

# Strengthening Legislative Accountability and Transparency in Liberia

IREDD Final Legislative Report Card  
2016



## **I. Executive Summary**

This is the final accumulated report of the Legislative Report Card detailing performance of members of the Liberian Legislature for the full year 2016 and the overall governance of the legislature and Legislative Committee effectiveness. The monitoring report focus on representation, lawmaking and oversight responsibilities in which lawmakers have traditional mandate to execute their formal responsibilities in the interest of their constituents and the country.

## **II. General Findings**

### **a. Oversight -**

A total of 187 committees' reports with signatures were recorded during the year under review. From our monitoring reports, the Liberian Senate accounted for 117 or 62.56% while the House of Representatives accounted for 70 or 37.4%. While such a performance could be explained by several factors including the capacity of committees' members, governance structure at each House, individual lawmakers' attitude toward their respective jobs, etc. IREDD on the other hand observed that the immense political tension at the House of Representatives in 2016 which was occasioned by the executive indictment of former House Speaker J. Alex Tyler greatly contributed to delays in the passage of a number of legislations.

As part of the oversight functions, IREDD tracked the number of oversight functions through communications by individual lawmakers. A total of 111 communications were recorded at the House of Representatives while 84 were recorded at the senate. 18 public hearings were held with ministries and agencies of the executive branch of government.

A comprehensive presentation of individual lawmakers assessment accounting for their respective number of present times, absences, distant times, lateness, and participation times are recorded on a summary excel spread attached to this report. The following notable recommendations were made from activities during the period under review:

1. That committee meetings are irregular and many of the committee members do not attend committee meetings;
2. Legislators are stretched tingly across several committees thereby rendering them ineffective on committees that have very little interest in;
3. Many Committee members affix their signatures to committee reports and outcome of committee products without necessarily activity participating or working on that report. This is evidenced by the number of committee reports signed in open plenary session before they are submitted;

4. Legislative committees' attitude towards various instruments or tasks given them appears to be impugned with bias and partiality. In most cases, acts submitted to Plenary do not go through all the required reading procedures- the first reading constitutes the second as well and depending on the interest attached, some acts overstay in committee room, while others are not forwarded to any committee but rather assigned to adhoc committees for speedy action. In worst cases, some bills or petitions are not debated on; an example in point is the CRC Bill of Referendum, The Local Government Bill and the National Youth Act of Liberia.
5. There is often no ink or stationaries such as sheets at the office of the secretary of the Senate and chief Clark's office which makes it difficult to have agendas items, communications and other legislative documents printed,
6. The Infrequency of electricity supply at the Legislature is prominent. This undermines the efficiency of the legislature. Often the Legislature has to abruptly adjourn session due to the electricity outage;

### **III. Background**

Liberian has made great strides in creating a political and social environment conducive to democracy in recent years, but there is still much to be done. Although the constitution of Liberia and the Access to Information Act of 2009 ensure the right of access to information and protect citizens' right to hold their government accountable, most Liberians still find it difficult to follow the activities of government. With 75% of the population illiterate, Liberia faces exclusive challenges in maintaining an informed citizenry. In order to effectively hold their leaders answerable, all Liberians rural and urban, literate and illiterate must know who their Representatives are and how well they have performed. They must know what decisions have been made on their behalf and how their tax money was spent. The Legislative Scorecard Project provides critical legislative information, thereby strengthening them to monitor their elected representatives and to make informed choices. The Scorecard is distinctive in that it offers objective, reliable, and transparent measures of how members of Legislature perform in plenary sittings and Legislative committees. By disseminating accurate, objective, and comprehensive information about the performance of each of the Legislators, the Institute for Research and Democratic Development hope to expand the space for public participation of ordinary citizens to debate and discuss the performance of their elected leaders using these report and ultimately to be able to hold their leaders accountable for their actions and inactions using the Legislative report card.

The Performance Scorecard has been improved based on the useful feedback we received from Legislators and the public over the previous years. We have advanced the Scorecard strategies, diversified the data collected, added information on committee meetings, and other new measures, and eliminated extraneous measures. The grades contained herein do not reflect a biased agenda and no personal politics have swayed the scores assigned to individual Legislators. Indeed, the scores are based on publicly available data collected systematically over the course of the quarter and can be checked and replicated by any individual wishing to do so. The Legislative Performance Scorecard focuses on three arenas in which Legislators perform their duties as advocates for the interests of their constituents and the country: plenary sittings of Legislature, committee work, and activities in Committee rooms.

**Plenary Sittings:** Legislators are obligated to attend plenary sittings. These meetings provide members with an opportunity to present the views of their constituents, raise new issues, and debate the challenges facing Liberia. For this reason, the Scorecard takes into account Lawmakers attendance and debate during plenary debates. It provides information on the positions they take and the topics on which they focus. The House of Representatives held seventy eight (78) plenary sessions while the Liberian senate held eighty sessions during the period under reviewed. The Senate held more session more than the House of Representatives due to the political rivalry on the removal of the speaker.

**Committee Activities:** Much of Legislative work is conducted in committee meetings, where bills are reviewed and amended, budgetary decisions are made, and important oversight duties are performed. An approach that focuses on what happens in plenary sittings alone runs the risk of not giving enough credit to Legislators for the activities they undertake behind the scenes. To reflect this work, the report provides information on committee meetings and reports data on the attendance and participation of Lawmakers in committee meetings. However, accessing committee meetings is a difficult situation at the Legislature; our researchers have been finding it difficult to access committee meetings. Therefore, this report contained only reports from committee made during plenary deliberations and no information on participation of lawmakers during committee meetings.

**Plenary Participation:** Plenary participation is one of the legislative aspects the Institute for research & democratic development (IREDD) takes into account in its legislative performance assessment score card activities. Our Researchers evaluate each Legislator on his or her input as relate to plenary discussion; however, we do not evaluate the quality of the debate but take notes on the Individual Lawmaker comments on each legislative Agenda.

**Communications:** Communications are letters written by Individual lawmakers and are read during plenary sittings, these communications highlight critical issues relating to the country, most especially to his her district.

#### **IV. Methodology**

IREDD assigns two monitors at the House of Representatives and two at the Liberian Senate with the objective to collect accurate and credible data during plenary deliberations and committee meetings. IREDD monitors regularly visit the offices of the Secretary of the Senate and the chief Clerk to compare data on plenary attendance, participation and to obtain hard copy of Legislative Agenda including communications and committee reports. Prior to the deployment of monitors at the Legislature, IREDD developed a comprehensive data capture form that each monitor use to collect daily data; the data capture form covered all the report card developed and approved indicators.

#### **Performance report disaggregated by Individual Lawmaker**

The performance section summarizes the grades the Legislators received for plenary attendance, and participation. The average score provides an easy way to combine the scores on the different sub-components. In essence, each component carries equal weight. Because this is not the only way to combine the sub-components, we encourage constituents and readers to examine each part of the aggregate score when they assess the performance of their Legislator. The percentage scores should be interpreted as follows if a Legislator has a score of 60 for plenary attendance; divide the score by the total sitting of 78 and multiply it by 100 for the Legislator.

#### **Data Limitation**

While IREDD is committed to producing an objective, transparent, and nonpartisan evaluation of legislative performance, the Report Card unfortunately could not capture every relevant aspect of lawmaker's performances as far as their primary responsibilities are concerned. Readers should keep a few caveats in mind when assessing the data reported here.

First, because IREDD strives to remain an objective observer of the legislature's activities, none of the measures in the Report card assesses the relevance or quality of contributions made by lawmakers relative to Attendance, participation, vote, bills sponsored and all other indicators and scores are based on the quantity of contributions made by those lawmakers and not necessarily the quality or relevance. Failing to maintain this impartiality would make it impossible to produce a purely objective evaluation. Similarly, our measures do not reward or penalize the particular positions lawmakers take on any issue. We

do not assign a grade for these positions or claim that either perspective is superior or inferior.

Second, there are areas in which the data available to use are incomplete, making it difficult to capture data in that direction. Some of Legislature's work is not captured in official records. For example, our effort to measure constituency activities is hindered by a lack of data on offices, staff, meeting minutes, and local visits, which the Legislature does not collect. Lawmakers' effort to lobby for or promote local development projects is also often informal and unverifiable. Even votes in plenary sessions that is recorded by the voting machine is unpublished, the fulfillment of a section in the budget law that calls for Ministries and Agencies to make quarterly report on allocation received is not actively working and the archives of committee reports with signatures are poorly maintained and disseminated. In all of these areas, improved records would help us make our measures more precise.

In addition, some work is well documented but is conducted behind closed doors, and thus the public, including IREDD monitoring team, has got no access to such records. This situation is serious for the Senate which is quick in calling for secret session to take crucial votes on critical national issues. We could not determine, for example, which lawmaker first raised an issue in a party caucus meeting since parties' caucus is secret. We were therefore unable to include participation and influence at these conferences in this report. We were also unable to determine which lawmaker voted against the confirmation of presidential appointees because they are confirming in secret session at the Liberian senate.

Finally, we recognize that each lawmaker's situation is different, which may make any attempt to compare the performance of all lawmakers imperfect. The constitutional requirements of certain lawmakers, such as the President Pro-tempore, Speaker and Deputy Speaker, make them inherently incomparable to other lawmakers and prevent them from participating in the daily debate and fulfilling other duties that all lawmakers normally perform. The unique circumstances of individual lawmaker are infinitely varied and may affect their score in any number of ways. For example, others may take advantage of worthy opportunities to travel or otherwise work on behalf of their constituents at the cost of committee or plenary sessions. In each of these cases, we have attempted to collect data that would allow us to take these differences into account. In some cases, though this is simply not possible, as data are not available (excused absence lists, for example).

## **IV. Findings Oversight**

The oversight power of the legislature has its foundation in article 1 of the 1986 Constitution which states: "All power is inherent in the people. All free governments are instituted by their authority and for their benefit and they have the right to alter and reform the same when their safety and happiness so require. In order to ensure democratic government which responds to the wishes of the governed, the people shall have the right at such period, and in such manner as provided for under this Constitution, to cause their public servants to leave office and to fill vacancies by regular elections and appointments<sup>1</sup>." The people of Liberia delegated significant portion of this power to the legislature and empowers said body to provide thorough oversight over the other two branches of government. Article 3 of the 1986 Constitution establishes a Republican form of Government with three separate, distinct but coordinate branches of Government-the Legislative, Executive and Judiciary, whereby each branch, like the legislative in the instant case, can exercise checks and balance over the other two branches of Government. The legislature exercises its oversight through various means but particularly through the different leadership and standing committees. It is against this background that the Institute for Research and Democratic Development is researching and monitoring the efficiency of legislative oversight. We research and report on the following: committee report with signature, communications from individual lawmakers specifically related to their oversight duties, public hearings on budget performance report from line ministries and agencies, confirmation proceedings, appearance of officials from the executive, amongst others.

### **Committees' work**

A total of 187 committees' reports with signatures were recorded during the period under review. Although limited in numerical strength, committees at the Liberian Senate seem to have worked harder than their counterparts at the House of Representatives. Of the total of 187 committees' report recorded, the Senate accorded for 117 or 62.56% while the House of Representatives earned 70 or 37.4%.

### **Notable amongst these reports were:**

The Joint Committee on Gender, Health, Women, Children and Social Welfare; and Judiciary, Claims, Petitions and Human Rights on the Domestic Violence Bill which secures the protection of women against common placed domestic violence and domesticates international protocols that Liberia accedes to;

The Committee on Gender, Health, Social Welfare, Women and Children also recommended for passage into the law the "Affirmative Action for Equitable

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<sup>1</sup> See chapter 1, article one, 1986 Liberian Constitution (structure of the state)

Participation and Representation Act of 2016". A replica of the Gender Parity Bill that was introduced in the fifty-second (52<sup>nd</sup>) Legislature; the Act gives women, youths and disables special political, elective and legislative preferences. It suggests the creation of twenty-one (21) Legislative Constituencies in addition to the existing seventy-three (73) against the 2017 Presidential and General elections. Those seats shall be occupied by fifteen (15) women, three (3) youths and three (3) persons living with disability;

The Committee on Banking and Currency has recommended that the Single Currency regime bill still in committee room be reviewed for passage as a means to mitigate the depreciation of the Liberian dollar;

The Committee on Public Administration and Education report on the Ministry of Education's Program for Public Private Partnership (PPP) in Liberian Schools. The partnership is said to be one of the Ministry's tools to improving Liberia's educational system that is variously described to be messy. After consultative meetings with authorities from the ministry that resulted in findings on how the project will be operated, financed, and evaluated, the Committee recommended to Plenary the implementation of the partnership with post-pilot evaluation serving as a measuring tool to continue or discontinue the project after the first five (5) years. Because the pilot did not include all counties, the committee also suggested the inclusion of at least a school from the each of the counties and the need to work toward teaching one of Liberian dialects in the spirit of maintaining heritage;

The **Senate Committees on Lands, Mines, Energy and Natural Resources and Environment, and Public Corporations** report on the Liberia Water and Sewer Corporation (LWSC). After convening a meeting with the corporation's management to assess its statutory mandate to supply water and sanitation services to the country, the committee, among many things found out that the corporation can only meet twenty-five (25%) of water demands in Monrovia due to the damage state of its production, transmission and sewage facilities. The committee also received notification on current rehabilitation at the LWSC's White Plains and other facilities funded through donor grants. Despite these strides, more funding is required to extend rehabilitation to other parts of the country like Harper, Gbarnga and Greenville. Estimated cost for the implementation of these projects between 2016 and 2020 is said to be sixty-five (\$65,000,000.00) million US dollars. The inability of the corporation to locate most customers so as to boost debt collection is a situation that puzzle the committee and plenary. The committee attributes this to inefficiency of management to properly coordinate the entity's activities. This has left the corporation in a bad financial state. Further funding may not revitalize the LWSC, the committee suggests. Against these challenges, the committee recommends reform in the water supply and sanitation services sector controlled be the LWSC, and making

of policies and enactment of legislations to attract private investment to key operational areas;

The **Committee on Foreign Affairs, Commerce, Trade and Industry; and Judiciary, Claims, petitions and Human Rights** report on “An Act to Ratify the Protocol on the Accession to the World Trade Organization”. This ratification will enable accessibility in Liberia’s business environment thereby creating a conducive business atmosphere. It will also expose Liberia to fair and competitive foreign business opportunities and at large support Liberia achieve her Agenda for Transformation;

The **Joint Committees on Judiciary, Claims, Petitions and Human Rights; and Internal Affairs, Governance and Reconciliation** on “An Act to establish the National Disaster Management Agency”. The bill was submitted to have an institution that responds to crisis emanating from disasters. Additionally this bill is expected to enhance Liberia’s a disaster preparedness for effective response at all levels, ensure disaster risk reduction as a national and a local priority and work with relevant government ministries and humanitarian organizations so as to be able to identify, assess, and monitor disaster risks and enhance early warning;

The **Committee on Posts and Telecommunications**. After rumor of purchase of NOVAPHONE GSM Company by the Liberia Telecommunications Company (LIBTELCO), the committee invited management of LIBTELCO for clarity. At this hearing, the Company refuted said rumor. However, the committee suggested a further probe to ascertain the truth in the wake of surrounding controversies. This issue has sparked attention at the senate and thus far, two (2) communications have been addressed to LIBTELCO’s Managing Director for appearance before plenary to properly address the situation;

The **Committee on Judiciary, Claims, Petitions and Human Rights collaborating committees** also released reports recommending several individuals to positions to which the president appointed them

Report from the joint committee on Ways, Means, Finance and Development planning, judiciary, youth & sports and public works & rural development on the financing agreement between the Republic of Liberia and the International Development Association. Plenary endorsed the committee report and mandated the Chief Clerk to inform the Liberian Senate to Concur with the House of Representatives.

Report from the AD HOC committee instituted to initiative discussions with parliamentarians and speakers of the MRU on the establishment of the Mano River Union Parliament within the Mano River Union Countries. The Committee

recommended that plenary approve the holding of the speaker's Conference of the four parliament herein Monrovia for the sole purpose of signing the first chapter and also approve funding to be placed under the speaker budget for the purpose of addressing issues related to the Mano River Union parliament's Conferences and that the first conference to be held on the 2<sup>nd</sup> week in November 2016.

Report from the Joint committee on Ways, Means, Finance & Development planning and public accounts and expenditure on "the draft Tax amendments Act of 2016, amending the Liberia revenue code of 2011. The report was endorsed by plenary. Thus leading to the passage of the act by the House of Representatives. The committee recommended that the Executive, through the Ministry of finance and development planning recommended rate of goods tax payable on a taxable supply of goods percentage be at 10 percent is hereby reduced to 7 percent. The committee also recommended that additional 5 percent surtax to telecommunications services as recommended by the Executive should not be considered. The report was submitted on August 16, 2016 at 12.24pm.

We also wish to report that after nearly 6 years of the 53<sup>rd</sup> legislature, Legislative committees remains structurally weak, opaque and lack organizational disposition. Committees at both Houses are not only found withholding legislative instruments for more than two weeks in contrast of their own rules, but to the extent where in most cases Bills and legislative instruments are shelved at various leadership and standing committees for years without any action. Some of the inherent weaknesses in the committee structures, systems and function are:

- There are far too many Legislative Committees and many of the functions often overlap each other;
- Many legislators are stretched thinly across committees, as most often you have one lawmaker serving on 3 - 4 committees which renders them ineffective;
- Many of the lawmakers do not attend committee meetings and their interest to attend a particular committee meeting is often determined by the interest of a particular lawmaker on that committee
- Many Committee members affix their signatures to committee reports and outcome of committee products without necessarily activity participating or working on that report. This is evidenced by

the number of committee reports signed in open plenary session before they are submitted;

- Legislative committees' attitude towards various instruments or tasks given them appears to be impugned with bias and partiality. In most cases, acts submitted to Plenary do not go through all the required reading procedures- the first reading constitutes the second as well and depending on the interest attached, some acts overstay in committee room, while others are not forwarded to any committee but rather assigned to ad-hoc committees for speedy action. In worst cases, some bills or petitions are not debated on; an example in point is the CRC Bill of Referendum, The Local Government Bill and the National Youth Act of Liberia.
- There is often no ink or stationaries such as sheets at the office of the secretary of the Senate and chief Clark's office which makes it difficult to have agendas items, communications and other legislative documents printed,
- The Infrequency of electricity supply at the Legislature is prominent. At this day and age this is unacceptable and it speaks to failure of leadership at the legislature. This undermines the efficiency of the legislature. Often the Legislature has to abruptly adjourn session due to the electricity outage;

### **Public Hearing**

The legislature conducted 18 public hearings with ministries and agencies of the executive branch of government. The hearings provided opportunities for key actors and/or public experts to provide independent opinion to the legislature aimed at strengthening its work. Some of the hearings which attracted huge public interest included:

Public hearing by the committee on Governance, judiciary, Claims, petition and human rights on the review of the 24 CRC propositions submitted to the House of Representatives by the president of Liberia for review. The hearing brought together experts and lawyers from the public to advice the committee on the review process of the document.

The Committee on Gender, Health, Women, Children and Social Welfare on the Domestic Violence Act

The Committee on Gender, Health, Women, Children and Social Welfare on the Affirmative Action for Equitable Participation and Representation Act of 2016 ;

The Committee on Lands, Mines, Energy and Natural Resources on the Water, Sanitation and Hygiene Act;

The Committee on Gender, Health, Women, Children and Social Welfare and judiciary, Claims, Petitions and Human Rights on the National Public Health Institute of Liberia (NPHIL) Act of 2016;

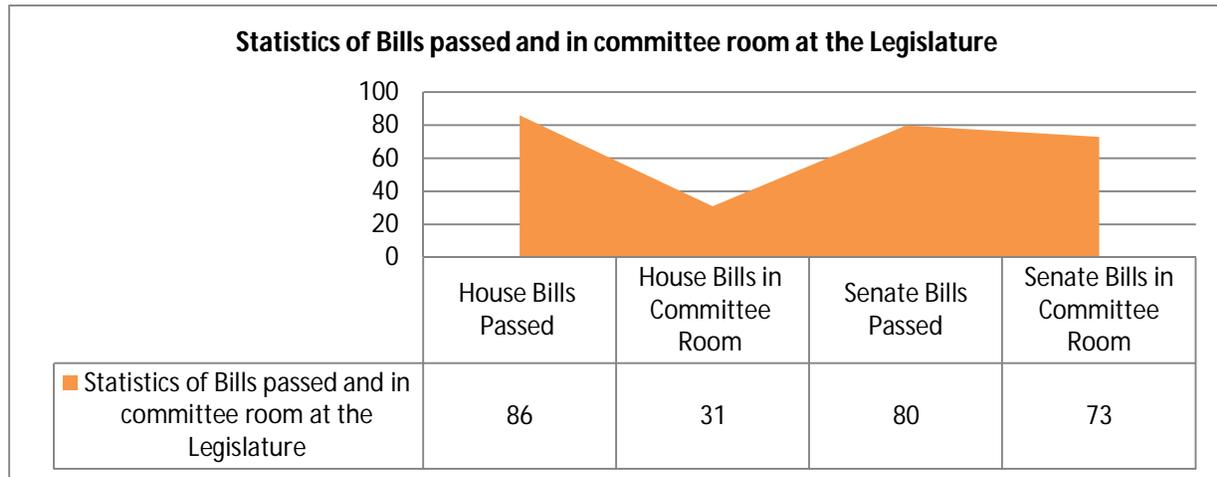
### **Bills in committee room**

Much of Legislature's work is conducted in committee sessions, where bills are reviewed and amended, budgetary decisions are made, and important oversight duties are performed. Legislative committees are the nerve or epic center for any workable legislature, the level of competence and loyalty brought on board by legislative committee members determines how effective a given legislature would be, unless otherwise mandated by plenary, a committee which receives a bill, petition, communication or any legislative instrument to report back to plenary within two weeks upon receipt of said task. However, legislative committees at both the senate and the House of Representatives appeared to be very weak. They are not only found withholding legislative instrument for more than two weeks in contrast of their own rules to the extent where in most cases Bills and legislative instruments are shelved on labs of various leadership and standing committees for years without any action.

IREDD Legislative research recorded one hundred and four (104) legislations in committee room at both Houses (House of Senate and House of Representatives). Of the 104 legislations recorded at the legislature, thirty one (31) or 29.8% are at the House of Representatives and seventy three (73) or 70,2% are at the Liberian Senate.

On the order hand, our research recorded one hundred and sixty six (166) legislations passed by both Houses (the House of Senate and House of Representatives). A total of 86 or 51.8% of the total 166 legislations passed came from the House of Representatives and eighty (80) or 48.2% of the 166 Legislations passed also came from the Liberian Senate during the year under-review.

## Analysis of Bills passed and in committee Room at the Legislature in 2016



### Lawmakers who introduced bills in 2016

Lawmaking is one of the cardinal functions of the Legislature; it allows legislators to review policies and laws that do not support the interest and development of communities. This function is critical to the development and growth of every nation. Legislature uses its function to amend provisions within the National constitution.

IREDD research recorded thirty new bills during the 2016 data collection process that were introduced by individual representatives and Senators. Of the 30 bills introduced by the legislature, 12 came from the Liberian senate and 18 came from the House of Representatives.

IREDD research revealed that there were 14 Representatives that introduced the 18 bills and while 7 Senators introduced the 12 bills at the Liberian Senate. Hon. Bhofal Chambers of Maryland County and Hon. Roland Opee Cooper of District # 1 Margibi County. Both Lawmakers wrote 3 bills each. Others who introduced bill at the House of Representatives are: Hon. Emmanuel Zoe Pennue, Grand Gedeh County, Edward Karfiah of Bong county, J. Christian Chea of Rivergee county, Hon. George S. Mulbah of Bong county, Hon. Edward M. Snowe of Montserrado County, Hon. James Binney of Maryland County, Hon. Thomas Fallah of Montserrado County, Hon. Richard M. Tingba of Nimba County, Alex Grant of Grand Gedeh County, Hon. Henry Fahnbulleh of Montserrado County and Hon. Johnson Toe Chea. They all introduced one bill each except Hon. Edward Karfiah of Bong County who introduced two bills.

The 7 Senators who introduced bill at the Liberian Senate are; Hon. Geraldine Doe Sherif of Montserrado county, Sen. Nyonblee K. Lawrence of Grand Bassa

County, Sen. J. Milton Teahjay of Sinoe County, Sen. Jewel H. Taylor of Bong County, Sen. Prince Y. Johnson of Nimba County, Sen. Morris Saytumah of Bomi County and Sen. Peter Coleman of Grand Kru County, they all introduced one bill each except Sen. Jewel H. Taylor of Bong County who introduced 6 bills.

### **Plenary Attendance**

Legislators are obligated to attend plenary sittings. These meetings provide members with an opportunity to present the views of their constituents, raise new issues, and debate the challenges facing Liberia. For this reason, the Scorecard takes into account Lawmakers attendance and debate during plenary debates. It provides information on the positions they take and the topics on which they focus.

The House of Representatives held seventy eight (78) plenary sessions while the Liberian senate held eighty sessions. There were fourteen (14) Lawmakers at the House of Representatives who almost attended all of the plenary sittings. The lawmakers include: Hon. Prince K. Moye of Bong County attended all of the 78 plenary sittings. Therefore, he got the score of A+. The others who got the highest scores include: Hon. Mary M. Karwor, Hon. Robert Siaway, Mambu M. Sonni, and Hon. Emanuel Z. Pennue, Hon. Morias T. Waylee, Hon. Julie F. Wiah, Hon. Clarence Massaquoi, Hon. Bill Twehway, Hon. Henry B. Fahnbulleh, Adolph B. Lawrence, Hon. Christian S. Chea, Charles K Bardyl and Hon. Jeremiah W.N. McCauley. They all got the average scores of A.

At the Liberian Senate, there were five senators who got the highest in plenary attendance. Those Senators include; Sen. Francis S. PAYE of Rivercess, Sen. Albert Chie of Grand Kru, Sen. George Tengbeh of Lofa, Sen. Jewel H. Taylor of Bong and J. Milton Teahjah of Sinoe Counties, they all got the average score of A at the Liberian Senate for plenary attendance.

On the contrary, there were nine (9) Representatives who got the lowest attendance during plenary session. Those lawmakers include: Hon. Alex J. Tyler, Hon. Haja F. Siryon, Hon. Alfred G. Koiwood, and Hon. Gertrude Larmin and Hon. Hans M. Barchure. They all got the average scores of D in plenary attendance. Others who got the lowest plenary attendance include: Hon. Alex C. Grant, Hon. Roland Cooper and Hon. James Banney. They got the average scores of F. in plenary attendance.

Conversely, there were five Senators who got the lowest plenary attendance at the Liberian Senate. Those Senator include, Sen. George M. Weah of Montserrado, Sen. Prince Y. Johnson, Sen. Varney Sherman of Grand Cape mount, Sen. Matthew N. Jaye of Rivergee and Sen. Prince Y. Johnson of Nimba counties. The five Senators got the average score of F. However, we also wish to

nate that Sen. George Weah and Sen. Prince Joynson frequently attends ECOWAS parliament.

### **Debate**

There were six (6) Representatives who got the highest debates in plenary session. Those Representatives include: Hon. Gabriel B. Smith, Hon. Byron Browne, Hon. Thomas P. Fallah, Hon. Larry P. Younquoi and Hon. Byron W. Zamwea. They all were seen speaking 100 times and above. On the other hand, there were four Representatives who got the lowest plenary debates. Those Representatives include: Hon. Malai G. Gborga, Hon. Charles K. Bardyl, Hon. Roland Cooper and Hon. Jeremiah McCauley. They all spoke 3 and 4 times respectively.

At the Liberian Senate, there were five Senators who got the highest debates in plenary session. Those Senators include; Sen. Alphonso G. Gaye of Grand Gedeh, Sen. Jewel H. Taylor of Bong, J. Milton Teahjah, Sen. Nyonblee K. Lawrence of Grand Bassa, and Sen. Geraldine Doe Sherif of Montserrado Counties. On the other hand, there were four Senators who got the lowest plenary debate, those Senators include; Sen. George M. Weah, Sen. Matthew N. Jaye, Prince Y. Johnson and Sen. Marshall Dennis of Grand Gedeh Counties.

### **Distant**

Legislative distant is considered when a lawmaker is absent of plenary session but attending official duty recognized by plenary. For instance, ECOWAS Parliamentary Meeting in Nigeria.

There were three Representatives who got the highest plenary distant. Those Lawmakers include: Hon. Hans Barchure of Grand Bassa County, Hon. Alex C. Grant of Grand Gedeh County and Hon. Edwin M. Snowe of Montserrado County. The Lawmakers were seemed distant 24 times and above.

There were five Senators who got the highest distant times at the Liberian, those senators include;; Sen. George Weah, Sen. Prince Y. Johnson of Nimba, Sen. Dan. H. Morias of Maryland, Sando Johnson of Bomi and Sen. Marshall A. Dennis of Grand Gedeh counties. Sen. Weah got the highest distant times amongst the five senators with 28 distant times.

### **Excuse**

Excuse is considered when a Representatives officially notified plenary and stating the reason of absent from plenary session. Hon. James Banney got the highest excuse times at the House of Representatives. He was seemed excused twelve times (12) and Hon. Moses Y. Kollie was excused four (4) Times.

At the Liberian Senate, there were five Senators, who got the highest excuse times, those Senators include: Sen. Henry Yallah of Bong County, Sen. Daniel Naatehn, Sen. Dallas A. Gueh of Rivercess, Sen. Commany B. Wesseh of

Rivergee and Sen. Thomas Grupee of Nimba Counties. However, Sen. Henry Yallah got the highest excuse amongst the five Senators with 12 absent times.

### **Communications**

Legislators, consistent with Constitutional checks and balances, have oversight over Government Ministries and agencies via legislative committees. The committees exercise their right to cross-check the performance report of those Ministries and Agencies. By this the public through their representatives are kept abreast of how funds are allocated and expended. The exercise of this legislative responsibility is often expressed by individual lawmaker's request for explanation from Ministries and Agencies on budgetary allocation they received from the national coffers and/or by writing an official communication/letter to plenary through the office of the Presiding Officer on the conduct of the management of a particular government agency. There were a total of 195 communications recorded at the legislature with the House of Representatives recording the highest (111) while the Senate recorded 84. However, an analysis of the number of communication per individual lawmaker show that members of the senate more communications than those at the House of Representatives. Of all the communications written, only few raised serious issues of national concern, they include:

Senator's Geraldine Doe Sherif's letter highlighting 'an existing horrendous condition' at the John F. Kennedy Medical Center (JFKMC). These conditions include the difficulty experienced in accessing health services at the institution and conditions workers themselves under go in their service delivery that has led to members of the National Health Workers Association of Liberia (NHWAL) to threaten a strike action. The Senator also questions the Social Welfare component of the Ministry of Health in relation to the increase of the mentally insane within the Country. The situation of the JFKMC has been raise previously by many lawmakers;

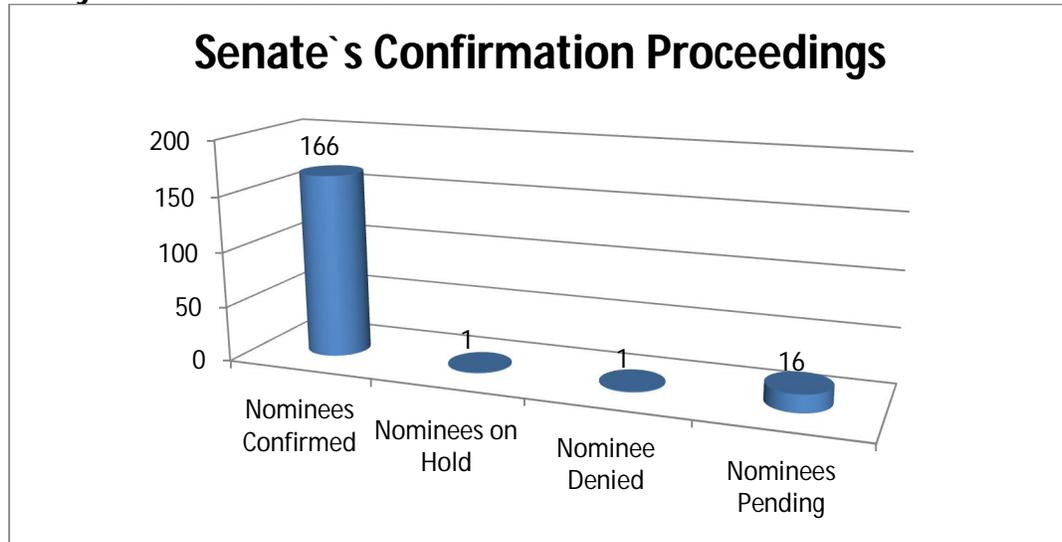
Hon. Isaac Rowland of Maryland-District # 3 communication which requested plenary to invite the Executive Governor of the Central Bank Governor of Liberia and his principal deputies to explain the rational for printing new bank notes in higher denominations.

### **Presidential Nominees Confirmation Consideration by the Liberian Senate**

During the period, the Liberian Senate received a total of one hundred eighty four nominees from the office of the President of the Republic of Liberia. Of the 184, the Senate confirmed 166 presidential nominees and placed on hold, Hon. Akoi Zogbo Commissioner, Voinjama District, Lofa County for further scrutiny one nominee. The Liberian Senate denied one

presidential nominee Hon. SIAFA V. G. Konneh, Commission Designate Gbarma District, Gbarpolu County and 16 nominees are pending confirmation hearings.

### Analysis of the Senate Confirmation



### V. Observations

The committees' on internal Affairs and governance at both Houses were found to be the committees which have the most congested dockets during the period. Also, the committee on Judiciary which provides legal oversight to every committee's work was found to overload with one hundred forty one legislative instruments pending in committees rooms.

During the year, we could not obtain information on legislators' efforts to request quarterly performance report from government ministries and agencies that received budgetary allocations from the national budget as prescribed in the budget law. One could speculate that this is either because much effort was not made by the lawmakers to obtain the performance reports or because such information was treated with secrecy. This tendency creates a room for limited accountability and transparency in those ministries and agencies

There was serious punctuality problem during the entire reporting period. Most sessions started late, often an hour or more late. This was in violation of rule #2 of both Houses which put the starting time at 10:00am on every session day (Tuesday and Thursday). As observed during the year, regular plenary sessions were not only starting late but also a number of lawmakers were recorded late those who came in after roll call

The tradition of “Secret Legislative Sessions” continued throughout the whole year, virtually obscuring the transparency and accountability commitment of the National Legislature. What is becoming to be known as the “Secret Session Syndrome” appeared to be more prevalent in the Senate? This is the tendency where the lawmakers take behind closed doors critical national decision-making processes in an apparent bid to evade public monitoring and observation of how subsequent decisions of the secret deliberations are arrived at; who took what stance and why. Though authorized by the rules of both chambers, most of the secret sessions held by the Legislature, particularly the Senate, were void of state security justifications consistent with best legislative practices.

Many legislative staffs do not go to work when their bosses (Legislators) travel or out of the legislature or undertaking constituency visitation. This makes it difficult to deliver communication to offices of lawmakers because their offices are always locked.

### **Recommendations**

IREDD recommends serious reforms in the structure and governance of all the legislative committee and the overall governance of the legislature especially as we prepare for the 54<sup>th</sup> Legislature:

1. The Legislature should restructure the number of committee by reducing the committees and merging those committees whose function in a way overlap each other. For example, at the House of Representatives, Committee on Elections and Inauguration and Committee on Governance as well as Committee on Internal Affairs should be merged into one Committee. The Committee on Claims and Petition and Human Rights should be merged with Committee on Judiciary; Committee on Hydrocarbon should be merged with Committee on Concession and Committee on Lands Mines and Energy.
2. Committee meetings and the venue of the meetings should be made public and those members that are supposed to attend the meetings should be listed on notice boards at the legislature;
3. Lawmakers should take seriously the work of the Liberian people by ensuring that they attend Plenary Session to do the business of the Liberian people;

4. IREDD recommends the review and amendment of the House Representatives Standing Rules (Rule 54.2 and 54.2) which gives the appointing power of committee heads including Statutory Committees to the Speaker. We believe that this undermines democratic tenants, creates and imperial.
  
5. The leadership of the legislature should place premium on strengthening and capacitating clerical institutions (Office of the Secretary of the Senate, Office of the Chief Clark, Legislative Budget Bureau, Legislative Research Bureau, and the Press Bureau of both House and the Human Resource Department at the legislature. We believe that this will go a long way in enhancing the overall efficiency and effectiveness of the Legislature.