CHAPTER 6

CHILDREN AND THE LIBERIAN TRUTH AND RECONCILIATION COMMISSION

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INTRODUCTION

Liberia was afflicted by a series of civil conflicts for almost twenty-five years. The roots of the conflicts are complex and can be traced back to historical, political and economic factors predating the outbreak of hostilities. In 1980, a coup d’état led by Samuel Doe ended Liberia’s first republic. Presidential elections were held in 1985 but did little to decrease growing tension or to address widespread human rights violations and poverty in the country. By 1989, armed rebel forces were active in Liberia, challenging the Doe government and, in 1990, Doe was killed. Despite the establishment of an interim government of unity in 1990 and presidential elections in 1997, the conflict in Liberia continued in various forms until 2003. Armed factions, government militias and mercenaries established “front lines” in towns, villages and the bush, killing, injuring and mutilating hundreds of thousands of Liberians and raping women and children. Many children, from the very young to adolescents, were abducted from their homes and forcibly recruited into the fighting forces. The conflict destroyed schools, medical facilities and other infrastructure and overturned any attempts at democratic governance.


The extensive forced recruitment of children, together with the targeting of schools and medical facilities and the conducting of the war in non-conventional battlegrounds, meant that children were disproportionately affected. In 1994, the World Health Organization reported that almost two thirds of Liberian high school students had seen someone killed, raped or tortured. At the close of the official disarmament, demobilization and reintegration (DDR) process in 2004, eleven thousand, seven hundred and eighty children had been demobilized, but the total number of children recruited was estimated to be much higher. Girls, in particular, were missing from the demobilization process. In the aftermath, some Liberian child protection agencies (CPAs) expressed concern about the continuing high levels of violence and other abuses of children’s rights that came to be tolerated as “normal”.

The Comprehensive Peace Accord, signed in 2003 in Accra, called for transitional mechanisms and processes to promote reconciliation and democratic governance. This chapter documents and analyzes how one of those transitional mechanisms, the Truth and Reconciliation Commission of Liberia, integrated a focus on children into its work. Despite the impact of armed conflict and

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4 “Bringing Peace to Liberia,” at 12.


6 Among the 11,780 children demobilized, only 2,738 were girls. (“Reparations in the Context of Children”: Think Inc. submission to TRC national children’s thematic hearings, Monrovia, September 2008.) For a critique of the DDR process, see Youth, Poverty and Blood, at 44, 47.

7 Non-governmental organizations (NGOs) and others that work on behalf of children.


political instability on the lives of children, few truth commissions in other national contexts have achieved such a focus. Building on the work of truth commissions in South Africa and Sierra Leone, the Liberian TRC deliberately integrated consideration of children, child rights and child participation in its mandate, operations and outcomes. Doing so raised many challenges, such as determining the appropriate age for children to participate in truth and reconciliation proceedings, and achieving a balance between child participation and child protection. This chapter highlights key lessons from each stage of the process, which offer the opportunity to inform and strengthen the child rights focus in future truth commissions.

**Methodology**

The research for this chapter was undertaken during two field trips to Liberia during the course of the TRC’s activities, in November 2007 and September 2008, and through a desk review of relevant documents. The field trips included individual and group interviews with children, TRC commissioners and staff, national and international child protection staff and government agencies, as well as personal observation of TRC workshops with children, TRC regional and institutional children’s hearings, and planning meetings involving the National Child Protection Network (CPN)-TRC Task Force.¹⁰ At the time this chapter was written, the TRC was preparing its final report.¹¹

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¹⁰ Interviews by the author were held in Monrovia, Cape Mount and Zwedru in November 2007 and September 2008 with TRC commissioners; staff from the UNICEF Liberia Country Office (past and present); TRC and child protection agencies working with children involved in truth commission activities; staff and ministers from three government departments, including the Deputy Minister of Education and the Deputy Minister for Gender and Development; the UK representative on the International Contact Group for the TRC; UNMIL child protection staff; and children who participated in TRC workshops and panel discussions.

¹¹ The TRC released its final report, including a chapter on children, in November 2009.
LIBERIA'S TRUTH AND RECONCILIATION COMMISSION

Liberia’s Truth and Reconciliation Commission was established by the 2005 Act to Establish the Truth and Reconciliation Commission (TRC) of Liberia.12 Its objectives included the following:

- Establishing the causes, course and outcomes of the civil conflicts that beset Liberia from 1979 to 2003.
- Promoting national peace, security, unity and reconciliation, including through the investigation of the events of the civil war and recommendations for relevant responses, potentially ranging from criminal prosecutions to reparations.
- Compiling the findings of the TRC for wide distribution within Liberia.13

Building on the experiences of TRCs in other countries, particularly in Sierra Leone, the TRC Act referred specifically to children, noting their experiences during the conflict and their roles in the future development of the country. The Truth and Reconciliation Commission Act of 2000 that established the Sierra Leone TRC called for specific attention to be paid to sexual abuses and to the experiences of children, and for special procedures to address the needs of particular victims, but the Liberian TRC Act went into far greater detail. It set the stage for a concerted effort both to focus on the impacts of the conflict on children and to involve children in TRC activities.14


14 See, in particular, TRC Act: preamble; article IV, section 4; article VI, section 24; article
The clear articulation of children’s important role in the mandate, operation and outcomes of the TRC, and the call for policies, procedures and operational concerns to secure children’s safe involvement in its work, were in themselves significant achievements. They raised new challenges and opportunities requiring human and financial resources, as well as a sustained commitment by the Commission to give primary consideration to the best interests of the child.\textsuperscript{15} Activities organized for children included awareness-raising workshops at county and district levels, statement-taking, and regional and institutional children’s hearings.

Age was an issue that resisted satisfactory resolution. The Commission made a decision that all TRC children’s processes would apply only to those who were eighteen or under at the time of the TRC activity, rather than at the time of their involvement in the war. This meant that many of those who had suffered as children during the conflict but who were over eighteen at the time of the TRC did not take part in the children’s processes. Special TRC processes for youth were intended to include the eighteen- to twenty-four age group, but the mechanisms developed for them were not as comprehensive, integrated or visible as those for children. Some CPAs expressed concern that a significant number of Liberians who were children at the time of the conflict but adults during the TRC process would not be heard or sufficiently considered. Ultimately, the experiences of children in earlier phases of conflict (1979 to 1996) were not included in the child-focused work of the TRC.

Another age-related problem can be traced to the TRC Act. It offered confidentiality for twenty years following the conclusion of the TRC’s mandate, after which statements taken and testimony given at hearings would be released into the public domain. While this period of time might be adequate for adults, it could jeopardize children by exposing them to the public eye during adulthood. For

\textsuperscript{15} Consistent with article 3 of the Convention on the Rights of the Child, G.A. res. 1386 (XIV), 14 UN GAOR Supp. (No. 16) at 19, UN Doc. A/4354 (1959), art 6(2) [hereinafter CRC].
example, repercussions could be severe for a girl who, at the age of thirteen, made a statement revealing rape, torture and abduction, if those details were made public twenty years later when she had reached the age of thirty-three. The TRC reaffirmed its commitment to full confidentiality for all child statement-givers, but more careful consideration of confidentiality issues relating to children is crucial for future truth commission processes. International guidance on such age-related issues would be helpful for all transitional justice processes.

**ROLE OF CHILDREN IN THE TRUTH AND RECONCILIATION COMMISSION**

**Child-Focused Processes and Mechanisms**

Sierra Leone’s TRC was the first to include children in statement-taking, thematic hearings and preparation of a children’s version of the final report. Liberia’s went a step farther, including children systematically throughout the process, in Monrovia, the capital city, and in all fifteen counties. The involvement of children at the local level raised unprecedented challenges and required the Commission to develop innovative strategies to support the safe and appropriate participation of children.

From the outset, policies, procedures and tools were specifically adapted to the Liberian context. Individual commissioners were allocated responsibility for thematic areas, including for children, women, youth and persons with disabilities. A Children’s Committee was made up of three commissioners who were joined by child protection specialists from UNICEF, the United Nations Mission in Liberia (UNMIL) and the CPN-TRC Task Force. The commitment of the TRC chair was crucial in maintaining a focus on children in the face of competing priorities, limited resources

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and organizational and political challenges.

The establishment of two significant relationships set the stage for a genuine focus on children – one with the UNICEF country office and one with the Liberian National Child Protection Network (CPN) (made up of child protection agencies working in Liberia). These relationships were formalized through memorandums of understanding (MOUs) that specified areas of responsibility, communication channels, frequency of contact, and the type of human, technical, financial and other support to be provided by each party. Although periodic progress reviews were done and activities were adapted accordingly, there was no formal monitoring and evaluation framework developed for the MOU and TRC child-focused activities.

**Relationship with UNICEF**

The MOU with UNICEF was signed by the Chair of the TRC and the UNICEF Country Representative in Liberia in September 2007. Underpinning it was the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC). Key elements of UNICEF technical support included the following:

- Funding a child protection specialist to work in the TRC offices
- Funding outreach meetings with children
- Accessing technical support for the TRC through UNICEF’s international networks
- Assisting the TRC in developing child-focused frameworks and tools.

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Key elements of TRC responsibility included the following:

- Systematic inclusion of child protection issues in TRC processes, as identified through the relationship with UNICEF and the CPN TRC Task Force
- Regular liaison with child protection specialists
- Advancement of child protection and participation issues through TRC internal and external relationships
- Accountability and responsibility for organizing child-focused meetings, hearings and final report input.

Relationship with Child Protection Agencies

The decision to establish a task force of CPAs that focused on children’s involvement with the TRC was one outcome of a meeting between the CPN and TRC commissioners, following an orientation for commissioners conducted by UNICEF in 2006. The CPN-TRC Task Force was formalized through an MOU and a Framework of Agreement, signed, respectively, in September 2006 and October 2007 by the TRC Chair and the Chair of the CPN. These documents outlined the responsibilities, activities, communications frameworks and partnership accountability of each party. Key elements of TRC responsibility included the following:

- Recognition of the expertise of the CPAs
- Acceptance of technical advice and assistance from CPAs on matters affecting children

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19 Civil society organizations working on programmatic response and advocacy for children are referred to as child protection agencies (CPAs). The National Child Protection Network (CPN) includes a large number of these CPAs, working together on issues of mutual concern.

20 The Chair of the CPN was Don Bosco Homes. Eighty-one child protection agencies signed the MOU (Republic of Liberia, Truth and Reconciliation Commission, Final Report, Vol. 3: Appendices, Title II: “Children, the Conflict and the TRC Agenda,” at 8).
• Regular liaison and planning meetings with the CPN TRC Task Force
• Joint development of child-focused policies and tools
• An agreement to hold a series of child-focused activities to ensure comprehensive child participation in TRC processes.

Key elements of CPN responsibility included the following:

• Regular meetings and coordination of key issues, agreements and concerns among the CPAs
• Regular liaison by the CPN TRC Task Force with the TRC
• An agreement to assist the TRC in developing policies and tools for comprehensive and protected children’s involvement in TRC processes
• An agreement to facilitate TRC outreach and interaction with children throughout the country
• A commitment to monitor the approaches and implementation of the TRC work with children.

A core group of seven organizations became the base of the CPN TRC Task Force, three of which played a leadership role and undertook most of the liaison work among CPAs and with the TRC.21 Monthly planning meetings helped in tracking activities and assigning tasks. More CPAs were mobilized as needed for specific initiatives, such as during the awareness-raising workshops, children’s statement-taking and children’s hearings. The commitment, capacity, technical expertise, good will and energy of the CPAs enabled the TRC to engage with a wide and diverse community of children and to support their participation in truth commission activities throughout the country.

Substantive discussions between the TRC and CPN on child rights and child protection were convened early on, in March 2006, and produced a set of key principles for children’s involvement in the TRC.22 The key principles were as follows:

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21 These key CPAs were Don Bosco Homes, Children’s Assistance Program (CAP) and the Foundation for International Dignity (FIND).

22 The principles were informed by the Convention on the Rights of the Child, the African
• The best interests of the child guide the entire process.
• Children must be treated with dignity and respect.
• Any participation of children is voluntary, on the basis of informed consent by the child and parent/guardian. There should be no power of subpoena for children.
• The safety and security of all child statement-givers is paramount, including protection of children's physical, spiritual and psychological well-being.
• Determination of the child’s eligibility to give a statement is based on a vulnerability assessment and safety checklist.
• A child-friendly environment for statement-giving, one-on-one unless the child requests the presence of a social worker and/or family member or guardian. There should be no public disclosure, group discussion or direct engagement with an alleged perpetrator.
• Unless they choose otherwise, girls are interviewed by female statement-takers.
• The confidentiality and anonymity of the child is guaranteed, and no information is shared with outside bodies, including judicial bodies.
• Psychosocial support is provided before, during and in follow-up to the statement-taking process.
• All statement-takers and social workers are to receive training in child rights and child protection.
• No TRC has created a judicial link or exercised judicial powers with respect to children. It is strongly urged that judicial measures not be used by the TRC in its involvement with children.

These key principles were later revised and adapted to local contexts and conditions, but the “best interests” principle was maintained throughout as a guiding force in discussions and debate, as well as in the practical implementation of policies and

Charter on the Rights and Welfare of the Child and the principles developed for the Sierra Leone TRC.
procedures. The understanding of the best interests of the child was elaborated in discussions with the Commission to reflect both international and local concerns. For example, it was noted that generating a protective environment for children in Liberian culture requires the support of parents as well as village and religious leaders. The importance of additional encouragement for girls was emphasized, and the guarantee of confidentiality for all child victims and witnesses was assured.

Discussions were undertaken on how best to address accountability for children who were forcibly recruited by armed factions and participated in hostilities. The need for age-appropriate measures was noted, and the principle of the “evolving capacities of the child” was used to inform decisions. Liberian CPAs advocated for TRC clarification that recommendations for prosecution would target those most responsible for grave violations and that children would not be identified among those most responsible or recommended for prosecution.

Local participation, ownership and decision-making were strongly emphasized. While the advice and experience of the international community were sought on issues related to child participation and protection, the local perspective held sway. For example, a Liberian candidate was identified to serve as the TRC child protection advisor to implement the MOU with the CPN-TRC Task Force. This was done to ensure that the TRC would have a national perspective and that decisions about the participation and protection of children would be based on culturally sensitive norms.

One outcome of this approach was the development of Liberian interviewing techniques for children, prepared by local CPAs for the statement-taker training. The guidance emphasized that 75 percent of the interviewer’s communication with the child was

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likely to be nonverbal. The techniques highlighted the importance of facial expression; embracing the child; showing respect for cultural and traditional norms, values and taboos; and listening to the child “with all five senses.” It was noted that “the child will know if you are not listening.” Instructors were also instructed to “sit in silence if that is what the child needs and wants.” Interviewers were encouraged to “use words that are easily understood by the child, in local dialect or Liberian English.”

The technical support provided by international child protection experts, including the UNICEF country office and the UNICEF Innocenti Research Centre, helped to lay the groundwork by presenting international standards and norms, which were then adapted for local use. The wisdom of this approach was borne out during TRC activities, as it served to build trust and capacity among communities. The success was possible partly because the local CPAs, which together formed the National Child Protection Network, already had a solid understanding of child rights and a deep commitment to the CRC.

Relationship with the Children’s Parliament

The TRC also sought to engage with the Liberian Children’s Parliament. This relationship was intended to generate continuing dialogue with Liberian children and young people and to encourage their representative and democratic participation, both with the TRC and more generally. Support for the Children’s Parliament was provided by the Ministry of Gender and Development, together with UNICEF and the National Child Protection Network. The county and district engagement with children also included Children’s Clubs and other groups of children in and out of school who were identified and convened by local CPAs. The impacts of the war were so widespread that all children were affected – by experiencing violence directly, by losing friends and family

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members and by being forced from their homes. The TRC findings confirmed this reality and articulated the atrocities that children experienced, both as victims and as perpetrators. The Children’s Parliament became an active partner and encouraged participation in the work of the TRC as part of its policy to promote children’s voices in Liberian reconstruction and development.25

The work with the Liberian Children’s Parliament, with the support of the CPN and the Ministry of Gender and Development, included independent submissions to the TRC regional and institutional children’s hearings26 as well as a number of discussions among young people, commissioners and others involved in the TRC process. However, this relationship also met with difficulties. The Children’s Parliament was newly formed, replacing a children’s body that had a more limited, Monrovia-based representation. Disputes arose as to which of these bodies was the legitimate representative for children.27 That delayed engagement with the TRC and strained efforts to formalize a relationship with a national children’s representative body. Gradually, this relationship gained traction and proved a sustainable and well-organized outreach network to children at the county level.

Another challenge was the representation of marginalized children, given that the Children’s Parliament was mostly comprised of children enrolled in school. In response, the CPAs worked to engage more marginalized children through Children’s Clubs and village Child Welfare Committees, which are not school-based.28 The Children’s Clubs, set up by CPAs following the Liberian DDR process, are run by children with adult guidance, with members both in school and out of school. The adult child welfare


26 Ibid. See also submissions from Liberian Children’s Parliament to regional TRC Children’s Hearings.

27 Interview with Ministry of Gender and Development, Monrovia, November 2007.

28 Author interview and observation of CPN-TRC Task Force meeting, at TRC offices in Monrovia, November 2007.
committees are comprised of local leaders and human rights advocates who advocate on behalf of children within communities. These child-focused relationships were at the heart of the TRC’s engagement with children throughout Liberia and led to a variety of activities involving children in TRC planning, operations, activities and outcomes.

**TRC ACTIVITIES RELATING TO CHILDREN**

**Training**

An initial orientation on child rights and child protection for TRC commissioners was organized by UNICEF Liberia and the UNICEF Innocenti Research Centre in March 2006, at the request of the TRC. The training laid the groundwork for the Commission’s engagement with children. The goal was a child-friendly and inclusive yet secure process for children’s participation.

Following the orientation, UNICEF convened a meeting with the National Child Protection Network. This meeting led to the formation of the CPN-TRC Task Force, which became the fulcrum of the Commission’s interaction with children.

In August 2006, the TRC convened its first training session for almost two hundred statement-takers. Significant attention was given to the impact of the conflict on children and their roles in TRC processes. UNICEF Liberia, the UNICEF Innocenti Research Centre and representatives from the CPN-TRC Task Force led sessions on child rights and child protection, including culturally sensitive techniques for interviewing Liberian children and exercises in role play. The United Nations Development Fund for Women (UNIFEM) gave a presentation on special considerations for women and girls. Child protection strategies and tools were developed, addressing vulnerability checks, confidentiality, psychosocial support and participation in secure contexts. On the final day, the Children’s Parliament convened a consultative forum on children’s participation in the TRC, in collaboration with the Sierra Leone Children’s Forum Network, a child-led advocacy
organization that had participated extensively in the Sierra Leone TRC. Also participating were three Liberian TRC commissioners, CPN representatives and staff from international CPAs.

Over the course of the proceedings, sixty-seven of the one hundred and ninety-six\textsuperscript{29} trained statement-takers were identified as specialists for children. However, due to attrition and to a postponement in statement-taking, the initial number of trained individuals was much reduced and proved inadequate. Three additional training courses were convened for smaller groups, including TRC inquiry officers and investigators. Logistical difficulties and funding constraints resulted in further postponements, and a decision was made to extend statement-taking in order to focus on statements from children.

In January 2008, an abbreviated child-focused training took place for TRC county coordinators and field officers. This training included child participation and protection elements from the generic training, but was less comprehensive in addressing children’s involvement, participation and protection. However, the frameworks, tools and mechanisms developed during the initial trainings were used in the later training sessions and in the field. In addition, two statement-takers per county were identified as child specialists and based at the county TRC offices, where they received additional support through local CPAs.

Training was also provided to CPAs involved in TRC processes at the county level. Some of the training was ongoing, with staff from the agencies taking part in the statement-taking training described above. In addition, training on the mandate, aims and child-focused processes of the TRC was convened for county-level CPAs in September 2006. Facilitated by UNICEF, this session was attended by approximately thirty CPA staff, TRC commissioners and the Women and Children’s Protection Section of the police force.

UNICEF facilitated additional, short orientation sessions to update agencies on the progress of the TRC and the upcoming

\textsuperscript{29} Interview with Onike Gooding Freeman, TRC child protection specialist, Monrovia, September 2008.

**Key Lessons**

A key lesson of the TRC training process is the fundamental importance of orienting commissioners on child participation and protection. The importance given to child rights issues and to protection tools and strategies during the generic training for statement-takers further emphasized the focus on children in the work of the TRC.

However, good training is not a one-time exercise, and the need for further training became clear, in particular for staff who were not child protection specialists and had little formal experience in interacting with children and identifying potential child protection issues. Ongoing training of statement-takers would have helped hone interviewing skills in what proved to be very challenging contexts for non-specialists. More training on child-friendly interviewing techniques would have also benefited the commissioners. While some commissioners were able to engage effectively with children in difficult circumstances, others were less adept. The skills required to encourage maximum involvement with child witnesses need to be understood and practiced.

Another lesson was the need for ongoing support to the CPAs. The CPAs proved committed, organized and knowledgeable. However, the agencies in the CPN-TRC Task Force were engaged in a variety of activities and were spread too thinly in some areas. CPA training often emphasized general information at the expense of skills enhancement. In the future, CPAs can benefit from more sharing of skills on conducting group work with children, individual communication techniques and workshop development, as well as from more information on humanitarian and human rights law.
Awareness-Raising Workshops

One of the earliest child-focused TRC activities was a series of awareness-raising workshops. These were aimed at promoting children’s awareness of the TRC process and preparing them to participate in it; enabling children to provide the TRC with information on their roles and experiences and the violations they suffered during the civil war; ensuring that the TRC process and recommendations would protect the best interests of children; and generating children’s recommendations for the TRC final report.30

Between February 2007 and March 2008, forty-five workshops were held across the country, attended by approximately five thousand children.31 One workshop was held in each of the fifteen county seats, led by at least one commissioner and TRC staff member from Monrovia, with the support of UNMIL, UNICEF and representatives of the CPN-TRC Task Force. At the end of the workshops, the agendas, materials and techniques employed were transferred to local TRC staff, the lead CPA in the county and local UNMIL civil affairs representatives, who then held two more workshops elsewhere in the county. This ensured broad geographic representation of children. The children attending were encouraged to act as “ambassadors” for the TRC and to become informal peer educators.

The author attended a county workshop in Madina, Grand Cape Mount. The two-day session drew eighty children aged thirteen to eighteen from Madina and four surrounding towns. Each town sent eight school-attending children and eight out-of-school children. The numbers swelled over the course of the workshop as children from nearby communities joined out of curiosity. A third day was used as a handover, to share information


and insights gained during the workshop with local and national TRC and CPA staff as well as with UNMIL and UNICEF personnel. The workshop covered the mandate, role and plans of the TRC, as well as child rights issues and the role of children. In groups, the children produced much of the material later included in the workshop report, expressing their concerns and views on the TRC. This work highlighted the different experiences of boys and girls during the conflict, and smaller discussions also took place for girls only, to allow for frank discussion. The county-based representatives of national CPAs were active in identifying and bringing children to the workshop, and in helping facilitate the group work sessions.

**Key Lessons**

The workshops had multiple benefits. They enabled the TRC to spread the message of its mandate and how it would be implemented to large numbers of children, many of whom were in rural areas. They enhanced understanding of the TRC’s role and processes among both children and adults in urban and rural areas and gave children an opportunity to ask questions and resolve misconceptions. For example, children made the following comments during workshops:

- I expect the TRC to bring development and safe drinking water; they should build hospitals for us.

- The TRC will make some parents send their children to school by force. We now know that our people have been treating us bad.

- I recommend that the TRC should provide me uniform, shoes, books and help me to go to school.\(^{32}\)

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\(^{32}\) Quote from child participant, report on awareness-raising workshop, Grand Cape Mount, November 2008.
The workshops also laid the foundation for children’s participation in the later statement-taking and children’s hearings. Just as importantly, they provided an opportunity for children who did not wish to take part in statement-taking or hearings to convey to the TRC and CPAs their experiences during the conflict.

These workshops also provided the TRC with a chance to collaborate with local adult leaders, some of whom had misconceptions about its role. Some of the misunderstandings are evident in the expectations collected from participants at the start of the proceedings. Many people believed that the TRC would pay for their participation; some worried that it would recommend persons, including children, for judicial prosecution. Confusion about the mandate and powers of the TRC and a desire for punitive judicial measures for some violations and perpetrators were recurring issues in the course of the awareness-raising workshops and other early TRC activities. As one participant said, “I want … the TRC to go from town to town to settle cases among people.”

Workshop planning was thorough and was carried out with the assistance of the CPN-TRC Task Force. Problems were addressed as implementation progressed, and the workshops became stronger. Examples of these challenges included:

- Insufficient recognition of the transportation challenges in rural areas, causing delays
- A tendency at the earlier workshops for in-school children to outnumber out-of-school children
- Insufficient understanding of the nature of group work and the style of interaction that would lead to more active participation by children
- The need for careful consideration about the types and phrasing of questions asked of children and the child protection issues those questions might raise.

Finally, the earlier workshops illustrated the importance of having CPAs ready to provide psychosocial support for children in

33 Ibid.
all TRC-facilitated, child-focused activities. This recognition was very useful later in the regional children's hearings and statement-taking exercises. In the earlier workshops, insufficient thought had been given to the emotional impact of questions about the violations children experienced and the consequent need for immediate psychosocial support.

There was little follow-up on the initial idea that workshop participants could become informal peer educators and advocates for the TRC's work. Some anecdotal reports trickled back to the CPN-TRC Task Force about success in this area in a few districts, but it was not widespread, and there was no monitoring to assess progress. Finally, the stories of children's experiences collected at these workshops only covered the final years of the conflicts within the TRC's mandate, as the children were not old enough to recall incidents from an earlier time.

Statement-Taking

The framework for taking statements from children was developed with guidance from the CPN, which worked with participants in the initial training of statement-takers in August 2006.34 Local and national CPAs had a central role, helping to identify children who might give statements and ensuring that children and their parents were well briefed and prepared in advance. All statements by children were voluntary and given with the informed consent of both the child and the parent or guardian. Along with local social workers, the CPAs were responsible for making sure that psychosocial support was available before, during and after interaction with the TRC. They also worked with statement-takers to prepare interview spaces that were child-friendly and secure, and supported statement-takers in the use of open-ended interviewing techniques.

A special children's statement-taking form was developed early

in the TRC process. Its style and content were meant to be more appropriate for children; it omitted leading questions and encouraged consideration of a range of experiences and child rights violations – social, economic and cultural as well as civil and political. But the categories did not match the categories of the standard statement-taking form and, due to perceived challenges with processing of the data, the children’s form was not used. Later, the adult form was adapted for use with children by attaching a set of guiding principles to remind the statement-takers of child-friendly interviewing techniques and to protect children’s identities.

By October 2008, statements had been taken from children in all fifteen counties, totaling almost three hundred. Children’s statements were processed in the same manner as adults’ statements, and the analysis of their experiences will be central in the TRC’s findings and recommendations. A thorough preparation, collection and analysis of these statements is therefore central to the depth, range, relevance and accuracy of the final TRC report. It will be essential to ensure that statements taken from children are analyzed to the same degree as adults’ statements. Some additional, child-focused parameters would be useful, for example, age at the time of the experience of the conflict and at the time of giving the statement.

**Key Lessons**

Initial implementation of guidance on statement-taking with children was weak in some geographic areas. For example, CPAs had to work hard to ensure that statement-takers and local TRC staff had a clear understanding of confidentiality issues, including the importance of finding safe and secure areas to hold interviews. In the early phases of statement-taking, some attempts were made to interview children in public areas.35 Such actions were potentially dangerous given that in some cases perpetrators and victims were living and working in close proximity to each other. Where such

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35 Interview with Onike Gooding Freeman, TRC child protection specialist, Monrovia, September 2008.
weaknesses were identified, the CPAs provided support. Initial monitoring of children’s involvement might have led to earlier identification of weaknesses and better methods of ensuring that problems in one area were not repeated in another.

Confidentiality was difficult to ensure. Although protections improved with time, early incidents continued to raise concern about the TRC’s ability to guarantee protection, particularly in relation to confidentiality. For example, a video shown at a public hearing in 2007 depicted an interview of a child – who was under eighteen at the time of the interview – without protecting the child’s identity. The statement was taped in 2006, prior to full implementation of child protection policies and procedures. However, the fact that the video was made and released two years later indicates the fragile understanding of the issues. The TRC commissioner with lead responsibility for children and representatives of local CPAs tried to halt the showing, but they were unable to prevail; others felt special protection was not needed because the individual was no longer under eighteen.

Following that hearing, a meeting was convened with the TRC commissioners, CPAs and UNICEF Liberia to discuss the incident and to clarify the context and strength of the child protection policy framework at the root of the MOU. Consensus was reached, and the TRC gave assurance that such an incident would not recur, an assurance that was met.

Finally, although the actual number of statements collected from children was less than three hundred, the systematic inclusion of children in statement-taking within a child rights framework further cemented the integration of children’s experiences within TRC activities.
CHILDREN’S HEARINGS AND PANELS

Regional Hearings

Children's hearings gave voice to children’s wartime experiences. These hearings took place in parallel with adult public hearings and preceded the institutional children’s hearings in Monrovia. Three children's hearings were convened, one each in the central, western and southern regions, covering all the country’s counties. In preparation, the CPN-TRC Task Force held a training of trainers for local CPAs.

The TRC, in collaboration with the CPN-TRC Task Force, decided that children would be selected to testify based on an analysis of statements given by children in each county. Each TRC county coordinator chose fifteen to twenty statements based on the criteria of age, gender, nature of experience or violation and geographic location. Following “authentication” of the chosen statements, the commissioner made a further selection in consultation with TRC and CPN staff. This approach allowed for the participation of children from each county, with reserve statements in case children who were chosen had moved or did not wish to participate.36

Ten children from each county were sent to each children’s hearing, including those chosen to testify (whose identities were kept secret) and two members of the local branch of the Children’s Parliament. At each of the hearings, ten students from each of fifteen county-based schools were invited to be in the audience. Following a day-long hearing, a children’s discussion panel was held with the TRC commissioners. Though not anonymous, the panels gave a larger group of children the opportunity to question the commissioners, and gave the commissioners the opportunity to ask children more generic questions about their views on the TRC and their expectations for the future. Both the formal children’s hearings and the more informal discussion panels were recorded, and information from both processes was used as input to the TRC final

36 Ibid.
report. Whereas participation in the panel discussions was public, the testimony given during the hearings was confidential, and the identity of witnesses fully protected.

In each district, the CPAs worked with the children identified to attend the regional hearings and their families. Long-term relationships between families and CPAs facilitated both parental permission and the participation of children, which in some cases required traveling hundreds of miles. None of the children attending the hearings knew who would testify. Even the CPAs were informed only on the evening before the hearings, after taking an oath of confidentiality. The CPAs then held individual sessions with the selected children, explaining confidentiality, their right to refuse to answer questions, and techniques they might use to bolster their confidence and resist being led into discussions that made them uncomfortable. These sessions took place during periods when children’s absence from the larger groups would not be noticed.

All individual child witnesses at the children’s hearings, both regional and institutional, gave testimony in camera to protect their anonymity and to deflect the stress and vulnerability that might come from participating in formal hearings. The children testified from inside a simple, specially constructed cubicle so that commissioners and audience could hear their voices but could not see them. Their entrance into the cubicle was not visible and their separation from the larger group was facilitated so that other children would not mark their absence. The careful implementation of protection measures by experienced CPAs proved successful, and children’s participation has apparently remained confidential.37

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Key Lessons

The three regional children’s hearings were crucial for TRC outreach and gave a voice to children living far from Monrovia. In addition to those who testified, larger numbers of children took part in the informal discussion panels, and hundreds participated as members of the audience. The children appreciated the discussion panels as an opportunity to interact with the commissioners. At one such session, a child asked why the formal hearings sounded so much like a court if the TRC was not a court. This comment provided an opportunity to clarify the purpose of the TRC and indicated how some children perceived the hearings.

Attendance at the regional hearings tended to be higher than at the institutional children’s hearings in Monrovia. For example, the southern regional hearing had an audience of just under four hundred, mainly schoolchildren, while the first day of the institutional hearings in Monrovia had an audience of less than three hundred, which dropped significantly during the afternoon session.

The children and the CPAs demonstrated a remarkable commitment to the process. The southern regional hearings, which brought together some of the most isolated districts in Liberia, took place during the rainy season, causing serious problems with logistics and transport. Heavy rain led to the last-minute cancellation of the UNMIL flight bringing children from Grand Kru. The local CPAs stepped in and arranged a variety of transport, from personal cars to motorcycles, to reach children in isolated areas where rain had washed out the roads. The children of Grand Kru walked with their social workers for seventeen hours to arrive at the nearest transport. Their determination was itself a

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38 Informal discussions between author and child participants at final discussion panel, Regional Children’s Hearings, Zwedru, Grand Gedeh County, September 2008.

39 Ibid.

40 Story told by children at the evening panel of the southern regional children’s hearing and confirmed by lead social worker Mrs. Weeks and Onike Gooding Freeman in subsequent
testimony to their commitment.

Overall, the regional hearings were successful in terms of the procedures in place to protect children involved. One potential weakness was the process for identifying children to testify. Although an objective selection process was put in place, the TRC commissioners and staff ultimately decided which stories and testimonies would be given voice, allowing for reinforcement of some assumptions. While the range of criteria for selection of testimony was intended to prevent personal bias in the selection of statements, the end result suggested a particular interest in child abduction and forced conscription. This may have overshadowed the seriousness and prevalence of other harms suffered by children during the war, such as violations of economic, social and cultural rights.

For example, at the children’s awareness-raising workshop observed by the author, forced recruitment was not the violation cited most frequently by participants; the interruption or loss of education was repeated so often as to be almost a mantra. Many children also spoke about being beaten or forced to watch while parents, siblings and other relatives were beaten or killed.41 “During the war, I saw people dying from hunger, mistreatment, sick people without treatment and people fled into displacement camps, and home and valuable properties were looted or burnt down,” one child said.42 Yet questions posed by the commissioners following testimony at the children’s hearings tended to emphasize experiences of abduction and recruitment into the fighting forces.43

Similarly, much of the discussion following girls’ testimony related to sexual violence, abduction and forced recruitment,

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41 Author’s observations at child awareness-raising workshop (17 November 2007, Grand Cape Mount) and at the evening panel of the southern regional children’s hearing (19 September 2008); see also Amara M. Kamara, “Activity Report – Child Awareness Raising Workshop,” Grand Cape Mount County 16-18 November 2007.

42 Quote from child participant at Grand Cape Mount child awareness workshop, 16-18 November 2007.

43 Author’s observations at southern regional children’s hearing, Zwedru, September 2008.
experiences of unarguable frequency and horror for girls. Yet in the awareness-raising workshops, where separate groups for girls encouraged frank discussion, girls spoke not only of these experiences but also of the domestic burden they were forced to take on because of their parents’ deaths or injuries, the violence to family members they witnessed, the education they missed by being forced from their homes and the physical work or employment they took on to maintain families or siblings.

It would be useful to quantify the types of impacts on children and their frequency as highlighted in their statements, in comparison to the issues highlighted in awareness-raising workshops and the art produced for the Children's Gallery. The importance of recognizing the full range of children’s rights violations – civil, political, social, economic and cultural – is crucial if the TRC is to promote true reconciliation and if follow-up activities are to have lasting relevance.

A brief orientation was initially planned for TRC commissioners prior to the children's hearings, but logistical difficulties resulted in delays and cancellation of the orientation for the last two hearings. These sessions were intended to remind commissioners of child protection issues that might arise and to alert them to appropriate techniques for interviewing child witnesses. This was important, as the regional children's hearings took place more or less simultaneously with the adult public hearings, which sometimes meant that commissioners had to move directly from the more contentious adult hearings to the children's hearings. This had the effect of introducing elements of cross-examination in some questions posed by commissioners to children giving testimony. Ideally, the children's hearings should have been scheduled separately from the public hearings for adults. Delays and the tight schedule sometimes left the impression that the children’s hearings, while valued by the TRC, were not given the same priority as the hearings for adults.

Nevertheless, the commissioners who attended the children's hearings demonstrated their commitment in a variety of ways. When air transportation to one hearing was canceled due to weather conditions, the TRC Chair and another commissioner
concluded an extended day of public hearings in Monrovia and then drove through the night on difficult roads to attend the children’s hearing. The TRC’s commitment to a child-focused and child-rights approach was championed by the commissioner designated to oversee children’s involvement. She was on the scene constantly, engaging with children personally, defending their rights, supporting their efforts and helping them feel at ease.

Throughout these hearings, the commissioners raised concerns about the availability of psychosocial support for individual children giving testimony. The challenge was to make psychosocial support available at all times but not to give the impression that it was a form of “payment” for participation and also to provide support for children who chose not to participate. The CPAs provided access to all children through social and humanitarian programs, consistent with the focus on community in Liberian culture. Most importantly, the CPAs facilitated the presence of social workers at all TRC events. They monitored the children’s well-being and their protection needs. But human and financial resources were limited, and more funds were needed to secure short-term and long-term support for children.

Institutional Hearings

The institutional children’s hearings took place in Monrovia from 22-24 September 2008. While the regional hearings focused on gathering information and hearing the experiences of individual children, the institutional hearings highlighted collective experiences of the conflict. Representatives from a variety of sectors, including government and civil society, testified about their professional experience in working with children during and after the conflict. They also heard testimonies from three individual children. In response to a TRC request for thematic submissions, a number of agencies worked together to identify the topics to be addressed on behalf of the wider Child Protection Network, as well as government departments. The presentations included the following:

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44 The person designated for this responsibility was Commissioner Oumou Syllah.
Ministry of Gender and Development on street children and homelessness
Don Bosco Homes on children and the justice system
Children Assistance Programme on governance and participation
Christian Children’s Fund on child and family protection, with a focus on children’s experiences during and after the war
Children’s Parliament on children’s experiences during the war and priority actions for a better future
THINK Inc. on reparations in the context of children
Save the Children UK on reintegration and recovery
Action for Greater Harvest on children in the truth and reconciliation process
Ministry of Health and Social Welfare.45

Key Lessons

The national thematic hearings for children differed markedly from the regional hearings, most notably because children dominated the regional testimonies while the national hearings gave more prominence to organizations and child rights experts. The information provided by government ministries, national CPAs, international agencies and civil society complemented the individual accounts provided in children’s statements and testimonies at the regional hearings. However, the decision of the CPN-TRC Task Force to ask individual CPAs to develop collective submissions to the TRC on specified themes caused difficulty for some agencies, and the submissions were of varying quality and scope. An approach allowing for individual institutional submissions might have produced greater depth of analysis in specific areas and a wider range of issues. However, the submissions did give voice to a number of recurring issues:

45 See Republic of Liberia, Truth and Reconciliation Commission, Final Report, Volume Three: Appendices, Title II: “Children, the Conflict and the TRC Agenda.”
• Disruption to the education system and public services caused by the conflicts
• Lack of educational opportunities for many children, including those who were forcibly recruited but also many who remained outside of fighting forces
• Problems for adolescents and young adults arising from lack of employment or sustainable livelihood opportunities
• High levels of homelessness
• Separation from family
• Inadequate resources to meet the psychosocial needs of children affected by war
• Challenges in addressing the needs and rights of the many children affected by the war in a social and political context of minimal national resources
• Support for encouraging children’s participation in the TRC processes
• Hopes that TRC recommendations would promote reconciliation and a more constructive future for Liberian children.

Children’s TRC Gallery

A culmination of children’s participation in the TRC was the TRC Children’s Gallery, which took place on 27 September 2008 at Monrovia City Hall. Titled “Past, Present and Future”, it exhibited Liberian children’s art and writings about their wartime experiences, current struggles and visions for the future. Every county was represented. The Children’s Gallery was linked to the other TRC activities for children and was viewed as a collective celebration of their efforts. The idea for a gallery had come from children who participated in the initial awareness-raising workshops, and it gave them the opportunity to acknowledge each other and to take pride in their accomplishments.46 In a surprise presentation of “on the spot” reconciliation, the former and current

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leaders of the Children’s Parliament gave a joint speech and vowed to work together to overcome past differences. There were also performances of songs, poems and dances.

The planning for the Children’s Gallery began in May 2008 when the CPA-TRC Task Force hired a consultant to conduct a training session for CPAs on children, art and communication. Each county was represented by a psychosocial worker, who then hosted a workshop in his or her county with the lead CPA. After a day-long orientation on the TRC process and the role of children, the children spent an additional one to two days creating their artwork with the guidance of counselors and psychosocial workers. The workshops were held at CPA premises or local recreation rooms, and the Task Force supplied the art materials. Between twenty and thirty children attended each workshop; they were selected through their participation in the Children’s Parliament or a Children’s Club or through a link to a Children’s Welfare Committee. The artwork was sent to Monrovia, where the Task Force and the commissioner designated for children chose a representative collection for the Gallery.

The Gallery was organized by the TRC, Ministry of Gender and Development and the Child Protection Network. It was hosted by the Children’s Parliament, whose representatives guided visitors through the displays and explained their significance. The exhibition was attended by hundreds of children from across Liberia. Also attending were the Speaker of the Children’s Parliament and other national and county representatives, including the TRC commissioners and representatives from the Liberian government. The vice president attended and addressed the audience.

With pictures and words as the mediums of expression, the process was open to all age groups and literacy levels. The preparatory workshops offered opportunities for children who had not participated in statement-taking to express themselves through art. The Gallery also offered the Commission an opportunity to demonstrate its willingness to respond to children’s requests and to

47 The number of days per workshop varied from county to county.
build on their contributions.

In addition, the Gallery allowed Liberian children to communicate to a larger audience, including a diverse group of international organizations. A news conference two days before the opening created a high level of interest, resulting in coverage by the BBC World Service, UNMIL radio and a variety of local media outlets. A publication featuring artworks from the Gallery exhibition was proposed by the Special Representative of the United Nations Secretary-General for Liberia to broaden the audience and provide further opportunities for Liberian children to tell their stories.

CONCLUSIONS

The specific activities undertaken in support of children’s involvement in the Liberian TRC each had merits, but it was links between activities that enhanced outreach and enabled the participation of children throughout the country. Most importantly, the rights framework underpinning all of the activities supported a holistic approach and long-term protection. Those who participated in the TRC process benefited, but so will current and future generations of children as protection frameworks are integrated into other areas of Liberian social policy and practice.

The Liberian TRC faced many challenges. A more complementary approach to transitional justice in Liberia may have enhanced efforts towards accountability and reconciliation. In Liberia, the TRC was the primary transitional justice mechanism. This caused some confusion as to its remit and the extent of its powers in addressing many of the egregious violations of rights and war crimes committed in the course of twenty-four years of conflict. In addition, the ability to collate information, to construct and voice a collective narrative and to promote reconciliation is a daunting challenge in a country facing battered human resources, destruction of social and economic infrastructure, a fragile political settlement and the knowledge that many of the worst perpetrators of rights violations and crimes continue to live openly in the community.
This combination of factors led to some unrealistic expectations by children and some adults regarding the TRC’s ability to bring perpetrators “to justice.” Reconciliation requires dialogue and negotiation. It also demands an acknowledgement of accountability, in whatever form deemed appropriate by local communities and national consensus.

In working with children, the TRC attempted to negotiate the tension between responsibility, accountability, reconciliation and justice in the face of a history of flagrant rights abuses. The development of a protection framework as the foundation for the broad participation of children in the TRC process was a key element of that negotiation. Yet more efforts were needed to engage youth and to include their childhood experiences in the compilation of the impact of war on children, across the range of conflicts and years covered by the TRC mandate.

The final arbiter will be the extent to which the recommendations of the TRC are implemented and protection frameworks for children are integrated more widely into the Liberian social, political and economic spheres, leading to concrete benefits for the children of Liberia. The findings and outcomes of the TRC need to be put to use in securing a more stable and peaceful future.

Further opportunities exist for integrating the TRC’s work, findings and outcomes into the fabric of Liberian governance. For example, in discussions of reparation for children, there were some requests for individual support for schooling; however, the emphasis was not on individual restitution but on:

- Improved access to and quality of education, in particular for those who lost years of schooling due to the war
- Better access to and quality of skills training, livelihood support and employment for adolescents and young people, especially those who were orphaned or disabled by the war or lost their opportunity to go to school
- Widespread psychosocial support for children who saw or experienced violence during the war, some of whom are now living in close proximity to the perpetrators
• Support for conflict resolution and reconciliation at individual and community levels, including aid to address property loss and social and economic violations.

The potential exists to feed this information into implementation of the Poverty Reduction Strategy and the roll-out of the government’s Community Development Programme and to give priority to these elements within that work. There is also an opportunity to build policy and legislative protections for children into the implementation of the Children’s Act, to be informed by children’s views and to engage them directly.48

Also important is the potential development of a TRC component in the national curriculum. Such a component, as part of curriculum reform, would ensure that the TRC’s findings – and the experiences of the Liberian people, in particular its children – are not forgotten.49 It would also support learning about conflict resolution, reconciliation, civic responsibility and participatory citizenship.50

An important element of the TRC’s work is the creation of historical memory about the country’s conflicts. Children’s views and voices are an integral part of the national perspective and memory and should be highlighted in all opportunities to memorialize the history of the war and its aftermath.

48 In April 2009, the Children’s Act was adopted by the House of Representatives; it awaits adoption by the Senate.

49 In addition to curriculum reform, however, considerable challenges remain for the rehabilitation and restoration of an education system that is truly accessible to and affordable for all Liberian children. Consider International Human Rights Clinic, Harvard Law School, “Eliminating and Accounting for Abuses Against Children in Liberia’s Education Sector” (Cambridge, MA: Human Rights Program, Harvard Law School, 2009), outlining serious violations of children’s rights as a result of corrupt practices in Liberia’s education system.

This chapter has focused on the work of the Liberian TRC with children, deliberately leaving aside the rest of the Commission’s remit. The TRC faced many challenges in its more general work, including financial, logistical, human resource and timing issues. Although it had linkages with international organizations, agencies and individuals, some of these relationships did not run smoothly. A collective vision and shared understandings of the TRC’s outcome for Liberia enabled joint work, but differing views of the means for reaching the ends sometimes led to fractured interaction and support.

The Government of Liberia paid for a portion of the TRC costs, including commissioner salaries, but it was dependent on international sources for much of its funding. The decision to appoint only Liberian commissioners and to have Liberians in key secretariat positions triggered debates about human resources, experience and capacity, some of which undermined donor relationships when delays and missteps occurred. At times this tension was reflected in funding decisions. Yet ultimately, these TRC decisions enhanced perceptions of local ownership of the process, allowing it to avoid some of the criticism faced by Sierra Leone’s TRC that it was driven from “outside.” As the TRC Chair said, “While the international community has and will continue to play a role in assisting Liberia to develop a sustainable democracy, only Liberians can establish a durable, human rights-based culture where peace, development and the rule of law are permanent features of its political heritage.”

In terms of work with children, the lead role played by Liberian CPAs led to a strong sense of Liberian ownership. It also enhanced the accountability and responsibility CPAs felt toward the participation of children, families and communities and to the process itself. Undoubtedly, these relationships and the difficulties faced in implementing the TRC mandate will be explored in other arenas. There is a delicate balance between perceptions of national

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ownership and independence and the need for technical expertise in an area where such experience is limited. It is not yet clear whether the Liberian TRC handled that balance as adroitly in its general mandate as it did in its work with children.

Much of the TRC’s work with children has been groundbreaking. Many individuals and organizations that have been critical of the TRC generally have highlighted its children’s component as one of the most innovative and successful elements. Yet the tensions that beset the process in the early stages delayed the work with children. The TRC’s financial difficulties and the skepticism among some in the international community postponed funding for children’s activities until earmarked funds were brought in independently.

The TRC and its partners, both national and international, would benefit from learning from the successes as well as the challenges of its work with children. These lessons include the importance of:

- A collaborative relationship established early in the process to build capacity at the community and national levels, drawing on the specialist knowledge and experience of CPAs, civil society and children’s groups
- The use of legislative and policy frameworks, including the TRC Act, the CRC and the African Charter on the Rights and Welfare of the Child, to inform the planning and implementation of work with children
- Progressive strengthening of the work through the ongoing inclusion of children’s views and opinions
- Ongoing input from the CPAs and interaction with specialists, providing a basis for informed flexibility and the willingness to adapt to changing circumstances and political contexts.

Challenges that arose in the work with children could also inform similar efforts nationally and internationally, such as:

- The need for ongoing “refresher” trainings for TRC staff, commissioners and other partners
- Difficulties arising from logistical issues, including scheduling and maintaining timetables
- The challenges of integrating the work of the children’s team with the work of the TRC more generally
- The importance of earmarking funding for children’s involvement to lessen the potential for marginalizing i;
- The need to make use of TRC findings and recommendations in restoring the country’s social and legislative fabric.

The TRC derived many advantages from the participation of children. Yet the benefits for children must be substantial to validate and respect their efforts – recalling painful memories, traveling long distances to workshops and hearings and finding the courage to express their views, with proper support and guidance.

The comments made by children in the various forums and the commitment demonstrated by their attendance and input into the process indicate that many children believe the benefits of participation are worth the effort. The longer-term benefits of children’s involvement in TRC activities, both for those who participated and those who did not have the desire or opportunity to participate, will depend on how the findings and recommendations of the TRC are put to use to enhance the futures of all Liberian children.