

SG to SC President
(Liberia sanctions regime)
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Dear Mr. President,

By its resolution 2188 (2014), the Security Council requested me to provide an update on the progress made by the Government of Liberia in implementing the recommendations on the proper management of arms and ammunition, including enacting the necessary legislative frameworks, and on facilitating the effective monitoring and management of the border regions between Liberia and Côte d'Ivoire. These recommendations were contained in my letter to the President of the Security Council dated 29 September 2014 (S/2014/707) following an assessment mission concerning the Liberia sanctions regime conducted from 5 to 12 September 2014 (2014 assessment mission). This update reviews major relevant developments in Liberia since the 2014 assessment mission and reviews progress against each of the recommendations made.

Key updates

In my letter of 29 September 2014 (S/2014/707), I stated that in view of the uncertainties of the Ebola outbreak, the Security Council may wish to defer any adjustments to the existing sanctions measures for six months or until the situation in the country stabilizes and the Government and its partners are better able to implement the capacity-building efforts being proposed. The present stability in the country and the Government's commitment to security sector reforms in anticipation of the United Nations Mission in Liberia (UNMIL) security transition and drawdown demonstrate that Ebola no longer represents an obstacle to moving forward on the recommended capacity-building measures.

The deadline set by the Security Council by its resolutions 2190 (2014) and 2215 (2015) for the Government to complete the full assumption of security responsibilities from UNMIL has revitalized the security sector reform process in Liberia, providing opportunities for tangible progress in the area of arms and ammunition management and the monitoring and management of the border. The 30 June 2016 deadline has focused attention on specific deliverables that must be in place to ensure a smooth transition and the Government's transition plan has created a framework by which progress can be monitored. United Nations and bilateral support for the transition will remain critical.

His Excellency
Mr. Gerard Jacobus van Bohemen
President of the Security Council
New York

Since the 2014 assessment mission, the Government of Liberia has made some limited, but significant, progress in implementing the recommendations for capacity-building with respect to arms and ammunition management. The commencement of arms marking by the Armed Forces of Liberia in accordance with the Economic Community of West African States (ECOWAS) standards should be viewed as a major step forward. Completing the marking of all government-owned weapons by the end of 2015 now represents an achievable goal.

Progress on recommendations has, however, been uneven and insufficient focus has been given to completing the regulatory framework for the importation and private possession of arms and ammunition. Priority must be given by the Legislature to considering the draft firearms and ammunition control act if it is to be enacted by December 2015.

In the areas where progress in implementing recommendations has been made, activities have been undertaken within existing resources or through external funding. The progress in weapons marking highlighted the value of quick-impact projects of UNMIL. Longer-term capacity-building requires sufficient budgetary support from the Government to the relevant agencies, together with internationally funded projects. I would like to encourage donors to support the project that has already been prepared by the Office for Disarmament Affairs, at the request of the Liberia National Commission on Small Arms, which would implement many of the recommendations on capacity-building.

The inspection of government armouries by UNMIL, most recently mandated in resolution 2190 (2014), remains an important means of monitoring government-owned weapons and ammunition. It is also increasingly being used as a tool to support capacity-building of Liberian security agencies and should be maintained within the UNMIL mandate.

Among the security agencies responsible for monitoring and managing the border regions, both the Bureau of Immigration and Naturalization and the Liberia National Police have laid the groundwork for initiating future deployments. While deployment and patrols of the Bureau of Immigration and Naturalization personnel along the border have increased, those of Liberia National Police personnel are yet to commence. Given the timetable for the drawdown of UNMIL, these deployments need to be accelerated.

The logistical, communications and mobility capacity challenges addressed in the 2014 assessment persist. It is important that budgetary uncertainties are resolved to ensure continuity in training activities, especially in the area of firearms training and arms and ammunition management, and that final personnel numbers and a timeline for deployment of the Bureau of Immigration and Naturalization to the border areas is concluded.

Despite their continued border closure, the Governments of Liberia and Côte d'Ivoire have further increased efforts to strengthen coordination and information-sharing for border security and stabilization. I welcome their continued bilateral engagement. The Post-Ebola Recovery Plan also provides a sub-regional framework to revitalize security and border stabilization mechanisms. The positive momentum from the Plan should be used to accelerate implementation of ongoing operational activities, as well as longer-term projects of the Mano River Union (MRU) and ECOWAS.

Major developments since the 2014 assessment mission

The 2014 assessment mission was undertaken at the height of the Ebola outbreak. At the time, it was clear that the epidemic was having a significant impact on all national institutions, including the security sector and threatened to undermine the important gains made by Liberia during the previous decade. The concern and focus of the Government and the international community was to respond to the crisis. The exceptional circumstances occasioned by Ebola were recognized by the Security Council. By its resolution 2176 (2014), the Security Council extended the mandate of UNMIL for three months, and endorsed my recommendation to defer consideration of the proposals on adjustments to its mandate. Similarly, no adjustments were made to the sanctions regime, which was extended for an additional period of nine months with the adoption of resolution 2188 (2014).

The severity and immediacy of the threat to Liberian state institutions from Ebola has now passed and the country remains stable. The World Health Organization (WHO) declared Liberia free of Ebola virus transmission on 9 May 2015 after a period of 42 days in which no new cases of infection had been identified. However, Government reports of six Liberian nationals testing positive for Ebola (two of whom died) since 29 June 2015, highlight that there is no room for complacency.

The Ebola outbreak revealed multi-sector fragility within the State and highlighted institutional weaknesses within the Government. The long-term impact on security sector reform appears, however, to have been largely limited to delays, rather than reducing the Government's overall capacity. On 6 March 2015, the National Security Council endorsed the Government of Liberia Plan for UNMIL Transition (transition plan) in line with resolutions 2190 (2014) and 2215 (2015) which set 30 June 2016 as the deadline for the Government to assume fully its complete security responsibilities from UNMIL.

The transition plan, which includes specific benchmarks and a summary of activities with timelines, sends an important signal about the Government's commitment to security sector reform. Its proposed actions aim to address the recommendations contained in the 2014 assessment. The plan is ambitious, both in terms of the time allocated for its completion, and the resources necessary to support its implementation. For the purposes of the 2015-2016 budget, the Government has prepared a prioritized plan, but the extent to which the Government will be able to fund the activities envisaged remains uncertain.

Improving the capacity of the Government of Liberia to properly manage arms and ammunition, including by enacting the necessary legislative framework

The process of harmonizing laws relating to the security sector continues. With the passage of the Drug Enforcement Agency Act in October 2014, a legal framework has now been established for the majority of the security agencies, including the Armed Forces of Liberia, the Executive Protection Service, the Drug Enforcement Agency and the National Security Agency. The Armed Forces of Liberia has not, however, completed reforming its internal policy structures and the Uniform Code of Military Justice is still awaiting ratification by the Legislature. In April 2015, Liberia submitted the instruments of ratification of the Arms Trade Treaty to the United Nations.

UNMIL has continued to provide support to the security sector law reform of Liberia. Legislation on the Bureau of Immigration and Naturalization has now been drafted and is due for submission to the Legislature during its current session, together with a revised draft act for the Liberia National Police. The draft firearms and ammunition control act is presently under consideration by the Legislature. These three acts would, together, form the basis of the domestic legal framework for arms and ammunition management in Liberia. The timetable for their passage remains, however, uncertain, although the Chair of the Senate Committee on National Defence, Intelligence, Security and Veteran Affairs has expressed his belief that consideration would be completed by the end of the year. Until these laws are passed, there remains insufficient legal means for the Government to regulate the purchase and possession of arms by non-state actors.

The Government of Liberia, with the assistance of UNMIL, has taken some small but significant steps to strengthen its capacity in the area of arms management. In March 2015, UNMIL undertook a quick impact project that included training provided by the Ghana National Small Arms Commission and the United Nations Regional Centre for Peace and Disarmament in Africa (UNREC). A total of 28 government officials representing all security agencies received instruction on how to mark weapons and on data management, in accordance with ECOWAS standards.

As of mid-July 2015, the Armed Forces of Liberia had marked 97 per cent of all stored arms and the Liberia National Police is due to commence weapons marking in August. If the current momentum is maintained, the Liberia National Commission on Small Arms anticipates that all government-owned weapons will be marked by the end of 2015. The completion of this task would fulfil a requirement of the Security Council, first set out in resolution 1683 (2006). The establishment of a central national arms database, maintained by the Liberia National Commission on Small Arms has, however, not yet commenced. Funding will be required to hire skilled information technology professionals and to purchase additional computers.

Data collection on privately owned weapons will be undertaken as part of an ECOWAS/EU small arms project, implemented by the United Nations Development Programme. In Liberia, the project will concentrate on the three South Eastern Border Counties (Grand Geddeh, River Gee and Maryland) and may also expand to Nimba County in the future. This initiative is focused on a community-based “arms for development” project where local development initiatives will be implemented in exchange for communities handing over weapons. As a first step, the project will be undertaking a small arms survey in the three counties, whose findings will assist in the eventual development of a national survey.

In accordance with resolution 2190 (2014), UNMIL has continued to undertake quarterly inspections of government arms. Generally the armouries are well run although a number of recommendations largely focused on health and safety have not been implemented. Beyond inspections, the UNMIL Small Arms Unit and Force Fire Arms Inspection Team are providing capacity-building on armoury management to the Liberia National Police and Armed Forces of Liberia through regular meetings, ongoing training and workshops.

In late 2014, the Ministry of National Defence expressed its readiness to work with UNMIL on the construction of permanent explosives storage and training for safe explosives management. Training in explosives disposal has been carried out with the assistance of bilateral partners. At present, UNMIL can support explosives – for the disposal of residual contamination from explosive remnants of war – and storage needs until early 2016 but the Government does not presently have the required explosives or specialized storage to do the same.

Limited funding to support arms and ammunition management is a constraint on the ability of security agencies or their partners to move forward with further capacity-building efforts. In this regard, it is important that, as part of its present budget negotiations, the Government provides clarity on what activities it will be funding. Additional funding support from the international community will likely be necessary.

In consultation with the Liberia National Commission for Small Arms, the Office for Disarmament Affairs has approved a project that would ensure, if fully funded, the implementation of my earlier recommendations with respect to i) developing firearms licensing regulations; ii) weapons-marking; iii) the central arms database; and iv) the national baseline survey of arms and ammunition stockpiles. It would also provide assistance to the Government in its implementation of the Arms Trade Treaty and the ECOWAS Convention on Small Arms and Light Weapons.

Since the 2014 assessment mission, Liberian security agencies have been meeting regularly to discuss arms management issues. Monthly coordination meetings of the Liberia National Police with the Liberia National Commission on Small Arms and the Bureau of Immigration and Naturalization are being held. The Board of the Liberia National Commission on Small Arms, which comprises all security agencies, also meets on a quarterly basis.

In the period since the 2014 assessment mission, one new notification for supplies of arms and ammunition to the Liberia National Police was received by the 1521 Sanctions Committee from the Permanent Mission of Liberia. As contained in its transition plan, the Government has planned for purchases of weapons and ammunition for the Liberia National Police, the Bureau of Immigration and Naturalization, the Drug Enforcement Agency, and the Executive Protection Service during the period July 2015 and June 2016.

Effective monitoring and management of the border between Liberia and Côte d'Ivoire

The security situation along the border of Liberia with Côte d'Ivoire is calm but remains fragile. The land border with Côte d'Ivoire has remained closed since August 2014, following the Ebola outbreak in the region. While no cross-border attack has been observed since 2013, violence carried out on the Côte d'Ivoire side of the border by members of local communities, including Ivorian returnees, against the Forces Républicaines de Côte d'Ivoire (FRCI) and Burkinabe settlers has continued in 2015, largely due to land disputes. A border shooting incident in May 2015, which resulted in the death of one Liberian national, has highlighted the potential for tension along the border with Côte d'Ivoire. As noted in recent reports of the Panel of Experts on Liberia, groups of ex-combatants and mercenaries continue to be organized on the Liberian side of the border and constitute a localized threat which requires ongoing monitoring as Côte d'Ivoire prepares for presidential elections this year.

In general, the borders of Liberia are porous and capacities to adequately patrol them are limited even though institutional capacities have improved significantly. With the continued drawdown of the military component of UNMIL, the ability of the Mission to respond to security threats along the border will diminish significantly and the Government will have primary responsibility to monitor and patrol the border. For the transition of responsibility to be successful, further strengthening of Liberian security agencies, including their infrastructure, logistical and technical capacities is essential.

Since the 2014 assessment mission, the Bureau of Immigration and Naturalization has posted more personnel to the borders of Liberia. The transition plan has indicated that the number of border patrol unit personnel will continue to increase, and that they will be authorized to carry arms. The Bureau of Immigration and Naturalization has also extended its border patrols. It has deployed 1,196 officers, including 132 border patrol unit officers and 1,064 immigration/border control officers to the 45 official crossing points and 131 unofficial border crossing points along the borders of Liberia with Guinea, Sierra Leone and Côte d'Ivoire. The number of officers to be deployed to the borders is expected to increase to about 1,350 officers following the completion of training for 250 new recruits in September 2015.

Instructors from the Bureau of Immigration and Naturalization, under UNPOL supervision, have commenced the training of new recruits in immigration management, fraud detection, cross-border crime, smuggling, forensics and the preservation of evidence, and arms trafficking. Additional armoury management training is foreseen by November 2015, and firearms' training for Bureau of Immigration and Naturalization personnel is envisaged for the first half of 2016, according to the transition plan.

Future deployment is dependent both on sufficient funding and the provision of adequate infrastructure, including offices and accommodation, as well as logistics to ensure mobility and communication. The most urgently required items are radios, vehicles and motorbikes to enhance effective patrols along the unofficial border crossing points, especially considering their limited accessibility during the eight-month-long rainy season. The Bureau of Immigration and Naturalization currently has 31 vehicles, including those assigned to administrative heads, about 40 per cent of which are not functional. Most border posts are not accessible except by motorbike. While the Bureau of Immigration and Naturalization is in possession of 78 motor bikes, due to the lack of funds for maintenance, about 55 per cent of them are not operational. With regard to secure communications, only 5 out of the 15 counties have radio stations (Montserrado, Nimba, Grand Gedeh, River Gee and Maryland). In total, there are 17 county-based radio stations, of which only 7 are functional. Sharing of critical security and confidential information in a secure way is therefore extremely challenging.

In parallel to the Bureau of Immigration and Naturalization deployment across the country, the deployment of Liberia National Police personnel to the regions outside Monrovia was envisaged to commence in July 2015. This has not yet started, as training of around 1,600 Liberia National Police personnel is still under way.

With regard to the capacity of the Liberian Coastguard to monitor the coastal territory of Liberia, it continues to rely on UNMIL to a great extent, as outlined in my previous assessment. The considerable assets of UNMIL, including air patrols, to police the borders, will not be available to the Government when security responsibility for the border is transferred next year. The Government's air capacity is limited, and their small coastal boats have limited deep-water capability.

With regard to coordination and information-sharing between Liberia and Côte d'Ivoire, the Quadripartite meetings between the two Governments, UNMIL and the United Nations Operation in Côte d'Ivoire (UNOCI) have been the principal inter governmental security mechanisms at the policy level.

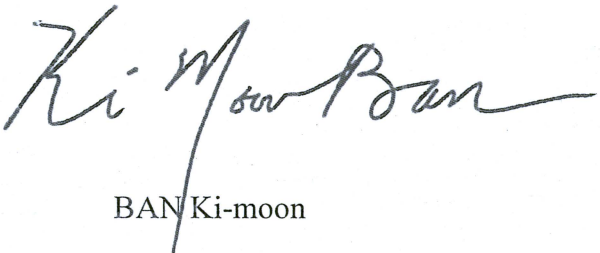
The third Quadripartite meeting was held in Abidjan on 10 March 2015. The communiqué of the third Quadripartite meeting includes a dedicated section on bilateral cooperation, which reaffirmed the necessity of reactivating cooperation mechanisms between Côte d'Ivoire and Liberia through regular cross-border meetings, confidence-building measures, and information-sharing between their respective security agencies. It also highlighted a decision to hold the bilateral Ivorian-Liberian Joint Commission Sixth Session in April 2015, to review areas of cooperation, including contentious items such as hot pursuit. Though the two Governments agreed to hold the second Joint Council of Chiefs and Elders Meeting in May 2015, those meetings have not yet been convened.

The MRU Strategy for Cross-Border Security, developed in 2013, also provides an avenue for developing inter governmental security mechanisms. The Mission is currently considering options for supporting this strategy, including, potentially, the transition of Operation Mayo (the joint UNMIL/UNOCI-led border security patrols and meetings) to the MRU joint border security and confidence-building units. In June 2015, renewed dialogue on this issue took place amongst UNMIL, the MRU, the United Nations Office for West Africa (UNOWA), UNOCI and UNDP, and has been given momentum by the inclusion of 'governance, peace and security' as a priority area within the MRU Regional Post-Ebola Recovery Plan presented in New York on 10 July 2015. UNMIL will continue to work with the MRU, UNOWA, UNOCI and other United Nations and non-United Nations partners to help revitalize those units as a sustainable security and border stabilization mechanism as UNMIL draws down.

UNOWA, in collaboration with the United Nations Office on Drugs and Crime (UNODC), has also supported Transnational Crime Units (TCUs) in Liberia and Sierra Leone through the West African Coast Initiative. The initiative is intended to strengthen the regional approach to organized crime as well as to develop specialised TCUs to combat organized crime in the region. While progress has been made in developing capacity in the TCUs, institutional, operational and logistical challenges to the conduct of stand-alone operations remain.

The Government of Liberia, within the framework of ECOWAS, has committed to the establishment of a National Early Warning and Response Mechanism in Liberia. That follows the adoption of recommendations to establish National Early Warning and Response Mechanisms by ECOWAS Heads of State on 14 July 2014, to supplement the existing regional ECOWAS Early Warning and Response Network, and a follow-up visit to Liberia by the ECOWAS Commission in July 2015. The national mechanism will build on and enable more effective linkages between national and regional early warning structures.

Please accept, Mr. President, the assurances of my highest consideration.



BAN Ki-moon