In Sierra Leone, the condition of the security atmosphere began to deteriorate as a result of politicized military and police in which enlistment was channeled through politicians who were given concession to recruit people. The security institutions of the nation easily changed hands with the “creation of security organizations with personal or political allegiance, rampant corruption and military coups... The soldiers, including the Force Commander, had shifted their loyalty from the state to their godfather politicians.”<sup>145</sup> To protect himself and his cronies, Stevens created his own paramilitary force, Internal Security (later State Security Division) which swore allegiance to him and the APC terrorize civilians, rioters and students.<sup>146</sup> In order to have

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<sup>143</sup> Ibid., p. 28

<sup>144</sup> Alie, op. cit., p. 31

<sup>145</sup> Ibid., p. 33

<sup>146</sup> Ibid.

a firm control on the army, he downsized it to 3 000 personnel thereby discouraging possible further plots against his regime.<sup>147</sup>

When Stevens resigned in 1985 and handed over power to his handpicked successor, Major General Joseph Momoh, there was no administrative change, instead the new cabinet reshuffled APC politicians and thus making Stevens influential in the new government. Stevens was accused of plotting the assassination of Momoh and was put under house arrest until his death on May 29 1988.<sup>148</sup>

Momoh's administration was no better than that of his predecessor as his administration suffered from corruption, poor management of resources and poor living conditions for civil servants and unemployment skyrocketed. These conditions were the harbingers to the coups and unrest in the country. The best he did was to increase the number of the army from 3 000 to 8 000, but the army lacked resources and equipment for its sustenance. Though Momoh received international support the "complex networks of politicians and rogue Lebanese businessmen siphoned state resources into private savings through bogus financial transactions and illegal diamond deals."<sup>149</sup>

On March 23 1991, a group of 100-150 armed men called the Revolutionary United Front of Sierra Leone (RUF) led by Foday Sankoh, a former corporal and photographer of the Sierra Leone Army (SLA), entered the country from Liberia, at Bomaru in Kailahun District and Mano River Bridge, Pujehun District. The RUF captured border towns and villages, seized and executed chiefs, village elders, traders, agricultural project workers and other government agents and forcibly recruited

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<sup>147</sup> Abdel-Fatau Musah, op cit., p. 81

<sup>148</sup> Hirsch, op. cit., p. 30

<sup>149</sup> Abdel-Fatau Musah, p. 83

opponents of the ruling APC government.<sup>150</sup> The RUF had in its rank and file Sierra Leonean dissidents, Liberian fighters loyal to Charles Taylor and mercenaries from Burkina Faso.<sup>151</sup> The insurrection which attracted disgruntled youths and semi-educated youths from the countryside, according to Foday Sankoh was to save Sierra Leone “...from its corrupt, backward and oppressive regime.”<sup>152</sup> The incursion started by Sankoh and his RUF turned out to be a long civil war which lasted over a decade.

On April 29 1992, group of junior army officers which formed themselves into the National Provisional Ruling Council (NPRC) under the chairmanship of a 27 year old Captain Valentine Strasser overthrew Momoh’s regime. According to Strasser they “...have been ruled by an oppressive, corrupt, exploitative, and tribalistic bunch of crooks under the APC Government” and he promised to rescue the nation’s economic, social, security and political condition from total collapse.<sup>153</sup> In order to combat the RUF insurgents Strasser increased the strength of the Army from 8 000 to 14 000 which was comprised mostly of unemployed and uneducated youths and children.<sup>154</sup> Strasser’s failure to negotiate a peace deal with the rebels made him to seek the help of a mercenary group, Executive Outcomes (EO), which trained and provided logistic supports to the army and the *Kamajors* (a hunting-fighting sect which act as defenders of towns against threats from their neighbors) which helped repel the rebels and reclaim the mines seized

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<sup>150</sup> Hirsch, p. 31; Ibrahim Abdullah and Patrick Muana, “The revolutionary United Front of Sierra Leone: A Revolt of the Lumpeproletariat” in Christopher Clapham (ed.), *African Guerrillas* (Bloomington, IN: Indiana University Press, 1998), p. 172

<sup>151</sup> Hirsch, op. cit., p. 31

<sup>152</sup> Foday Sankoh, cited in Anatole Ayissi and Robin-Edward Poulton, “Peace building and Practical Disarmament: Beyond States with Civil Society” in Anatole Ayissi and Robin-Edward Poulton (eds.), *Bound to Cooperation: Conflict, Peace and People in Sierra Leone* (Geneva, United Nations Publication, 2000), p. 3

<sup>153</sup> Chris Squire, “Bound to Cooperate: Peacemaking and Power-Sharing in Sierra Leone” in Anatole Ayissi and Robin-Edward Poulton (eds.), *Bound to Cooperate: Conflict, Peace and People in Sierra Leone* (Geneva: United Nations Institute for Disarmament Research, UNIDIR/2000/19), p. 21

<sup>154</sup> Abdel-Fatau Musah, op. cit., p. 86

by the rebels.<sup>155</sup> The low morale of the army made it difficult to distinguish it from the rebels who were involved in stealing, looting and indiscriminate killings and thus became known as “soldiers by day and rebels by night” or *sobel*s for short.<sup>156</sup>

By April 1993, Strasser was able to force the RUF into retreating into Kailahun and Pujehun Districts and by December, Koindu, the capital of Kailahun District was captured from the rebels. The RUF had its ranks swelled by the defectors from the government forces in early 1994. At the same time, a new rebel group the National Front for the Restoration of Democracy (NFRD) launched an offensive from Guinea, but hardly had the dust settled on the emergence of the NFRD than the Sierra Leone Initiative for Peace (SLIP), a pro-RUF group emerged in October 1994.<sup>157</sup> Thus, the confrontation with rebels became compounded as new actors entered the scene.

Strasser failed to deliver the country from economic difficulties. Pressure from civil groups and the international community forced him to promise to return the country to civilian rule, but he was overthrown in a palace coup d'état led by Brigadier-General Julius Maada Bio, his Chief of Defense Staff and Deputy Head of NPRC, on January 16 1996 who accused him of having the intention of remaining in power.<sup>158</sup>

Bio persuaded Sankoh and his RUF to the negotiation table thus leading to an agreement to continue their negotiations after the return of the civilian government to power. Bio had to succumb to pressure from within and without to return the nation to civilian rule. Without any peace agreement, cease-fire, disarmament, and demobilization elections held on February 26-27 1996. Ahmed Tejan Kabbah of the SLPP won the

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<sup>155</sup> Adebajo, op. cit., p. 84

<sup>156</sup> Aboagye, op. cit., p. 235

<sup>157</sup> Ibid

<sup>158</sup> Ibid., p. 233

elections and Bio handed over power to him March 29 1996. Kabbah rejected Sankoh's insistence on being part of the ruling government. On November 30 1996, the RUF and government signed the Abidjan Agreement resulted in the launching of the Commission for the Consolidation of Peace on December 19 1996.<sup>159</sup>

Sankoh was not pleased with the presence of the *Kamajors* which he accused of attacking the RUF and this led to the breakdown of the peace agreement. On a trip to Nigeria in order to procure arms for the RUF, Sankoh was detained and thus confirming the allegations that he signed the accord in order to give a leeway to the military pressure.<sup>160</sup> Sankoh remained in detention in Nigeria until he was repatriated in July 1998 to face treason charges.

On March 25 1997 disgruntled junior officers who lost their positions after Bio handed over power to the Kabbah overthrow the democratic regime and made their imprisoned comrade, Major Johnny Paul Koromah, who was arrested in the September 1996 coup, the chairman of the Armed Forces Revolutionary Council (AFRC), a military junta. The coup makers had the same Limba chiefdom origin which is located in the north as the former president Joseph Momoh, giving the AFRC ethnic undertones.<sup>161</sup> The AFRC claimed their overthrow of the government was due to the unwillingness and inability of Kabbah to deal with the rebels, the government's oppressive, corrupt, and exploitative rule and acts of tribalism and suspension of freedom of the press.<sup>162</sup> Above all, the junta accused Kabbah of failing to implement the peace agreement with the RUF

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<sup>159</sup> Hirsch, *op. cit.*, p. 55

<sup>160</sup> *Ibid.*

<sup>161</sup> Hirsch, p. 56

<sup>162</sup> *Ibid.*

in November 1997.<sup>163</sup> The RUF surprisingly supported the coup and some of its members became senior officials of Koromah's new government. The RUF was reconstituted as a security force, the "People's Army" and was incorporated into the SLA.<sup>164</sup> Kabbah fled to exile in Conakry, Guinea and sought the help of Nigeria for his reinstatement as president of Sierra Leone.<sup>165</sup>

As part of the ruling regime of Sierra Leone, the RUF had finally realized its dream of ruling the country, a position they had dreamt six years earlier. Sankoh was made the vice chairman of the new government in absentia (still in detention in Nigeria) and demanded his release as one of the conditions for return to civilian rule and reinstatement of Kabbah. Junta's attempt to win the hearts of both the Sierra Leonean populace and the international community was fruitless as they were not recognized by the international community and Sierra Leoneans staged various demonstrations including shopkeepers, trade unions, teachers and newspaper editors who refused to cooperate with the government thereby showing their resentment for the junta-rebel alliance. As the ruling government of Sierra Leone, the junta procured weapons, ammunitions and other supplies which were chartered through Burkina Faso to Freetown and later shipped to small fishing villages on the Freetown peninsula.<sup>166</sup>

### **The Response of the International Community**

When the civil war started in Sierra Leone as a result of conflict spill over from Liberia by the incursion of RUF on March 23 1991, many would assume that the

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<sup>163</sup> Aboagye, *op. cit.*, p. 238

<sup>164</sup> *Ibid.*, p. 238

<sup>165</sup> Adebajo, p. 87; Hirsch, p. 58

<sup>166</sup> Hirsch, p. 62

international community would respond instantly due to the nature of the atrocities committed in the on-going war in Liberia. In addition, many would assume that Sierra Leone's conflict would have been easier to handle than the Liberian one because of the initial low ethnic animosity of the rebel forces and the low number of factions involved compared to that of Liberia which started as an ethnic confrontation. Further, the threat from Charles Taylor who was reported to have reprimanded the government of Sierra Leone for helping ECOMOG to launch its air offensive against his NPFL position in November 1990 from bases at Lungi Airport did not incite the international community to take any action against him.<sup>167</sup> Furthermore, Sierra Leone's membership in such international organizations as UN, OAU, and the ECOWAS and its historical relationship with Britain would have precipitated a quick response from the very beginning. Unfortunately, as was the case in Liberia, the international community did not intervene.

In a familiar style, the OAU hiding behind the provisions in Articles II and III of its Charter which acknowledged sovereignty, territorial integrity and non-interference in the internal affairs of its members, only condemned the activities of the insurgents.<sup>168</sup> When the Kabbah regime was overthrown by the AFRC, OAU not only condemned the coup but also barred the juntas from attending the OAU summits.<sup>169</sup> Though one could see the departure of the OAU from its principle of non-interference in the domestic affairs of its member states by asking ECOWAS to consider the best approach to restore Kabbah, it did not do much about the conflict in Sierra Leone.<sup>170</sup>

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<sup>167</sup> Aboagye, p. 233

<sup>168</sup> See Articles II and III, *Charter of the Organization of African Unity*, 25 May 1963

<sup>169</sup> Adebajo, *op. cit.*, pp. 86-87

<sup>170</sup> John L. Hirsch, *Sierra Leone: Diamonds and the Struggle for Democracy*, (Boulder, CO: Lynne Rienner Publishers, 2001), p 66

The UN on its part did not treat Sierra Leone as a regional crisis when the war started in 1991 despite the fact that the UN had its peacekeepers in Liberia working side by side with ECOMOG troops to disarm the rebels. The UNSC did not do anything until October 1997 when Kabbah was overthrown in a military coup. It imposed an arms embargo on the sale or supply of petroleum products, arms and related materiel on Sierra Leone. Interestingly, it was ECOWAS that was authorized to see to the implementation of the embargo which was lifted in March 1998.<sup>171</sup> The Trust Fund for Sierra Leone that was established by the UN Secretary-General in March 1998 did not bring in much money for the operations.<sup>172</sup> When personnel were needed to man the liaison office created by the Secretary-General, it is sad to note that the UNSC authorized only 10 military liaison and security personnel.<sup>173</sup> When the fight between ECOMOG and the rebels began on February 6 1998, the best that the UNSC did was to call for a cease-fire. The UN Observer Mission in Sierra Leone (UNOMSIL) established in June 1998, had only the meager figure of 70 military observers.<sup>174</sup> One could clearly sense the insensitivity of the UNSC to respond to the crisis in Sierra Leone as no military action was taken against the junta though the alliance between the AFRC and the RUF sparked international resentment.

The management of the conflict became the sole responsibility of ECOWAS which at the time was trying to contain the conflict in Liberia from further spill over to the sub-region. ECOWAS imposed sanctions against the new government and the

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<sup>171</sup> UN Document S/RES/1132 (1997), 8 October 1997 and UN Document S/RES/1156(1998), 16 March 1998

<sup>172</sup> UN Document S/1998/249, Fourth Report of the Secretary-General on the Situation in Sierra Leone, 18 March 1998, para 13

<sup>173</sup> UN Document S/RES/1162 (1998), 17 April 1998

<sup>174</sup> Adebajo, *op. cit.*, p. 90



Committee of Four (Nigeria, Ghana, Cote d'Ivoire and Guinea) was asked to implement the tenets of the sanctions. The united front against the junta in Sierra Leone showed the growing intolerance of the international community toward the overthrow of democratic elected governments in the post-Cold War era.

The UN and Western world's attitude changed when Nigeria's new President, Olusegun Obasanjo, threatened to withdraw its ECOMOG contingent from Sierra Leone due to the high cost of the operation and the expected casualties.<sup>175</sup> Obasanjo did not mince words in his stark criticism of the UN's neglect of the conflict in Sierra Leone by noting that

the time has come... for the Security Council to assume its full responsibility, especially in Sierra Leone and other flash points in Africa. For too long, the burden of preserving international peace and security in West Africa has been left almost entirely to a few states in our sub-region.<sup>176</sup>

Not only did Nigeria's action prompt the West to provide more support to ECOMOG, but also forced the UN Secretary-General to recommend to the UNSC for the UN peacekeeping mission to Sierra Leone with enforcement mandate under Chapter 7 of the UN Charter. The UN peacekeepers were to take over from ECOMOG-II and the mission to be under an Indian UN Force Commander.<sup>177</sup> According to *Conciliation Resources*, Nigeria's ECOMOG leadership in both Liberia and Sierra Leone made it difficult for the UN to take any decision in support for ECOWAS intervention strategy.<sup>178</sup> This view seems to portray Nigeria as more powerful than the UNSC when it comes to making a decision for the peace and stability in Liberia and Sierra Leone. The UNSC's

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<sup>175</sup> Funmi Olonisakin, "Mercenaries Fill the Vacuum", *The World Today*, Vol. 54, No. 6, June 1998

<sup>176</sup> Olusegun Obasanjo, "Nigeria, Africa and the World in the Next Millennium" cited in Adebajo, p. 90

<sup>177</sup> First Report on the UN Mission in Sierra Leone, S/1999/1223, 6 December 1999, pp. 1-6

<sup>178</sup> See <[http://www.c-r.org/occ\\_papers/briefing2.htm](http://www.c-r.org/occ_papers/briefing2.htm)>, "Nigerian Intervention in Sierra Leone" (10 June 2004)

unwillingness to respond to conflict situations in the sub-region should be interpreted as negligence on its part when it comes to security issues in Africa.

As a former colonial master, there was the expectation, at least from the people of Sierra Leone, that Britain would intervene to stop the atrocities began by Sankoh. But it did not respond immediately. As one of the Permanent 5 in the UNSC, Britain's voice would have lent a weight to a quick action in Sierra Leone, but it was reluctant to do so. It was only when the Kabbah regime was overthrown that Britain began to show interest in the conflict in Sierra Leone. Britain reportedly drafted the larger part of the October 1997 UN Security Council Resolution (UNSCR) that imposed embargo on petroleum and petroleum products to Sierra Leone due to its interest in Sierra Leone.<sup>179</sup> Britain, together with the Nigerian-led ECOMOG, secretly made plans to oust the junta in order to restore Kabbah to the presidency. Britain had to work behind the scenes with Nigeria which was facing international sanctions due to Abacha's violent human rights records. According to Aboagye, Britain's plans "faced diplomatic and strategic difficulties owing to the British ethical foreign proclamations and its ban on military cooperation with Nigeria under Gen. Sani Abacha."<sup>180</sup> The plan involved Nigeria, Sandline International, Rupert Bone (former British Diplomat in Sierra Leone), Peter Penfold, (the British High Commissioner to Sierra Leone) and Rakesh Saxena, a Vancouver-based banker who provided financial support. The payment for the plan was diamond concessions to be provided by the parties involved. Britain's attitude shows its "double standards within its ethical foreign policy by effectively privatizing foreign policy towards a country considered of little strategic

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<sup>179</sup> Adebajo, *op. cit.*, p. 88

<sup>180</sup> Aboagye, *op. cit.*, p. 239

relevance.”<sup>181</sup> While the British government denied its involvement with Sandline International, the latter dropped a bombshell in the form of a letter which revealed the “extent of their dealings with the British (and US) intelligence services.”<sup>182</sup> Britain’s other indirect involvement in Sierra Leone was the British air companies, Sky Air and Occidental, which shipped about 400 tons of ammunition from the Slovak Republic to the RUF and this was in defiance of the official British stand on the war in Sierra Leone.<sup>183</sup>

The failure of the international community to adequately disarm the rebels resulted in sporadic attacks against United Nations Assistance Mission in Sierra Leone (UNAMSIL). The British military intervened briefly in May and June 2000 thus helped stabilize the situation in Freetown and its environ.<sup>184</sup> British troops in Sierra Leone, reportedly trained some of the Sierra Leonean army, but refused to be under the umbrella of the UNAMSIL. This attitude made the UN Secretary-General comment that though British forces provided a “big psychological boost” to the UN force, “They have been helpful, but it would have been ideal if they would have been under the UN.”<sup>185</sup> The refusal of Britain to be under the UNAMSIL, begs the questions as to whether they harbor any ulterior motives in their brief intervention in Freetown.

### **ECOMOG-II in Sierra Leone**

The initial inaction of the international community of the Charles Taylor-sponsored RUF insurrection once again brought ECOWAS to the fore with yet another dilemma of sub-regional conflict management.

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<sup>181</sup> Abdel-Fatau Musah, op. cit., p. 103

<sup>182</sup> Ibid.

<sup>183</sup> *Sunday Times*, 10 January 1999

<sup>184</sup> Adebajo, p. 102

<sup>185</sup> See *The Guardian*, “UN urges Britain to don the blue beret in Sierra Leone” March 22 2001

ECOWAS and for that matter ECOMOG's initial inability to intervene in Sierra Leone could be attributed to a number of factors. In the first place, there was no mandate to authorize such an immediate intervention and even the presence of ECOMOG's troops in Sierra Leone were on transit at the time to Liberia hence SMC which acted on behalf of ECOWAS for the intervention in Liberia had no mandate to call for an intervention in Sierra Leone. Secondly, ECOWAS inaction was maybe due to its engagement in Liberia since August 1990 taking into consideration the reluctance of some SMC members to contribute troops to Liberia and limited resources with which Nigeria contributed about ninety percent of the troops and funding.<sup>186</sup> Finally, there was no institutionalized mechanism put in place for further military intervention in the sub-region at the time.

When the AFRC overthrew the Kabbah regime in a military coup on May 25 1997 and invited and made the RUF part of the ruling government, Nigeria unilaterally intervened in the coup in order to restore order and reinstate Kabbah using its troops which were a military training team and a battalion attached to ECOMOG already stationed in Sierra Leone.<sup>187</sup>

In order to camouflage and to make its unilateral action appear as multilateral, Ghanaian and Guinean contingents of ECOMOG were called upon to participate in the intervention. Ghana, for example, like the rest of ECOWAS members, was unwilling to send troops to Sierra Leone, but later reconsidered its stand and among other things demanded that before sending its troops to Sierra Leone there must be a clear-cut defined

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<sup>186</sup> Adebajo, p. 91

<sup>187</sup> Paul Ejime, "West African Countries Taking Action on Sierra Leone" *Panafrican News Agency* 27 May 1997

status, objectives, rules of engagement, strength, and resources to ECOMOG.<sup>188</sup> In other words, Ghana wanted to avoid any criticism both at home and abroad of the necessary expenditures and casualties that may occur. Ghana was able to send only 200 soldiers to Sierra Leone while Guinea had to withdraw its troops after some time to provide security for its December 1998 elections, but the contributions promised by Benin, Cote d'Ivoire, the Gambia, Niger and Mali never materialized.<sup>189</sup> Such inconsistencies of member states undermine the efforts of ECOWAS to forge a peace in Sierra Leone.

A critical look at Nigeria's action would reveal that it could not be considered an ECOMOG operation as at the time ECOWAS had not endorsed the establishment and operation of ECOMOG-II and there was no mandate authorizing such military operation. It has been alleged that Kabbah asked for Nigerian assistance at the time of the coup as a result of bilateral defence agreement between the two states.<sup>190</sup> Thus it is wrong to dub Nigeria's action an ECOWAS operation.

However, ECOWAS' review of the Sierra Leonean conflict in its Foreign Ministers' meeting in Conakry, Guinea, on June 26 1997 that a consensus was reached - it would take only the use of force to reinstate the Kabbah government and to "stop the acts of atrocities against... ECOMOG personnel" stationed there.<sup>191</sup> It is interesting to note that though there was a consensus to use force to oust the junta, no such force was established to that effect. Instead, a Committee of Four (Nigeria, Ghana, Guinea and Cote d'Ivoire, later Committee of Five by the inclusion of Liberia and finally the Committee of

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<sup>188</sup> *Panafrican News Agency*, "Ghana Urges Clarification of ECOMOG's Mandate in Freetown" 4 May 1998

<sup>189</sup> See *IRIN-West Africa Update* 369, 29 Dec. 1998

<sup>190</sup> Adebajo, p. 87

<sup>191</sup> *Final Communiqué, Extraordinary Meeting of the ECOWAS Ministers of Foreign Affairs on the Situation in Sierra Leone, Conakry, Guinea, 26 June 1997*

Seven in 1999 with Togo and Burkina Faso joining) was created.<sup>192</sup> Unlike the Liberian situation in which there was majority of Anglophones on the SMC, the Committee of Four first brought a balance between the anglophone and francophone divide, but the Committee of Seven was dominated by the Francophones.

The unsuccessful negotiations by the Committee with the junta in July resulted in the “establishment of ECOWAS cease-fire monitoring group in Sierra Leone to be known as ECOMOG II” by the recommendation of ECOWAS Foreign Ministers after a series of meeting with ECOWAS Chiefs of Staff in August 1997.<sup>193</sup> ECOMOG-II had its activities extended by ECOWAS Authority decision “to assist in creating the conducive atmosphere that would ensure the early reinstatement of the legitimate Government of Sierra Leone.”<sup>194</sup> Burkina Faso once again expressed its open opposition to the deployment of ECOMOG-II when the Burkinabe president questioned ECOWAS’ motives for sending troops to Sierra Leone when he asked “just what might be the intentions of those who have employed force for the restoration of President Kabbah?”<sup>195</sup> It is interesting to note that the Authority’s decision was based on “democratic concern” in Sierra Leone - to reinstate the ousted government of Tejan Kabbah - whilst most of the leaders of ECOWAS came to power through the barrel of the gun. In addition, the leaders now realized that they have a larger rebel force to deal with and this could make negotiations for cease-fire and peaceful resolution of the conflict more difficult. It could be argued that ECOWAS thought it wise to work through a legitimate representative

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<sup>192</sup> Adebajo, op. cit., p. 87

<sup>193</sup> *Final Communiqué: Meeting of Ministers of Foreign Affairs of ECOWAS*, Abuja, 28 August 1997, para. 5, 7

<sup>194</sup> ECOWAS *Decision A/DEC./7/8/97*, Article 1

<sup>195</sup> Blaise Compaoré, quoted in Adebajo, p. 89

government rather than the junta in a state on the verge of collapse characterized by total disregard for law and order.

The strong military build up by ECOMOG-II in Freetown forced the junta to the negotiating table and subsequently to the Conakry Accord of October 23 1997 which called for disarmament and demobilization of AFRC and RUF elements, and the return of Kabbah's government to power by April 22 1998.<sup>196</sup>

Being recognized as a legitimate government by the international community due to the negotiations, the junta not only purchased arms and ammunition from the international market which they transported to Sierra Leone through the borders of Liberia, but also demanded a scaling down of Nigeria's role in ECOMOG-II before the commencement of disarmament process.<sup>197</sup> The junta tactically delayed the disarmament and demobilization process and attacked ECOMOG-II troops in various skirmishes around Freetown and Lungi.

ECOMOG-II with a ten-thousand strong peacekeeping force embarked on a counter-offensive operation against the junta with the help of Sandline International and through enforcement operations forced the junta out of Freetown after heavy fighting and took over the city on February 15 1998. ECOMOG-II reinstated Kabbah as part of its mandate on March 1998 thereby restoring Sierra Leone to a constitutional rule. Though it was applauded that the rebels were pushed out of Freetown, that was not the end of the insurgency as the rebels disrupted the resettlement of 500 000 internally displaced people and the 90-day recovery and reconstruction program for Sierra Leone.<sup>198</sup> Upon his

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<sup>196</sup> John L. Hirsch, *Sierra Leone: Diamonds and the Struggle for Democracy*, (Boulder, CO: Lynne Rienner Publishers, 2001)p. 65

<sup>197</sup> *Ibid.*, p. 61

<sup>198</sup> *West Africa*, No. 4190, 4-7 May 1998

reinstatement, Kabbah compounded the country's conflict by jailing and executing both civilians and soldiers who participated in his overthrow and had Foday Sankoh repatriated from Nigeria and ex-President Joseph Momoh jailed for 10 years for conspiracy. Sankoh was sentenced to death by the High Court of Sierra Leone but he appealed against the death sentence.<sup>199</sup>

The inability of ECOMOG-II to totally crush the rebels once and for all brought about the regrouping of RUF and AFRC and new offensive in which mayhem was unleashed on January 6 1999. The mineral-rich areas under RUF's control, the smuggling networks outside the country and the cached arms and ammunitions acquired during their time in office with the AFRC made their operations more deadly and barbaric – amputation of limbs, severance of ears, kidnapping, summary executions, rape, abduction of people including 3 000 children used as soldiers, girls and women as sex slaves. Power supply and telephone lines were cut off, and civilians were used as human shield against ECOMOG-II offensive.<sup>200</sup> This offensive left 6 300 people dead and the highly embarrassed ECOMOG-II had its strength reinforced by troops from Nigeria, Ghana, and Guinea from 4 000 to 21 000 and this made the RUF to declare a one week unilateral cease-fire upon the condition that Sankoh be released and if not they would start the offensive again.<sup>201</sup> ECOMOG-II embarked on a counter-offensive dubbed “Death Before Honor” and the troops operated in a retributive manner of revenge killings in which suspected rebels were summarily killed.<sup>202</sup> This operation was a clear departure from the

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<sup>199</sup> Aboagye, *op. cit.*, p. 240

<sup>200</sup> *Ibid.*, p. 242, 244

<sup>201</sup> *Ibid.*, p. 246

<sup>202</sup> *Associated Press*, “UN Report Says Peacekeepers Executed Civilians in Sierra Leone” 21 February 1999



conventional peacekeeping and was thus a peace enforcement action as it was appropriate as it forced the rebels out of the city and the stop the atrocities they were committing.

The Kabbah regime realized that aggressive military operations against the rebels were not the best option in order to bring an end to the civil war. On this note the Lomé Peace Agreement of July 7 1999 (after long negotiations with the help of OAU, UN, USA and Britain) led to the cessation of hostilities and a peace to the people of Sierra Leone. This Agreement was very important as it among other things, transformed and gave new mandate to ECOMOG-II, called for encampment, disarmament, demobilization and reintegration of the rebel groups and the creation of Truth and Reconciliation Committee (TRC) to address questions of impunity, and so forth.

Though Foday Sankoh and his collaborators were granted absolute and free pardon from prosecution by the Lomé Peace Agreement, they were not immune from war crimes legislation, hence he was arrested and kept in custody by the UN peacekeeping forces.<sup>203</sup> Sankoh, who terrorized Sierra Leone, survived five regimes and was without doubt the undisputed leader of the RUF. Unfortunately, Sankoh died of heart disease in custody on July 29 2003 facing charges at the International Tribunal set up to try war crimes in Sierra Leone.

The exit of ECOMOG-II as a peacekeeping force and the incorporation of some its troops (Nigerian, Ghanaian, and Guinean) into UNAMSIL by the UNSC Resolution 1270 on October 22 1999, had ushered in a belated responsibility of the international community “to ensure the security of movement of its personnel and within its capabilities and area of deployment, to afford protection to civilians under immediate

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<sup>203</sup> Mark Malan, Phenyio Karate and Angela McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL Hits the Home Straight*, (Pretoria, South Africa: Institute of Security Studies Monograph Series, No. 68 Jan. 2002), p. 88

threat of violence taking into account the responsibilities of the Sierra Leone government and ECOMOG.” UNAMSIL’s troops which included some of the ECOMOG-II troops and Kenya, India, Bangladesh, Zambia, and Jordan were deployed to most parts of Sierra Leone. The RUF continued its fight against the AFRC and CDF in the countryside, prevented the deployment of UN peacekeepers to the diamond-rich provinces and attacked UN peacekeepers, holding them as hostages and seizing their weapons and vehicles.<sup>204</sup> The raping, execution, abduction of children, looting of property, burning of villages and stealing which characterized the RUF’s activities did not end and this led to UNAMSIL’s initial troops increased from 6 000 to 17 000. By January 2002 the disarmament of the factions was completed and the parliament and presidential elections planned for May 2002 was won by Tejan Kabbah.

#### **ECOMOG Interventions Compared**

The two civil wars could be classified as typical post-Cold War conflict as there was no direct involvement of the great power rivalry as was the case during the Cold War. This is seen in the hegemonic role of Nigeria while Cote d’Ivoire seems to influence the rest of the francophone states. Guinea was the only state that seemed not to conform to the francophone ideal of sticking together to oppose the anglophone military dominance.

While ECOMOG was created by SMC and mandated by the ECOWAS Heads of States and Government in 1990 to find a solution to the Liberia problem, the establishment of ECOMOG II, on the other hand was recommended by the Committee of Four (Ghana, Nigeria, Guinea and Cote d’Ivoire). Even before the recommendation was tabled and endorsed, Nigeria unilaterally intervened militarily in Sierra Leone which was

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<sup>204</sup> Adebajo, p. 102

clearly against Articles 3 and 4 of ECOWAS MAD Protocol which called for a collective action, not a unilateral one against the rebels.

As every decision to intervene militarily is a political decision, ECOWAS in its attempt to resolve the Liberian conflict signed thirteen agreements/accords, (before Taylor won the election in 1996) in contrast to three accords signed during the Sierra Leone civil war, namely, the Abidjan, Conakry and Lomé peace accords. The difference in the number of agreements/accords could be attributed to the number of warring factions involved in the conflict. While there were at least seven factions in the Liberian civil war, the factions in Sierra Leone were mainly two – the RUF and AFRC – though these two merged at the time of the AFRC take over and later separated. The RUF survived at least five civilian and military governments and it even became part of the AFRC government. Though there was total collapse of the state apparatus, the political vacuum in Sierra Leone was filled by one military regime or another. The situation was a little different in Liberia as there was total state collapse after the death of Doe and all the warring factions were vying for power. The presence of ECOMOG in the early stages of the conflict could be said to have saved Liberia from earlier collapse which would have thrown the country into even more disarray.

In Liberia, ECOMOG's actions were frustrated by the different warring factions. While, for example, the INPFL readily accepted the intervention of ECOMOG and even went to the extent of helping ECOMOG forces against the NPFL, it attacked ECOMOG on many occasions. The NPFL was against ECOMOG before it landed in Liberia as its presence was a total violation of Liberia's sovereign integrity. Taylor wanted the presence of the UN which he trusted as being neutral than the Nigerian-ECOMOG which

was conceived as propagating Nigeria's hegemony in the sub-region. The RUF also saw ECOMOG-II as an opponent and occupation force and demanded that all foreign troops leave the country before it can accept any peace talks and the cessation of hostilities in Sierra Leone.

In both operations ECOMOG forces had to oscillate between PK and PE depending on the situation on the ground. However, PE was much more practiced in Sierra Leone than in Liberia despite fewer rebel forces.

While in Liberia ECOMOG, worked side by side with UNOMIL, when the latter finally decided to participate in the intervention, disarmament and demobilization of the rebels, ECOMOG-II became invisible from the time that its forces was merged with UNAMSIL.

Nigeria's role in the two conflicts cannot be underestimated as it was the largest contributor of troops and funding to ECOMOG and ECOMOG-II. After the capture and the subsequent of assassination of Doe, the command and control structure of ECOMOG changed and was dominated by Nigeria which made some of other ECOWAS leaders, especially, President Compaoré of Burkina Faso accused it of its hegemonic tendencies in the sub-region. Nigeria's counter-argument was that so far as they contributed the largest troops and financial support it had the right to control the whole operation and could not have its troops under the command of other countries. Had it not been for the leadership role played by Nigeria, while the international community turned deaf ears to the situation, greater disaster would have befallen the sub-region.

## CONCLUSION

The Liberian civil war could be traced back to the failure of the Americo-Liberians to incorporate the natives into the political, social and economic activities of the country. The coup d'état of Samuel Doe in 1989 brought an end to a century and a half rule of the Americo-Liberian oligarchy, but Doe's regime did not bring any expected changes to the country as a whole. Instead, his rule was characterized by tribalism, savage brutality, intimidation and summary execution of ethnic and political rivals.

In order to regain their lost glory and power in Liberia, Charles Taylor and his NPFL embarked on an insurgency that easily engulfed the whole country. His recruits included dissidents from the sub-region. He received help from Burkina Faso, Cote d'Ivoire and Libya and funded his insurgency by trading in diamond and other minerals.

What began as confrontation between NPFL and the Krahnized AFL, took a new turn when more rebel groups joined the conflict with each trying to take helm of affairs in Liberia. There is no doubt that there is a dynamic tendency for factions to multiply the longer the conflict remained unresolved. Individuals' attempt to pursue selfish goals also results in a breakup of factions and this in turn also prolonged the war. With the presence of at least seven factions in the conflict it was difficult to negotiate peace agreements.

The state of Liberia collapsed after the assassination of Doe by the INPFL as there was no central political order and power was for grab by the warring factions. Though Taylor controlled most parts of the country, he could not be regarded as the leader of Liberia due to the presence of ECOMOG forces which prevented him from taking control of the Executive Mansion.

The initial reluctance of the international community to respond quickly to the civil war in Liberia brought ECOWAS to the fore through its effort to resolve the conflict by diplomatic means as evidenced by the various peace agreements signed among the rebel forces and ECOWAS and deployment of ECOMOG.

The Sierra Leonean civil war which was a spill over of the Liberian war had its origin in the weak central administration of the various ruling governments leading Coups d'état since independence in 1967. The adoption of one-party system by Siaka Stevens alienated the populace especially the youth from participating satisfactorily in the affairs of the country. The high rate of unemployment, the intimidation and torture of political opponents became fertile ground for Foday Sankoh and his RUF to embark on an insurgency that lasted for over a decade. The RUF enlisted dissidents from various states in the sub-region and received help and support from Charles Taylor, Gaddafi and Compaoré. RUF's control of the diamond mining areas helped fund the war.

The belated response of the international community and the big powers again brought ECOWAS and for that matter ECOMOG-II into the war in Sierra Leone. When the Kabbah government was overthrown in 1997, it was Nigerian troops stationed in Sierra Leone that intervened and deterred RUF from taking control of the country. This intervention by Nigeria was not an endorsement of ECOWAS hence the criticism by Burkina Faso and other francophone states.

The numerous ECOMOG-II encounters with the AFRC/RUF alliance did not totally destroy the onslaught of the junta. Reasons for this could be attributed to the tactics deployed by junta and the enormous support it received from its allies in the sub-region. The era of the AFRC/RUF administration saw the dream of the RUF coming and

this gained the RUF access to vital resources of the country and the acquisition of weapons and ammunitions for future use.

Without the presence of ECOMOG-II and later UNAMSIL Sierra Leone would have dived into irreparable demise as a state. This does not mean that the situation in the country was better for the ordinary man during and immediately after the intervention.

The vulnerability of ECOWAS was exposed by anglophone and francophone divide resulting in the lack of a united front for the resolution of the conflicts in the sub-region. The increase in the number of rebel groups not only makes interventions difficult and prolonged the conflict, but also prompted the oscillation between peacekeeping and peace enforcement.

ECOMOG's action also reveals the regional dynamics and hegemonic ascendancy as portrayed by Nigeria which dominated the command and control of the operations to the chagrins of the other members of the contributing countries.

One is tempted to conclude that the initial reluctance from the international community shows the new trend in post-Cold War conflict resolution in which big powers are reluctant to involve themselves when their geo-political, strategic and economic interests are not at stake. ECOMOG's operations in Liberia and Sierra Leone exhibited the security syndrome in the post-Cold War era in which intra-state conflicts attract outsiders with dubious agenda.

Another new trend developing in the post-Cold War era is the contracting of mercenary groups by both government and mining companies to help protect them and their assets.

It is apparent that the upsurge in intra-state conflicts wars in the post-Cold War era, conflict spill over, refugee influx and the abuse of human rights justify a call for an intervention. These conflicts are threat to sub-regional peace, security and stability.

Having discussed the causes of the conflicts and the intervention of ECOWAS and ECOMOG in Liberia and Sierra Leone, we now turn our attention to the analysis of our case studies in the next chapter.



## **Chapter Four: A CAUSE FOR MILITARY ACTION**

*“Africa has a right and a duty to intervene to root out tyranny... we must all accept that we cannot abuse the concept of national sovereignty to deny the rest of the continent the right and duty to intervene when behind those sovereign boundaries, people are being slaughtered to protect tyranny.”<sup>1</sup>*

*“States are now widely understood to be instruments at the service of their people and not vice-versa... Nothing in the UN Charter precludes recognition that these are rights beyond borders.”<sup>2</sup>*

The breakdown of law and order, the wanton destruction of life and property and the impunity with which most leaders in Africa treat their citizens have become the concern of people around the globe. Hiding behind the protective shell of the concept of state sovereignty with its twin fellow non-intervention is giving way to the demand for military intervention.

In this chapter, we first look at the effect of the conflicts on the people of Liberia and Sierra Leone and its geo-political implications to the sub-region. Secondly, we discuss the effect of the conflicts on Liberia and Sierra Leone and how the loss of political control and authority affected the political, social and economic landscape of these states and the effect of ECOMOG’s intervention. The third section analyzes the justifications - the legal, moral and humanitarian - for the intervention and the possible criticism against such justifications. When ECOMOG was deployed, it was broadly understood that it was going to be a peacekeeping operation, but a critical look at the operation reveals that the operation oscillated between peacekeeping and peace enforcement depending on the situation on the ground. What are the problems associated with the peacekeeping and the peace enforcement operations faced by ECOMOG? This is

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<sup>1</sup> Nelson Mandela, Former South African President

<sup>2</sup> Kofi Annan, UN Secretary-General

the concern of the fourth section. It is argued in this section that ECOWAS' intervention procedurally did not follow strictly the UN pattern and the requirement from regional or sub-regional organizations that when it comes to peacekeeping, such bodies should receive their endorsement from the UN.

### **Effects of the Conflict**

The civil wars in Liberia and Sierra Leone were characterized by aggression, cruelty, ruthlessness, lootings, beatings, torture, execution, mutilation, amputation, and massacre. Shock and disgust were the reactions when these atrocities first hit the Western media headlines. Reith Richburg, a *Washington Post* correspondent has observed that the Liberian conflict was a “scene of one of the wackiest, and most ruthless, of Africa’s uncivil wars” and notes that the conflict is

a war with a general named Mosquito, a war where soldiers get high on dope and paint their fingernails bright red before heading off to battle... It’s the only war that hosts a unit of soldiers who strip off their clothes before going into battle and calls itself the ‘Butt Naked Brigade.’<sup>3</sup>

Thus, these soldiers were under the influence of drugs, lacked rational judgment and were without uniform for easy identification from innocent civilians who may be trapped in cross-fires as soldiers in times of conventional warfare. In such wars, it is difficult to differentiate between the civilians and combatants. This is clear divergence from the traditional war norm as the paramilitary groups lack training and ethics of warfare and this spells doom of high proportion to innocent civilians who become victims of atrocities committed by these groups.

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<sup>3</sup> Keith Richburg, “Out of Africa: A Black Man Confronts Africa” (New York, Basic Books, 1997), p. 134

In Sierra Leone, it was not until May 1997 coup that the seriousness of the atrocities committed which began in March 1991 garnered international attention.<sup>4</sup> The situation in the sub-region could be said to echo the real life scenes from Robert Kaplan's writings in which he depicts the chaotic situation in the post-Cold War era in the various parts of the world.<sup>5</sup> He sees the desperate unemployable youths as the driving force behind the wars. Though Kaplan rightly points out the types of actors involved in the conflicts, he fails to address the real causes of the civil wars in the sub-region as these wars are fought for a variety of reasons ranging from a change in government, demands for equitable distribution of natural resources, equal opportunities to all in economic, political and administrative levels. In Liberia and Sierra Leone, weak central government administration, marginalization, nepotism, tribalism, and negligence, lack of accountability and transparency, violation of basic human rights, unlawful arrests and intimidation and extermination of political opponents, led to the civil wars. Irreparable loss in human lives, infrastructure and disruption of social cohesion became the legacy of the conflicts in Liberia and Sierra Leone in which many children witnessed the rape and murder of their sisters and mothers and they had no choice than to join the rank and file of the rebels as child soldiers in order to survive the pangs of hunger or the brutality of the rebels. These children, under the influence of alcohol and drugs became ruthless and uncompassionate soldiers.

Many girls and young women were forced to become domestic and sex slaves to the rebel leaders. Further, in search of personal physical security, many females

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<sup>4</sup> John L. Hirsch, *Sierra Leone: Diamonds and the Struggle for Democracy*, (Boulder, CO: Lynne Rienner Publishers, 2001) p. 99

<sup>5</sup> See Robert Kaplan, "The Coming Anarchy: How scarcity, crime, overpopulation and disease are rapidly destroying the social fabric of our planet" *Atlantic Monthly*, February 1994 pp. 44-74

associated themselves with ECOMOG forces and the offspring from the relationship would grow up without any contacts with their fathers who are foreign soldiers. Due to the coming and going of soldiers, the danger of sexually transmitted disease, for example HIV and Aids, would become rampant in the sub-region.<sup>6</sup>

The factions deliberately attacked innocent civilians who were regarded as supporters or sympathizers of their opponents. In Liberia, the NPFL attacked the Krahn and the Mandingoes who they regarded as beneficiaries of the Doe regime. The massacre of the supporters of one group unleashed fresh massacres from other groups. These atrocities led to the influx of refugees into the neighboring states of Sierra Leone, Cote d'Ivoire, Guinea, Ghana, Nigeria and Gambia as a result of the failure of Doe to stop the insurrection and the inability of the rebel forces to oust Doe out of power. According to the *African Concord's* observation "each day, close to 1 000 Liberians now flee into neighboring Sierra Leone as the war between the government and the rebels of the National Patriotic Front of Liberia rages on."<sup>7</sup> The United Nations High Commissioner for Refugees (UNHCR) started planning relief measures towards refugees crisis as early as February 1990 in which 30 000 thousand refugees were in Cote d'Ivoire and 12 000 in Guinea and the UNHCR later documented that there were 300 000 refugees in Guinea, 120 000 in Cote d'Ivoire and 80 000 in Sierra Leone.<sup>8</sup> There was as many as 700 000 Liberian refugee influx into the neighboring states. Those who chose not to or were not able to flee the country became internally displaced people who in turn became the exporters or of further atrocities to other areas as they were pursued by the rebels. The new areas thus became embroiled in the conflict.

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<sup>6</sup> Aboagye, p. 203

<sup>7</sup> *African Concord*, July 30, 1990, p. 20

<sup>8</sup> *Newswatch*, Feb. 5, 1990

The Sierra Leonean conflict brought refugee influx into its immediate neighbors - Liberia, Cote d'Ivoire, Guinea, and Guinea-Bissau. Two hundred thousand Sierra Leoneans went into exile during the 1997 coup by the AFRC junta.<sup>9</sup> According to the UNHCR, the AFRC/RUF alliance saw as many as 450 000 refugees outside the Sierra Leonean borders.<sup>10</sup> Of the 180 364 refugees from Sierra Leone in 2002 at least 172 225 were to be found scattered in the sub-region with 95 527 in Guinea and while 54 717 were located in Liberia.<sup>11</sup> The twist here is that the Liberian refugees who were seeking shelter in Sierra Leone from the atrocities of the NPFL had to flee again and many of them back to Liberia when the Taylor-supported RUF started its insurrection, thus increasing the cycle of violence in the neighboring states.

The receiving states of the refugees faced unprecedented economic, security and political problems. These states had to provide for the refugees out of their scanty budgets to give them shelter, food and clothing. The presence of the refugees created security problems for the governments as they had to protect them not only from different ethnic groups, but also from the rebels. The towns and villages that offered sanctuary for the refugees became targets for both rebels and the military. The rebels easily mixed with the refugees, used the refugee camps as resting place, recruitment and re-organization and launched new attacks against their opponents. This was possible as the rebels could not be distinguished from the refugees as they did not have distinct uniforms or distinctive features which could easily disclose their identities.

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<sup>9</sup> Adebajo, p. 69; John Hirsch p. 58

<sup>10</sup> See UNHCR – Country Update, Nov. 3 1999

<sup>11</sup> See UNHCR – 2002 Annual Statistical Report: Sierra Leone at <[www.unhcr.ch/cgi-bin/texis/statistics/opemdoc.pdf](http://www.unhcr.ch/cgi-bin/texis/statistics/opemdoc.pdf)> (12 June 2004)

The greatest security problem posed by the refugee influx into the neighboring states was the spill over effect of the conflict. To outsiders of the sub-region this may be of no significance as they are unaware of the ethnic dynamics of the sub-region. The spill over effect showed how devastating this could be considering the overlap of ethnic ties across state borders. To the people of the sub-region, it would be unthinkable to see or hear of one's kinsmen being slaughtered in a neighboring state without coming to their aid. Though the presence of the refugees posed security problems, they also helped to defend their new "homes". For example, the LUDF which was formed in Sierra Leone in March 1991 by General Albert Karpah assisted the Sierra Leonean Army to fight the NPFL aggression.<sup>12</sup> In other instances, the refugees in the neighboring states also formed themselves into rebels groups and became a source of opposition to other rebels or the government. An example was the Liberian refugees in Guinea who formed the ULIMO faction which helped fight against Taylor's incursion into Sierra Leone in March 1991 and later moved into Liberia and became a dangerous faction that at times hampered the work of ECOMOG.<sup>13</sup>

One of the most devastating effects of the conflicts is the proliferation of small arms in the sub-region. Many of the weapons that fuel faction fighting have found their ways into the sub-region. Tons of these small arms were bought by the rebels from independent and private businessmen in the international market. As common with the post-Cold War international commerce or if you like, due to globalization, individual states are no more the only actors on the international market. The international market is now dominated by private individuals or firms that transact business across state borders

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<sup>12</sup> Aboagye, p. 50

<sup>13</sup> Aboagye, op cit. p. 50-51

without restriction and hence it becomes difficult to hold independent actors/firms responsible for the business deals of independent weapon traffickers.

The trafficking of the arms across state borders is having its adverse effect on the sub-region as evidenced in the proliferation of the arms in the neighboring states of Guinea-Bissau and Côte d'Ivoire which became engulfed in civil wars. Though there had been jubilations about the demobilization and destruction of weapons, not all weapons were collected and with time its devastating effect on innocent civilians just like the woes of land mines in war torn states where innocent thousands of people are maimed, killed and orphaned by these small arms even after the conflicts are declared over many.<sup>14</sup>

The conflicts also constituted crimes against protection of private property and people not involved in the conflict. Rebels and government soldiers were involved in the arbitrary intrusion into homes, capricious arrest, pillaging, looting, theft, confiscation and destruction of property. In some cases, government buildings and private houses were set ablaze by the rebels as they move around.

Within the sub-region, the Liberian and the Sierra Leonean conflicts generated tension and anxiety. There were crimes - beating, dismemberment, kidnapping, mutilation, maiming, killing, beheading, massacres and hostage taking – against many nationals who were trapped there. This resulted in diplomatic wrangles between Liberia and Sierra Leone and the government of the affected people.

The conflict in Liberia and Sierra Leone also disrupted the economic ties that existed among the states in the sub-region which was the basis for the formation of ECOWAS. Trade, transportation, manufacturing and access to raw material could not thrive in areas of armed conflict. The armed conflicts also prevented international

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<sup>14</sup> See *UN-IRIN West Africa*, July 27 1999

investors from the sub-region. This in turn stalled the development of the sub-region. Festus Aboagye has observed that the conflict drained the economies of the ECOWAS states that tried to find solution to the conflict as the resources meant for the refurbishment of the armed forces of these states had to be diverted to maintain ECOMOG troops and this means that these states have to find other sources to fund the delayed military projects.<sup>15</sup>

These conflicts brought to the fore the francophone and the anglophone division within ECOWAS and this threatened the cohesion of the organization. Nigeria was accused of trying to dominate geo-politics of the sub-region due to its leading role in the formation, deployment and funding of the operations in Liberia and Sierra Leone. Burkina Faso and Cote d'Ivoire supported the insurrection of Charles Taylor and hence they disagreed with the interventions. Taylor in turn supported the RUF insurrection in Sierra Leone. With this division it became difficult to adopt a united policy for the resolution of the conflicts in the sub-region.

#### **Loss of Political Control and Authority**

The conflicts in Liberia and Sierra Leone have exposed the vulnerability of territorial integrity and the ability of the states to exercise their rights as independent sovereign states. The governments of Liberia and Sierra Leone became handicapped and hence could not control the affairs of their states as they lost control of their political and economic authority. Thus, the breakdown of law and order in Liberia and the weak political administration in Sierra Leone denied the government institutions of the nominal authority over the state apparatuses and the natural resources which fell into the hands of

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<sup>15</sup> Aboagye, p. 204



warlords who were less concerned about the security of the country and management of resources than to collect revenue from their exploitation.

The loss of control and authority by the Doe regime and Taylor's control of the rich iron ore mines of the Nimba County gained Taylor much funding for the war. Taylor's control of these resources deprived the state of Liberia to gain revenue to cater for its people. The ethnicized AFL was not reliable as it was not able to deter the NPFL from taking control of these areas and worse of all many of them defected to rival factions.

Under Charles Taylor's "Taylorland"/"Greater Liberia", other countries were able to gain access to natural resources of the country. For example, the Ivorian, the French, the Italian, Israeli and Thai companies established themselves in the area under Taylor's control in order to pursue business ventures.<sup>16</sup> Liberia thus lost political autonomy over its natural resources as factions and their allies took control of the country. Paradoxically, it was the same economy that attracted these companies to Liberia thereby plunging it into economic ruins.<sup>17</sup>

A peaceful and stable atmosphere in a state attracts such investors. With the disruption in the socio-economic and political systems of Liberia and Sierra Leone with many rival factions fighting for political power, many foreign firms and investors had to leave the country as the atmosphere for any productive investment were disrupted. For example, the Firestone Company which had been in Liberia for many decades had its staff reduced drastically at the outbreak of the civil war. The vacuum created by the

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<sup>16</sup> Martin Lowenkopf, "Liberia: Putting the State Back Together" in William I. Zartman (ed.), *Collapsed States: The Disintegration and Restoration of Legitimate Authority* (Boulder, CO: Lynne Rienner, 1995), p. 98

<sup>17</sup> William Zartman, p. 9

departure of the established investors attracted a new wave of different investors converging on Liberia and Sierra Leone in the mineral export business due to the lack of functioning system of government.

Unfortunately, these new investors did not make any meaningful contribution to the development of Liberia and Sierra Leone as they did not deal with the state, the legitimate representative of the people, but rather with faction leaders who had no interest in the welfare of the citizens. One may argue that as there was no representative and responsible government capable of signing any binding agreement, they had no choice but to do business with the people available.

ECOMOG's intervention and its denial of sovereign authority to Taylor further blocked him from acting as President which would have given him diplomatic support and immunity as a legitimate leader. The only option left to Taylor was to acquire resources by the control of local accumulation and regional markets to finance his military operations rather than using foreign aid to counter balance his opponents. Put in a different way, Taylor's only options was to either control or eliminate strongmen like him rather than manipulate the provisions of state sovereignty.<sup>18</sup> He therefore incorporated many commercial networks into his warlord league with targeted ethnic groups capitalizing on the ethnic tensions created by Doe's regime.

ECOMOG's intervention deprived Taylor of sub-regional commerce under a state framework. He built his authority directly through commerce without a bureaucracy. His commercial activities transcend formal territorial borders, which were unevenly spread over a territory "but localized in places of intensive commerce at the same time it was

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<sup>18</sup> William Reno, *Warlord Politics and African States* (Lynne Rienner: Boulder, CO, 1998), p. 93

transcontinental and far-flung.”<sup>19</sup> Thus, the areas under Taylor’s control had no citizens in the traditional meaning of the word because “commercial operators were automatically political agents by virtue of their central positions in the realm of warlord authority.”<sup>20</sup>

Taylor’s method of organizing his commercial activities could be said to be in line with economic globalization in which “global economic networks and privatization of markets” became the most important vehicles on which international commerce thrive.<sup>21</sup> As he lacked state legality in order to manipulate or block those who would want to engage in business deals in contrast to Doe, there was no distinction between “clandestine markets and others” as he “recruited everyone to his task of building political authority.”<sup>22</sup>

Taylor failed to “command the sovereign of a globally recognized state” and was thus deprived of building a commercial empire and to defend himself against his enemies and thus made it possible for “ECOMOG forces and sovereign state rulers to regularly use the material and diplomatic advantages of sovereignty to aid rival militias and entice NPFL members away from their support to Taylor.”<sup>23</sup> The situation became different when Taylor won the 1996 elections and became the sovereign head of Liberia, a position he coveted for eight years. He used his contacts both within and outside the sub-region to further accumulate wealth and ammunition.

Taylor’s commercial ties with international firms not only helped him to fund the war but they also became instrumental when he was the president of Liberia. This is evident in his control over the shipping and mining industries. Revenues generated from

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<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid., p. 99

these firms were used to buy more weapons to crack down on his opponents. Investigations led to the freezing of his assets by the International High Court which indicted him for his support of the RUF's insurrection in Sierra Leone.

ECOMOG's control of the port of Buchanan made it possible to regain the sovereign right of the state of Liberia over the whole country and thus cut off Taylor's main source of revenue which was gained through the export of minerals and other resources. With ECOMOG's control of Buchanan and other ports, no faction was able to export any commodity from Liberian ports without paying commission to ECOMOG. The presence of ECOMOG thus robbed the rebels of economic ventures with outsiders who were exploiting the natural resources. The lack of central government to indulge in legitimate business with the outsiders led to economic loss to the state as those who engaged in the export of the resources did not pay any revenue to the government. The loss of sovereignty in Liberia resulted in the exploitation of the nation's natural resources by international traders in league with the warring factions and to some extent some of ECOMOG's forces. ECOMOG officials were accused of having an interest in keeping the conflict going as some of them were reaping huge profits as they became more or less middlemen due to their control of many ports in south-eastern part of Liberia.<sup>24</sup> The Nigerian ECOMOG contingent was involved in the looting and marketing of cars, consumer goods and scrap metal and hence many Liberians dubbed the peacekeepers as "Every Car Or Moving Object Gone" instead of ECOWAS Monitoring Group.<sup>25</sup>

When the AFRC took control of Sierra Leone in the 1997 coup that overthrew Kabbah, the junta leaders used their status as the sovereign leaders of Sierra Leone to

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<sup>24</sup> Joshua Hammer, "Graveyard of Failed Hopes" *Newsweek* February 6, 1995

<sup>25</sup> Stephen Ellis, "Liberators or Looters" *Focus on Africa* (London), 5, 4 (Oct.-Dec. 1994), p. 14

sign the Conakry agreement and regarded this as the basis for a de facto recognition by the international community. It was no surprise that they used this recognition to modify the terms of the Conakry Agreement in which they demanded the release of Sankoh (who was detained on a trip to buy arms in Nigeria and was later deported to Sierra Leone to face treason charges) and the reduction of Nigeria's role in ECOMOG prior to the commencement of the disarmament process.<sup>26</sup> Koromah regarded the presence of the Nigerian contingent of ECOMOG as a threat to the peace and stability of Sierra Leone.<sup>27</sup> They also seized this opportunity to procure arms and ammunition on the international market in the guise of protecting its territory against foreign invasion and internal chaos.

Though the neighboring states of Liberia and Sierra Leone and some of the ECOMOG troops profited from the civil wars by plundering the resources and selling weapons and ammunitions to the rival factions, none of these states attempted to encroach on the territorial sovereignty of the war torn states. They continued to exist as single and identifiable entities and acknowledged by the international community as such. This is significant in the sense that the leaders in the sub-region and the rest of Africa for that matter, still believe in the inviolability of state borders. In addition, taking over the territorial sovereignty of a state entails more responsibility and might provoke international reaction by any state that would attempt it, as the case of Iraq's attempt to take over the sovereign state of Kuwait for "historical" and economic reasons. Though the social, political and economic situation of Liberia and Sierra Leone may be in shambles their territorial integrity remain intact.

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<sup>26</sup> Hirsch, p. 65

<sup>27</sup> See Transcript of TV broadcast by Major Johnny Paul Koromah, November 4 1997 < [www.sierra-leone.org/koroma110497.html](http://www.sierra-leone.org/koroma110497.html) > (12 June 2004)

Neighboring states and some of the contributing states of ECOMOG may have compromised the political and economic sovereignty of Liberia and Sierra Leone, but as common with the international system, states as members of international organization through bi- or multilateral agreements, automatically give up some of their economic or political sovereignties through international agreements (without jeopardizing their territorial sovereignty) in order to gain recognition and benefits offered by such membership. Despite the disruption of a functioning government during the civil wars these states did not lose their existence as sovereign states according to international law and the juridical recognition which arises from this fact constitutes a crucial element in the warlord politics in Liberia and Sierra Leone.

#### **Justification for the Intervention**

Internal conflicts tend to have been influenced directly or indirectly by neighboring states. Many of these states harbor dissidents who try to overthrow their governments from distance through acts of subversion and insurgency are plotted and executed from neighboring states which may hold grudges against their neighbors for various reasons. The Liberian and the Sierra Leonean conflicts are good examples of how neighboring states influence the politics of its neighbors by interfering in its internal affairs against all the principles of non-interference in the domestic affairs of member states of UN, AU and ECOWAS. This is a breach of international law regulating independent sovereignty of the target state.

Charles Taylor's and later Foday Sankoh's insurrections in Liberian and Sierra Leone respectively, sent a chilling effect on the leaders of the sub-region. The thought of people of no military background taking over political leadership in a state from military

leaders was unheard of in the history of the sub-region. The sub-region was used to military coups in which the military overthrow a civilian rule or another military regime, but not a civilian overthrow a military government. The fear of more civilian “coups” prompted regional military elites to devise a strategy to stop the looming trend. In order to disguise their motive, the military leaders strove to present their actions in terms of sub-regional peace, security and stability, a sense of international responsibility, ethnic sympathy for oppressed kinsmen and humanitarian concerns, all tinged with multilateral approach. But a closer scrutiny of the actions of individual head of states would reveal that these concerns were just window-dressings because each head of state had ulterior motives for the intervention which could be expressed as hegemonic ambitions, face-saving and self economic interests. In other words, the interventions were bordered on mixed motives of minimal altruistic and self-interest.

As the international community was initially reluctant to intervene, the leaders in the sub-region translated their secret agendas to fit into the reasons mentioned above. In order to do so they expanded the scope of ECOWAS activities in the sub-region to include security regime in addition to the existing economic regime. The criticism that can be leveled against the expansion of ECOWAS to include the security regime is that the organization was not established initially as such to address issues of peace and security of the sub-region, but rather as an economic community to

“promote co-operation and development in all fields of economic activity particularly in the fields of industry, transport, telecommunications, energy, agriculture... of increasing and maintaining economic stability, of fostering closer relations among its members and of contributing to the progress and development of the African continent.”<sup>28</sup>

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<sup>28</sup> See ECOWAS Treaty Article 2(1), May 28 1975

Thus the community is moving from its original economic goal to that of a security one which the founders of ECOWAS did not regard as being of great concern or something outside their limited budget and capabilities at the time. The addition of security pact to the existing economic agreement became necessary as a result of the fact that the international order is rapidly changing and for an economic cooperation to thrive there must be a peaceful and stable atmosphere. This does not mean that the Community is diverting from its original objectives, but rather expanding its objectives to incorporate and accommodate the growing need for security in the sub-region. One could also argue that security threats within the individual countries were almost non-existent at the time of signing the ECOWAS agreement though this showed the lack of foresight of the founders to prioritize security issues as international system are never static.

There has been widely expressed fear that it would not be long before the whole sub-region would be engulfed in conflict after Taylor's success with the overthrow of Doe as other regimes in the sub-region would fall one after the other to the dissidents in his ranks as they attempt to take over power in their countries.<sup>29</sup> This fear of sub-regional instability or security concern was inevitable considering the fast pace at which Taylor's insurrection was spreading and gaining grounds in Liberia and the Taylor-supported Sankoh's insurrection in Sierra Leone.

The President of Ghana was worried about the conflict in Liberia because of the reports that there were many Ghanaian dissidents fighting for the NPFL.<sup>30</sup> He was concerned that if Taylor was successful, Liberia would be used to launch attacks on his

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<sup>29</sup> Aboagye, p. 52

<sup>30</sup> Yerbo Zaya, *Ghana: The Struggle for Popular Power* (New Beacon Books: London, 1991), pp. 273-274



country.<sup>31</sup> When Ghanaians were taken as hostages by the NPFL, Taylor was warned by the Provisional National Defence Council (PNDC) military government that he would be personally “responsible for the lives of the Ghanaians reportedly taken hostage by the NPFL.”<sup>32</sup> On this ground the Ghanaian government agreed to use force in order to free its citizens trapped in Liberia. Ghana was “rewarded” with the position of first Commander of ECOMOG in the person of Lt. General Arnold Quainoo. In order to balance its policies, the government became instrumental in various peace negotiations that took place in Ghana.

The tendency of the conflict extending to Guinea was high as a result of artificial boundaries that separate the ethnic groups of the Kpelle, Loma and Kissi people living in the forest regions of Liberia and Guinea. This ethnic identity prompted the need from the Guinean side of the border to be proactive and thus became the driving force behind the clash between ULIMO-K and the Mandingo ethnic group who supported Doe.<sup>33</sup>

The fear of the destabilization of the sub-region by the Liberian conflict as expressed by some leaders in the sub-region was the civil war in Sierra Leone and the outbreak of the civil war in Guinea Bissau in June 1998. Thus, gradually the need to stop Taylor’s insurrection before it spilled over to the rest of the sub-region was gathering momentum and a call for action by the leaders through a multilateral approach.

A multilateral approach has become an important element in the post-Cold War era in dealing with issues of security and conflict resolution in contrast to unilateral approach which characterized the Cold War era. A multilateral approach can disguise a

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<sup>31</sup> Emmanuel K. Aning, “Ghana, ECOWAS and the Liberian Crisis: An Analysis of Ghana’s Role in Liberia” *Liberian Studies Journal*, XXI, 2 (1996), 279

<sup>32</sup> *West Africa*, 17-23 September, 1990, p. 2478

<sup>33</sup> Moses Tarnue Mawolo, “Macenta and Back” *New Democrat*, 1, 9, (Feb. 3-9 1994)

state's hidden agenda and win broad legitimacy both internally and from the international community. The use of force in a multilateral approach must be endorsed by the international community if it is to be successful. Seeing the legitimacy that could be gained on the wings of multilateralism, President Babangida of Nigeria played on the political sentiments of his colleagues and envisaged that if they should fail to take an immediate military action against the rebels, the sub-region would be in anarchy. He reminded them that "Today it is Liberia. Tomorrow it could be any one of the countries represented here."<sup>34</sup> Nigeria was concerned that if Taylor won Liberia would be used as a base to destabilize Nigeria by providing arms and training to exiled opponents. Referring to the volatile situation springing up in Sierra Leone and the possible spill over and the need to put a stop top it, Brigadier General A-One Mohammed, a former Nigerian ECOMOG Contingent Commander, advised that they "...had to put off this fire in order to prevent it from extending to our own homes."<sup>35</sup>

With the reluctance of the international community to intervene, ECOWAS needed legitimacy from international law for its actions in Liberia and Sierra Leone in order to get support needed not only from the sub-region, but also from the rest of the international community and therefore not be branded as sub-regional imperialists. ECOWAS leaders maintained that the response to the Liberian and Sierra Leonean conflicts was managed based on the invocation of the collective sub-regional security mechanism – the Protocol on Non-Aggression of 1978 and the MAD Protocol of 1981. The Protocol on Non-Aggression of 1978 was adopted due to the growing instability in

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<sup>34</sup> Quoted in Ademola Adeleke, "The Politics and Diplomacy of Peacekeeping in West Africa: The ECOWAS Operation" *Journal of Modern African Studies*, 33, 4 (1995), p. 588

<sup>35</sup> A-One Mohammed, "The ECOMOG Story: Our Mission and Success" *ECOWAS Now* Nov-Dec 1998, p. 44

the individual states in the sub-region (coups, counter-coups, palace coups and subversive and dissident activities with support from member states in the sub-region) with the aim of creating “an atmosphere of peace and harmonious understanding among the Member States of the Community” in order to attain its objectives of economic prosperity and progress.<sup>36</sup> With the MAD Protocol the leaders were of the conviction that “economic progress cannot be achieved unless the conditions for the necessary security are ensured in all Member States of the Community” and most importantly they wanted to “safeguard and consolidate the independence and the sovereignty of Member States against foreign intervention.”<sup>37</sup> The leaders were aware that in case of any threat from outside they have to depend on each other for defense which would only be “effective with the coordination and pooling together of means of mutual assistance provided by respective Member States.”<sup>38</sup>

It must be recalled that according to the provision of the MAD Protocol any armed threat or aggression against one member of ECOWAS constitutes a threat of aggression against the whole Community therefore the appeal for mutual assistance to the state under threat or aggression. If the tenets of this provision are accepted then ECOWAS had a legitimate right to intervene in Liberia and Sierra Leone as the MAD Protocol could be invoked under two circumstances: first, when there is an armed conflict between two members or several member states and secondly, when there is an internal armed conflict within any member state engineered and supported actively from outside. The conflict in Liberia and Sierra Leone could be classified under the second circumstance – internal armed conflict engineered and supported from outside – when

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<sup>36</sup> See ECOWAS Protocol on Non-Aggression of April 22 1978

<sup>37</sup> See ECOWAS Protocol Relating to Mutual Assistance on Defence , May 29 1981

<sup>38</sup> Ibid

one consider the support from Libya, Burkina Faso Cote d'Ivoire though the last two are members of ECOWAS. This second circumstance for intervention is in contrast to the principle of non-interference in the internal affairs of member states as stipulated not only in the ECOWAS Treaty, but also in Article 2 of the UN Charter, Article 3 of the OAU Charter and the 1978 ECOWAS Protocol on Non-Aggression. But as has been mentioned earlier, the member states have renounced some aspect of their sovereignty by signing the ECOWAS Treaty for the sake of their collective security.

The responsibility for the security of the sub-region is vested in the Authority (by the MAD provision) as the body to execute and take appropriate measures agreed upon by the member states. This thus overrides the territorial integrity of states and the Authority therefore wields power over the sovereignty of member states when the security of the sub-region is threatened.<sup>39</sup>

The MAD Protocol called for the creation of institutions to make it effective thereby not making the Protocol a mere declaration of intentions.<sup>40</sup> Unfortunately, these institutions never saw daylight and their absence makes ECOWAS intervention complicated and precarious hence could be challenged from a legal perspective. The absence of a MAD structure created a vacuum which was filled by Nigeria which took the lead in every aspect of the intervention from troops to the monopoly of the appointment of ECOMOG Commanders after Doe's death.

One can argue that if the MAD Protocol were to be the guidelines for ECOMOG intervention then there could be problems of how to interpret this as the Protocol was not implemented at the time of the intervention hence did not conform to the constitutional

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<sup>39</sup> See MAD Protocol Article 6, 9, 16 and 18

<sup>40</sup> See MAD Protocol Article 7, 8, and 9

legal requirements as specified in ECOWAS Treaty. The Protocol calls for intervention in the sub-regional conflicts only in cases of an externally-directed threat, a conflict between two or more ECOWAS states or an externally-sustained conflict. When ECOMOG was deployed to Liberia, the MAD Protocol was not implemented and neither had it been ratified by some of the member states including, Benin, Gambia and Mauritania, while Mali and Cape Verde refused to be signatories.<sup>41</sup>

Among the reasons for the non-implementation of the MAD Protocol was the fear (expressed by the francophone states) of influence of Nigeria which may try to cut off France's influence with the francophone states in the sub-region with whom they maintain defense agreements.<sup>42</sup> Secondly, according to the MAD Protocol provision, as soon as the protocol becomes effective all foreign troops were to be withdrawn from the sub-region. This is seen as an encroachment on the sovereign right of states to conclude bi- and/or multi-lateral defense arrangements that they considered to be in their best interest. Thirdly, there are practical problems in organizing a joint defense as required by the Protocol – language barrier, diversity in military traditions, various modes of training and deployment, types and sources of equipment used by the various armies, poor communications infrastructure, and lack of well developed command within the various army. As will be discussed later, these practical problems spelled the doom of ECOMOG operations in Liberia and Sierra Leone.

According to the Protocol, the Authority must control the force sent to intervene. This was absent because it was rather the SMC (which was formed three months earlier with the limited and specific mandate of mediating disputes between two or more

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<sup>41</sup> See Olu Adeniji, "Mechanism for Conflict Management in West Africa: Politics of Harmonization", <<http://www.jha.ac/articles/a027.htm> (3 June 2000)> (12 June 2004)

<sup>42</sup> Ibid.

member states and not to impose conflict resolutions hence SMC did not have military mandate) that was in control and was the initiator of the intervention. The argument against the establishment of the SMC is that according to the MAD Protocol, the decisions on peacekeeping action are to be taken by the conference of Heads of State and Government, not a specialized body like the SMC.<sup>43</sup> Realizing the legal loophole in the establishment of the SMC, Taylor refused to give its consent to ECOMOG's intervention thereby disqualified ECOMOG as a peacekeeping force. In like vein, Compaoré openly challenged the legitimacy of both SMC and ECOMOG.

Some ECOWAS leaders claimed to have received an invitation from Doe to intervene in Liberia thereby invoking the provision in Article 16 of the MAD Protocol which enjoined leaders to send a written request for assistance when an external armed threat or aggression is directed against a member state. Doe was reported to have requested for a peacekeeping force to be sent to Liberia in order to "forestall increasing terror and tensions and to ensure a peaceful transitional environment".<sup>44</sup> Mr. Moniba, the Vice President to Doe, maintained that "the coming of ECOMOG was due to a letter written by the Doe Administration to the Chairman of ECOWAS asking to send a peacekeeping force... I have copies of those correspondences".<sup>45</sup> If ECOMOG was deployed upon the invitation by Doe, then there arise many doubts as to the validity of this claim. In the first place, it is doubtful whether Doe could be regarded as holding a legal authority as the Head of State in Liberia because he was not only confined to the Executive Mansion in Monrovia and his authority did not go beyond the walls of the

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<sup>43</sup> See ECOWAS Protocol on MAD Article 6

<sup>44</sup> *ECOWAS Document*: "Letter addressed by President Samuel K. Doe to the Chairman and Members of the Ministerial Meeting of ECOWAS Standing Mediation Committee" July 14 1990

<sup>45</sup> *West Africa*, Feb. 24-March 3, 1992, pp. 316-317

building, but also because large part of the country was under Taylor. Secondly, the Protocol could not be said to have provided enough scope and authority for the intervention because when the force was deployed the war was raging and the rebels were gaining ground considering the fact that Doe requested for a peacekeeping force which would have the mandate of implementing a cease fire which was in this case non-existent. It is interesting to note that if Doe requested a peacekeeping force, there was no peace to keep in Liberia as Taylor did not agree to any peace agreement with Doe and he vehemently opposed the deployment of any peacekeepers.

When the SMC was established as a mediatory body in case of conflicts between two or several member states, there was no mention of SMC having a mandate in case of civil wars hence the Francophone members of SMC, namely Togo and Mali refused to contribute troops to ECOMOG. Guinea was the only francophone state that contributed troops to ECOMOG because of its geographical proximity to Liberia, and the attack on its Mandingo traders by the NPFL. Guinea's contribution to ECOMOG incurred the displeasure of Charles Taylor who promised to attack Guinea for supporting ECOMOG intervention in Liberia. In order to diffuse the dominance of the anglophone and Nigeria specifically, the ECOWAS split the command among Ghana which was given the position of providing the Force Commander, Guinea provided the Deputy Force Commander and Nigeria the Chief of Staff. As noted earlier, the chain of command changed after the death of Doe when Nigeria took over the command and control of all ECOMOG operations.<sup>46</sup>

One could therefore say that the SMC overstepped its mandate to call for a military intervention and inference can be made that a small group of member states

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<sup>46</sup> Aboagye, pp. 154 -155

which lacked the required mandate plunged ECOWAS into what turned out to be a protracted and expensive military operation. The ad hoc approach by the SMC deprived ECOWAS of any adequate consultation with other members of the sub-region. In addition, the ad hoc nature of the intervention did not attract contributions in spite of several appeals to member states and outsiders hence the burden of funding rested exclusively on the troop-contributing states.

Though the SMC and ECOMOG lacked legal backing, they later received legitimate approval from many quarters. The UN endorsed ECOMOG's initiative and later sent 368 unarmed military observers and was prominent in the Cotonou Peace Accord in 1993. In support for ECOMOG's action and in a bid to set aside the illegality of ECOMOG, the former OAU Secretary-General, Salim Ahmed Salim came out with the astonishing pronouncement that "... to argue that there was no legal base for any intervention in Liberia is surprising. Should countries in West Africa ... just leave the Liberians to fight each other? Will that be legitimate?"<sup>47</sup> He thus lent his voice for a humanitarian justification for the intervention which to him should take precedence over legality.

To gain domestic and international support for the intervention, ECOWAS leaders expressed their concerns about the serious humanitarian crisis for both innocent civilians and foreigners. ECOWAS claimed that the situation in Liberia was their moral responsibility and argued that the intervention was necessary in order to "prevent Liberia, a member state, from sinking further into anarchy and destruction."<sup>48</sup> Considering the scale and speed with which the insurgents were operating and moving, ECOWAS

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<sup>47</sup> Salim Ahmed Salim, quoted in Adekeye Adebajo and Chris Landsberg, "The Heirs of Nkrumah: Africa's New Investments", *Pugwash Occasional Papers*, Vol. 2, No.1 January 2001

<sup>48</sup> *West Africa*, 1990



repeatedly argued that “it would have been morally reprehensible... to stand by and watch while citizens [Liberia] decimate[d] themselves” and was thus bent on evacuating and resettling large number of Liberia refugees and other nationals in neighboring states.<sup>49</sup> In its Final Communiqué, the SMC gave a humanitarian rationale for its decisions in which it expressed the fear that “presently, there is a government in Liberia which cannot govern and contending factions which are holding the entire population as hostage, depriving them of food, health facilities and other basic necessities of life.”<sup>50</sup>

In his defense of the intervention President Babangida quipped in with a humanitarian appeal that “we are in Liberia because events in that country led to the massive destruction of property, massacre of civilians including foreign nationals, women and children some of whom had sought sanctuary in Churches, Mosques, diplomatic missions, hospitals...”<sup>51</sup> A further humanitarian argument for going into Liberia was “stopping the senseless killing of innocent civilian nationals and foreigners...”<sup>52</sup> In the first year of the conflict in Liberia there was the massacre of over ten thousand people and six hundred thousand refugees and about 1.5 million internally displaced people.<sup>53</sup> It was on this ground that there was a call for the intervention for humanitarian purposes. Had ECOWAS been reluctant as the rest of the international community, Liberia in particular and the sub-region in general would have experienced the most dangerous catastrophe of the last century. The intervention averted the impending catastrophe.

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<sup>49</sup> *West Africa*, 1991

<sup>50</sup> See ECOWAS SMC Final Communiqué of the First Session, Banjul, the Gambia, August 7 1990

<sup>51</sup> Cited in Amadu Sesay, “Peacekeeping by Regional Organizations: The OAU and ECOWAS peacekeeping forces in Comparative Perspective”, A Paper presented at the Annual Conference of the Center for Conflict Studies, Fredericton, NB, Sep. 25-26, 1992, p. 17

<sup>52</sup> UN Security Council Document S/2148 of August 10 1990

<sup>53</sup> Ofuatey-Kudjoe, “The Impact of Peacekeeping on Target States: Lessons from the Liberian Experience” in Ricardo René Laremont (ed.), *The Causes of War and the Consequences of Peacekeeping in Africa* (Portsmouth, NH: Heinemann, 2002), p. 118

Clement Adibe has observed that “in four years since the multinational intervention, ECOWAS has successfully prevented the further decay of Liberian civil society through several peace-building initiatives.”<sup>54</sup> This observation supported Babangida’s claim that “what probably motivated us was that there was a government that had lost its credibility to govern, and we had some warring factions that held the nation, the society and the people hostage. There was virtually a breakdown of everything in Liberia.”<sup>55</sup>

ECOMOG’s presence in Liberia brought relief to the people. Emmanuel Aning noted that the “relief programs initiated by individual ECOWAS countries ... involved the provision of food, health services, distribution facilities and the provision of logistics.”<sup>56</sup> Thus the deployment of the forces brought a safe environment that was conducive for internal and external humanitarian support. One can therefore argue that seen from a humanitarian assistance perspective, “the intervention... not only [reduced] the number of atrocities, it also created the conditions which... relief agencies could more effectively carry put their operations.”<sup>57</sup> Without this corridor of relief the UN World Food Program would not be able “to distribute about 14 000 tons of food through the Catholic Relief Services and the Lutheran World Services” between November 1990 and May 1991 and about “\$US67 million worth of emergency assistance.”<sup>58</sup> Thus without

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<sup>54</sup> Clement Adibe, “Institutionalist Theory and the ECOWAS Intervention in Liberia”, *African Guardian*, October 1990, p. 31

<sup>55</sup> *ECOWAS Mediation in the Liberian Crisis* quoted in Amadu Sesay, “Peacekeeping by Regional Organizations: The OAU and ECOWAS peacekeeping forces in Comparative Perspective”, A Paper presented at the Annual Conference of the Center for Conflict Studies, Fredericton, NB, Sep. 25-26, 1992, p. 5

<sup>56</sup> Emanuel Aning, “Managing Regional Security in West Africa: ECOWAS, ECOMOG and Liberia” (Copenhagen Center for Development Research), *Working Paper*, No. 94.2 (February 1994) pp. 14-15

<sup>57</sup> Ofuately-Kudjoe, “Regional Organizations and the Resolution of Internal Conflict” *The ECOWAS Intervention in Liberia* *International Peacekeeping*, 1, 3 (1994), p. 33

<sup>58</sup> *Ibid.*, pp. 30-31

ECOMOG's action the states in the sub-region would not be able to provide such services to the unfortunate civilians.

But the fine words of humanitarian concern of ECOWAS – saving lives and rescuing citizens or ethnic kinsmen in distress - had their down side. The effects of the intervention could be said to have accelerated the deterioration of the Liberian and Sierra Leonean societies when ECOMOG forces, especially Nigerian contingents, participated in the looting, killing and destruction of infrastructure in these countries. Instead of protecting the people that they purported to have come to save, the forces rather became a faction in the conflict as they indulged in the atrocities just like the rebel forces. Prior to the UN involvement in Liberia in 1993, ECOMOG continually denied all forms of support to areas held by the NPFL as they regarded these areas as enemy territories and there had been incessant clashes between ECOMOG and humanitarian organizations' effort to reach out to the rebel-held areas.<sup>59</sup> It should be understood that ECOMOG had its reasons for denying humanitarian organizations access to rebel-held areas. It could be that ECOMOG regarded these organization as “sympathizers” of the enemy hence they were afraid that the humanitarian organizations would supply the rebels with weapons with which the rebels would continue their insurgencies. Additionally, ECOMOG might have regarded these agencies as threats to their work on the field as they would have to spend extra energy and the scanty resources at their disposal to protect these agencies at the same time the innocent civilians. Simply put, ECOMOG was not mandated to protect humanitarian agencies that “voluntarily” put themselves in harms' way. In all this shows the complexities that post-Cold War intra-state conflict resolution entails.

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<sup>59</sup> Colin Scott, “Humanitarian Action and Security in Liberia, 1989-1994 (Thomas J. Watson Institute for International Studies), *Occasional Paper No. 20*, 1994

A further “un-humanitarian” action of ECOMOG personnel were reports of how they indulged in extortion and harassment of civilians, charged fees for the services rendered to the people, and indulged in mining activities.<sup>60</sup> This showed ECOMOG’s lack of professionalism. In other circumstances, ECOMOG even went to the extent of providing free passage, intelligence, arms and ammunition to such factions as ULIMO-K, ULIMO-J and LPC.<sup>61</sup> These factions used these equipments to further terrorize and murder innocent civilians and ironically, ECOMOG forces were also attacked.

The presence of ECOMOG resulted in the prolongation and wide spread of the conflict rather than containing it and bringing it to an earlier resolution. All this led to the proliferation of war lords and rebel groups thereby making the peacekeeping process and disarmament of the rebels a difficult one. Each rebel group was afraid that if it disarmed it could easily become a target of retaliation from other groups and even lose their sources of funding, that is, from the diamond mines, for example, in Bomi and gold mines, and consequently their loss of political power.<sup>62</sup>

It has become evident that the leaders in the sub-region had hidden agendas for going into Liberia and Sierra Leone and went not just for the humanitarian, security and instability concerns, but also for hegemonic ambitions, self economic interests and kinship. The hegemonic ambitions of some of the states in the sub-region became evident in the manner they manipulated and dragged other states into embarking on a military intervention backed by secret political/diplomatic agenda. Nigeria’s hegemonic tendencies were expressed in the manner it orchestrated, strategize and manipulated the

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<sup>60</sup> Aboagye, p. 211

<sup>61</sup> Herbert Howe, “Lessons of Liberia: ECOMOG and Regional Peacekeeping” *International Security* 21, No. 3 (Winter (1996-97)), p. 157

<sup>62</sup> William Reno, “The Business of War in Liberia” *African Affairs* 96, No. 383 April 1997, p. 215

members of the sub-region to embark on the military intervention in Liberia and Sierra Leone. President Babangida and later General Sani Abacha used their office vigorously to show that Nigeria has the capability to lead the states in the sub-region in conflict resolution. This is evidenced, long after ECOMOG was deployed to Liberia, when a Nigeria delegation sent a letter to the UN Secretary-General about the purpose of forming the ECOMOG.<sup>63</sup> In Sierra Leone, Nigeria again took the lead in intervening even before ECOWAS authorization of the endorsement of a mandate for ECOMOG II.

As has been noted earlier, Nigeria's monopoly of the command and control of the whole ECOMOG operation portrayed its hegemonic tendencies from the establishment of a "tacit convention that ECOMOG Force Commanders must be Nigerian; a situation which reflected the fact that ECOMOG draws seventy per cent of its troops and eighty per cent of its funding from Nigeria."<sup>64</sup> It is not strange that Nigeria should take the command of the operation as without its inputs there would not be any operation and even almost the other states that contributed troops to ECOMOG had to rely on Nigeria's support in order to continue their operation. With everything under its control, Nigeria therefore manipulated ECOMOG's mandate from Abuja to fit its hegemonic ambitions in the sub-region. After the assassination of Doe, the Force Commander of ECOMOG, General Quainoo, was immediately replaced by a Nigerian, Maj.-Gen. Joshua Dogonyaro who became the "Field Commander" and was designated to see to the over all responsibility of the force. General Quainoo's Guinean deputy was replaced by another Nigerian. All the subsequent Commanders of ECOMOG were Nigerians.

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<sup>63</sup> See UN Security Council Document S/2148, August 10, 1990

<sup>64</sup> Jinmi Adisa, cited in Amadu Sesay, p. 25

Nigeria's leadership in the intervention could be seen as a protection for Abacha against the threat of international sanctions against his brutal regime. Nigeria's strategy was a face-saving one as Nigeria's international reputation at the time was not a good one due to its human rights violation records, for example, the hanging of Ken Saro-Wiwa and the eight Ogoni environmental activists. In addition, in the case of Sierra Leone, Abacha was reported to have been angered by the decision of Capt. Valentine Strasser to vote to censure Nigeria at the Commonwealth summit in Auckland in November 1995.<sup>65</sup> This attitude should be interpreted as personal vendetta from Abacha.

Nigeria's hegemonic tendencies did not go unnoticed and was thus challenged by some members of the sub-region as they were quick in criticizing Nigeria's move. President Soglo of Benin complained that "... Nigeria has taken over ECOMOG, and ECOWAS is too divided to have a common policy for a peaceful solution of the problem."<sup>66</sup> Cote d'Ivoire and Burkina Faso denounced the Nigerian initiative and openly accused it of attempts to dominate the affairs in the sub-region. The two countries in turn increased their support for the NPFL and RUF. According to *Le Monde*, in September 1990, there were 100 Burkinabe troops from the elite garrison and a number of Ivorian nationals fighting for the NPFL and in addition, a Libyan plane was observed loaded with French-made weapons landing at the Roberts International Airport in Liberia which was under NPFL control.<sup>67</sup> President Compaoré admitted to have sent 700 troops to Liberia and even allowed Charles Taylor to use a Fokker F-28 belonging to Air Burkinabe.<sup>68</sup> It had been reported that Charles Taylor once lived in Ouagadougou and even trained his

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<sup>65</sup> Adebajo, p. 85

<sup>66</sup> *West Africa*, 16-22 November 1992

<sup>67</sup> *Le Monde*, August 29 1990

<sup>68</sup> *Agence France-Presse* September 1 1990

forces at a Burkinabe military base in Po.<sup>69</sup> These two states again openly criticized Nigeria for intervening in Sierra Leone without a mandate neither from the UN, AU nor ECOWAS and accused Nigeria of flexing its hegemonic muscles in the sub-region. Nigeria's dominance overshadowed the influence that Cote d'Ivoire would have exercised during the era of the late Houphouet-Boigny. In addition, this increased the francophone and anglophone divide in the sub-region. The support for Taylor by Cote d'Ivoire and Burkina Faso violates the warning that states should refrain from any subversive activities in their neighbors' internal affairs and must respect the non-intervention and territorial integrity clauses of the UN and AU Charters and the ECOWAS Treaty to which they are signatories.

As a personal friend and an ally to Doe, President Babangida personally got involved in the civil war in Liberia in order to stop Taylor who he regarded as Houphouet-Boigny's protégé from ascending power which to the francophone states in the sub-region would be a means of checking Nigeria's hegemonic ambitions.<sup>70</sup> Babangida wanted to help Doe to retain power thereby maintaining Nigeria's hegemonic status in the sub-region and to protect his personal investments in the country. It was no surprise when Taylor capitalized on the support from Burkina Faso and Cote d'Ivoire and demanded immediate and unconditional withdrawal of Nigerian/ECOMOG troops during SMC Summit meeting in February 1991.<sup>71</sup> He would rather have UN peacekeepers in

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<sup>69</sup> *West Africa*, "Compaoré and Regional Security" 4026 (Nov. 28 1994), p. 2022; Mark Huband, "Liberians Train Mercenaries in Burkina Faso" *The Guardian* Dec. 19 1991

<sup>70</sup> Ofuatey-Kudjoe, p. 271

<sup>71</sup> Dave Enahoro, "Multilateral Military Intervention: The Liberian Experiment" in Chris A. Garuba (ed.), *International Peace and Security: The Nigerian Contribution* (Gabumo Publishing: Lagos, 1997), p. 139-140

Liberia as he had confidence in the international organization counting on its neutrality than the Nigerian-led ECOMOG.

Houphouet-Boigny's attempt to assert his importance in the geo-political set up of the sub-region was seen in his attempt to broker peace deals in the formation of the Committee of Five (Cote d'Ivoire, the Gambia, Guinea-Bissau, Senegal and Togo) established in June 1991 with himself as the chairman of the Committee.<sup>72</sup> This Committee was very instrumental during the Yamoussoukro I-IV Accords but its attempts failed to bring the conflict to an end. On the facial level, this Committee appeared to have preferred a diplomatic approach to the resolution of the conflict than the military action taken by the anglophone-dominated SMC. The formation and the works of this Committee denied the cohesion that would have existed within ECOWAS for a quick resolution of the conflict.

Hiding behind the cloak of deep concern for the situation in Liberia and Sierra Leone, Houphouet-Boigny had his own personal agenda in his attempt to have Charles Taylor as the leader of Liberia. He could be said to harbor a personal grievance hence wanted to personally retaliate for the death of his son-in-law who was arrested and later died in custody and that of his father-in-law, William Tolbert, who was killed by Samuel Doe during the coup in 1980. Houphouet-Boigny wanted to replace Doe with someone who he could use to exert immeasurable pressure on the politics of the sub-region and at the same time exert influence as this would be a counterfoil to Nigeria's hegemony in the sub-region. Houphouet-Boigny pulled Compaoré into the equation as a result of marriage

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<sup>72</sup> Ofuately-Kudjoe, *Regional Organizations and the Resolution of Internal Conflict: The ECOWAS Intervention in Liberia*, p. 285



relationship especially the wife of the latter who was a protégé of Houphouet-Boigny.<sup>73</sup> Compaoré in turn introduced Taylor to Gaddafi who supplied Taylor with weapons, ammunitions, transportation and the training of the rebels.<sup>74</sup> In short, kinship affiliation, not only at the grassroots level, but also at the leadership level in the sub-region became a contributing factor for the delay in the resolution of the conflicts.

In addition to portraying his country as an important element in the geo-political equation of the sub-region and seeking personal vendetta, Houphouet-Boigny's support for Taylor was due to his aim of protecting his personal investments and that of his officials in Firestone Rubber Plantation in Liberia which Taylor seized when the area came under Taylor's control.<sup>75</sup> By having Taylor as the head of Liberia, Houphouet-Boigny would reap huge profits from this investment without paying taxes to the Liberian government thereby denying the revenue that the country needed.

The reluctance of the francophone states to be involved in the military intervention was due to the presence of a rival security regime exclusively francophone in nature - bilateral defense agreements with France, namely, the "Accord de Non Aggression et d' Assistance en matiere de Defense" (ANAD) – and not a diplomatic approach to the resolution of the conflicts as evidenced in their push for the various Yamoussoukro accords than military intervention.

France entered into "cooperation agreement" with its former colonies which made it possible for France to have among other things a "presence of great number of ... its

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<sup>73</sup> Huband, p. 105

<sup>74</sup> *New York Times*, August 29 1990

<sup>75</sup> See *West Africa*, "The Firestone Factor" 1993

army in strategic key locations.”<sup>76</sup> By a series of bilateral defense agreements with its former colonies which legally entitled it not only to deploy troops to the countries when asked to do so, but also to be consulted on any defense agreement or accord that each country would want to enter, France influences almost, if not all the policies of its former colonies.<sup>77</sup> The bilateral agreements give France the right to directly assist in areas of security concerns, provide military material and equipment for national armies to its former colonies. Any agreement that would threaten to loosen the grip on its defense policy influence on the African continent would be met with stiff opposition and threat of withdrawal of economic aid. In view of this the francophone states in the sub-region are thus crippled by these “cooperation agreement” therefore could not give the support that ECOWAS needed for a military intervention.

ANAD was signed in 1977 and had its protocol of application adopted with functional institutions in 1981.<sup>78</sup> The rationale for the ANAD security regime stemmed from the fear of local threats despite the defense links these states have with France. The ANAD enjoined its members not to use force to settle disputes and to give defense assistance to each other in times of aggression. In contrast to ECOWAS which was initially concerned with economic development of the whole sub-region, ANAD is exclusively francophone and focused on security issues. The existence of ANAD stalled any security policy that ECOWAS may adopt to curb the rising security problems in the sub-region. The ANAD agreement reduced the effective implementation of ECOWAS

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<sup>76</sup> Albert Bourgi cited in “*Mechanisms for Conflict Management in West Africa: Politics of Harmonization*” at <http://www.jha.ac/articles/a027.htm> (posted 3 June 2000).

<sup>77</sup> See Edmond K. Kouassi and John White, “The Impact of Reduced European Security Roles on African Relations” in I. W. Zartman, (ed.), *Europe and Africa: The New Phase* (Boulder, CO: Lynne Rienner, 1993)

<sup>78</sup> See “*Mechanisms for Conflict Management in West Africa: Politics of Harmonization*” <<http://www.jha.ac/articles/a027.htm>> 3 June 2000 (12 June 2004)

peace accords and agreements and the call for a military intervention in Liberia and Sierra Leone. The francophone states could not breach the tenets of ANAD and incur the displeasure of France. ECOWAS failed to consult the francophone states how they could work together without the latter breaching ANAD agreements. This failure impeded the early intervention action.

### **ECOMOG PROBLEMS**

Though one could argue that ECOMOG had success in its intervention in Liberia and Sierra Leone, a closer look would reveal that it was rather a limited success. The reasons for the limited success was due to the operational problems, not legitimacy problems, encountered by the force from the time of deployment to their exit from Liberia and the merging with UNAMSIL in Sierra Leone. These problems could be seen from the ad hoc nature of the deployment, the opposition within ECOWAS, lack of coordination of the forces, the attitude of the rebel forces towards ECOMOG, the self-interest of some of the ECOWAS leaders, the nature of the conflict and the approaches adopted by ECOWAS/ECOMOG.

The ad hoc nature of ECOMOG's deployment was a pointer to the subsequent problems faced by the intervention forces. ECOWAS did not do all the necessary homework on the types of arms and weapons that they would need, the number of troops that would be needed and the various locations that the troops must be deployed to. Thus the troops lacked adequate preparations before their deployment. At the time of the deployment of the forces, Liberia was on the verge of collapse, there was split and proliferation of the rebel forces and the worst of all the NPFL, the main rebel group, opposed ECOMOG and branded it as a Nigerian-led occupation force and that it was a

ploy to deny Taylor of becoming a president. Thus Taylor's opposition forced ECOMOG to adopt a coercive strategy to force him to the negotiation tables.

The other problem ECOMOG faced was the division among ECOWAS leaders about the intervention. This division was due to the different political systems and military doctrines inherited from their respective colonialists. Many, mostly the francophone members especially Burkina Faso and Cote d'Ivoire opposed the attempts by ECOWAS to bring peace to Liberia. The anglophone members supported the intervention to deny Taylor the presidency of Liberia.

The lack of consensus among ECOWAS members resulted in paralyzed decision-making. The francophone and anglophone divide could be blamed for this and the support that individual states gave to the warring factions - Cote d'Ivoire and Burkina Faso supported Taylor and Sankoh while Nigeria supported Doe and Kabbah as long as the conflict lasted.

The sub-region lacks cooperation, the "collective state action within defined confines controlled by participating governments."<sup>79</sup> Collective state action in this respect is not meant to usurp national authority or to displace sovereignty but to achieve a collective goal. In the first place, there had not been any earlier military cooperation among the contributing states which could foster some kind of mutual understanding as to the purpose of the intervention. The absence of coordination hampered ECOMOG success as a peace keeping force.

The lack of cooperation further resulted in the troops never having a joint training before deployment to the conflict zones. Any joint training prior to deployment would at

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<sup>79</sup> Olufemi A. Babarinde, "Regionalism and African Foreign Policies" in Stephen Wright (ed.), *African Foreign Policies* (Boulder, CO: Westview Press, 1999), p. 217

least let each troop know its specific area of operation and how to easily coordinate with each other to attack the rebels thereby avoiding friendly-fire casualties. This would also help with the command and control of the operations.

The lack of the cooperation also displayed the force's lack of geographic knowledge of the terrains in the conflict zones. This gave the rebels an upper hand in the maneuvering around easily in the unmarked forest and marshy areas which were unknown to the ECOMOG troops.

ECOMOG suffered from weak intelligence and poor security capabilities which resulted in disaster, for example, when Doe was coming to ECOMOG headquarters, this information might have been delivered to INPFL who arrested and later assassinated him. On October 15 1992, the NPFL launched its devastating "Operation Octopus" attack on Monrovia in which ECOMOG was caught unprepared. It was after a lengthy battle that ECOMOG was able to oust the NPFL out of the capital. A strong intelligence capability would have put ECOMOG in a better position to intercept NPFL and other rebel intelligence.

Language barriers not only hindered easy communication flow among ECOMOG troops, but also contributed to misunderstanding as to which information being relayed as the troops received instructions in French and English and could not understand each other as their first languages were also diverse. One could sense the francophone and anglophone divide working on a different against the troops on the field.

Typical with any multilateral operations, a serious problem with the ECOMOG operation was chain of command and control. Each troop had to take order from the home country instead of ECOWAS Secretariat in Abuja, Nigeria. The orders given by

home country may be in contrast to what the ECOWAS would have wanted and because each troop depended on most of its supplies, they would rather heed to the dictates of their country's order than that of say, Nigeria though it controlled most of the operation.

Due to the limited number of troops for the operation, the troops were used for both peacekeeping and peace enforcement phases of the operation.<sup>80</sup> There was difficulty rotating the troops regularly or immediately after an enforcement period as a result of lack of funds to meet the logistic requirements of rotation. It was not possible to assume and maintain conciliatory mood when one in the previous moment was a peace enforcer and regarded as an enemy and in the next moment a peacekeeper.

In intra-state conflict it is difficult to identify and separate the combatants as there tend to be many factions to the conflicts. In contrast to the creation of buffer zones as in inter-state conflicts, peacekeepers in intra-state conflicts have to be deployed all over the country. ECOMOG underestimated the strength of the rebels and hence could not be deployed outside of Monrovia or Freetown at the early stages of the intervention and had to wait until the strength of the force was considerably increased by the addition of Nigerians and finally UN peacekeepers.

Due to poor logistics and ill-equipped troops many of the contingents had to rely on Nigeria for such supplies. With the lack of logistics, equipment and technical support, consequently the troops could not undergo any proper and adequate training either nationally or with other national troops before deployment. This brought about the lack of proper coordination of the troops on the ground.

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<sup>80</sup> Funmi Olonisakin, *Reinventing Peacekeeping in Africa: Conceptual and Legal Issues in ECOMOG Operations* (The Hague: Kluwer Law International, 2000), p. 180

With the limited equipments at the disposal of the troops, they could not be deployed beyond Monrovia and Freetown while most of the rebels were in the country side wrecking havoc among innocent civilians and foreigners. After ousting the military junta from power in Freetown, ECOMOG could not venture into the hinterland as they lack transportation and had poor knowledge of the geography of the country.

The problems enumerated above not only caused the prolongation of the civil wars, but also continued to drive the francophone and the anglophone members of ECOWAS apart. In order to resolve the division within its rank, the two blocs decided to overlook their differences and created a united front. This is evidenced, in Liberia, the merging of the SMC and the Committee of Five (exclusively francophone states) into the Committee of Nine. In Sierra Leone, the Committee of Four was increased to the Committee of Seven. The results of these merging were the blocs not seeing each other as competitors but as contributors and partners to achieve sub-regional peace and security.

To overcome its problems ECOWAS received help from the UN Security Council which through its resolutions got international actors like the US and the EU to get involved and these actors provided logistics and financial resources to assist ECOMOG's efforts to end the war. Peacekeepers from other nations became part of what ECOMOG began in Liberia and later in Sierra Leone. The strength of ECOMOG was increased with the arrival of UN in Liberia who worked side by side before its final withdrawal in October 1999 while some of ECOMOG-II contingents merged with UNAMSIL.

### **Peacekeeping (PK)**

The objectives of a pacific settlement of disputes as contained in Article 33 (1) of the UN Charter stress the need for parties to a conflict to seek solution first of all by

negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means of their choice. The main aim of peacekeeping is to create the appropriate security atmosphere for conflict negotiations to take place and the subsequent signing of peace agreements. This means that prior to the deployment of peacekeeping forces, there must be a cease-fire. It is sad to say that like many of the present operations the world over, this fundamental ingredient was missing in ECOWAS operations in Liberia and Sierra Leone.

ECOWAS' primary mission in Liberia was to negotiate a cease-fire, separate the warring factions and to maintain peace. The initial concern of ECOWAS Heads of State when ECOMOG was assembled and deployed was the evacuation of innocent civilians trapped in Monrovia. In other words, ECOMOG was first deployed based on the concept of multilateral intervention under humanitarian considerations. ECOMOG was to be a non-threatening force in order to gain the approval of Charles Taylor thereby debunking the assertion that the force was deployed in support for Doe. ECOMOG stopped the carnage and bloodshed in Monrovia and helped establish the interim government thereby preventing the anarchical situation and averted further unfolding of the disaster.

A closer scrutiny of ECOMOG's operation in Liberia would reveal that though ECOMOG was dubbed a "peacekeeping force", it did not perform as such because there was a clear divergence from the norms of traditional peacekeeping. When ECOMOG was assembled and deployed in August 1990, there was no cease-fire agreement among the warring factions. The failure of ECOWAS to achieve cease-fire before the deployment of ECOMOG reduced the chance for decrease in the hostilities against the force. ECOMOG was not able to reduce the military hostilities due to its partisanship with AFL in the



conflict instead of impartial peacekeeping. The first attempt for a cease-fire agreement among the warring factions was declined by the NPFL as it was “technically at war with the ECOWAS peacekeeping force as well as ECOWAS...”<sup>81</sup> The NPFL and AFL later signed an agreement of cessation of hostilities on October 24 1990.<sup>82</sup> In another development a cease-fire was later signed between the AFL, NPFL and INPFL in Bamako, Mali on November 29 1990. It is therefore appropriate to say that the presence of ECOMOG increased the scope, the intensity and the prolongation of the conflict.<sup>83</sup>

A peacekeeping force is characterized by neutrality and impartiality in conflict zones in order to show to the warring factions that their presence was for the good of each faction. As noted by John MacInnis,

the peacekeeper’s primary tool and his greatest source of protection, remains his credibility. This credibility is based on a combination of professional competence and perception of impartiality. Each of these characteristics is essential; if either is lacking, a peacekeeper is no longer credible and becomes, at least in the minds of the belligerents, a legitimate target.<sup>84</sup>

The Nigeria contingents of ECOMOG in Liberia and in Sierra Leone had been accused of siding with the Doe’s government and later the remnant of the AFL and the Kabbah regime in Freetown against the AFRC/RUF alliance respectively. In Liberia, the Nigerian contingent of ECOMOG formed alliances with various warlords who emerged after 1990 – Roosevelt Johnson and his ULIMO-J, George Boley and his LPC and the AFL after the death of Doe. Thus the Nigerian contingents and for that matter ECOMOG

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<sup>81</sup> BBC Monitoring Report, August 31 1990

<sup>82</sup> See “Agreement on Cessation of Hostilities and Peaceful Settlement of Conflict Between the Armed Forces of Liberia... The National Patriotic Front of Liberia...and The Independent National Patriotic Front of Liberia” *ECOWAS Document*, Banjul, the Gambia, October 24 1990

<sup>83</sup> Ofuatey-Kudjoe, p. 124

<sup>84</sup> John MacInnis (General), cited in Thierry Germond, ‘Peacekeeping and Humanitarian Action: A distinct and Complimentary Task’ in Alex Morrison, Douglas A. Fraser and James Kiras (eds.), *Peacekeeping with Muscle: The Use of Force in International Conflict Resolution* (Clementsport, NS: The Canadian Peacekeeping Press of The Lester B. Pearson and Canadian Council for International Peace and Security, 1997), pp. 77-78

compromised its neutrality. The Guinean ECOMOG contingent also had close ties with ULIMO-K as President Lansana Conte was its ally. The lack of neutrality on the side of ECOMOG compounded its operation. The invitation by Doe through a letter he sent to the ECOWAS Chairman and members of the Ministerial Meeting of SMC "... to introduce an ECOWAS peacekeeping force into Liberia to forestall increasing terror and tension and to assure a peaceful transitional environment" could be interpreted as the force from the very beginning would be partial towards Doe and as such seen as coming to fight against Taylor.<sup>85</sup> When ECOMOG expelled the NPFL from Monrovia by use of force, it compromised its neutrality by fighting alongside the INPFL and AFL. The alliance between ECOMOG and Johnson's INPFL brought about the tragic death of Doe.

Another aspect of PK – local consent of the warring factions – was non-existent. In Liberia, Charles Taylor, being the main rebel faction vehemently opposed the Nigerian-led ECOMOG as he regarded it as an occupation force and promised to attack them. ECOMOG was openly welcomed by Doe and Johnson's INPFL. The fact that Taylor refused the peacekeeping role of ECOMOG disqualified the force as such. But consent was achieved on November 28 1990 when NPFL and other warring factions agreed to cessation of hostilities and peaceful settlement of the conflict thereby qualifying ECOMOG as a peacekeeping force.<sup>86</sup> Getting local consent in intra-state conflict is a huge barrier in PK as it becomes difficult in finding who to sign a peace agreement with especially when there are at least seven or more warring factions in the conflict, without

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<sup>85</sup> *ECOWAS Document*: "Letter addressed by President Samuel K. Doe to the Chairman and Members of the Ministerial Meeting of ECOWAS Standing Mediation Committee" July 14 1990

<sup>86</sup> See "Joint Declaration on Cessation of Hostilities and Peaceful Settlement of Conflict" ECOWAS Document, Bamako, Republic of Mali November 28 1990

being accused of partiality and when there was proliferation of factions due to break-up of existing ones or formation of new ones.

In traditional PK, peacekeepers are not mandated to use force except in self defense. The self-defense norm constraints the peacekeepers but it could be used as a last resort. When Taylor openly vowed to attack ECOMOG if it steps in Liberia and showered it with bullets on arrival, ECOMOG has a cause to defend itself. But that was not the end of the story as ECOMOG had been accused of excessive use of force against the rebels which resulted in many civilian casualties. ECOMOG attacks on the rebels could be defended on the grounds that there was proliferation of rebel groups which made it impossible for the peacekeepers to easily identify and separate the warring factions. The easy identification and separation would have been possible had it been an inter-state conflict in which peacekeepers could easily be placed between the warring factions thereby creating buffer zones. The rebels could not be identified from civilians who were not conspicuous in their civilian dresses in contrast to the norm during warfare in which opponents could be easily identified by their uniforms. The urban guerrilla tactics adopted by the rebels made it difficult for the peacekeepers to use proportional force in their self-defense. The proportional force has the aim of using sufficient force “employed to achieve the objective of ending the immediate threat. Force should not be used to punish or retaliate for previous incidents.”<sup>87</sup> Thus ECOMOG’s retaliatory attacks on the rebels disqualify them as peacekeepers.

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<sup>87</sup> Trevor Findlay, “The Use of Force in Self-Defence: Theory and Practice” in Alex Morrison, Douglas A. Fraser and James Kiras (eds.), *Peacekeeping with Muscle: The Use of Force in International Conflict Resolution* (Clementsport, NS: The Canadian Peacekeeping Press of The Lester B. Pearson and Canadian Council for International Peace and Security, 1997), p. 51

An important component of peacekeeping is disarmament and demobilization of factions. In this aspect ECOMOG had a tough task as it was not able to bring the factions to disarm easily until very late during the conflict. This could be attributed to the inability of ECOWAS to achieve any cease-fire prior to the deployment of the force and its partisanship in the conflict. Disarmament would lead to the defeat of the various factions hence they refused to be disarmed. Taylor even went to the extent of only agreeing to the disarmament if it was done by the UN peacekeepers and not ECOMOG. When ECOMOG embarked on the disarmament of the factions which ended on February 7 1997, it was apparent that there were more weapons not handed over, and it was only with time that the hidden weapons were put into use and this posed a great threat to Taylor's administration and the people of Liberia.

ECOMOG had to grapple with many problems in Liberia from the very beginning when it was dubbed a "peacekeeping force". These problems bordered on the question of legitimacy of the operation, mandate and the lack of sufficient funding.

Legitimacy is an important element in peacekeeping. Without it the operation is criticized and lacks the support that it may need for its success from the international community. Broad-based legitimacy from the sub-region would have given ECOMOG the political, financial and military support it needed to succeed. Most of the Francophone member states openly criticized the composition and the deployment of the forces. This attitude brought to the fore the Anglophone and Francophone division in the sub-region. Even Mali and Togo, members of the SMC refused to contribute troops to ECOMOG probably due to pressure from other Francophone countries in the sub-region and France.

The nature of mandate according to which a peacekeeping force operates is vital, but ECOMOG lacked a clear-cut and consistent mandate in its operations. The original mandate of ECOMOG was to “conduct military operations for the purpose of monitoring the cease-fire, restoring law and order to create the necessary conditions for free and fair elections to be held in Liberia.”<sup>88</sup> ECOMOG’s mandate was changed many times to suit the situation on the ground and this was not an easy feat as Taylor attacked the troops and engaged ECOMOG in combat with deadly casualties.

Funding is an important integral part of any peacekeeping operation. The states in the sub-region were not able to contribute enough funds for the operation. This put the financial burden on Nigeria to provide the largest percentage of the funds and troops and this in turn resulted in its need to dominate the command and control of the whole operation. This dominance was the source of hegemony tendencies accusation leveled against Nigeria.

In Sierra Leone, ECOMOG’s mandate was to restore the overthrown Kabbah regime. How to do this without using force was questionable, if not impossible. In this case ECOMOG could not be regarded as a peacekeeping force as its aim was to oust the junta from power, no need to seek the consent of the warring factions, neutrality and limited use of force. There was no need for consent from the warring factions, no call for cessation of hostilities and there was use of force. Thus from the onset the force’s partiality could not be hidden. Thus ECOMOG’s presence in Sierra Leone was purely for peace enforcement reasons. On the other hand, it must be understood that ECOMOG’s presence was to restore of democracy and there was no other way than the use of force to

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<sup>88</sup> *Official Journal of ECOWAS*, vol. 21, 1992 p.7

achieve this goal. In short ECOMOG's action in Sierra Leone comes under the category of peace enforcement and not a peacekeeping because there was no peace to keep.

### **Peace Enforcement (PE)**

The lack of consent, cease-fire agreement and unclear mandate had sent a signal from the very beginning that the operation failed to meet traditional peacekeeping criteria and thus the force could not be dubbed "peacekeeping force" but rather a peace enforcing one.<sup>89</sup> A force going to rescue and evacuate innocent civilians and foreign nationals could not be said to be going to keep a peace. Such rescues needed stronger muscles and this can be done only through imposition of force. Thus the situation on the ground did not permit peacekeeping operation and the only option left for ECOMOG was to resort to the enforcement of a peace in order to create the corridor for cease-fire negotiations and the eventual resolution of the conflict.

ECOMOG's mandate in Liberia had to be readjusted after the unfortunate death of Samuel Doe in September 1990. This was to give the force the ability to implement the peace plan through enforcement in order to make the parties comply with the peace plan so that they can respect the cease-fire by which peacekeepers would be able to carry out their roles and this would make it possible for focusing the on cease-fire which would "create the corridor for further politicking".<sup>90</sup> The new mandate charged the force to "try and prevent arms and ammunition continuing coming to the rebels which were still not subscribing to a cease-fire."<sup>91</sup> The change in mandate not only helped to ECOMOG to oust NPFL out of Monrovia, but also made it possible for the troops to evacuate civilians trapped within cross-fire zones. With a revised mandate with the instruction to enforce a

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<sup>89</sup> *West Africa*, 6-12 August 1990, p. 2236

<sup>90</sup> Aboagye, p. 89

<sup>91</sup> *African Research Bulletin*, Vol. 27, No. 10 Oct. 1-31 1990, pp. 9872-9873

cease-fire, ECOMOG cleared the Liberian capital of all threats of attack, established and maintained an effective buffer zone and prevented further acquisition of arms and ammunition by the rebels. ECOMOG's operation took a different turn and thus moved from the peacekeeping state to that of a peace enforcing force with the possibility of neutralizing any attack from the rebel forces.<sup>92</sup> The blockade of the Buchanan Port by ECOMOG forces prevented combat supplies to reach the NPFL. With reinforcement to about 6 000 ECOMOG delivered devastating blows to NPFL through air bombardments of the rebels frontlines leading to the creation of a buffer zone around central Monrovia.<sup>93</sup> Festus Aboagye is of the view that this show of force not only helped correct the damaging perception of ECOMOG which was regarded as lacking sufficient equipment or were poorly prepared to defend the cease-fire but also halted the rebel shelling and created safe corridor for the evacuation of 30 000 refugees and the release of 5 000 prisoners of wars.<sup>94</sup> Clement Adibe has observed that "in the four years since the multinational intervention, ECOWAS has successfully prevented the further decay of Liberian civil society through several peace building initiatives."<sup>95</sup> This progress would not have taken place if ECOMOG had not changed its strategy from that of peacekeeping to peace enforcement. ECOMOG had to employ peace enforcement strategy in the first three years on four different occasions against various factions and at least twice against NPFL.<sup>96</sup>

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<sup>92</sup> Olonisakin, op. cit., p. 107

<sup>93</sup> Aboagye, p. 90

<sup>94</sup> Ibid

<sup>95</sup> Clement E. Adibe, "Institutionalist Theory and the ECOWAS Intervention in Liberia" *African Guardian*, October 1990, p. 31

<sup>96</sup> *West Africa*, 1993

## ECOMOG AND ECOMOG-II COMPARED

In contrast to ECOMOG's operation in Liberia which was deployed as a peacekeeping force and had to oscillate between peacekeeping and peace enforcement due to the situation on the ground, the Nigerian contingent of ECOMOG (already stationed in Sierra Leone on transit to Liberia) with the help of Sandline International entered Sierra Leone as a peace enforcer in order to restore the ousted President Kabbah and thereby deposing the AFRC/RUF regime in February 1998. The interesting point about this intervention was that this was a solo move by Nigeria which was due to the bilateral defense pact between the two states.<sup>97</sup> The fact that Nigeria has bilateral defense agreement with Sierra Leone does not warrant the intervention as the troops that went to Sierra Leone were in the guise as ECOMOG troops. The Nigerian contingent that intervened went in before the mandate from ECOWAS was tabled and endorsed. This is a misconception and a ploy by Nigeria to hide behind ECOMOG to exert its hegemonic tendencies.

If one wants to assess ECOMOG's peace enforcement action using the criteria for success suggested by Inis Claude – a willing leader which is able to take responsibility for directing the enforcement action a quick identification of the target of the enforcement; superior force which is to attack the target state and its allies – one would come to the conclusion that ECOMOG had mixed success in this area.<sup>98</sup> For a willing leader, ECOMOG was lucky to have Nigeria shouldering most of the responsibility for the force in both Liberia and Sierra Leone, but not without complications. Nigeria was quick to point out Charles Taylor and his NPFL as the main target in Liberia and thus

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<sup>97</sup> Olonisakin, *op. cit.*, p. 143

<sup>98</sup> Inis Claude, *Swords into Ploughshares* (New York: Random House, 1984), p. 252



must be eliminated, but Burkina Faso and Cote d'Ivoire regarded Doe as the main problem and hence must be removed in order to bring peace to Liberia. With Nigeria as the leader of the whole operation it was no surprise that ECOMOG in Liberia sided with the AFL, INPFL, ULIMO and LPC despite the opposition from Burkina Faso and Cote d'Ivoire.

In Sierra Leone, Foday Sankoh and his RUF was pointed out as the main target, but Burkina Faso and Cote d'Ivoire opposed this, but the opposition from the two states did not deter the enforcement action against the RUF/AFRC alliance.

ECOMOG from the onset had limited troops at its disposal as some of the SMC states (Togo and Mali) were reluctant to contribute troops to ECOMOG thus the force lacked a superior force. Moreover, the refusal of most of the francophone states to join in the operation against Taylor and Sankoh compounded the limited success for the forces. The situation changed when ECOMOG was later enhanced by sea, land and air forces and resulted in limited success to the force.<sup>99</sup>

Though ECOMOG had to oscillate between peacekeeping and peace enforcement in intra-state conflicts, the latter is not devoid of problems. There was difficulty identifying the target of enforcement. While the political leaders decided which faction should be the target of enforcement, the field commanders had a better view of other targets that ought to be stopped. The field commanders had to decide whether it would be advantageous for the enforcement troop to fight alongside local factions due to the latter's knowledge of the terrain and other conditions which may be foreign to the enforcers.<sup>100</sup> ECOMOG's alliance with ULIMO at the initial stages of the intervention in

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<sup>99</sup> Aboagye, pp. 111-113

<sup>100</sup> Ibid., p. 132

Liberia and later when there was a breakup within this faction into ULIMO-J and K and how ECOMOG had to fight ULIMO-K is illustrative of this type of intra-state conflict peace enforcement. Due to the number and proliferation of warring factions, it became difficult to identify the main target of enforcement. Normally, the faction that started the insurgency would be regarded as the main target, but with time power may change hands due to rivalry and breakaway within the target of enforcement (e.g. ULIMO J-K and NPFL-INPFL), demise of the faction due to the presence of a superior faction which is more organized, armed and had more funding leading to the change in the target of enforcement. This means that the focus of the enforcers must also change otherwise they would be wasting resources attacking an inferior faction. Enforcement problem becomes compounded when the situation on the ground is different from what the political leaders perceived to be the situation as they are the ones that call for the shots. This could be due to insufficient or lack of communication between the political leaders and the commanders on the field about the new developments on the ground which would lead the commanders to target other factions other than the original faction which the political leaders regarded as the main target. Thus, at times it means changing of alliances in the conflict with the aim of defeating a faction. The most difficult problem in this area is when there is a division among the political leaders as to who constitute the target of enforcement. While most members of ECOWAS targeted Taylor and his NPFL as the main faction, the Francophone members, especially, Burkina Faso and Cote d'Ivoire thought it was rather Doe that must be eliminated to bring peace to Liberia. This division damaged the credibility of ECOMOG.

Considering the problems associated with traditional peacekeeping and peace enforcement, there needs to be a middle-way in order to achieve peace in intra-state conflicts. One interesting aspect for the demand for military intervention in intra-state conflicts is the inadequacies embedded in the notion of traditional peacekeeping. Peacekeeping is suitable for inter-state conflicts, but inadequate to contain intra-state conflicts. A better approach to intra-state conflict is oscillation between Peacekeeping and Peace Enforcement. The situation on the ground thus dictates which approach seem appropriate hence the oscillation between PK and Peace Enforcement in Liberia and Sierra Leone.

## **CONCLUSION**

In this chapter I have demonstrated that the adherence to non-intervention principle and state sovereignty is declining due to the change in the international world order in the post-Cold War era when conflicts are intra-state oriented as distinct from inter-state oriented and when the demand for respect for human rights is desired above state sovereignty. Leaders who used to hide behind the protective shell of state sovereignty can no longer do so due to demand on actions to be taken against human rights violations, the destruction of infrastructure within state boundaries and the fear of intra-state conflicts spill over to neighboring states thereby resulting in regional or sub-regional conflicts.

The conflicts in Liberia and Sierra Leone had a devastating effect not only on the citizens but also the whole sub-region. The conflicts resulted in the thousands of refugee influx into neighboring states and this in turn threatened the internal peace and security of the receiving states.

The conflicts exposed the fragile nature of political control and authority in intra-state conflict in which the prerogatives of the state were in shambles and were up for grabs. The factions to the conflict robbed their states of the natural and human resources needed for development thereby destroying the infrastructure that would have promoted development and “good life” of the ordinary citizens. ECOMOG’s operation helped restored the control and political authority of Liberia and Sierra Leone from the clutches of anarchy and destruction. In other words, in order to restore the political control and authority of these states, force had to be applied and their territorial sovereignty violated. At the same time, ECOMOG’s interventions prolonged the conflict and the activities of some of the troops were questionable as they indulged in all kinds of vices.

One could say that the interventions in Liberia and Sierra Leone were undertaken for both selfish and minimal altruistic reasons. In their attempt to resolve the intra-state conflict in Liberia and in Sierra Leone, the main rationale for ECOMOG intervention bordered on limiting the deadly effect of conflict on the sub-regional stability and relieving of humanitarian suffering. ECOWAS saw the need for the intervention due to its moral obligations to the people of Liberia and Sierra Leone. The justification for ECOWAS intervention are well founded considering the flow of refugees into the neighboring countries, and the spill over effect of the conflict in Guinea-Bissau and the sporadic effect in Cote d’Ivoire and Guinea. But these justifications were not without problems.

From the very onset ECOMOG’s intervention in Liberia and Sierra Leone, seen from an international legal perspective, was a violation of independent sovereignty of these states as it interfered in their domestic affairs. But the changes in the international

political climate, especially in the post-Cold War era allow individual human rights to take precedence over state sovereignty in some cases. In addition, states now permit intervention in the domestic affairs of other independent sovereign states when the lives of individuals are in danger by the action of the state apparatuses or when rebels with the help of outsiders threaten the peace and security of the state, the region or the world at large. The deployment of ECOMOG violated the territorial integrity and sovereignty of Liberia and Sierra Leone, but for a good reason – humanitarian concern and the fear of conflict spill over. To intervene without protocols for intervention created a security regime that turned from intervention for humanitarian purposes to sub-regional imperialism by Nigeria.

ECOMOG's intervention seen from a traditional peacekeeping perspective was fraught with many flaws as there had never been a formal cease-fire before the deployment of the forces, no consent from the warring factions, compromised neutrality and aggressive use of force by ECOMOG soldiers. As traditional peacekeeping was of little use in an on-going conflict, ECOMOG had to switch from peacekeeping to peace enforcement to match the situation on the ground, but this was not devoid of problems.

ECOMOG's intervention on humanitarian grounds was to avert humanitarian disasters. Though ECOMOG achieved some degree of success, the intervention also aggravated the plight of the people of Liberia and Sierra Leone thus in the short term, the presence of the force escalated the humanitarian crisis for which it was sent to end. ECOMOG soldiers looted the resources of Liberia and Sierra Leone and brutalized elements of the civilian population. Despite this limitation ECOMOG did bring relief to

the people of these states when it intervened thereby averting a larger humanitarian crisis in the sub-region.

ECOWAS not only lack cohesion, consensus, cooperation and standardized training, but also structures for responding to command and control and logistics needs compared to the UN. The organization does not have assets to conduct a traditional peacekeeping operation of the magnitude as in Liberia and Sierra Leone. The conflict management needs of ECOWAS are far beyond the resources that the organization has at its disposal.

The conflicts in Liberia and Sierra Leone are not per se about the sovereignty of these independent states, but rather the peace, security, stability and prosperity of its citizens and the sub-region, though indirectly affected the sovereign authority of these states. It cannot be overemphasized that healthy development cannot co-exist without peaceful, secured and stabilized environment. In the absence of these and when the lives of innocent people are in danger there is the need for an urgent action to be taken especially when the international community and the big powers are reluctant to use their diplomatic pressures to bear on the perpetrators of heinous crime against humanity.

## ***Chapter Five: Conclusion***

The international relations landscape in the post-Cold War era and most situations for which intervention occurs is changing. Meanings attached to the concept of intervention are not in abstract, but are rather determined by the development of situations in the world. All these lead to an expanded, if not new, interpretation and understanding of this concept. The upsurge in intra-state conflicts, concern about human rights violations and the fear of conflict spill-over have led to increase in a demand for military intervention in order to prevent emerging threats to international peace and security.

This study has explored how the loss of political control and authority led to intra-state conflict which in turn threatened the security of the West African sub-region. The study has also explored the rationales for and implications of ECOWAS/ECOMOG military interventions in Liberia and Sierra Leone and the practical problems that such intervention entails. We need to re-conceptualize intervention due to the changing nature of conflicts, the fear of conflict spill over and the intolerance for basic human rights violations perpetrated by leaders. With a re-conceptualization, military intervention and state sovereignty would not be regarded as opposing each other, but rather complementary, wherein any legal wrangling will be avoided as to the legality of military intervention in the domestic affairs of states.

The growing concern about the violation of human rights by many leaders especially in the developing countries, has called for military intervention for humanitarian purposes. When it comes to issues of human rights violations, whereby

leaders abuse the rights of its citizens leading to chaos and anarchy, the non-intervention principle of international law should never be used as a defense to prevent outside intervention. The non-intervention principle should not prevent the UNSC from interpreting human rights violations as a source of threats to international peace and security and the perpetrators of such crimes should face the rigors of international law. Kofi Annan has expressed this reconsideration and the role of leaders when he stated that “The [UN] charter protects the sovereignty of peoples. It was never meant as a license for governments to trample on human rights and human dignity. The fact that a conflict is ‘internal’ does not give parties any right to disregard the most basic rules of human conduct...”<sup>1</sup>

Seen in this light, the killing of non-combatants, the aged, women and children, raping of women and girls, enlisting of minors into guerrilla war, whether voluntarily or under duress, and causing people to become internally displaced and refugee in other countries, mass massacres, mutilations, maiming, and taking of hostages as a result of loss of control and political authority, made intervention necessary in West Africa.

ECOMOG’s action in Liberia and Sierra Leone set important precedents in sub-regional conflict management. In the first place, the sub-regional organization embarked on a peacekeeping mission outside the auspices of the UNSC. Second, the intervention gave a new and practical interpretation of Chapter 52 of the UN Charter which authorized regional agencies to manage local conflicts with the UNSC approval. Third, the support given to ECOWAS/ECOMOG could be interpreted as a pragmatic approach to conflict management by the UNSC, in which regional organizations are given a broader scope for initiative in sub/regional conflict management efforts taking into consideration the

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<sup>1</sup> Kofi Annan, UN Secretary-General quoted in *International Herald Tribune*, 27-28 June 1998



difficulties presently facing the UN peacekeeping operations as discussed in the previous chapter. Boutros-Boutros Ghali remarked that

the peace process in Liberia poses a special opportunity... in that UNOMIL would be the first peacekeeping operation undertaken by the UN in co-operation with peacekeeping mission already set up by another organization, in this case, a sub-regional organization... This relationship potentially presents some challenges, but I am confident that with goodwill from all concerned... this relationship will be successful and may even set a precedent for future peacekeeping missions.<sup>2</sup>

Thus both the UN and ECOWAS broke new ground in the area of peacekeeping in order to preserve regional peace and security. However, we must not be naive about the challenges and problems that sub/regional organizations face on such missions – insufficient and ill-trained troops, weak logistics and inadequate funding, hegemonic tendencies of individual states, and the tendency of conflict spill over when such intra-state conflicts are not contained.

Humanitarian intervention had been the battle cry of some of ECOWAS leaders. Their argument was that the intervention was for a specific humanitarian purpose and thus perhaps the most compelling case of a change in national as well as international thinking. This humanitarian battle cry echoes the call for intervention to alleviate human sufferings. Thus humanitarian intervention is regarded as a purposeful and principled international response to threats to human peace and security. The caveat here is that we should not be naïve about the tendency of interveners to pursue their personal or national interests under the guise of humanitarianism.

ECOMOG's action could be said to have thrown humanitarian intervention in a new light in internal conflicts. There is heightened awareness among leaders in the sub-

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<sup>2</sup> Michael Weller, (ed), *Regional Peacekeeping and International Enforcement: The Liberian Crisis* (Cambridge: Cambridge University Press, 1994) pp. 380-388

region that unlike in the past, negative sovereignty provides less immunity against atrocities within the well defined territorial borders. In light of this one could say that negative sovereignty is no longer an obstacle to international action when violations of human rights occurred. To put it differently, international law and for that matter sovereignty, is being challenged by its dual commitment to human rights and state sovereignty. Andy Knight is of the view that

... the need to enforce human rights protection exposes a tension between two fundamental but conflicting UN Charter principles: the principles of state sovereignty and non-intervention, embodied in Articles 2 (4) and 2 (7) of the Charter and that of human rights protection and humanitarian protection, incorporated into the preamble, Article 1 (3), 13, 55, 56, 68, and 76 of the Charter.<sup>3</sup>

Interestingly, international law attempts to protect the individual, but it rejects outside solution to human rights violations on the basis of a state's sovereign rights. Thus, the increasing demand for UN involvement in intra-state conflicts for humanitarian purposes "... seems to present a genuine moral dilemma in which important and well-established principles [human rights and non-intervention] conflict so fundamentally that reasonable men of good will may disagree on how that conflict is to be resolved."<sup>4</sup> The intervention in Liberia and Sierra Leone as in other states - Somalia, Rwanda, etc - clearly challenges the notion that sovereign rights of states is above human rights. Still, one cannot deny that individual and sub-national groups' rights are usually subordinate to the principles of state sovereignty. The protection of the rights of people involved in civil wars would imply that self-determination is protected and not the sovereignty of the state leaders as Charles Taylor and Sankoh would have us believe. If a state violates human rights against

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<sup>3</sup> Andy W. Knight, "The Changing Human Rights Regime: State Sovereignty and Article 2 (7) in the Post-Cold War Era" in *Article 2 (7) Revisited*, ACUNS Reports and Papers No. 5 p. 40, 1994

<sup>4</sup> Jack Donnelly, "Human Rights and Humanitarian Intervention and American Foreign Policy: Law, Morality and Politics", *Journal of International Affairs*, Vol. 37, Winter, p. 320, 1984

its subjects it can no longer claim legitimacy and a right to non-intervention. Liberia and Sierra Leone offer a precedent in which human rights concerns have been considered superior to national sovereignty, when combined with other incentives to intervene.

### **Lessons for the future of West African peacekeeping**

A number of changes are inevitable within ECOWAS and ECOMOG if the organization is to be an effective organization and a peacekeeping force respectively:

1. The conflicts in Liberia and Sierra Leone exposed the weakness and the division within ECOWAS along the francophone and anglophone divide. ECOWAS must shake off its inherited colonial differences in order to work as unified organization.

2. Prior to any future West African peacekeeping operation, there should be a cease-fire agreement among the warring factions. Cease-fire must be accompanied by peace agreements which must focus on both the text and program of implementation. There is the danger of the collapse of the peace agreements when the implementation requirements are not met.

3. ECOWAS needs a veto power mechanism which will be binding on all members so that decisions made by the organization would not be disrespected by some of the member states. Members must therefore respect the majority rule of all decisions.

4. Member states must be constantly reminded of their obligations as embedded in the ECOWAS Treaty which enjoins members not to directly or indirectly support political exiles, dissidents and insurgents in the neighboring states.

5. It is advisable to avoid intervention in the absence of legal justification as this would result in legal wrangling among member states while people and infrastructure are destroyed. Some of the member states would use the absence of legality of the

intervention to back down on their commitments as Togo and Mali did. ECOWAS should therefore seek international support in all its intervention operations through multilateral regional approach. Bilateral engagement should not be tolerated.

6. Broad diplomatic and economic sanctions and embargoes on arms, ammunition and natural resources should be imposed and effectively enforced by military action which should also aim at pressurizing the parties to agree to peace.

7. Peacekeeping mandates and roles of ECOWAS peacekeepers must be clear and unambiguous. The peacekeeping force must be sufficiently strengthened, adequately equipped and funded in order to get the job done.

8. Peace enforcement should not be embarked upon as an initial strategic option was the case in Sierra Leone. However, enforcement should be applied to deal with limited violations of cease-fires. Peace enforcement should be used in conjunction with mediation in order to maintain pressure on warring factions.

9. The ECOMOG Force Commander must be answerable to the Authority through the Executive Secretary and not to his Defence Secretary or the state that contributed the largest contingent and funding. This would help to ensure continuity of political direction and control of the operation.

10. The Command structure of ECOMOG should reflect its regional multilateral character and be increasingly balanced among the contributing states. This will diffuse the domination of one state or groups of states of the Force.

11. The channels of command, control and communication of the ECOMOG force should be integrated and strengthened at all levels of the force through liaison and joint planning.

12. ECOWAS needs a powerful leader whose policy objectives must be consistent with the recognized principles of international order which other member states could easily identify with thereby building a strong consensus. The leader must also be in position to coordinate all the member state thereby breaking the francophone-anglophone divide within the organization. However, there must be checks and balances so that one state does not dominate the whole operation. In the sub-region, Nigeria has the capabilities and could be a reliable and valuable leader due to its resources - finance and manpower. However, it must be checked otherwise it would abuse the trust of leadership.

13. ECOWAS must be proactive in conflict management and there are signs pointing to that direction as evidenced when in December 1999 it adopted the ECOWAS Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security at its summit in Lomé, Togo.<sup>5</sup> This mechanism could be said to be an expansion of the Non-Aggression Protocol of 1978 and the MAD Protocol of 1981. The 1999 Mechanism was designed to help contain and defuse impending conflict. To help achieve this aim, the Mechanism has six bodies: the Mediation and Security Council, the Defense and Security Commission, Council of Elders, Executive Secretariat and Executive Secretary and the Early Warning Observation System and ECOMOG which is peacekeeping and monitoring arm of the Mechanism. In order not to just be a white elephant like other mechanisms (and if the force's main task is to observe and monitor, peacekeeping, humanitarian intervention, enforcement of sanctions and embargoes, preventive deployment, peace-building operations, disarmament and demobilization, and policing activities which include anti-smuggling and anti-criminal activities), then ECOWAS must exercise a veto power, have binding agreements, do away with its

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<sup>5</sup> See Emmanuel K. Aning, *Africa Security Review*, Vol. 9, No. 5/6, 2000

parochial political interests, be committed to the organization's financial, logistical and training obligations. The force must embark on periodic training exercises to enhance the cohesion of the troops and be conversant with equipment needed for peacekeeping operations thereby eradicating the ad hoc nature of deployment of the force.

14. One cannot deny that ECOMOG peacekeepers violated the established rules of warfare and crimes against humanity when they became party to the conflict and indulged in various forms of atrocities unbecoming of peacekeepers. In order to discourage these violations there is the need to have a well-defined rights and duties of peacekeeping, an enforceable international humanitarian law for peacekeepers. Without these mechanisms in place the peacekeepers could act with impunity. Peacekeepers and their commanders must be held responsible for their indiscriminate use of force and human rights violations.

15. There is the need to secure sufficient funding for ECOWAS military actions thereby depriving one state of bearing the burden of the operation which will in turn give them the chance to dictate the modus operandi of the operations. In the absence of sufficient funding deployment of ECOMOG may be delayed and the sub-region would be in chaos and it would encourage the hegemonic tendencies of states, especially Nigeria.

This study has shown that lost political control and authority lead to intra-state conflicts which in turn threaten sub-regional peace and security. ECOWAS/ECOMOG intervention in Liberia and Sierra Leone indicates that in the post-Cold War era, the big powers are reluctant to intervene in countries where and when their vital national interest is not threatened, even when there is a collapse of central government administration, intra-state conflict, violation of basic human rights and fear of conflict spill-over. The

promotion of good governance and equal distribution of national resources will avert most of these problems experienced by states of the sub-region

ECOMOG operations in Liberia and Sierra Leone show examples of sub-regional peacekeeping though it was not without flaws. But we must be cautious of the role such operations could entail because it could be an illusion to believe that sub-regional organizations due to their geographical proximity would be in a better position to intervene successfully in such conflicts. Such factors as political and legal support for the intervention, common goals of intervention and common military strategies of peacekeeping must be taken into consideration. Sub-regional bodies must know when and under what circumstances peacekeeping or peace enforcement should be employed. If member states of ECOWAS are truly committed and interested in the peace and security of the sub-region, the sacrosanct state sovereignty, personal and national interest must play a second fiddle to the organization's interests.

Ultimately, only the threat of military intervention will restrain the arbitrary use of force by states against their subjects. Though one would desire such intervention for humanitarian purposes, it must be approached with caution. ECOWAS/ECOMOG intervention in Liberia and Sierra Leone is instructive about the potential problems that arise when regional bodies conduct such operations.

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**APPENDIX ONE****LIBERIA: Chronology of Significant Events**

<b>Date</b>	<b>Events</b>
1847	Republic of Liberia founded for Americo-Liberians
1844	President William V. Tubman introduced his "Unification Policy"
1980-1990	Sergeant Samuel K. Doe's repressive regime marked by violence, human rights abuse and repeated coup attempts.
Dec. 1989	NPFL under the leadership of Charles Taylor began its insurrection from Cote d'Ivoire. Civil war spread from north east of Liberia and later spread throughout Liberia.
July 1990	NPFL reaches and besieged Monrovia
Aug. 1990	ECOWAS agreed to the establishment of ECOMOG and IGNU. ECOMOG deployed in Monrovia under the command of General Arnold Quainoo of Ghana. NPFL repelled by ECOMOG
10 Sept. 1990	Doe captured and assassinated by Prince Johnson and his INPFL. Major General J.N. Dogonyaro appointed as Field Commander of ECOMOG.
Nov. 1990	IGNU under Amos Sawyer was installed in Monrovia. Bamako cease-fire agreement
1991	Series of failed Peace Talks. Yamoussoukro, Cote d'Ivoire talks began. ULIMO began operations against NPFL
March 1991	NPFL-backed rebel raids in Sierra Leone. ULIMO fought alongside Sierra Leonean Army
June-Oct 1991	Yamoussoukro I-IV Accords. UN Security Council endorsed ECOWAS/Yamoussoukro IV
May-Nov 1992	ULIMO-NPFL fights escalated. NPFL launched new attack on Monrovia ("Operation Octopus"), but repulsed by ECOMOG. UN Secretary-General appointed Special Representative (SRSG) to Liberia. ECOWAS backed peace enforcement. ECOMOG allied with ULIMO and AFL against Taylor's NPFL. UN Security Council Resolution 788 imposed Chapter VII arms embargo on all factions except ECOMOG.
July-Aug. 1993	Geneva Peace Talks. Cotonou (Benin) Peace Accord signed – transitional government, elections and wider ECOMOG force. UN monitored disarmament failed amid increased factional fighting. UN Observer Mission in Liberia (UNOMIL) created and deployed
Sept. 1993	Secretary-General recommended UNOMIL headed by SRSG to monitor Cotonou Accord. ECOMOG to manage disarmament backed by UN Security Council Resolution 886
Oct-Dec. 1993	Disarmament and transitional government stalled. A new faction, LPC emerged in southeast and fragmentation threatened peace process.
Jan-June 1994	Amos Sawyer resigned in March and IGNU replaced by LNTG. Minimal disarmament deployed. UNOMIL mandate extended by UN Security Council Resolution 911, but warning was issued limited international help. Disputes within factions within LNTG. Conflict within ULIMO
Aug.-Dec. 1994	ECOWAS reaffirms Cotonou Accord. Disarmament halted due to factional fighting. Akosombo Agreement and Accra (Ghana) Peace talks
1995	Continued fighting. Abuja I Peace Accord. LNTG II installed. Wider ECOMOG deployed halted by renewed fighting
1996	April-May mayhem in Monrovia. Abuja II Peace Accord (19 August). New Timetable for disarmament and elections adopted.
July 1997	Charles Taylor won the election and inaugurated as President of Liberia

Insurgency by Liberia United for Reconciliation and Democracy (LURD)  
 Taylor rescind power  
 Aug. 11 2003 Taylor gained political asylum in the state of Callabar, Nigeria

### APPENDIX TWO

#### **Liberian Peace Accords/Agreements**

Aug. 7 1990 Banjul (the Gambia), ECOWAS Peace Plan  
 Nov. 28 1990 Bamako (Mali) Peace Agreement  
 Oct. 24 1990 Banjul (the Gambia) Peace Agreement  
 Feb. 13 1991 Lomé Peace Agreement  
 June 30 1991 Yamoussoukro I (Cote d'Ivoire) Peace Accord  
 July 29 1991 Yamoussoukro II (Cote d'Ivoire) Peace Accord  
 Sept. 17 1991 Yamoussoukro III (Cote d'Ivoire) Peace Accord  
 Oct. 30 1991 Yamoussoukro IV (Cote d'Ivoire) Peace Accord  
 July 17 1993 Geneva Peace Accord  
 July 25 1993 Cotonou Peace Accord  
 Sept. 12 1994 Akosombo Peace Agreement  
 Dec. 21 1994 Accra Peace Agreement  
 August 19 1995 Abuja I (Nigeria) Peace Accord  
 August 17 1996 Abuja II (Nigeria) Peace Accord

### APPENDIX THREE

#### **Sierra Leone: Chronology of Significance Events**

<b>Date</b>	<b>Events</b>
1787	Four hundred freed slaves settled in Freetown
1808	Freetown became British Crown Colony
1947	Sierra Leone as British Protectorate
1953	Introduction of Indirect Rule in British West Africa
April 27 1961	Sierra Leone became Independent under the leadership of Sir Milton Margai, head of the Sierra Leone People's Party (SLPP).
1964	Albert Margai succeeded his brother as President of Sierra Leone.
1967	Siaka Stevens and his All People's Congress (APC) won the election but he was prevented by a military coup by Brigadier David Lasana to become President. National Reformation Council took over the affairs of the country.
1968	Coup by Non-commissioned officers (NCOs). Siaka Stevens returned to power.
1978	One-party system introduced by Siaka Stevens.
1985	Major General Joseph Momoh succeeded Siaka Stevens.
March 23 1991	RUF invaded Sierra Leone from Liberia
April 29 1992	Palace coup by Junior Officers and selected Captain Valentine Strasser as chairman of National Provisional Ruling Council
March 1995	Strasser contracted Executive Outcomes (EO) for security and training of Sierra Leone Army (SLA).
Jan. 16 1996	Palace coup by Brigadier-General Julius Maada Bio and became chairman of NPRC.
Feb. 26-27 1996	Presidential and legislative elections. Ahmad Tejan Kabbah of SLPP won and was sworn in as President on March 29.

March 25-26 1996	Peace and cease-fire talks between Bio and Sankoh in Yamoussoukro, Cote d'Ivoire
April 22 1996	Peace talks between Sankoh and Kabbah
Nov. 30 1996	Kabbah and Sankoh signed the Abidjan Peace Agreement witnessed by the UN, Commonwealth, OAU and government Cote d'Ivoire which also acted as moral guarantors.
March 6 1997	Sankoh arrested and detained in Nigeria upon Kabbah's request.
March 25 1997	Coup by junior officers with Major Paul Johnny Koromah freed from prison and chosen as chairman of Armed Forces Revolutionary Council (AFRC). Kabbah fled to exile in Conakry, Guinea.
March 26 1997	Nigerian contingent of ECOMOG intervened militarily in the coup.
June 1 1997	Joint rebel-junta rule with Sankoh chosen as vice chairman of the ruling AFRC
June 27 1997	ECOWAS foreign ministers adopted a three-point plan in Conakry to persuade AFRC/RUF junta to relinquish power. A Committee of Four (foreign ministers from Nigeria, Cote d'Ivoire, Ghana and Guinea) appointed
July 18-19 1997	Committee of Four met in Abidjan with the AFRC/RUF representatives to negotiate reinstatement of Kabbah.
Aug. 29 1997	ECOWAS heads of States Summit in Abuja, Nigeria, adopted sanctions on petroleum products, arms imports and international travel of AFRC/RUF leaders. Committee of Four expanded to Five (Liberia added). ECOMOG's official mandate extended to include Sierra Leone.
Oct. 8 1997	UN Security Council adopted Resolution 1132 which established an embargo in weapons and military equipment, petroleum and petroleum products to Sierra Leone. ECOWAS was mandated to enforce the embargo under Chapters VII and VIII of the UN Charter.
Oct. 23 1997	ECOWAS Peace Plan
March 10 1998	Kabbah reinstated as President of Sierra Leone.
July 13 1998	UN Security Council adopted Resolution 1181 which established the UN Observer Mission in Sierra Leone (UNOMIL).
July 25 1998	Sankoh returned to Sierra Leone to face war crime charges.
Oct. 31 1998	Sankoh was sentenced to death, appealed against the sentence and had it turned into life imprisonment.
Jan. 6 1999	AFRC/RUF invasion of Freetown amidst massive destruction, loss of life and amputations
May 18 1999	Lomé cease-fire agreement signed by Sankoh and Kabbah and witnessed by US Special Envoy, Jesse Jackson and President Eyadema of Togo.
July 7 1999	Lomé Peace Accord signed by Sankoh and Kabbah.
Oct. 22 1999	UN Security Council Resolution 1270 established the UN Mission in Sierra Leone (UNAMSIL).
Feb. 7 2000	UN Security Council Resolution 1289 – authorized the increase of UNAMSIL strength to 11 000.
April 4 2000	ECOMOG commenced troop reduction and the remaining subsumed under UN.
May 2 2000	ECOMOG completed its withdrawal from Sierra Leone.
May 17 2000	Arrest of Sankoh
Jan. 2002	Disarmament of factions completed.
May 2002	Kabbah won the election
July 29 2003	Sankoh died in custody while facing charges at the International Tribunal set up to try war crimes in Sierra Leone.

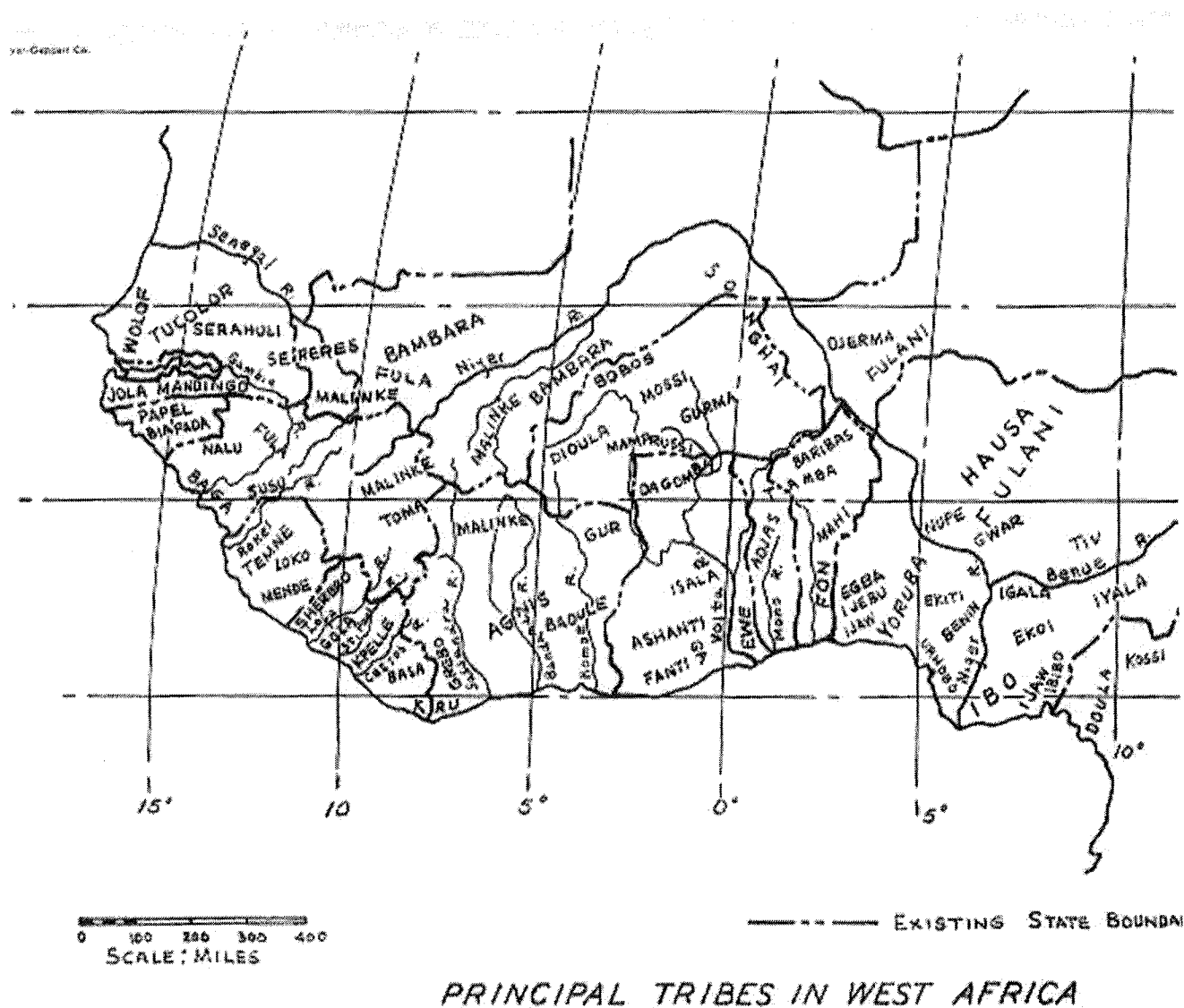


**APPENDIX FOUR****Sierra Leone: Peace Accords/Agreements**

Nov. 30 1996	Abidjan Peace Accord
Oct. 23 1997	Conakry Peace Agreement
July 7 1999	Lomé Peace Agreement

Appendix Five

**Figure 1: Map of West Africa – Principal Ethnic Groups**



(Courtesy, Denoyer-Geppert Company)

APPENDIX SIX

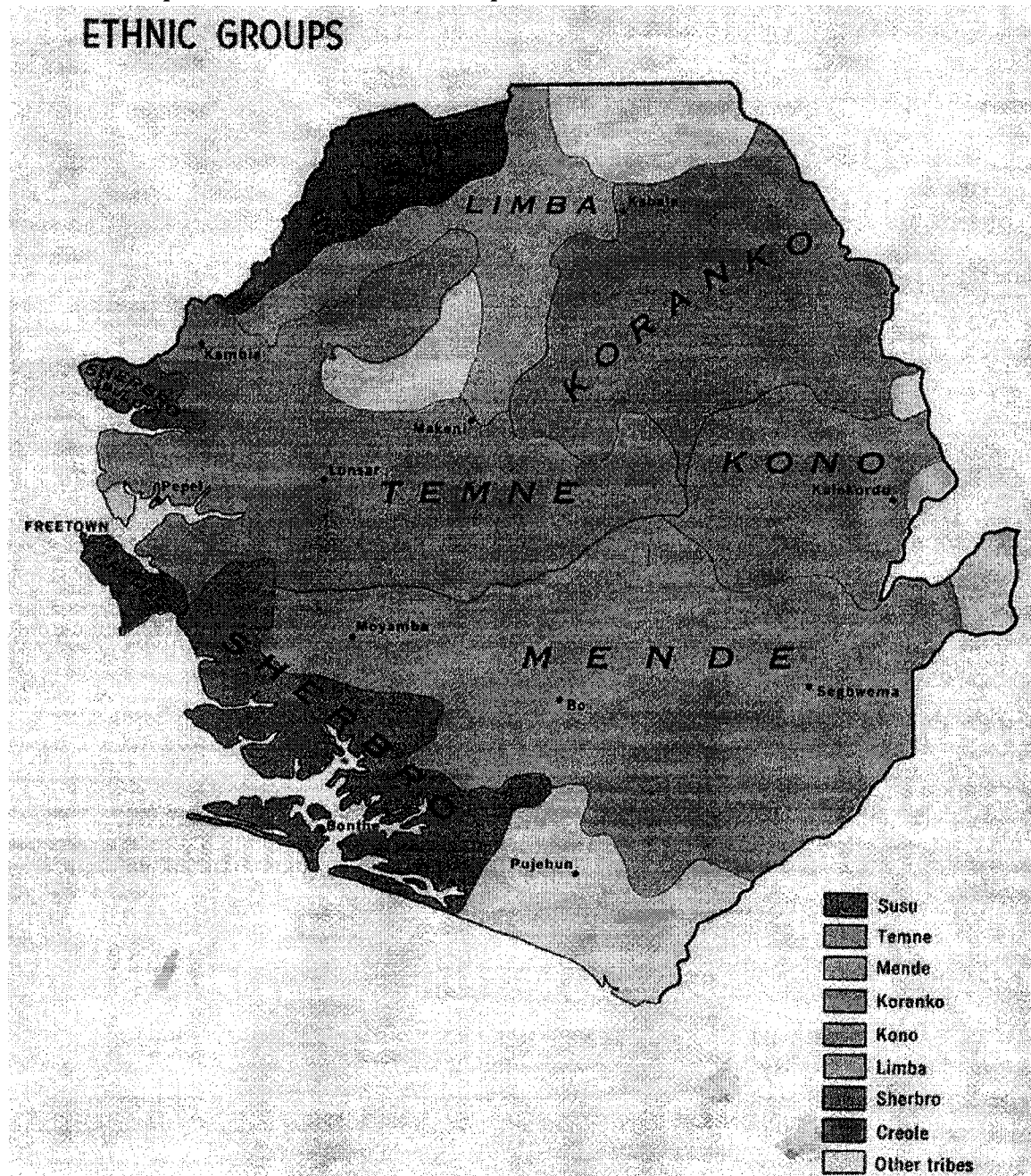
Figure2. Map of Liberia – Ethnic Groups



(Courtesy: American University Press)

APPENDIX SEVEN

FIGURE 3: Map of Sierra Leone – Ethnic Groups



Courtesy: Perry-Castaneda Library Map Collection