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Task #2:

Baseline Study on existing rules and regulations

Task #6:

Support to the work of the parliamentary reform coordination committee

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MISSION REPORT

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I. Introduction

1. *General remarks on the present situation of the Liberian Legislature and here especially its staff*

1.1. Situation based on the relevant documents

Liberia has had a democratic constitution ever since 1847. It defines the political shape of the country as a federally organized state of 15 counties with a three-branches government consisting of separate Legislative (Chapter 4), Executive (Chapter 5) and Judiciary (Chapter 6). This includes a system of checks and balances – exactly as the Constitution of the United States of America, which it was modelled on when the “freed slaves”(others say: the unwanted black persons that had grown into personal freedom), the so called “settlers”, coming from North America started to build the new country.

Both chambers of the Legislative enacted Standing Rules for their procedures. Nr. 39.2 of the Rules of the House of Representatives states:

“The Rules of the House shall continue from one House to the next House unless they are changed as provided for in these Rules”. Apparently this has seldom taken place – there is now the 52nd Legislature in office and it seems the Rules have been adopted without major changes.

The Rules prescribe quite meticulously the procedures of the legislative work - they do provide an ample space for effective parliamentary work. The same goes for the Standing Rules of the Senate.

Concerning the administrative assistance – as every parliament is in need of – they contain a lot of job descriptions in various connexions with the proceedings, such as for instance: Nr. 13 section 2 of the Rules of the Senate: “The Senior Stenographer shall submit a copy of each journal”.

Or in Nr. 9 of the Rules of the House: Nr. 9.1: The Deputy Chief Clerk shall assist the Chief Clerk ...” 9.2: “The Engrossing clerk shall properly engross all bills”, Nr. 9.3: The Enrolling clerk shall make a correct copy of all bills...” and so on.

In both Rules there is made a distinction between “Members of the Staff” (which obviously designates a staff of the Chamber as such) and “Honourable Members’ Staff” by which is described a list of people each lawmaker has the right to engage.

Presuming that there will be a great difference in capacities between these two types of staffers there will be asked for diverse strategies in training them.

1.2. Situation in real life

Whereas the constitution gives substantial powers to the Legislative and while it therefore could be a strong institution, it has not exercised its powers in the past and moreover it doesn’t seem to be able to do so at the moment.

After the gruesome civil war that lasted for more or less for twenty years – depending on how one looks at it – and the peace that was brought to the country more by the international community than from inside powers in 2005 there have been freer and fairer elections than any other Liberia’s people can remember. After this success a government has been set up that on the executive side includes a President and Minis-

ters of broad horizons and international experience. But even if these will perform a good job – this will not bring the idea of democracy nearer to the people. It is not the task of the executive branch to actually keep in touch with the folks. This can only be achieved by parliamentarians who have been elected in their constituencies respectively their counties, to which they have – by definition – to keep close contact. Otherwise people in the country will never get the faintest idea of the difference between being ruled by some unknown, distant warlord who can do whatever he pleases and a democratically elected government that is controlled by the people through the means of a functioning Legislature.

Unfortunately the Legislature does not seem to be in shape to perform this task dutifully. This has been described in numerous reports by various institutions. Monrovia after the war has become quite crowded by NGO's of all kinds and activities of different kind have taken place to improve legislative performance. Not all of these have been coordinated in the best thinkable manner. It can be stated though at any rate, that reasons for legislature's miss performance seem to be in personal capacity lacks of the elected lawmakers – most of whom are completely new in office – as well as in shortage or even non-existence of material needs such as office equipments of all sorts.

Being a newcomer to a parliamentary body is something that always happens in all democracies all over the world. There is nothing specific in the situation of a member of parliament, newly elected, who does not know where to begin. Normally though, there are two agencies to provide him or her with all the necessary knowledge: in the first place the party he belongs to and on whose ticket he became elected and secondly by the experienced parliamentary assistance staff.

In Liberia, at present, there is a lack of both.

Political parties in the common understanding of the word do not exist. Instead, the incoherent aggregation of different lobby groups that formed what was called political parties in the process of election campaign broke off immediately after. This causes a non-existence of party-groups or “factions” in both Chambers of Parliament and hereby exacerbates parliamentary procedures in a way that cannot be overestimated. The normal procedure doesn't work: a majority, backing the Executive, bringing in its proposals and handling them to the happy end of being enforced and executed – controlled by an opposition of other convictions and always trying to get the better part in parliamentary debates in order to be elected the next time. Instead, individual MPs seem to think, work and act more or less on their own. The Presidents' “Unity Party” (if it can be called a party in the common understanding of the word) holds 8 of 64 seats in the House and 4 of 30 in the Senate. This means that probably there should be much more concern about how the Executive can be supported by this Legislature than be controlled. A vision of a chaotic parliament obstructing all executive efforts does not seem far-fetched.

This is a political question of training the Members of Parliament themselves in trying to make them understand the fact as a special difficulty and therefore strengthen their sense of responsibility.

The second need is the one this part of the support for the Legislative is aimed at: the more the lawmakers themselves are inexperienced and without the background of learned members and employees of factions, the more decisive is the role the assistance staff has to play. So it is of great importance that at first there is a staff as the Rules prescribe and secondly that they have the ability and the means to fulfil their duties.

The parliament itself seems to be aware of these problems and has established a bicameral Reform Coordination Committee. So far, though, the exact assignments of this committee are not clearly defined. Therefore to find out about the role and function about this committee has been the second task of the expert – next to a study on rules, procedures and practices of the two Chambers.

2. *Goal of the expert's stay in Liberia*

As pointed out in the “Proposal and Work Plan for the second year of the project” of the Konrad Adenauer foundation, priority was to be given to the objective: “Reinforcing modern parliamentary practice”. The situation of both Chambers was defined as desolate due to the

- Lack of knowledge and experience of parliamentary praxis by most of the lawmakers
- Lack of functioning organisation due to outdated or non-existing regulations and unskilled staff
- Lack of a minimum of technical infrastructure.

Consequently the expert's mission was aimed at

- 2.1.** A baseline study on existing parliamentary regulations and procedures and needs assessment including regulations on parliamentary agenda, plenary sessions, work of committees,
- 2.2.** A study on role, function and capacity building needs and potential working mechanisms and working plan for the new Legislative Reform Committee

3. *Methodology*

The following activities have been carried out:

- Business conferences with program director Klaus Loetzer and program officer and assistant to the program director Menekeh Pschorr;
- Meetings with members of the House of Representatives, Senators, staff of the House of Representatives, staff of the Senate;
- Joint meeting with members of both staffs;
- Roundtable with lawmakers and staff members;
- Discussions before and after these meetings with the local consultants Morris Dukuley, former Speaker of the House of the transitional legislature 1994-1997 and former Minister of State, and Hon. Frederick Cherue, Senator;
- Conversation with German Ambassador Thomas Freudenhammer;
- Dialogue with Nessie Golakai, Program Analyst of UNDP Liberia as member of the donors' coordination committee;
- Meeting with Senator Isaac W. Nyenabo, President Pro Tempore of the Senate and Hon. Edwin Snowe, Speaker of the House of Representatives at the house of Mr. Nyenabo;
- Talk with Senator Clarice Jah as member of the Legislative Reform Committee; and

- Site visit inside the Parliamentary Building (the “Capitol”).

II. Goal One (Task #2):

Baseline Study on existing parliamentary regulations and procedures and needs assessment including regulations on parliamentary agenda, plenary sessions and work of committees

1. *Key Findings*

1.1. General Remarks

The expert’s task was to find out whether the existing regulations on the procedures in both Chambers of the Liberian Parliament are sufficient and satisfactory. If not – and this was somewhat assumed – to draw up better ones and during a later stay in Liberia ensure they be adopted by the Legislature.

The second assignment – originally not combined with the first, but, as it turned out, closely connected and therefore quite well to be dealt with at the same time – was the role and function of the bicameral reform committee that has been set up by the Legislature.

This is not the first report about these questions. Workshops have been performed by the Konrad Adenauer Foundation with legislative staff on rules and procedures and a very thorough “Liberia Legislative Needs Assessment” for the “United Nations Development Programme Liberia” has been carried out by the Center for Legislative Development of the Rockefeller College of Public Affairs and Policy of the University of Albany (Johnson and Nakamura, Febr. 2006).

In order to avoid duplication of work and accentuate the importance of good coordination of the NGOs involved, the expert will assume that the reader is more or less acquainted with the contents of this paper.

Consequently this study takes for granted what has been said elsewhere and on the one hand tries to go further into detail where lacks and deficiencies have already been spotted and on the other hand attempts to make realizable recommendations.

Concerning the point

1.2. Rules and Procedures

this will now be done with emphasis on the following items:

- Agenda (order of the day);
- Minutes (records);
- Archives;
- Library;
- Factions;
- Committee work; and
- Personal staff.

1.2.1 Agenda

According to the Senators they get to know the order of the day the minute session begins. They complained they never get anything beforehand and in due manner to be able to prepare their work (app. P.2) Senate's staff claimed this was not so: items for the order of the day must reach the Secretary's office 48 hours before the beginning of the session, the agenda is written, printed out and distributed before session (app. P. 5). So there is a discrepancy between the two views and it can be taken for granted that the staff does try to prepare things beforehand but seldom succeeds.

In the House of Representatives things are even more so: there doesn't seem to be the faintest idea on why it might be a good thing to know the items of the agenda beforehand. Staff is in no way used to even write it up (app. P.7) and the Honourables don't miss it (app. P 4). For them the order of the day is laid down in Rule 11.3 to 11.15 of their Standing Rules: Call to order, prayers, roll call, etc. etc. and that's that. Preparing anything is unheard of and even seems not desirable because it could lessen spontaneity of debate.

This shows an understanding of legislative debate that is very different from the European and American. In neither of the standing Rules of Senate nor House is written down that the agenda be distributed before session. The topic will be taken up again under "recommendations".

1.2.2 Minutes or records

In the expert's talk with the Senators the minutes were not a specific topic but went under the general and great discontent with the administration's work (app. P 2 and 3). The members of the House didn't have any complaints (app. P.4).

Looking further into detail of the Rules and talking with both of the staffs the following has to be said:

The topic is dealt with in Rule 7.7, 7.8 and 12 of the Standing Rules of the House and Rule 13 of the Senate. Both prescribe stenographic records, transcription, distribution, chance for the Honourables to ask for changes and then adoption. There was some discussion on if or if not the Rules of the House have been deteriorated lately by nowadays only prescribing a summary whereas in former times a verbatim record might have had to be taken (app. P.8). The question though, can be neglected taking into account the following deficiencies both staffs pointed out:

The stenographers do not have tape recorders. They write – as they insisted on – a verbatim record in shorthand, then, after session, transcribe it by hand in a readable form, hand it in to the Secretary, respective the Chief Clerk, who signs and edits it and turns it over to the computer operating department. This in both cases comprises of about a handful of people but only one computer (and very frequent power shortage). In the Senate (app. P.6) there does exist a copy machine and staff claimed the minutes were distributed in the next session – which the Senators denied because according to them they are never accomplished in due time. The House also owns a computer, but staff deplored there never was any paper supply and then, most of all: there is no copy

machine at all and always asking UNMILL for help in copying seems embarrassing (app. P.8).

On the whole, this procedure doesn't come up in the least to the quite meticulous regulations in the Rules.

1.2.3 Archives

What then happens with the records in some way makes it understandable that stenographers find their work exasperating: what should be the archives where the records would have to be kept, simply doesn't exist in the ordinary meaning of the term. There is no filing system, no structure, and there are neither filing cabinets nor other devices. Employees working in the archives (about 10) are on the pay roll of the House of Representatives; so the Senate, Members as well as Staff, complain about the situation.

The expert's visit to the Capitol building (app. P 16) showed what is left of what still is called "The Archive" in a total mess of cardboard boxes and the one that was labelled "record 2006" was empty.

Everybody agrees that this situation has to be brought to an end immediately (app. P.2, 6, 8,15), but there seem to exist no ideas about schooling and instead only the cry for copy machines and filing cabinets.

1.2.4 Library

The library (app. P.3, 6,9) is completely outdated, doesn't include Liberian Law and despite the fact that 18 employees are on the payroll of this department – not used by anyone. This has been described in more detailed manner in KAF's study on the Legislatures' access to Information and needs not be repeated here.

1.2.5 Factions

The current (52nd) Legislature in Liberia is the first - at least for a long, long time - that is not a one party assembly, simply backing the President. The fact that the Standing Rules of the Senate (Rule 18 and 19) provide for Majority and Minority Leaders and Whips as well as for party caucuses – which apparently never grew into any significance – shows the rubberstamp quality of the Legislatures until now. There is a long way to go to change this. In some ways, it may be more complicated in this country – that has had not only a democratic constitution but also institutions for a hundred and fifty years – to convince the local stakeholders that the so far customary procedures do not come up to international democratic standards.

On the other hand, NGO's from the northern hemisphere should not act in this quite complicated field in a way as if they were in possession of the only wisdom.

If in Liberia at the moment everybody – in both Chambers – agrees that nobody wants "party caucuses" (as parliamentary factions are called here) it once again shows a very different approach to legislative work from ours. It was claimed that work is "messier and more difficult, but much more of a control of the Executive, because otherwise the President-supporting group would dominate everything and make effective control impossible" (app. P. 2), this demonstrates the current situation: the lawmakers are proud of the fact that suddenly they really are entitled to control the Executive. That

this Executive has to be backed and supported in order to be able to fulfil its duties in the first place is not seen, due to the fact that it is – by habit – esteemed overwhelmingly powerful anyway. So: the aspect of control is the one that counts. And as pointed out before, the spontaneous, maybe sometime chaotic, open debate, everyone on his or hers own expenses, it is obviously that what counts here and is wanted. In the expert's opinion this can only be stated and probably not altered at the moment.

1.2.6 Committee work

The House of Representatives as well as the Senate “work by committees”. They are prescribed in the Rules in detailed form.

As to the appointment of the chairpersons of the committees there was some complaint that the Rule Nr. 20 section 2 (all chairpersons of the Leadership, Regularly Standing and Special Committees be elected by the plenary) was changed or at least in general practice nowadays manipulated in the Senate where the Pro Temp just appointed them. The point could not be verified.

Rule 11 for the House and 12 for the Senate provide for “call for reports” of all the committees during the regular order of business. But reports apparently are written up scarcely and read even less. This will be taken up in “recommendation”.

1.2.7 Personal Staff

Other than the Rules of the Senate, that do not provide regulations on this point, Nr. 10 of the Standing Rules of the House of Representatives gives a “List of Honourable Members Staff”, including such positions as “page, special assistant, yard boy, cook, security (2) and receptionist, but also: administrative assistant, executive secretary, secretary and filing clerk. Whereas the first ones do not seem to postulate certain proficiency, the later ones certainly do.

Local consultant Morris Dukuley, with all his experience from Legislature as well as Executive and, last not least, having spent half his life in the United States, stressed the fact that in his opinion a properly educated staff for the personal assistance to the legislators is of utmost importance. He consequently recommends job descriptions for these positions and requires job applicants have to give proof of their educational background (app. P. 1) He goes so far as to call “corruption” what seems to be general practice: taking up your family on the payroll, not regarding any professional skills.

Expectedly, comments on the suggestion varied. When, much more discreet than the local expert, (who didn't hesitate to ask for very outspoken challenges on various occasions) the expert explained she figured a newly elected Legislator to be under great pressure to employ half his cousins and might be grateful to have some support in finding capable staff in existing job descriptions - there was quite a lot of consent! (app. P. 3 and 4 for the Senate, P. 5 for the House).

2. Recommendations for Rules and Procedures

2.1. Rules

Wishing for the Liberian Legislature to become powerful, democratic, working in an effective manner is a wish that has been expressed in many papers and on many occasions.

In the expert's opinion there is a very long way to go until this goal can be achieved. One of the reasons is the fact that Liberians seem to be convinced that due to the one hundred and fifty years old constitution, Liberia always, from the beginning on, has been a democracy and nothing really has to be changed – except, of course, the bad governance of corrupt Executives, but this doesn't have anything to do with the Legislature.

In order not to set the aims too highflying and on the other hand to really get started, recommendations shall now be made that may seem not very ambitious. But then, it here seems realism is the precondition for any change at all – and the cry for changes of all sorts has been heard long enough.

2.1.1 Rules in general

First of all it has to be stated that the Standing Rules of Senate and House of Representatives need not be altered. This even applies to wishful changes in respect of for instance the appointment of chairpersons of the committees or the question whether minutes have to consist of verbatim records or summaries, as shown above. All these issues would certainly be of great importance to a legislature that works in an ordinary way. But the Liberian Legislature does not function in basic ways. The fact that Rules have to prescribe proceedings is not the world that has to be gone into. The procedures themselves and the understanding of them are the item of interest.

This is why instead of working on the existing Standing Rules of the Legislature in making them even more elaborate and articulated the goal should be aimed the other way around:

2.1.2 Simplifying the Standing Rules

The Rules that have been adopted by the 52nd Legislature are fine. There basically are no objections against them. In most regards the procedures are not. The knowledge and understanding of the Rules even less.

The lack is rather to be found in their publicity, or, in other words, in the members' knowledge of their exact wording and – most of all – purposes. They are very detailed, they are written up in an unfamiliar parliamentary language, – especially for new members, they deal with a lot of technical terms. The surprising debate on the term of “agenda” or “order of the day” has been a good example to illustrate this issue.

This is why it is here suggested to go the other way around, at least for the House of Representatives. In addition to the Standing Rules that have been adopted and that could very well fulfil their purposes, it seems a good idea to have another version of a *simplified* form. There would be just one or two simple sentences for each item that has to be explained, in a normal day-to-day- language.

Instead for instance, the detailed Rules 7.7 and 12.1 and 12.2 about the records, there could be stated something like “Every word a member of the House of Representatives says in open debate is written down and kept for all times. This is to make the Representative accountable to the people.” Not more than just a tiny manual that can be read in shortest time. In addition maybe a poster-version to be hung up over your desk in the office would be a good idea.

And then: not only to be read. It should be to be heard! Spoken out in so called “Liberian English”, understandable for everyone, to be listened to for instance on a ride in your car from a simple cassette.

And even one more thing: not only in English. It might be helpful for constituency work to have this version also in other spoken languages of the country as there are: Kpelle, Lorma, Bassa, Kru, Mano, Dahn, Krahn, Vai, Mende. Translation would have to be done by authorized translators. Three of these languages (Kpelle, Lorma, Vai) are written languages so there could be written versions as well.

Publishing the shortened highlights of the Rules in traditional languages could not only be useful for the lawmakers themselves but also for showing what they are doing in the Capitol to their voters and around their constituencies on general.

Of course before being published it will be crucial to have the version be approved of by the Rules Committees of both chambers. It has by all means to be avoided the impression that there is interference from outside into legislative proceedings that are up to the Honourable the Senate and the House itself.

Local consultant Morris Dukuley came up with this idea –(quoting again his sentence: “we are an oral society. Liberians don’t like to read”). The expert very strongly recommends assigning him with this project and expresses great interest to co-author such a manual.

2.2. Procedures

Next to this idea of not changing, but promoting the existing Rules to more being acknowledged and understood, recommendations shall be made for a few, selected positions within the Rules of the two Chambers:

(**The agenda**, or “order of the day” is not included in this list. Major deficiencies, this is for sure, are to be found in this field. But on the other hand, lawmakers’ approach to what would be called “opportunity to prepare session” or “research possibilities” is so far from what is esteemed normal in other political circumstances – obviously due to a completely different “oral” tradition - that it is not suggested here to try to initiate big changes at the moment. This is less true for the Senate than for the House. Still, it seems appropriate to concentrate on the following items.)

2.2.1 Records

Why concentrate on the records?

The expert chooses the subject for political reasons. Bureaucratic regulations on why do this or why do that in the Standing Rules do not seem to reach the ordinary Libe-

rian Representative. Nobody should be astonished, because, after all, Legislature has worked for one and a half century, hasn't it?

Regulations never – and this goes for all countries in this world and by all means not only for Liberia – are followed to unless people see some sense, some interest in abiding to them.

This is why keeping the records in a way that will be completely new to the Liberian Legislature seems a big chance: if Representatives could be made to understand that everything they say in open debate will be written down, kept and stored for all times and remain open for being traced down by anybody who wishes to (mass media included), this might help to develop a sense of accountability that this Legislature is in dire need of. So, it is recommended to immediately provide:

- Appropriate tape recorders;
- Typing machines for the stenographers of both Chambers;
- Computers;
- Paper;
- Reliable power supply;
- Copy machines for the computer departments;
- and, most all:
- Training and educating of at least enough people who will be able to fulfil this sort of work.

(Again: there should not be space for the usual excuse that on the “ghost payroll” of these departments are too many incapable. It will never be possible to get rid of all of these. But there will always be the chance to pick out a few as competent. The challenge is to find these and educate them. The expert is very sure there are and that they are very eager to learn).

2.2.2 Committee works

What has been said for the records of the plenary sessions goes equally for committee reports. There should be no excuse for not providing for them. If there is need to train more staff in writing down what happens in the committees, this should be done. There is more than enough of staff, although, maybe, so far untrained.

2.2.3 Archives

Consequently the Archives have to be reorganized at once. The expert suggests doing this on a very, very basic level. The fact that with the new beginning of the freely elected 52nd Legislature no effort was undertaken to start a new sort of archiving but instead insisting on lacks of materials and everything else is not encouraging. The general feeling that nothing works and therefore no efforts seem to make sense has to be brought to a halt. The project of “Reorganizing the existing Archives” has been postulated in almost every paper written on the Liberian Legislature. Nobody had the nerves to begin. Maybe it is time to admit that there is no way of bringing order into the old remains and instead just courageously start with a new Archive, beginning in the second session of the 52nd Legislature.

It will not be expensive to buy a few cabinet files and folders. It will not be difficult to train a few members of the archives' staff to perforate the plenary records and committee reports and file them – to begin with – in a chronological order. The fact that

this has not taken place during the past session, (the important one of the Liberian Legislative “at a historical crossways” as was pointed out at so many occasions) shows a poor performance of the staff so far. But this seems easily to be changed. Staff wants to perform better. They need to be encouraged and shown simple ways of improvement. This will not come from inside the Chief Clerks Office. It has to be monitored from outside.

2.2.4 Library

To raise the self esteem of lawmakers and inspire them to some research work – as far as capable, and this goes at least for quite some of the Senators – it seems easily be done to see to a small, updated library including, most of all, collections of Liberian Law (as not available at the moment in Liberia, but, it is said in the quoted KAF-baseline study on the access to information, somewhere in America. This must be a very humiliating situation for every learned Member of the Legislature – and there are these also, next to the ones of poorer educational background).

So the suggestion is to pick this as a central theme in the donors’ coordination committee and find funds to at first buy a few books and then train one or two of the combined archives’ and library’s staff to keep them in order and develop a reliable system to make them available to the lawmakers.

2.2.5 Personal Staff

The question of job descriptions for the Personal Staff has already been dealt with above. Recommendation is made not to try to change all traditions and habits so far – a strategy doomed to failure – but still change a bit: there could be job descriptions with the need of proof of educational background for two or three of the thirteen persons every honourable member of the House is entitled to engage. These should be the “administrative assistant, special assistant and executive secretary”. They should have to proof their education and administrative experience.

The same should be fixed for the Senate. As in the Standing Rules of this Chamber there is none concerning the personal staff, these Rules should be amended in this point.

This can only be done by the Legislature itself. This is a good reason now to turn to the second goal of the experts’ assignment:

III. Goal Two (Task #6):

Role, function and capacity building needs and potential working mechanisms and working plan for the new Legislative Reform Committee

1. *Origin*

In February 2006 a study called “Liberia Legislative Needs Assessment” was presented to UNDP Liberia by the Centre for Legislative Development (CLD) of the Rockefeller College of public Affairs and Policy at the University at Albany.

To assist the Legislature in fulfilling its potential, it proposed that the Legislature and the donors establish a framework for legislative strengthening with three fundamental components:

- A Legislative modernization committee to guide the development of the Legislature
- A legislative development plan owned by the Legislature
- Donor coordination, to ensure that outside support truly helps build the institution

2. *Findings*

Already during the 4th quarter of 2005, following Liberia's National elections, the UN community had advised incoming legislators that it would be to their advantage if a Committee of Legislators was organized to a) coordinate assistance for the Legislature in its entirety and b) serve as a single point of contact through which international partners could coordinate assistance. As such, an interim committee was formed with then Senator-elect Blamo Nelson as its chair.

This interim Committee transitioned into an Ad Hoc Committee after the Legislature had been sworn in in January 2006. It was given the assignments proposed by the UNDP study quoted above. It was constructed as a bicameral committee consisting of three members of both of the Chambers. All members belong to the leaderships of both Houses and to key committees (Ways, Means and Finance/ Rules and Order/ Foreign Affairs). They are:

Member	Party affiliation	County
Sen. Blamo Nelson	APD	Grand Kru
Sen. John Ballot	Unity	Maryland
Sen. Clarice Jah	Liberty	Margibi
Rep. Bhofal Chambers	Unity	Maryland
Rep. Alomiza Ennos	CDC	Montserrado
Rep. Mohammed Ware	LAP (COTOL)	Grand Cape Mount

The international donor organizations have also organized themselves into a "Legislative Donor Coordination Group" (L-DCG). EC/KAF is a founding member of the L-DCG. The purpose is to more effectively liaise with the Legislative Modernization Committee.

International partners regard the committee as the group that will be responsible to formulate the "development plan", i.e. the needs assessment study proposed and that could become a strategic multi-year plan for the entire Legislature. For the time being, it appears, the committee is only consulted on the seven month, multi-million dollar renovation of the Capital Building that is due to start this month (Nov. 2006) and is funded by USAID, seems to have been successfully asked for by the committee.

But then, this could turn out to be a problem. Initiated from outside, formed in a way without any transparency the committee could suffer from a lack of backing from inside. The risk seemed high for the expert, when she was to find out that almost nobody of all her interview-, meeting-, and workshop-partners from inside both Chambers and their staff had ever heard of the committee. “Ownership of the Legislature” as called for by the original study, will not be secured for any output of a committee that somehow “works in the dark” as somebody put it.

An interview with Nessie Golakai (app. P.13/14) showed moreover that the L-DCG does not operate in the intended way either. There seems to be lack of transparency by either intentionally or unintentionally withholding relevant information. Somewhat alarmed the expert tried to find out about the present situation, but only to find a certain lack of transparency. There is call for a co-chair, so that the House of Representatives have an even share in the leadership.

3. **Activities**

In order to name these concerns to the Chairpersons of both Chambers, the expert had a meeting arranged which took place in the end of her short term in Monrovia at the House of the President Pro Temp and in the presence of the Speaker of the House (app. P. 12).

It was pointed out that KAF not being one of the big fund providers but nevertheless co-founding member of the donors coordination committee is concerned about the possible ineffectiveness of the modernization committee if not certain conditions be fulfilled:

- The committee should be installed by the **plenaries** to give it **transparency** and democratic **legitimacy**. It must appear on the regular agenda in the beginning of the new session in January, debated (in order to make it publicly known) and be voted upon by all Legislators.
- In order to improve its power and strength it should be **co-chaired** by a Member of each House instead of having just one chair as is currently the case.
- If the committee is actually intended to work in the way the World Bank in its study proposes it must have a small **secretariat** with equipment and man capacity to achieve the ambitious and demanding assignment. Also some outside expertise and consultancy may prove to be necessary.

Both leaders of the Chambers, President ProTempore Mr. Nyenbo as well as the Speaker of the House Mr. Snowe consented to the first point. Although Mr. Nyenbo rejected the notion, “the committee worked in the dark”, he explicitly agreed to take the subject on the agenda of the coming up session in January and so did the Speaker. Both of them then maintained there was not only one chair – but it became not clear to the expert who of the three members of the House of Representatives is said to be holding the other one. And as for the secretariat they pointed out the committee took part in the general facilities.

4. Recommendations

- 4.1.** It is strongly recommended to closely monitor the procedure on the outcome of this meeting with the leaders of both Chambers. Local consultant Senator Cherue as a member of one of the Chambers consented to try to convince other Senators of the importance and meaning the committee could achieve for the Legislature on the whole, if it was set up in the right way and watch over its being taken up on the agenda. The other local consultant, Morris Dukuley, who is not member of the Legislature at the moment but knows a very big number of the local stakeholders as well, promised to promote the idea by his ways.
- 4.2.** There should be made the attempt to bring a member of the House to make a motion for a second chair. Morris Dukuley could try to promote this.
- 4.3.** The question of assistance to the committee should be brought up by KAF in the L-DCG. To the expert it seems of great importance that this group improves its own procedures. Withholding information and plans cannot be the way to promote improvements. If the modernization committee is to be a success it needs a secretariat and L-DCG should be quite clear on this point with the Speaker and the President Pro Temp. The six honourable members have lots of other tasks and as they were just appointed because of their belonging to other important committees, there is not great hope that they will be especially interested in the modernization of their legislature on the whole besides the call for better equipment (as already happened). So, it probably will be necessary to try to have a few, learned assistants in a service-department who could work up ideas that could eventually come up to the development plan the donors originally thought of and still care for “ownership of the Legislature” that seems so crucial. May the L-DCG could make the proposal to pay for two or three of such people for a limited time.