

**RESOLUTION REGARDING CRITICAL ISSUES FACING LIBERIA  
AND ITS TRADITIONAL PEOPLE AS WE STRIVE TO  
ACHIEVE LASTING PEACE AND PROSPERITY**

*Based on three Consultative Conferences of Traditional Leaders held in Bomi, Bong,  
& Grand Gedeh Counties in 2008*

The Ministry of Internal Affairs (MIA) of the Republic of Liberia and the National Traditional Council of Liberia, in collaboration with national stakeholders, including the Institute of Public Administration (IPA), the Cuttington University College (CUC), and in partnership with the MIA's International partner, The Carter Center, held Consultative/Roundtable Meetings with Traditional Leaders in Tubmanburg, Bomi County from 16<sup>th</sup> – 18<sup>th</sup> April 2008; Gbarnga, Bong County from 2<sup>nd</sup> – 4<sup>th</sup> June 2008; and Zwedru, Grand Gedeh County from 25<sup>th</sup> – 27<sup>th</sup> June 2008 to discuss issues surrounding implementation of the rule of law in traditional communities.

Participants received briefings from the MIA and partners on the rule of law, including explanations of the laws relating to Sassywood (trial by ordeal) and new laws governing the rights of women in traditional marriages, rape, and domestic abuse. During the consultations, the participants analyzed and discussed these issues, and divided themselves into working groups, making a variety conclusions and recommendations

**RECOGNIZING** that their exposure to the principles associated with the rule of law topics presented now equips the Traditional Leaders to practice and promote good governance and enhance the rule of law.

**THEREFORE** Chief Zanzan Karwer, Chairman of the National Traditional Council, after considering the input of the Heads of Delegates for Traditional Leaders, and with a keen understanding and appreciation of the depth and breadth of the discussions and debates conducted during the three consultative conferences (due to his active participation in each) endorses the items below as a fair reflection of the discussions held:

1. Traditional Leaders emphasized that they serve an important role as a conduit to transmit Government's policies to the local rural people. Their position, culture and traditions should be respected at all times.
2. Traditional Leaders welcomed the opportunity to understand and analyze the laws presented and the chance to better understand the intent of these laws with a view to further educating their people.
3. The rule of law should be upheld and applied irrespective of person, class, ethnic origin or creed.

4. The Government of the Republic of Liberia, through the MIA, should organize a series of workshops throughout the Republic of Liberia where human rights groups and Traditional Leaders can exchange views that will promote better understanding of how traditional values and norms and the concept of human rights can find a common ground, and with the purpose of reconciling and harmonizing traditional beliefs, values and customs so that they do not conflict with the laws of Liberia, human rights provisions and other international treaties and conventions.
5. The participants in the three Consultative Roundtable meetings all discussed Sassywood (trial by ordeal).

The Zwedru participants concluded that Sassywood (trial by ordeal) should be abolished but that other forms of traditional dispute resolution such as sand cutting should be allowed as long as the practitioners are licensed by the Minister of Internal Affairs. Tubmanburg participants said the law abolishing Sassywood should be observed. Gbarnga participants said that the Government of Liberia would need to offer workable local replacements for Sassywood to help communities determine guilt and innocence.

All regions noted that if the practice of Sassywood (trial by ordeal) is abolished, the Government of the Republic of Liberia needs to provide an alternative to the practice that will be inexpensive, transparent, reliable and credible in the eyes of the traditional people, and that the Government of Liberia needs to put mechanisms into place at the rural level to meet law enforcement and deterrence requirements.

6. During discussions and deliberations at the Roundtable conferences, participants reviewed the presentations of Gender Equality, Equity, Women Empowerment and Gender Roles. The participants all agreed that the amended Inheritance Law which equates traditional marriages with civil marriages as far as inheritance rights are concerned, is a good law and same should be upheld and promoted. Participants further agreed that this law should be equally balanced between men and women.
7. That laws on gender based violence and rape should be endorsed by all and upheld. However the participants disagreed about certain particular aspects of the Rape Law and made the following recommendations for amendments to the Rape Law:
  - The punishment should take into consideration the victim's age in the following regard:
    - i. If the victim is 1 – 17 years old, the punishment should be life imprisonment;

- ii. If the victim is 18 years old or older, the punishment should be 5 years imprisonment.
- Additionally, the Rape Law should not apply to married people or to the matrimonial bed.
8. Standardized criteria and guidelines are developed and a fast track court is established to try and punish perpetrators of domestic violence against women.
9. Information, including leaflets, stressing the inhumane nature of Rape and its full consequences should be disseminated at the clan, chiefdom and district levels.
10. The draft law recognizing cohabitation between men and women after five (5) consecutive years, thereby giving both partners inheritance and other rights enjoyed by married couples, should be enacted into law by the National Legislature.
11. The MIA should organize and conduct consultative town hall meetings and/or consensus building workshops with opinion leaders and relevant heads of the Sandi and Poro institutions to derive a calendar for traditional schools that will not conflict with the formal educational systems and the normal operations of these institutions.
12. The Government of Liberia through the Ministry of Internal Affairs ensure that the laws on human rights and the rule of law be disseminated throughout the country as a means of instilling accepted values and customs during various stages of the growth of Liberian children and at the same time eliminate the confusion of authority and responsibility by children and parents/guardians.
13. The traditional people will meet to decide the eligibility requirements to hold an office of Traditional Leadership. This is for and in consideration of promoting, protecting and maintaining the traditional line of succession.
14. Further to Count 7 above the traditional people will meet to decide the proper succession system to implement so as to be prepared to respond to a situation where an elected Paramount Chief of a Chiefdom dies, or becomes disabled and unable to perform the duties of his/her office.
15. That further to Counts 7 & 8 above, in order to preserve, protect and promote positive Liberian culture and ensure traditional leadership values, the agreements that derive from the process mentioned in counts 7 & 8 should be enacted into law by the National Legislature.
16. That the traditional people will meet to agree on a recommendation regarding the process to remove or dismiss a Chief.

17. Since the Government of Liberia has introduced various initiatives and measures aimed at improving the status of the Traditional Leaders, the Chiefs must once more have a compound in Monrovia to serve as their headquarters.
18. All tribal lands at town, clan, chiefdom and district levels are surveyed and that the Government of Liberia set up a land claims court that will be responsible to speedily adjudicate all land cases/disputes.
19. The Ministry of Internal Affairs should educate all its employees on their job descriptions to determine the precise roles and responsibilities of each employee.
20. It is clear under Government's Economic Recovery Program is designed to improve the rural development of Liberia. However, its effectiveness has been undermined by excluding Traditional Leaders from discussions and decisions concerning development funds in their districts. Accordingly, henceforth Traditional Leaders should be consulted in this regard.

These were some of the main points raised in discussion during the three regional consultative workshops help by the MIA with Traditional Leaders in 2008.

So agreed this 10th August, 2009:



The Honorable Chief Lonzan Karwer  
Chairman  
National Traditional Council