

Key Note Address

By Cecil B. Griffiths

Delivered at the 65th Armed Forces Day Symposium

Held at the Ministerial Complex Hall

February 3, 2022

Topic: Enhancing the Security of Liberia through a **comprehensive Approach**. (Enhancing the security of Liberia requires a holistic approach which includes developing appropriate frameworks and the integration of stakeholders with adequate support.)

AFD Theme: Inter-Agency Cooperation as a Panacea for Cotemporary Security Challenges

Major General Prince C. Johnson, III, Chief of Staff, Armed Forces of Liberia, officers, and the gallant women and men of the Armed Forces of Liberia

Hon. Samuel Collins Hon. Stephen J. H. Zargo, Chairman, Senate Committee on Defense, National Security, Intelligence and Veterans Affairs.

Hon. Cllr. Frank Musah Dean, Jr., Minister of Justice and Attorney General,

Hon. Varney A. Sirleaf, Minister of Internal Affairs

Hon. Samuel D. Tweah, Jr. Minister of Finance and Develop Planning

Major Camara Brehima, US Military Attaché,

Col. Owocho N. Ejiga, ECOWAS Military Advisor to Liberia

Hon. Sobor George, Deputy Director General, Liberia Broadcasting System

Mr. Eddie Jarwolo, Executive Director Nyamote, and member of the Civil Society Elections Coordinating Committee (ECC)

Other distinguished Guests, including Government officials, civil society leaders, the media, Ladies and Gentlemen:

I am deeply honored and grateful for the opportunity to serve as the Keynote Speaker for the 65th Armed Forces Day Symposium, being held under the topic: “Enhancing the Security of Liberia through a Comprehensive Approach.” I note that the topic for this symposium was carefully selected to stir up debate amongst relevant stakeholders towards ensuring adequate preparation for the 2023 General elections, and I agree with the organizers that enhancing the security of Liberia requires a holistic approach involving a spectrum of activities which include developing appropriate framework and integration of stakeholders with adequate support.

On reflecting on the topic, the first question that came to my mind was: “Are we expecting or anticipating violence during the 2023 elections for which the security services need to be adequately prepared for?” The answer to this question depends on whether or not the elections will be free, fair, transparent, and reflects the wishes and aspiration of the Liberian people. I will let the panel ponder on this question before giving my assessment.

While the theme and topic for the 65th AFD has a semblance of pro-activeness, that is prepare for the worst scenario, attempting to address the threats that have been identified in the NSS provides more proactivity in making Liberia safe and secure, than waiting for the threats to

escalate into violence, and then the security services have to be deployed to mitigate the violence and tension.

Besides elections violence, which we experienced during the most recent mid-term senatorial elections, there are other national security threats that the security services and other non-security actors need to address to keep Liberia safe. Some of these threats have been identified and outlined in the National Security Strategy of Liberia (2008). They include:

1. Lack of respect for the rule of law
2. Economy, poverty and unemployment
3. Poor national resource management/environment
4. De-activated ex-servicemen
5. Ex-combatants
6. Crime – corruption, robbery, drug abuse ad trafficking, illegally held arms
7. Land and property disputes
8. Ethnic hatred and tensions
9. Citizenship
10. illiteracy
11. Fire occurrences,
12. Prison overcrowding and poor Justice System, and
13. HIV/AIDs.

For external threats, the NSS identified the MRU and ECOWAS.

New threats have emerged since the publication of the strategy in 2008, such as election fraud, conflicts and violence, threats posed by the “Zoegoes”, mob violence, and the utilization of our traditional “country devils’ to inhibit the electoral process as in the case of Gbarpolu mid-term senatorial elections, and advocate for social justice, reference Bea Mountain in Kinjor, Grand Cape Mount Counties, respectively.

Before I proceed to discuss a couple of these threats, I wish to draw your attention to the fact that the National Security Strategy of 2008 was to have been revised in 2018. It is my understanding that the draft Revised Strategy was completed in 2017, and the outgoing administration decided that it would be prudent to give the incoming government the opportunity to review the strategy and make the necessary inputs, since indeed it will be the new administration that will be implementing the Strategy. Unfortunately, the revised strategy is still being reviewed after almost 5 years. Hence, we would like to use this forum to ask members of the National Security Council present here today as to why the National Security Council and Cabinet have not been able to finalize the Strategy.

At this point, I will attempt to briefly discuss a couple of the threats identified in the NSS, particularly, the lack of respect for the rule of law, crime – corruption, Prison overcrowding and poor justice system.

According to the United Nations (UN) system, the rule of law is a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently

adjudicated, and which are consistent with international human rights norms and standards. It requires measures to ensure adherence to the principles of supremacy of the law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness, and procedural and legal transparency.

By this definition, we see that no one should be above the law, including the state itself. All agents of the State are equally bound to obey all laws and cannot choose which law to obey or disobey.

A Key concern of the population today is the issue of separation of powers, and many people are of the perception that the Executive branch is exerting severe undue influence over the legislative and judicial branches. Because of the Constitutional guarantee of security of tenure, judicial officers should be more robust in upholding justice, human rights and the rule of law. As the first branch of government, the legislature plays a significant oversight role in ensuring the agencies within the executive branch perform as per their legislative mandate. My question to the panel is what can be done to promote an effective separation of powers in Liberia.

Other issues relating to the lack of respect for the rule of law has to do with the national phenomenon of group of individuals or community members deliberately engaging in acts of mob violence or property destruction in the quest for justice, instead of relying on the system of justice. Is this because they have lost faith in the justice system? International human rights reports does not speak well about the Liberia justice system, and the Chief Justice and the Bar Association need to develop strategies for improving the management of the courts and the administration of justice in Liberia.

As for the executive branch, several cases of disregard for the laws of Liberia have been documented. I will briefly discuss a few of them, namely, the manner in which security officers are being retired, failure to support the civilian complaints review board in line with the law, and the politicization of the security services.

With regards to the retirement of officers, the Police and Immigration Acts and supplementary regulations provides that officers to be retired should be given at least six months' notice to adequately prepare them psychologically for their retirement. In February 2020, 137 immigration officers were retired without due regards to the LIS Conditions of service regulations. They went to work one day only to see their names on the bulletin board that they have been retired. They officers had worked throughout the month of February, but received their retirement letters in March 2019, back-dated February 7, 2020. The officers are demanding that the Government pay them their just salaries for the month of February 2020, since indeed hey worked throughout the month of February.

The Civilian Complaints Review Board was established pursuant to Sections 22.85 of the LNP Act of 2015, and Section 22.123 of the LIS Act, respectively, to hold Police and Immigration agencies and their personnel accountable to the public. The Board was inaugurated in January 2019 by the Minister of Justice. Sec.22.85 (f) provides that: "The expenses of the Board, including such fess as may be paid to such members as they may be entitled to, shall form

part of the budget of the Ministry of Justice. Unfortunately, the Ministry of Finance and Development Planning has not honored this provision of the law, despite being notified by the Justice Ministry of this obligation. The CCRB officially wrote to the Minister of Finance for his intervention citing the relevant legal provisions, but is yet to receive any favorable feedback. As we speak, the Finance office at the Ministry of Justice has been facing serious challenge in paying the rent for the office of the CCRB because there are no funds allocated in the budget for the CCRB. And members of the Board for the past three years have not received any compensation for their services.

With reference to corruption as a threat to national security, I will only dwell on the aspect of corruption which I believe is very entrenched and being practiced at a higher level - that is the 10% syndrome. It is widely known that before you receive a contract, you must commit to giving back 10% of the total of contract budget. A modified version of the ten percent is when you are to get say, 50,000 Dollars, and the corrupt individual say, they will add another 20,000 Dollars to make it 70,000, and the 20,000 Dollars will be for them. And people are afraid to speak out for fear of reprisals.

With regards to prison overcrowding, I want to flag out 2 issues. The first is the delay of the Ministry of Justice to complete the BCR ACT, which will allow for the Bureau of control its own budget, and develop programs to professionalize the workforce, and enhance the rights of prisoners. And secondly, the people of Cheesemanburg donated several acres of land to the Bureau to construct a modern prison that would host felons convicted in at least six counties, and help decongest the Monrovia Central prison. No serious effort is being made to make use of the opportunity.

In order to address and safeguard Liberia's national security interest and values, the national Security Strategy outlined specific national security objectives and guiding principles, which if adhered to, will reduce security threat to a level that can be effectively handled by law enforcement agencies with the support of communities. I will now elaborate on few of these guiding principles. The NSS provides for:

1. Development of a coordinated national security system where all security institutions coordinate in addressing domestic, sub-regional and global security needs in line with their remit and according to national intelligence requirement, ensuring the security agencies are professional, efficient and sustainable under civilian control.
2. Establishment of a system of recruitment of new personnel that is based on transparency, and robust vetting processes that reflects Liberia's diverse ethnic and religious balance and that emphasizes merit in the selection and promotion of personnel, and ensures timely and adequate remuneration in order to promote efficiency and loyalty to the state and people of Liberia. This principle has been embedded within the Police and Immigration Acts through the establishment of the Policy management Boards and regulations and administrative instructions governing conditions of service for personnel of these agencies, and is intended to curtail political manipulation and partisanship in the recruitment of individuals into the Police and immigration service. However, the administration of these two institutions must be professional enough to withstand pressure from politicians to disregard these laws

and regulations. I can recall two police directors who were able to withstand political pressures.

3. Creation of a system of county and district security councils –CSCs and DSCs as part of the peace-building effort to ensure security and peace coordination at the county and district levels, coordinated with local government, civil society and other stakeholders. These councils will also act as a local mechanism for disaster and crisis management responses. The county security councils have been established, but unfortunately, sustainability is a challenge. No funds have been budgeted for their operations despite proposals to that effect.
4. Creation of democratic civilian oversight mechanisms to ensure that law enforcement and security agencies adhere to the legislation governing their activities, establishment of a complaints procedure to enable complaints about their illicit activities by the agencies to be properly and independently pursued.

The NSS further recognizes that – “Civilian democratic management and oversight of the security sector has been weak in Liberia, especially over the last quarter century. Thus, all new security legislation will take this weakness fully into account.....Ultimately, all of the security institutions must be subjected to public scrutiny when significant public and national interests are involved. Hence, civil society has a significant role to play in this respect.

There is a need to provide for the establishment of civilian complaints review board for other security agencies including the Liberia Drug Enforcement Agency, the Monrovia City Police, the Fire Service Agency, etc.

The draft revised NSS, not yet approved provides for:

Strengthening consultative mechanisms of political parties and civil society groups so that dialogue is used in political dispute management and resolution as opposed to violence. This will require convening regular dialogues or consultations among and between these groups; they should also proactively dialogue with the NEC.

Finally, with regards to Inter-Agency cooperation, the NSS provides a framework for possible collaboration, and I want to highlight the following issues:

Regarding the role of the Ministry of Defense and the AFL, the strategy provides that the AFL shall also be trained to support civil duties and be subjected to civilian control. All deployment of the military in support of the civil administration will be regulated by clear and legally accepted principles and ensure clear lines of command and control.

I want to connect this to the New Defense Act which provides in Section 2.3 (e) that: “The duties of the AFL in peacetime shall include support to the national law enforcement agencies when such support is requested and is approved by the President. Such support shall include exchange of information, personnel training, and mobilization and deployment of security

contingents. At no time during peacetime however, shall the AFL engage in law enforcement within Liberia, such function being the prerogative of the Liberia National Police and other law enforcement agencies. Notwithstanding, the **Military Police** of the AFL may on request of the Ministry of Justice made to the Minister of National Defense, and approved by the President of Liberia provide assistance to these law enforcement agencies as determined by prevailing situations. The AFL shall intervene only as a last resort, when the threat exceeds the capacity of the law enforcement agencies to respond. Of course, I may add, other units of the AFL can be deployed to deal with other situations such as rescue, disasters, etc.

The strategy also provides that the LNP shall be the primary operational agency responsible for internal security and states that the LNP shall be deployed throughout the length of Liberia in order to ensure security for the vast majority of the people of Liberia. In recognition of conflicts and strained relationship between the LNP and other security units, the NSS provides that “after a policy review, the relationship between the Police and other agencies, particularly bodies such as the Monrovia City Police and the national Seaport Police shall be clearly defined and regulated by a new legislation. Also, a review of the functions of the Ministry of Transport and the Liberia National Police be urgently made to avoid confusion about roles and responsibilities. Presently, there is serious conflict between the LNP and the Ministry of Transport regarding who is responsible for motor vehicle registration and licensing.

The strategy also provides for how to address non-military security issues and states, in quote:

“In view of the fact that some of the national security threats are non-military in nature, non-military institutions like the Ministries of Foreign Affairs, Agriculture, Health, Finance, Education, Justice, Internal affairs, defense, and other relevant agencies shall, from time to time have an important role to play in promoting Liberia’s national security interest and values.

Against the backdrop of the above, while the institutions so established should be affordable, concerns about their cost should not compromise their ability and capacity to address the threats to Liberia’s national security interest. There must, therefore, be a balance between the principle of affordability and the principle of ensuring effective capacity to appropriately address national security threats.”

I will now conclude with these recommendations:

1. The Ministry of Finance and Development Planning should mobilize funds to pay the 137 Immigration Officers their just salaries for the month of February 2010. This issue is not going to go away, and the longer it stays unresolved will have the propensity to escalate into tensions, protests and legal recourse.
2. The Ministry of Finance should make adjustment in the Ministry of Justice budget to make accommodation for the Civilian Complaints Review Board to be a line item to support the Operations of the Board. For the past three years, Board members have not received any compensation, and even paying the office rent for its offices has been a challenges for the Justice Ministry. The CCRB is a key institution that will promote and enhance public support for the police and other law enforcement agencies. The

Board has to decentralize and create sub-offices in the counties, organize public meetings to discuss findings of investigations and get feedback from the public. Government's support is therefore very critical.

3. The National Security Council and cabinet should undertake a final review and approve the National Security Strategy of Liberia 2022, to provide the framework for addressing Liberia's security threat. We would strongly recommend that the Council finalize the revised strategy by July 2022.
4. That serious effort be made to finalize the draft Bureau of Corrections and Rehabilitation's Act which has been in the making for over 12 years. Also a review and amendment of the establishment Acts of the Liberia Drug Enforcement Agency, and the Liberia National Fire Service be undertaken to meet the standards set in the National Security Strategy.
5. That a policy review be undertaken to clarify the roles and responsibilities of the Liberia National Police, and the Monrovia City Police, and the Liberia Seaport Police, and legislation be developed in that respect. Further, a review should be conducted to clarify the roles and functions of the Ministry of Transport and the Liberia National Police with reference to the enforcement of the vehicle and traffic Laws of Liberia.
6. In order to address the issue of systemic corruption in Liberia and other countries in the sub-region, I strongly suggest that ECOWAS begin to consider the setting up of a West African Bureau of Investigation to provide investigative support national efforts to proactively address corrupt practices, and assist in the investigation of homicide and other heinous crimes. The proposed bureau should be staffed with top investigators from each of the ECOWAS countries and be deployed in each country in the sub-region.
7. Finally, I strongly suggest that the AFL continue to observe and maintain its present legal mandate for supporting the Police and other law enforcement agencies with the hope that by the next AFD Symposium, most of the issues discussed today will have been addressed, and the security services will then focus on the issue of command and control. If there is to be a joint operation should there be a serious conflict that would overstretch the capacity of the police and other law enforcement agencies.

Ladies and gentlemen, I thank you for your undivided attention.

Brief Bio of Mr. Cecil B. Griffiths, Keynote Speaker at the 65th AFD Symposium

Mr. Griffiths is the lead civil society expert on Security sector reform and governance issues, with over 40 years' experience in law enforcement and criminal justice. Following his graduation from the Police Academy in 1980, he served the LNP in many capacities include, Chief of wanted vehicles, Detective, chief statistician, Police Instructor, Chief of Research, and Curriculum Development at the Police Academy, Administrative Assistant to the Director of Police, and Chief of Planning and Research.

Trained as a statistician at the University of Liberia, Mr. Griffiths has academic and professional certifications in criminal justice administration from the Atlanta Criminal Justice Institute, Advance criminal investigation and evidence from the Egyptian Police College, Security Sector Reform from Folke Bernadotte Academy in Sweden, International criminal law and international law, Legal and para-legal studies, a mini-MBA diploma, and other qualifications.

His international partnerships has led him to travel to Ukraine, Indonesia, Turkey, Italy, United Kingdom, USA, the Hague, Panama, Morocco, South Africa, Kenya, Tanzania, DRC, Nigeria, Senegal, Ghana, among other countries.

Mr. Griffiths serves as president of the Law Enforcement Association, Director, Center for Criminal Justice Research and Education, Coordinator, SSR Working Group, secretary Civilian Complaints Review Board, Sr. Executive Director, office of professional Responsibility and Human Rights, will lead the newly established Criminal Justice Support Foundation for West Africa, as its President.