

Statement before the Tom Lantos Human Rights Commission
On Liberia: Next Steps Toward Accountability for War and Economic Crimes

Liberia: Next Steps Toward Accountability for War and Economic Crimes

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Thursday, June 13, 2024

Chairman Smith, Chairman McGovern, and honorable members, thank you for the opportunity to testify today.

While the topic of today's hearing is the effort to win justice for Liberians and bring accountability to those who exploited and abused Liberians during decades of civil war, much more is at stake.

The Growing Problem of Human Rights Fraud

As Liberia continues to emerge from the civil war era and seeks to solidify its democracy, it desperately needs human rights organizations to fight for true accountability, for not only those who raped, enslaved, and murdered during the West African nation's two civil wars but also those who sought to profit from such abuses. Now Liberians face an additional problem as scammers cloaking themselves in the mantle of human rights advocacy seek to pervert justice in Liberia for their own prestige, profit, or political interests.

Alas, in this, Liberians are not alone. Human rights fraud is epidemic. While boutique human rights organizations like Civitas Maxima and the Center for Justice and Accountability might promote and profit from shoddy if not dishonest advocacy involving Liberia, marquee organizations like Amnesty International and Human Rights Watch increasingly trade upon reputations built in decades past to cover or give credence to fraudulent work today.

Liberians and other victims of human rights abuses deserve better. If the United States is to advocate effectively for the respect of human rights, US government officials must act as either advocates for or liaisons to human rights groups to promote reform and accountability within a human rights industry in crisis.

When the US ambassador to the United Nations ignores fraud, waste, and abuse in UN agencies, she enables it. To advocate for a clean UN by demanding the organization clean house is not anti-UN. After all, should the US ambassador fight corruption in Mexico, no honest analyst would dismiss this as anti-Mexican. Likewise, the State Department's ambassador-at-large for global criminal justice must have a record of unquestioned integrity, for any compromise on her part would taint US advocacy across an administration.

While many human rights advocates and researchers demand governments and media take their findings at face value, increasingly political and profit motivations undercut their work. An unprecedented crisis afflicts human rights organizations today, made worse by their tendency to circle the wagons, demonize critics, and deflect criticism rather than acknowledge and weed out rot.

There are three major types of human rights fraud. The first, and most common, involves corruption of methodology. Too many groups allow subjective embrace and amplification of certain evidence in pursuit of an ideological agenda. The American Friends Service Committee (AFSC), for example, embraced the Khmer Rouge in Cambodia. It dismissed evidence cited by policymakers about the group's mass murders as motivated by hatred of capitalism. John McAuliff, head of the AFSC's Indo-China division, for example, called reports of Khmer Rouge massacres a US attempt to discredit "the example of an alternative model of development." Russell Johnson, the Quaker organization's New England regional director, dismissed the "bloodbath stories" as motivated by Washington's desire to punish those countries who sought "to close their

boundaries to exploitation by multinational corporations seeking raw materials, markets for surplus, and cheap labor.”¹

More recently, Amnesty International based its 2022 apartheid calumny against Israel in both cherry-picking of fact and a suspension of ordinary methodology in favor of political polemic. On February 1, 2022, for example, Amnesty International Secretary-General Agnès Callamard and Philip Luther, its Middle East and North Africa research and advocacy director, could not explain why the standards supporting the apartheid label against Israel would not also apply to China, Turkey, and Iran. Nor could they define metrics used to quantify when a debate reached a threshold in which Amnesty International would prioritize one country’s situation over another.²

The second stream of human rights fraud involves outright falsehood. In July 2017, for example, Human Rights Watch released a report alleging that Rwandan police had murdered a number of petty criminals.³ The Rwandan government subsequently produced those individuals very much alive.⁴ Simply put, either Human Rights Watch sources or personnel fabricated the abuse as part of a long-standing grudge against the Rwandan government and lied about their subsequent due diligence.

A variation of such falsehood revolves around the deliberate laundering of propaganda out of political sympathy. A decade ago, for example, Human Rights Watch incorporated reporting from the self-described Arab human rights organization Al Karama into its reporting criticizing Abu Dhabi’s crackdown on Muslim Brotherhood offshoots. They failed to mention that the US Treasury Department subsequently designated Qatari national Abd al-Rahman bin Umayr al-Nuaimi, who founded Al Karama, as an al Qaeda financier.⁵ In his other capacity as secretary-general of the Global Anti-Aggression Campaign, an umbrella group to coordinate al Qaeda, the Muslim Brotherhood, and the Ummah Conference, Nuaimi explained his goals:

The Muslim ummah—in this era—is facing a vicious aggression from the powers of tyranny and injustice, from the Zionist power and the American administration led by the extreme right, which is working to achieve control over nations and peoples, and is stealing their wealth, and annihilating their will, and changing their educational curriculums and social orders. . . . In resistance to this aggression, the signatories of this statement announce the Global Anti-Aggression Campaign as a vessel uniting the efforts of the children of the ummah, and to remind them of their obligation for victory.⁶

Human Rights Watch responded to criticism of accepting Al Karama studies uncritically with

¹ Guenter Lewy, *Peace and Revolution: The Moral Crisis of American Pacifism* (Grand Rapids, MI: Eerdmans, 1988), 141.

² Lazar Berman, “Amnesty to ToI: No Double Standard in Accusing Israel, but Not China, of Apartheid,” *Times of Israel*, February 2, 2022.

³ Human Rights Watch, “*All Thieves Must Be Killed: Extrajudicial Executions in Western Rwanda*, July 13, 1971.

⁴ “Report on Investigations Carried Out by the National Commission for Human Rights in Rustiro and Rubavu Districts on the Human Rights Watch (HRW)’s Report of July 2017,” October 2017.

⁵ US Department of the Treasury, “Remarks of Under Secretary for Terrorism and Financial Intelligence David Cohen Before the Center for a New American Security on ‘Confronting New Threats in Terrorist Financing,’” March 4, 2004.

⁶ “البيان التأسيسي للحملة العالمية لمقاومة العدوان” [Founding Statement of Global Anti-Aggression Campaign], May 17, 2006.

indignation and slander of critics. They did not retract reports nor strengthen the checks and balances governing their partnerships. Accordingly, the same pattern repeats today as human rights groups accept uncritically a stream of falsehoods from local partners affiliated with Hamas or the United Nations Relief and Works Agency for Palestine Refugees in the Near East as they purport to monitor and report on Israel's war against Hamas in the Gaza Strip.

The third stream of human rights fraud involves pay to play and falsification for profit. In 2009, Sarah Leah Whitson, at the time director of Human Rights Watch's Middle East and North Africa division, held a fundraiser in Saudi Arabia in which she and Hassan Elmasry, a member of the organization's International Board of Directors, suggested a quid pro quo.⁷ Human Rights Watch would go easy on Saudi abuses if Saudi businessmen donated to support Human Rights Watch expenses.

Human Rights Fraud in Liberia

A series of human rights groups have taken pay-to-play corruption to a new level in Liberia. For several years, Civitas Maxima, an nongovernmental organization founded by Swiss lawyer Alain Werner, coached witnesses to give false testimony in a war crimes prosecution-for-profit scheme. The unwillingness of diplomats and other human rights groups to perform due diligence on their partners enabled Civitas Maxima to claim many sponsors and collaborators, including the US Department of State and the California-based Center for Justice and Accountability, where current US Ambassador-at-Large for Global Criminal Justice Beth Van Schaack previously served as acting executive director and staff attorney.

At issue is more than the reputational damage to the human rights groups in question and Van Schaack. Civitas Maxima's scheme and the Center for Justice and Accountability's credulity and lack of due diligence have cost lives and upended legal cases on three continents.

In 2011, Belgian police issued a warrant against dual US-Belgian citizen and US resident Michel Desadeleer alleging Desadeleer enslaved Sierra Leoneans for the profit of his own blood diamond trade. In 2015, Spanish police arrested him in Málaga. Police transferred him to Belgium to face trial. Civitas Maxima bragged that they helped prosecutors assemble their case against him for crimes against humanity.⁸ Stigmatized by the charge of slavery and Civitas Maxima raising money off his case, he committed suicide in prison. Exculpatory evidence subsequently emerged showing Desadeleer was likely innocent.

Nor was he the only one. On May 12, 2014, US Immigration and Customs Enforcement arrested former Liberian Defense Minister Jucontee Thomas Woewiyu as he arrived at Newark International Airport. Civitas Maxima monitored his subsequent trial for immigration fraud and perjury and, behind the scenes, consulted with the prosecution. On July 13, 2018, a federal court found him guilty on 11 counts. "The jury heard testimony about NPFL soldiers cutting off victims' body parts in front of Woewiyu," the US Attorney's Office for the Eastern District of Pennsylvania reported.⁹ Much of the testimony used to sway the jury now appears to have been fraudulent.

⁷ Nasser Salti, "HRW Lauded for Work in Gaza," *Arab News*, May 26, 2009; and David Bernstein, "Human Rights Watch Goes to Saudi Arabia," *Wall Street Journal*, July 15, 2009.

⁸ Civitas Maxima, "Michel Desadeleer," <https://civitas-maxima.org/legal-work/our-cases/michel-desadeleer/>.

⁹ US Immigration and Customs Enforcement, "Liberian War Criminal Living in Delaware County Convicted of U.S.

Woewiyu died while awaiting sentencing. Had he survived, exposure of Civitas Maxima's human rights fraud likely would have overturned his verdict.

Courts in Europe and Africa now scramble to reexamine cases in which Civitas Maxima and their local Liberian partner Global Justice and Research Project contributed false affidavits and coached witnesses. In 2016, Belgian courts released alleged war criminal Martina Johnson from prison pretrial due to concerns about Civitas Maxima-provided witnesses.

In 2017, British authorities arrested Agnes Reeves Taylor on allegations of torture. They released her after 27 months in solitary confinement because they had based their case on information Werner and his Liberian partner Hassan Bility provided that subsequently proved false.

In 2020, it was déjà vu in Finland. Civitas Maxima and its partners were central to the arrest and imprisonment of alleged Sierra Leonean war criminal Gibril Massaquoi on charges of homicide, sexual violence, and recruitment and use of child soldiers. The Finnish court dismissed all charges in 2022 and again under a plaintiffs' appeal in 2024 after witnesses provided by Civitas Maxima and Bility's Global Justice and Research Project admitted Werner and Bility coached and compensated them for testimony to say they were eyewitnesses to Massaquoi's crimes. Massaquoi, however, was able to prove he was not in Liberia at the time of the alleged incidents. His alibi was air tight: He was in the witness protection program of the Special Court for Sierra Leone under 24-hour armed protection at the time paid witnesses coached by Werner and Bility claimed to have seen him commit crimes in Liberia.

Werner and Bility's mistakes do not appear innocent. Rather than recognize the flaws in their methodology and research and the human impact such shoddy human rights practices have on those falsely accused, Werner threatened to muzzle criticism. In my instance, he used a prominent Washington law firm to threaten to sue me and my publishers unless I retracted my writing on the subject. I refused for three reasons: First, I stand by my research; second, I reject intimidation; lastly, I do not believe Civitas Maxima can stand up to the scrutiny of discovery while I have nothing to hide, as I receive no compensation for my Liberia and human rights research beyond my American Enterprise Institute salary.

Despite its record, Civitas Maxima and Werner have collected millions of dollars in grants from the United Nations, the Washington, DC-based Humanity United, the Geneva-based Oak Foundation, and the London-based Sigrid Rausing Trust. Human rights is a lucrative business.

What the United States Can Do for Liberia

The ties between the United States and Liberia run deep. In 1819, Congress appropriated money to found the country as a refuge for freed slaves to return from America. Three years later, the returnees founded Monrovia, named after the fifth president of the United States. While ties remained strong over the following century, it was Henry Ford's revolutionizing automobile manufacturing that renewed American interest in Liberia. After all, the automobile revolution would not have gone far had cars not had ready access to tires, and Firestone plantations in Liberia provided the rubber.

The past 35 years have not been easy for Liberia, however. In 1989, Liberia descended into civil war that, with only a short interlude, lasted until 2003. Liberian democracy remains fragile, and its stability remains far from certain.

George Weah, a former football star who became president in 2018, provided the country with its most serious test. Upon assuming office, not only did he break his promise to establish a War and Economic Crimes Court, but he thumbed his nose at those seeking justice when he instead surrounded himself with men such as Monrovia Mayor Jefferson Kojee, who likely would be subject to such a court. Corruption grew acute under Weah's rule.

To President Joe Biden's credit, his White House openly chastised the Weah regime's corruption. Speaking as the head of the American delegation to Monrovia bicentennial celebrations, Dana Banks, the senior director for Africa on the National Security Council, chastised Weah's government for corruption. "Corruption is an act of robbery. It robs you of the healthy business environment we all know Liberia could have, which would lift countless Liberians out of poverty," she said. "Let me be clear. The United States is a proud and dedicated partner and friend of Liberia. But ultimately, only the Liberian Government and the Liberian people can tackle corruption, fight for accountability and transparency, and move this country forward."¹⁰

Like too many West African leaders, Weah sought to cast democracy aside. He was unpopular, having spent little time in the country during his presidency. Incompetent policies led to a rice shortage and hunger in a country that, properly run, could feed itself and surrounding countries as well. The first round of the 2023 elections was rife with fraud as Weah maneuvered to oust his main competitor, former Coca-Cola executive Alexander B. Cummings Jr. That was a wake-up call to both Liberians and the West. In the more carefully monitored second round, 79-year-old Joseph Boakai, a former vice president, triumphed.

Perhaps Liberians saw Boakai, never known for his energy, as a placeholder. Boakai, however, wants to cement a legacy. During his inaugural address, he pledged to stand up to the court. On May 2, 2024, after weeks in which it appeared establishment powers would convince him to renege on his promises, he signed an executive order to establish the Office of a War and Economic Crimes Court.

The United States can support Liberia and human rights and secure its democracy by ensuring Boakai can keep his pledge amid many forces that fear transparency and justice.

Before a new appropriations cycle, this likely will require the State Department to reprogram existing funds to support the court. Such funds might also ensure international technocrats and investigators can work side by side in pursuit of justice. America's brand should be human rights.

The State Department, however, must also recognize the sensitivities arising out of the fraud supposed human rights advocates have engaged in on the Liberia issue. Van Schaack has little if any credibility in Liberia because of her previous and continuing professional relationship with Bility and Werner. That she invited Bility to Washington after exposure of his pay-for-testimony scheme had discredited American diplomacy in Liberia and among the victims of Liberia's civil

¹⁰ *Liberia Listener*, "'America Cannot Fight Liberia's Corruption' Dana Banks Tells Liberian Government," February 15, 2022.

war. Simply put, the State Department should allow the Office of Global Criminal Justice to recuse itself from any future work with Liberia's War and Economic Crimes Court due to their extensive and repeated embrace of Bility. Secretary of State Antony Blinken should fire Van Schaack, whose relationship with Bility predates her tenure at the State Department, if she has neither the shame nor ethics to resign.

The Werner/Bility/Van Schaack scandal, however, highlights the need not to cease investigation of corruption and financial crimes in 2003, the last year for which the War and Economic Crimes Court will have a mandate. Rather, it is essential to push for the parallel creation of an Anti-Corruption Court to try those whose corruption has undermined Liberian democracy and stability over the subsequent two decades.

Here, the United States should be clear. It will support such a court, including any subpoena it issues for witnesses to the Civitas Maxima and Global Justice and Research Project scheme. Van Schaack should testify willingly given that multiple witnesses have now, under oath, revealed the coaching and fraud that Van Schaack in her various roles inadvertently supported and underwrote. Make no mistake: America's brand should be transparency and anti-corruption; it should not participate in any cover-up.

This is a watershed moment in Liberia that can cement the gains the country has made over the past two decades that Weah threatened to unravel. Much more is at stake than Liberia, however.

Across the globe, there are good, earnest activists who approach their work with subjectivity and political blinders. Growing corruption suffocates them and blunts their impact. The human rights field has become home to agenda-driven activists who elide process and procedures to fix outcomes amendable to their own personal biases or profit.

The tragedy, here, is that from slave labor camps in Xinjiang to schoolgirls in Afghanistan to journalists in Turkey or prisoners of war in Russia, the need for solid human rights documentation has seldom been greater. But with serious policymakers no longer able to trust marquee groups like Human Rights Watch and Amnesty International, let alone upstart groups like Civitas Maxima, it is time for fundamental reform.

Liberia can be the foundation for a renewed human rights regime that will go back to the future and rebuild the trust so many groups have hemorrhaged. There should be no rationalization about compromise. Allowing corruption and fraud to continue within the human rights arena is never sophisticated, nor should the short-term political convenience of protecting appointees ever trump the objective necessity that those within the US government on the forefront of human rights advocacy have the cleanest hands.