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Legacy commission proposal deserves serious attention

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By Susan McKay

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There's been a lot of shouting about the Eames/Bradley report and there will probably be a lot more after the

British government deigns to respond to it. The pain and grief of victims is still being exploited for political

ends by parties to the conflict that caused it in the first place. A terrible flaw in the Good Friday Agreement was its failure to include some mechanism to deal with the past and in particular with the needs of those who were bereaved.

In January I went to Liberia, a west African country which is emerging from 14 years of bloody civil wars that left an estimated 300,000 dead and more than a million people displaced. I went – courtesy of a bursary from the Irish government’s Simon Cumbers fund, set up in memory of a photojournalist who was killed while working in Africa – to research and write about violence against women there.

In some areas, 90 per cent of women and girls were raped and sexual violence has continued at alarming levels.

While I was there, the country’s Truth and Reconciliation Commission (TRC) published the first volume of its final report.

I met Jerome Verdier, the chief commissioner. He told me that the commission was set up as part of the 2003 peace settlement and signed into law in 2005. Its mandate was to investigate the historical roots of the conflict in Liberia, to document human rights violations from 1979 to 2003, to identify victims and perpetrators, to make proposals on reparations, prosecutions and amnesties, and to advise the government and the president on measures to advance the cause of reconciliation.

The nine commissioners were selected through a transparent and democratic process and the TRC was given two years to carry out this massive piece of work. Astonishingly, the commissioners and their staff of 200 or so have managed to keep within this timetable, with the final report due out in full in June, just one month late.

The first volume gives an idea of the enormous piece of work that has been done. It finds that the conflict has its origin in the founding of the modern Liberian state (it was set up by freed American slaves in the 1840s – they promptly oppressed the native population).

The cause of the conflict included poverty, greed, corruption, limited access to education, inequalities, identity conflict and land tenure.

It finds that all factions to the conflict committed war crimes including the use of child soldiers and carrying out dehumanising violence against women.

It implicates other African countries, the US and Europe for self-serving interventions. It has exposed what Michael Ignatieff has elsewhere called “the myth of blamelessness”.

It calls for reparations to individuals and communities, to help restore human dignity and foster healing and justice.

It says an amnesty is appropriate for those who were child soldiers but not for adults, it demands an end to a culture of impunity for those who planned and carried out atrocities. The TRC took some 20,000 statements, mostly from victims. It held public hearings and themed hearings. I asked Verdier what sort of abuses it had documented. "All forms of abuse," he said. "Rape, torture, child recruitment, slavery, amputation, arson, looting, murder, massacres, murders and a lot more."

It has its enemies, including former warlords who claim there is to be a witch-hunt against them.

Mr Verdier is calm about this.

"We have a mandate and a duty. Our findings are based on empirical evidence," he said.

Crucially, the TRC's recommendations are to be binding. The Human Rights Commission will take on the task of ensuring that they are implemented.

Think of the series of debacles we would have avoided if the Good Friday Agreement had included a mechanism of this kind to which all parties signed up. There were those who said it was too soon and who are still saying it is too soon.

However, as one respected campaigner for truth has recently pointed out, this is said in all countries in which there has been a war, and anyway, half of the deaths in our conflict occurred before 1977, a long, long time ago.

The Eames-Bradley Commission was flawed from the start and made a right mess of the launch of its report. But its proposal for a legacy commission deserves more serious attention than it has so far been given. It is time to act.

It is already too late for far too

many families.

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