

House Foreign Affairs Committee

Tom Lantos Human Rights Commission

Liberia: Next Steps Towards Accountability for War & Economic Crimes

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STATEMENT SUBMITTED FOR THE RECORD

Submitted by: Ambassador-at-Large for Global Criminal Justice Beth Van Schaack

Thank you, co-Chairs Rep. Smith and Rep. McGovern for the opportunity to provide a statement for the record on this timely hearing on justice and accountability in Liberia. I also thank you for your sustained attention to this crucial and long-awaited effort.

It is a critical time for justice in Liberia. Fifteen years after Liberia's successful Truth and Reconciliation Commission (TRC) completed its work, we are finally seeing some progress towards justice in Liberia for the victims of the horrific abuses committed during Liberia's consecutive civil wars.

On my most recent trip to Monrovia, in February 2024, I was inspired by the strong support among lawmakers in the Liberian House and Senate who passed parallel resolutions calling for the establishment of a War and Economic Crimes Court. We also commend the initiative and courage embodied in President Boakai's May 2, 2024, Executive Order to establish the Office of the War and Economic Crimes Court. Liberia's victims have been denied justice for too long, and the State Department applauds these important steps towards establishing a forum for victims to obtain justice.

The United States has long championed Liberian victims, including through our own justice system. In 2009, Chuckie Taylor, son of former Liberian President Charles Taylor, became the first individual convicted under the

U.S. extraterritorial torture statute. He is now serving a 97-year sentence for his crimes. Notable U.S. visa fraud and immigration fraud cases have also brought abuses in Liberia to light, including the convictions of Mohammed Jabbateh and Jucontee Thomas Woewiyu. Two additional cases are pending against Moses Slinger Wright and Laye Sekou Camara charging similar criminal conduct.

In addition, Liberian survivors of the largest massacre committed during the wars—the murder of more than 600 people at St. Peter’s Lutheran Church in Monrovia—have turned to U.S. courts to seek justice. Victims filed a civil suit in Pennsylvania state court against Moses Thomas for his involvement in the massacre. He was found liable and ordered to pay each plaintiff \$6 million in compensatory damages and \$15 million in punitive damages, totaling \$84 million. Unfortunately, he absconded to Liberia before the judgment could be executed upon.

Finally, the United States has been able to deploy our corruption- and human rights-related sanctions authorities against several high-profile Liberians, including some of those who stand accused by the TRC of committing war crimes.

Through these criminal cases in U.S. courts, U.S. investigators and prosecutors—like others in the courts of France, Switzerland, Finland, the United Kingdom, and elsewhere—have worked closely with a number of international and Liberian civil society organizations, including Civitas Maxima and the Global Justice and Research Project, to develop evidence and support witnesses participating in justice processes. These organizations, which do not receive direct State Department funding, have recently been accused in public statements of improper conduct towards witnesses. Over the many years that U.S. law enforcement actors have collaborated with these organizations, our investigators and prosecutors have seen no credible evidence of these claims.

Indeed, I understand that the Department of Justice employs protocols in its work specifically designed to avoid improper influence on witnesses or

discover actual or attempted influence when it occurs. In a recent U.S. proceeding, several witnesses testified under oath that they were appearing on their own volition because they wanted to tell their stories in a court of law to seek justice. In addition, in a Finnish proceeding that resulted in an acquittal for failure to meet the requisite burden of proof, the court found no evidence of witness tampering by these organizations notwithstanding such allegations.

Such unsubstantiated allegations put civil society actors at risk. It is disappointing that this hearing devoted to the long-awaited establishment of a War Crimes Court devolved into an attack on Liberian activists and NGOs that have worked for years to get to this point.

Indeed, Liberian civil society actors and victims should be commended for driving the push for accountability in Liberia and never giving up hope. These stakeholders must remain at the center of efforts to conceptualize and stand up this new War Crimes Court. On my visits to Liberia, civil society actors, the Liberian Bar Association, victims, and the Liberian people have shared with me their passion and conviction that justice must be done. This sentiment is held by broad swaths of the public, even among young people who did not live through the wars.

At the State Department, we are working to support these groups, strengthen their advocacy tools and skills, and enable them to participate meaningfully in these efforts and to inform the public as the justice process unfolds. We are exploring how we can directly support the new Office to create the War and Economic Crimes Court through technical assistance and expertise. We are also considering various ways we can build the capacity of legal professionals who will work on these cases, including Liberian law enforcement personnel and investigators, and we are consulting with our own professionals who have expertise in the Liberian cases prosecuted here in the United States. Additionally, we are working with local Liberian and international organizations to prioritize community-led memorialization,

archiving, exhumations, and the search for the missing and disappeared in the wake of atrocities like the St. Peter's Lutheran Church massacre.

I hope the Lantos Commission members will also work with their colleagues in Congress to consider how we can best support—technically, diplomatically, and financially—Liberians as they embark on this journey. Sustained, consistent assistance will be required if the War and Economic Crimes Court is to become a reality. We should be a steadfast partner to Liberians, while acknowledging that this cannot be an American-driven endeavor. Our two nations share a long and, at times, complicated relationship. We have the opportunity now to support Liberia in this ground-breaking exercise of justice, amplify the voices of those who have waited so long for some measure of accountability, and do all we can to ensure that they are able, on their own terms, to tackle the entrenched impunity within Liberia.