

104TH CONGRESS
2D SESSION

H. R. 4001

To impose sanctions on the governments who violate the arms embargo, participate in the exchange of weapons for resources, for aiding and abetting the civil war in Liberia, and to bring to justice Liberian war criminals.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1996

Mr. PAYNE of New Jersey (for himself, Mr. CAMPBELL, Mr. FLAKE, Mr. FOGLIETTA, Mr. LEWIS of Georgia, Mr. HASTINGS of Florida, Mr. OWENS, and Ms. NORTON) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To impose sanctions on the governments who violate the arms embargo, participate in the exchange of weapons for resources, for aiding and abetting the civil war in Liberia, and to bring to justice Liberian war criminals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Liberian Peace and
5 Democracy Act”.

1 **SEC. 2. FINDINGS AND STATEMENT OF POLICY.**

2 (a) FINDINGS.—The Congress of the United States
3 makes the following findings:

4 (1) An estimated 150,000 people have died
5 from war-related causes in the Liberian civil war
6 begun in 1989, while an estimated 1,000,000 Libe-
7 rians have been forced to flee to neighboring coun-
8 tries and many others displaced internally.

9 (2) War crimes have been committed by all fac-
10 tions, including rape, torture, summary executions of
11 innocent civilians, ritual murder, and cannibalism,
12 with the goal of terrorizing the Liberian civilian pop-
13 ulation.

14 (3) The Abuja Accord signed by Liberia's war-
15 ring factions in August 1995 led to the creation of
16 a Transitional Government after several years of
17 fighting and political instability in Liberia.

18 (4) The peace process has been derailed and the
19 transitional arrangement disrupted when factional
20 fighting erupted once again in the Liberian capital,
21 Monrovia, in early April 1996.

22 (5) The Economic Community Monitoring
23 Group (ECOMOG), a West African peacekeeping
24 force, originally intervened in August 1990 to sta-
25 bilize the situation in Liberia.

1 (6) ECOMOG forces have provided relative
2 peace and stability intermittently to the capital,
3 Monrovia, despite financial and logistical difficulties
4 in a very hostile peacekeeping environment.

5 (7) The United States Government has pro-
6 vided an estimated \$5,000,000 in support of the
7 ECOMOG's peacekeeping efforts over the past sev-
8 eral years, \$15 of which arrived in early February
9 and has made commitments for additional
10 \$30,000,000.

11 (8) The United States has provided over
12 \$100,000,000 in humanitarian and development as-
13 sistance to Liberia since 1994.

14 (9) The factional fighting that again erupted in
15 the capital of Liberia in April 1996, has forced thou-
16 sands to flee the capital to neighboring countries.

17 (10) ECOMOG's failure to contain the April vi-
18 olence has been widely criticized by the international
19 community, including the United States.

20 (11) The United States evacuated an estimated
21 2,300 American and foreign nationals to neighboring
22 countries during April's factional fighting in the Li-
23 berian capital.

24 (12) United States troops entered Liberia on
25 April 11, 1996, equipped for combat for the purpose

1 of evacuating American citizens and to protect
2 American embassy personnel and property.

3 (13) An estimated 2,500 American troops are
4 currently deployed in and near Liberia.

5 (14) The governments of Cote d'Ivoire, Burkina
6 Faso, and Guinea have contributed to the political
7 instability and violence in Liberia by providing fi-
8 nancial, political, and material support to the Libe-
9 rian factions since the war erupted in 1989.

10 (15) The behavior of the above mentioned gov-
11 ernments has directly contributed to the death, tor-
12 ture, and displacement of hundreds of thousands of
13 innocent civilians.

14 (16) The governments of the above mentioned
15 countries have ignored pleas from the international
16 community and the United States to cease their de-
17 structive activities.

18 (17) The war crimes committed by all factions
19 in Liberia are of such an egregious nature as to
20 warrant total and complete isolation of those respon-
21 sible for these crimes.

22 (18) The United States and the international
23 community should bring those responsible for war
24 crimes to justice and prevent these individuals and

1 their associates from holding positions of responsibil-
2 ity in government.

3 (b) STATEMENT OF POLICY.—It shall be the policy
4 of the United States to help bring about lasting peace and
5 stability in Liberia and to work toward establishing a just
6 and democratic society.

7 **SEC. 3 REMOVING OBSTACLES TO PEACE AND STABILITY.**

8 (a) POLICY STATEMENT.—The governments of Cote
9 d'Ivoire, Burkina Faso, and Guinea have contributed to the
10 continuing violence in Liberia by providing financial, polit-
11 ical, and other types of assistance to Liberia's factions
12 since the civil war erupted in 1989.

13 (b) AUTHORIZATION.—Not later than 45 days after
14 the date of the enactment of this Act, the President shall
15 take the following measures against Cote d'Ivoire, Burkina
16 Faso, and Guinea:

17 (1) VISA RESTRICTIONS.—The Secretary of
18 State shall deny a visa to, and the Attorney General
19 shall exclude from the United States, any alien who
20 the Secretary of State determines is a senior official,
21 or a spouse, minor child, or agent of a senior official
22 of such countries.

23 (2) DENIAL OF LOANS.—The President shall
24 instruct the United States executive directors of

1 international financial institutions to vote against
2 any loans or grants for such countries.

3 (3) PROHIBITION.—The President shall pro-
4 hibit exporting or otherwise providing (by sale, lease
5 or loan, grant, or other means), directly or indi-
6 rectly, any defense articles or services, or licensing
7 of defense articles or services under the Arms Ex-
8 port Control Act to such countries.

9 (c) WAIVER.—The President may waive any of the
10 above mentioned measures if the President certifies to
11 Congress that Cote d’Ivoire, Burkina Faso, and Guinea
12 have halted their assistance to Liberian factions, or upon
13 an explicit finding that such measures would not be in the
14 national interest of the United States.

15 (d) REPORTING REQUIREMENT.—Not later than 90
16 days after the date of the enactment of this Act, the Presi-
17 dent shall submit a report to the appropriate congressional
18 committees detailing the activities of the governments of
19 Cote d’Ivoire, Burkina Faso, and Guinea and the status
20 of the Liberian civil war.

21 **SEC. 4. ENDING THE CIVIL WAR AND BRINGING WAR CRIMI-**
22 **NALS TO JUSTICE.**

23 (a) POLICY STATEMENT.—It is the policy of the
24 United States to help bring lasting peace to Liberia by—

1 (1) continuing financial, logistical, and technical
2 support for peacekeeping purposes;

3 (2) continuing humanitarian and development
4 assistance through private and indigenous groups;

5 (3) encouraging regional actors to become more
6 actively engaged in Liberia to bring lasting peace;
7 and

8 (4) identifying and providing material assist-
9 ance to groups in Liberia which are genuinely com-
10 mitted to restoring governance and effective rule of
11 law.

12 (b) **AUTHORITY.**—The President should use any
13 measures necessary to bring to justice Liberian war crimi-
14 nals and their associates.

15 (c) **REQUEST FOR INVESTIGATION.**—The President
16 should request the United Nations Security Council to in-
17 vestigate war crimes committed by any Liberian faction
18 leaders (and their associates) who may be responsible for
19 the eruption of violence and the continuation of the civil
20 war.

21 (d) **ENFORCEMENT OF UNITED STATES LAWS.**—The
22 President shall instruct all United States Government offi-
23 cials who engage in official contracts with the governments
24 of Cote d'Ivoire, Burkina Faso, or Guinea, to raise on a
25 regular basis the extradition of or rendering to the United

1 States all persons residing in such countries who are
2 sought by the United States Department of Justice for
3 crimes committed in the United States.

4 (e) **BLOCKING OF ASSETS.**—The President shall
5 block all transactions in the United States of persons sus-
6 pected to have committed war crimes in Cote d’Ivoire,
7 Burkina Faso, and Guinea. The President shall seek the
8 cooperation of other countries in blocking the assets of
9 such individuals.

10 **SEC. 5 SENSE OF THE CONGRESS LAYING THE FOUNDA-**
11 **TION FOR A DEMOCRATIC LIBERIA.**

12 It is the sense of the Congress that—

13 (1) The scheduled upcoming elections in Liberia
14 should be postponed until demobilization disar-
15 mament of all faction leaders has occurred and a
16 commitment to work with the democratic process.

17 (2) The faction leaders should recommit them-
18 selves to the Abuja Accords.

19 (3) The elections should be free and fair with-
20 out violence and interference and intimidation.

21 (4) The United States should provide technical
22 assistance to Liberia in the areas of good govern-
23 ance, formation of a broad-based civilian led transi-
24 tional government.

1 (5) The international community should assist
2 and aid Liberia to effectuate democratic reforms and
3 institute elections at the appropriate time.

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