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Support of the Legislative Assembly in Liberia

Activity No. 13 – Consultative Mission on
‘Parliamentary Organisation and Support Structures’

REPORT

By

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1. Executive Summary

Liberia is a post-war society. Only in 2003 a most gruesome civil war which had caused political instability for 14 years, was ended. With the democratic presidential and legislative elections in October/November 2005 a new President and members of the Senate and House of Representatives have been elected. The Legislature is one of the three branches of government and has a crucial role to play in the process of consolidating the democratic system of government. The Legislature can only perform its duties if it functions effectively. Most of the newly elected members of parliament had neither experience with parliamentary procedures nor had they ideas of their powers and duties. In order to strengthen the Legislature an assessment of parliament buildings has been carried out. On Parliamentary Procedures three workshops were facilitated. The workshops were extremely well attended and took place in an excellent working atmosphere. The members were grateful for the training and requested more workshops on related issues. The fact that the members of parliament who in many cases fought each other in the civil war, came together to attend the workshops and debate controversial issues in a peaceful, orderly and constructive manner is already a success on its own. This was a good preparation for the future work in the Senate and in the House of Representatives. These workshops, however, are only part of a whole bunch of activities which need to be done in order to strengthen the Legislature. There are a number of recommendations for such further and additional activities. Since Liberia is not in a position to provide the necessary resources, the chances for a consolidation of the young and extremely fragile democratic system are low. The donors are requested to continue supporting the democratisation process. One of the main areas should be the Legislature.

2. The political situation in Liberia

Liberia has gone through a period of political instability for the past 16 years. The Comprehensive Peace Accord on Liberia signed and effected on August 18th 2003 in Accra marked the end of 14 years of a most gruesome civil war. That war not only destroyed almost the entire infrastructure of the country but also left behind a traumatized population and a high number of Internally Displaced Persons. The Peace Accord brought new hope to the Liberians. This hope reached a further stage with the successful conduct of democratic elections on October 11th 2005 in which the members of the Legislature (30 Senadores and 64 members of the House of Representatives) were elected. Since none of the 22 presidential candidates managed to win an absolute majority of the valid vote cast, a run off election became necessary. In the November 8th 2005 run off elections Madame Ellen Johnson Sirleaf (United Party) won over George Weah (Congress for Democratic Change) with 59,6% against 40,4% of the vote cast. Ellen Johnson Sirleaf was officially declared winner of the elections on November 23rd 2005, despite complaints of the CDC who has challenged the results in the Supreme Court of Liberia. The CDC claims that the elections were rigged in favour of UP. There were some – generally peaceful – protest marches of CDC supporters after the announcement of preliminary election results from November 11th onwards. The fact that the CDC refrained from violence so far and following the procedures laid down by the constitution and laws of Liberia is already an encouraging sign for the willingness to sustain peace in the country. Another – maybe even more important - reason for the CDC not to engage into violent activities is the presence of UNMIL.

The elections were considered by all international election observers as free, transparent and credible. The chances of CDC to reverse the outcome of the run off election are very little indeed because of the high margin between the

two candidates. Even if there were single cases of irregularities it would not affect the outcome of the polls.

There is a lot of hope and very high expectations in the new government and in the political actors. For the first time since many years the legislators and the President have been democratically elected. The Interim Government which was installed as a consequence of the August 2003 Peace Accord did not enjoy a high credibility within the population because it turned out to be highly corrupt. There is a unicameral transitional Parliament, the National Transitional Legislative Assembly (NTLA) which will be in place until January 2006 when the elected Parliament is sworn in. The public perception of both the Interim Government and the NTLA is not very favourable. This is not only because the legislators have not been elected by the people they claim to represent but also because of their attitude to follow personal interests. In a most controversial move the members of the NTLA in November 2005 passed a law in order to turn their official cars into personal property. The veto of the Interim President to stop the bill was overruled by a two third majority of the Legislature. This development caused a public outcry as well as attracted heavy criticism from the major donors USA and EU.

The negative public perception of the NTLA was shown by the fact that only a few of its members managed to be elected into the Senate or House of Representatives respectively.

3. System of Government and special challenges

Liberia is the only country in Africa which its government system follows the administrative system of the USA. The Legislature is comprised of a

Senate with two Senators from each of the 15 counties. They are elected for nine or six years respectively by universal suffrage. The House of Representatives has 64 members who are elected for a period of six years. They represent a constituency. The strong ties with the USA are based in the history of Liberia.

A special challenge is the fact that – unlike in the USA – there is no dominant two party-system in the country which means that the principles of majority and minority party in the Legislature cannot be applied. Following the outcome of the 2005 Elections there is no party who has got a majority in either the Senate or the House of Representatives. The President-elect has therefore no majority in the Legislature which could negatively affect the efficiency of government but also provides for a chance that Parliament will be able to effectively control government and enforce accountability and good governance. What is needed is the willingness from both sides to cooperate with each other. This requires mutual respect and trust as well as the ability of all important institutions of government to fulfil its duties effectively.

During the transitional government the Legislature had very limited political impact on government decisions. The NTLA was very poorly equipped and the parliamentarians were – in most cases – lacking the ability, knowledge and sometimes willingness to fulfil their responsibilities effectively.

In order to overcome the weaknesses of the transitional government and in order to develop an effectively functioning democratic system of government the three branches of government (Executive, Legislature and Judiciary) are in dire need of structural, financial, technical and logistical support.

There is another major obstacle on the development of a democratic system in Liberia: The literacy rate is only about 10-15%. This is because of the civil

war which made school education in most parts of the country impossible. Especially the youth is clearly disadvantaged because their access to primary – let alone secondary or tertiary – education was limited. Consequently, there is only a small educational elite in Liberia.

4. Incidents of political violence after the run off elections

I had the chance to accompany Dr. Heinz Jockers to a meeting with a former Presiding Officer of a polling station in Monrovia. The Presiding Officer told us that he was allegedly kidnapped by CDC party members at a market place and forced to enter a car. He was told that he should admit in court that he rigged the elections in order of UP which he said he did not do. The PO was beaten up and finally managed to escape. He informed us that CDC members then came to his house and beat up his brother who is bound on using a wheel chair and threatened his wife and children. Dr Jockers and I went to meet with the Vice Standard Bearer of CDC informally and told him about the case but not disclosing any names. The CDC Vice Presidential Candidate got the message and informed his campaign manager in our presence. Since it was an informal meeting the CDC was able to act on the matter behind closed doors without the need of admitting that they were involved in the incident. It was very helpful that Dr Jockers had known the Vice Presidential candidate for quite some time and that the discussions took place in an atmosphere of mutual trust and respect. This informal intervention was likely to discourage the CDC from using violence against staff of the National Elections Commission because any publicity would have compromised the reputation of the CDC.

It was an advantage that I had the privilege to serve as an international election observer in both the first and second round of the Liberian elections on behalf of the Evangelical Development Service (EED) as team leader.

5. Assessment of Parliament Buildings

5.1. Findings

I toured the entire premises of Parliament twice. On the first occasion I was taken round by the senior staff and security staff of the Speaker's Office. I decided to tour the House again equipped with a video camera in order to carry out a proper documentation of the assessment exercise. On both occasions almost every office, including the library, archives, all departments, the Vice President's offices, the chambers of the Senate and the House of Representatives, the unicameral chamber of the NTLA, the cafeteria, the communications department and the technical rooms including the generator house was entered. Easy access to Parliament was attained because of a workshop which EC/KAF had conducted for Parliamentary Staff earlier this year.

The overall impression I got is that the building is in a very sorrow state and the working conditions of the (incoming) members of Parliament are pathetic. I would like to mention only the most important shortcomings:

- electricity is only available in about 20% of the building. Therefore there are no lights or air conditioning facilities in most of the offices.
- with the incoming 94 new Legislatures there will be a shortage of 36 offices. An annex with additional office space is needed.

- the Chambers of the Senate and the House of Representatives are in very bad shape. There is no air condition and no electricity. The furniture is damaged and extremely dirty. The chambers have not been used for many years.
- there is no internet access and not a single office is equipped with computer facilities. A few computers are available in the budget department and in the Vice President's Office, however not connected to the internet.
- there is no functioning communication or telephone system
- the ceiling of almost the entire building is damaged with considerable risk of items falling down
- the entire wiring system is damaged as a result not functioning
- the Archives have no lights and are more or less in a mess. Quite a number of records have been destroyed during the civil war
- there are almost no books on Liberia in the library. Instead a number of the journals of the US Congress are available as well as a British reference book. The library was looted during the war. There are no computers available.
- the press department lacks – like all the other sections – modern facilities such as internet access, printers and scanners.
- because of financial constraints the Journal in which the Parliamentary debates are documented have not been printed frequently during the past two years

- there is no functioning electronic recording system and no equipment to broadcast parliamentary debates

5.2. Recommendations

A. Proposals for equipment of the Parliament

Adequate working conditions for the Legislature have to be provided in order to enable the Parliament to fulfil its functions and responsibilities effectively. Under the present conditions neither the Senate nor the House of Representatives will be in a position to play its role effectively. The young and fragile democratic system of government only has a chance to consolidate if suitable working conditions are established.

1. There should be electricity supply in the entire building
2. All members should have a computer and access to internet
3. The offices of the Parliamentary support staff should be equipped with computers and internet
4. A telephone and communication system should be set up
5. The building should be extended to provide space for offices for all members
6. The library needs to be equipped with modern and historical books on Liberia, modern reference books and special literature on parliamentarism,

democracy, human rights, conflict management, law, good governance, economics, budget and finances, development issues etc.

7. The Archives need to be restructured and made accessible to members because they are an important reference source for their current work.

8. The Legislature should purchase a small printing press in order to publish the Journal frequently and regularly. This is a necessary requirement for transparency.

9. The entire building needs a lot of maintainance to provide not only for a decent but also for a safe working environment.

10. The press department should be equiped with modern facilities such as internet access, printers, fax machines and scanners.

11. There is need to provide suitable meeting rooms for committees

B Proposal for staff training of the Parliament

It is vital for the functioning of the Legislature that both the permanent and the incoming staff are properly trained. Without a dedicated, well trained support staff Parliament would not be able to function effectively because most of the Senators and Representatives are newcomers with no experience in legislative procedures. They heavily depend on the permanent support staff to enable them to perform their duties adequately.

It is up to now not known whether the permanent staff of the NTLA will remain in office or whether there will be new staff hired. It is, however, very likely that a considerable number of new staff will be hired because the two Houses of Parliament will need more permanent staff than the NTLA. Since there are changes in the set up of the Legislature, even the permanent staff members will need (additional) training. For the incoming staff training is an absolute necessity because most of them will not be familiar with parliamentary procedures. Because there is only a relatively small pool of adequately educated people in Liberia, the possibility of identifying well trained staff for being employed at the Legislature is not very high.

The training of support staff should be done through the conducting of workshops. The following areas should be covered:

1. Computer literacy and internet research literacy. This should enable the staff to carry out internet research on any subject a Committee or a member is requesting. Since the library facilities are poor the internet is a valuable reference source.
2. The three branches of government; separation of power and position of the Legislature in the government system
3. Parliamentary Procedures (Standing Rules of the Senate and the House of Representatives)
4. Law making process in Liberia
5. Budget process in Liberia

6. Committee work and how to support it technically

7. Transparency and accountability

8. Information policy and public relations (including the Journal and coverage of parliamentary debates in the media)

9. Protocol and inhouse administration

6. WORKSHOPS FOR NEWLY ELECTED MEMBERS ON PARLIAMENTARY PROCEDURES

I conducted three workshops for newly elected Senators and Members of the House of Representatives. My co-facilitator was the Acting Speaker of the NTLA, Hon. George Koukou (first workshop) and the former Speaker of Parliament, Hon. Morris Dukuly (second and third workshops) respectively. The attached handouts were distributed to every participant. The workshops took place in the conference room of the Konrad Adenauer Foundation in Monrovia. The venue as well as the (technical) facilities available at the KAF conference room were very suitable and convenient for the workshop. The office is located in one of the best areas of Monrovia.

6.1. Situation on the ground

The composition of newly elected members had its own challenges. There were a few well experienced and educated members who already served as

Legislators in the NTLA or before the civil war. However, most of the members were newcomers with no experience in parliamentary procedures. While most of the members were literate, a few had to bring along an assistant who took notes. Consequently, the presentation had to be done in a straight forward way to enable everybody to follow and understand the subject.

Another challenge was the fact that quite a number of the newly elected members were ex-combatants from different groups who fought each other during the civil war. The most prominent among them are Prince Johnson and Mrs. Jewel Howard Taylor, the wife of former President Charles Taylor who is currently staying in exile in Nigeria. Prince Johnson and others have a very poor human rights record and were involved in the killing of a lot of people. A number of the former warlords found it attractive to run for the Senate or the House of Representatives because such a public office grants them immunity from law suits. There is, however, a possibility that a sitting member of Parliament could be expelled for cause. This requires a vote of two-thirds of the respective House.

Another challenge was the limited ability of the members to understand the English language. The language mainly spoken is a certain Afro-American slang. Therefore the presentations and discussions – taken this into consideration – had to be done in a very simple and basic way using examples and a low level of abstraction.

6.2. Results of the Workshops

1. Almost all the newly elected members of the Senate and the House of Representatives attended the workshop and followed the presentation and took part in the discussions. This is already an achievement given the fact that no member was forced to attend.

2. The – sometimes controversial – discussions among the members were carried out in a peaceful, orderly and fair way. This was already a good preparation for the future debates in Parliament. The procedures of the workshop were followed throughout.

3. The working atmosphere during the workshops was excellent. Almost all the members were in good mood. There was an emerging spirit of mutual respect and the willingness to cooperate among the members. This spirit I tried to create when I compared Parliament with a very distinguished club. Members are not enemies but belong to the political elite of Liberia and have – despite the fact that they might have different opinions – a common responsibility and objective to work for the good of Liberia.

4. The fact that former combatants who fought against each other in the civil war attended the workshops and debated peacefully, orderly and in a constructive manner, was already a great success which could not have been taken for granted. In other countries it would have been almost impossible for former enemies to attend a workshop together.

5. The induction workshop was split into three sessions in order to reduce the size of the attendance. In each workshop there were about 30 members of Parliament present. Therefore the groups were not too large to deal with

questions and conducting fruitful discussions. The set up in general was excellent.

6. The members were extremely grateful to me personally for my presentations and asked for my address and e-mail in order to establish contacts with me in future. Quite a number of Senators and Representatives personally commended my presentation and were impressed with my work as international election observer. I observed both rounds of the 2005 Liberia Presidential and Legislative Elections. During my work as an international observer I had a chance to tour almost half of the 15 counties. This enabled me to get a better insight into the living conditions in the country side which are different from those in Monrovia. Many members appreciated my knowledge of rural areas.

7. The members were very grateful for the opportunity to attend workshops on parliamentary work. It was often mentioned that they were extremely thankful to the EU and KAF, Germany and to Dr Heinz Jockers personally for taking them seriously and giving them opportunities for training.

8. Most of the members actively participated in the debate. There was a variety of questions ranging from the impeachment procedures of the Speaker of the House to the dress code.

9. The cooperation with both of my co-facilitators was excellent. In the first workshop it was Hon. George Koukou, the Acting Speaker of the NTLA. He was able to answer detailed questions on the Standing Rules of Parliament. But he also had to face critical questions on the work performance of the NTLA which showed that there is interest among the newly elected members in the work of the transitional Legislature. My second co-facilitator, Hon.

Morris Dukuly, former Speaker of the House of Representatives before the civil war, also was a very experienced and appreciated presenter.

10. After the workshops some members engaged in ongoing discussions with me. I had to answer more questions and promise to make myself available to answer more questions in future.

11. My overall impression was that most of the members were very committed and eager to perform their duties as Senators or Representatives respectively. They were keen to learn about the role they are playing in consolidating peace, democracy and development in Liberia.

12. Most of the newcomers had no or wrong ideas of their powers and duties as members of the Legislature.

13. The principles of parliamentary procedures were not known by most of the new members. Especially the committees and its work was new to them but also the rules on debate and voting procedures.

14. Party politics and party groups do not seem to play a major role in the attitude of the members. The main concern of the Representatives and Senators was their constituency or county respectively and how to communicate with their electorate.

15. There was a wrong understanding of the term “lobbying”. In the eyes of most of the members this means selling your vote for money. This has been practised in Parliament until recently and is therefore not surprising. The fact that members need to lobby for support among themselves informally, was

new to most of them. There was a strong belief that members have to convince each other during the debate.

16. A number of members were not aware of the poor working conditions in Parliament. They were shocked and asked whether the donors could do something about it.

17. There was concern whether the Legislature would be able to effectively check the executive because of its poor facilities. One Senator put it this way: “Look, the Executive Mansion is most powerful. There is current throughout and all the facilities are in place. But on the opposite side of the road there is Parliament with no current and very poor facilities. How can we perform our duties as second branch?”.

18. There is no experience with a democratic system of government in Liberia. There is no tradition of democracy. Democratic values have not grown roots in the Liberian society. However, there is will to establish democracy among the members.

19. There was much concern on the balance of power between the executive and the legislature. In the past the executive played a dominant role leaving little space for parliament to function effectively. Members raised hope that the donors have an interest in strengthening democracy and therefore support the legislature in its endeavours to perform its duties.

20. Some members were ignorant on the differences of the Senate and the House of Representatives.

6.3. Recommendations

The induction workshop provided a useful overview on certain aspects of the work of the Senate and the House of Representatives. In order to ensure that the members will carry out their work effectively the training has to be continued and should be focussed on other important working fields.

A. Further training of members

Workshops should be conducted on the following subjects:

1. Law making process
2. Budget process
3. Committee work
4. Transparency and Accountability
5. Separation of Power and Structural Stability
6. Conflict Management
7. Role of the Media and Human Rights
8. Constitution and constitutional amendments
9. Gender and Minority issues (i.e. disabled persons, orphans)

10. Constituency work and representation

11. There should be workshops for members of the Executive on the role of the Legislature in the Liberian system in order to sensitize the executive for the work of Parliament.

B Computer Literacy

- computer literacy should be provided for every member of the Legislature

C Standing Rules

- a Handbook on Legislation and law drafting is needed as reference for the members
- the Standing Rules of the Senate are almost ten years old and outdated. They need to be revised.
- the Standing Rules of the House of Representatives are outdated and partly not suitable for the present political set up. A review is urgently needed.

D Transparency and Public Relations

- assistance should be rendered in order to ensure the frequent printing and publishing of the Journal. Only with a wide circulation of the parliamentary debates transparency of the law making process can be guaranteed
- a parliamentary broadcasting channel should be taken into consideration. This would serve the interests of the high number of illiterate persons who cannot read the Journal or newspapers. In the long run a radio channel might even be cheaper and has a wider coverage. Important debates can be transmitted live.

E Renumerations of the Legislators

The remuneration of a member of the NTLA is about 3.000 Liberian Dollars which is equivalent to US\$ 56 before tax. With this amount of money a decent life in Monrovia is impossible. In order to fight corruption and theft of public funds the salaries and allowances of the Legislatures and the entire civil service have to be reviewed. An adequate remuneration is also a sign of appreciation in their work and the important role they play in the democratisation process of Liberia.

7. Conclusion

The workshop on Parliamentary Procedures was highly successful. It was extremely well attended and conducted in an excellent working atmosphere. The participants were most grateful to the EC/KAF and to me personally for the opportunity to attend such a workshop. The feedback I got was very positive indeed. The fact that almost all members attended and discussed and debated even highly controversial issues in a peaceful and constructive manner is a success which cannot be over emphasized, bearing in mind that the same members had fought each other in a most gruesome civil war which was ended only two years ago.

It needs to be stressed that the successful conduct of the workshop was only possible because of the high reputation the EU and Konrad Adenauer Foundation is enjoying among the Liberian political elite. In many private conversations I had with Parliamentarians and politicians from different political parties, Dr Heinz Jockers was commended for his engagement and his way to strengthen democracy as an impartial and honest broker. The fact

that almost all the 94 Legislators attended the workshops – which took place not in a public building but in the headquarters of the KAF – is a clear sign for the outstanding reputation of KAF and its director in Liberia.

Because of my experience as an international observer in Liberia's Presidential and Legislative Elections and my knowledge of the history and present political situation in the country I found it easy to create contacts, trustful relations and a good working atmosphere with the members of Parliament.

The workshop programm has to be continued in order to provide the members with the necessary skills to perform the functions of Parliament effectively. In addition the material resources of Parliament have to be strengthened, the permanent and incoming staff needs to be trained and the spirit and culture of democracy, peace and reconciliation need to be supported through permanent activities.

Annex 1

Workshop on Parliamentary Procedures

Handout No. 1

Dr. Heiko Meinhardt, Germany

The Governmental System of Liberia

Constitution of the Republic of Liberia		
Executive -President -Vice President - Cabinet Ministers - Deputy Ministers - Assistant Ministers - State Bureaucracy - Civil Service - Government Administration - County Administr. - Security Forces - Police - Army	Legislative The Senate (30 Senators) House of Representatives (64 Members)	Judiciary -Chief Justice -Supreme Court -Other Courts

Rights and Responsibilities of Senators and Members of the House of Representatives

MEMBERSHIP OF THE LEGISLATURE IS AN HONOR

- Members have been elected by the people of their Constituency or County to represent them in the Legislature
- Members have a crucial role to play as one of the three powers
- Members are part of the political elite of Liberia
- Members work in a public arena: The media will report on whatever is debated in the Legislature
- Liberians and observers abroad (i.e. donors) have a special interest in your work
- Members may give an example to the public
- Members may always act in the overall spirit of peace and reconciliation
- Members need support staff, access to information and communication

PARTY MEMBERSHIP AND REPRESENTATION OF INTEREST

- Members from different parties may have different interests, goals, ideas, strategies

BUT MEMBERS ALSO HAVE A NATIONAL RESPONSIBILITY:

- to sustain peace
- to promote reconciliation
- to ensure an effective, democratic, accountable and transparent government
- to develop Liberia
- to promote democratic values, good governance and human rights

PRINCIPLES OF WORK IN THE HOUSE

- **Members should respect each other: They are colleagues not enemies!**
- **Members should respect the Presiding Officer (Speaker, Deputy Speaker, President of the Senate, President pro Tempore)**
- **Members may air critics but in a constructive way**
- **Members should be fair in dealing with each other or the government**
- **Members should accept defeat if they cannot gain majority support for their proposals**
- **Members may not use inflammatory language**
- **Members may refrain from physical actions inside or outside the House**

RIGHTS OF MEMBERS

- **the Legislature is the sole Law Making Institution in the country**
- **the President and Government is not above the Legislature which means they cannot direct or force Members to vote in a certain way**
- **Members have the right and duty to check government, so:**
 - a. **Members should not “rubberstamp” government bills but check them carefully and amend them if necessary but:**
 - b. **Members should not frustrate government efforts just for the sake of flexing muscles**

REPRESENTATION OF THE COUNTY OR CONSTITUENCY

- the Member represents all the people in his/her County or Constituency not only the supporters or party members. Campaigning is over.
- a Member should lobby for the interest of your County or Constituency (such as boreholes, bridges, schools, roads)
- “lobbying” does not mean to accept money in return of a vote
- how to effectively lobby?
 - informally with the help of your party whip in the House
 - with the members of the respective Committee
 - with government ministers
 - be an active Member: Participate in the Committees and take part in the debates
- Members should keep close links with their County or Constituency in order to identify the needs and expectations. This might increase the chance of being re-elected
- Members should develop their own skills

Example: If you are a member of the Committee of Agriculture, try to increase your knowledge on the subject and become an expert. This will increase your impact on the work of the Committee

DEBATE

- 1. When a Member desires to speak, he shall raise his hand and address the Presiding Officer (PO). The PO shall recognize the Member who first addressed him**
- 2. No member should interrupt another in a debate without said speaker's consent. To obtain such consent, he shall first address the PO**
- 3. No member should speak more than twice on a subject on the same day**
- 4. The debate shall be relevant, genuine and confined to the specific matter which is debated**
- 5. No member in a debate shall by any form or words, impute to another Member any conduct or motive unworthy or unbecoming of a member**
- 6. No Member in a debate shall refer offensively to any of the Counties or ethnic groups in Liberia**
- 7. If a Member transgresses the rules of the House, any Member may call him to order**
- 8. While the PO is putting a question or addressing the House, no one shall walk out, cross the floor, nor introduce or entertain private conversation**

MOTIONS

- 1. When a motion is put and seconded, it shall be stated by the PO**
- 2. Every member of the House may move a motion**
- 3. If the motion is put and carried with majority vote it becomes effective**

VOTE AND VOTING PROCEDURE

- 1. Every Member has one vote**
- 2. A member who has a personal or private interest in any bill or question before the House shall disclose same, if such disclosure is determined by the House to represents a conflict of interest, he shall not vote**
- 3. When a question is put, the consensus of the House shall be taken by the voices of the Members, and the PO shall announce the vote as it appears to him by the sound**
- 4. If the PO is unable to decide by the sound of the voices, or if his announcement made thereupon is doubted by a member calling for a division, he shall call for a rising vote or by the show of hand.**
- 5. In case of election, it shall be a secret ballot.**

Powers of the Senate and the House of Representatives

WHEN DOES THE LEGISLATURE ASSEMBLE?

- according to the Constitution it shall assemble in regular session on the second working Monday in January**

QUORUM

- Simple majority of each House shall constitute a quorum for the transaction of business**
- for major decision making such as resolution, two thirds majority of the House shall be required**
- each and every member of the House shall be present for session at all times**
- if a member is late or absent without a genuine reason a fine will be applied**
- a roll call will be performed**

SPEAKER and DEPUTY SPEAKER

The House of Representatives elects a Speaker and a Deputy Speaker

Duties of the Speaker:

Both the Speaker and the Deputy Speaker shall be impartial and respect the Standing Rules of the Legislature. The Members shall respect their rules and orders at any time

- 1. Call the House to order and proceed to business**
- 2. Preserve order and decorum and decide all questions of order subject to an appeal to the House**
- 3. Represent the House at all public and official functions**
- 4. Sign all bills, resolutions and addresses after they shall be enrolled**
- 5. Transmit all directives of the House to the Chief Clerk**
- 6. Appointing members of committees except the Chairpersons and Vice Chair**

Duties of the Deputy Speaker:

- 1. Assist the Speaker in the discharging of his functions**
- 2. Preside over the sitting in the absence of the Speaker and shall exercise all rights and powers assigned to the Speaker**

DUTIES OF THE CHIEF CLERK

- 1. Supervise all clerical business of the House**
- 2. Ensure that the journals and records of the House are properly kept**
- 3. Provide the Drafting Service with copies of all bills and resolutions**
- 4. Distribute the edited Journals to the Members**

SENATE:

The President of the Senate is the State Vice President ex officio

The Senate shall elect once every six years a PRESIDENT PRO TEMPORE who shall preside in the absence of the President of the Senate

MAJORITY/MINORITY LEADER

MAJORITY/MINORITY WHIP

POWERS OF THE LEGISLATURE

A : PASSING LAWS:

1. Create new Counties and other political sub-divisions
2. Provide for the security of the Republic
3. Provide for common defence, to declare war and authorize the Executive to conclude peace
4. Levy taxes, duties, imports, exercise and other revenues (shall originate from the House of Representatives)
5. Borrow money (shall originate from the House of Representatives)
6. Make appropriations for the fiscal governance of the Republic
7. Constitute courts inferior to the Supreme Court
8. Approve treaties, conventions and other international agreements signed by Government
9. Regulate trade and commerce between Liberia and other nations
10. Determine the President's salaries
11. Fixing the remuneration of Senators and Representatives
12. Enact or establish laws on any other subject

B. AMENDMENTS OF THE CONSTITUTION

- any constitutional amendments require a two-thirds majority vote in both the Senate and the House of Representatives
- proposed constitutional amendments shall be accompanied by statements setting forth the reasons therefore and shall be published in the Official Gazette and made known to the people (transparency)
- constitutional amendments may also be initiated by a petition submitted to the Legislature by not fewer than 10,000 citizens

C. AMENDMENT OF THE STANDING RULES OF THE LEGISLATURE

- the Standing Rules shall be amended by two-thirds of the membership of the House

D: ADDITIONAL POWERS and PRIVILEGES

1. The House may with the concurrence of two-thirds of the entire membership expel a member for cause
2. No member of the Senate or House shall be arrested, detained, prosecuted or tried as a result of opinions expressed or votes cast in the exercise of the functions of his office
3. Members shall be privileged from arrest while attending, going to or returning from sessions, except for treason, felony or breach of peace

E: IMPEACHMENT PROCESS

The power to prepare a bill of impeachment is vested solely in the House of Representatives, and the power to try all impeachments is vested solely in the Senate.

Who can be impeached?

- President
- Vice President
- Chief Justice
- Associate Justice

Impeachment is not a vote of no confidence in the person and shall not be politically motivated. The office bearers may be removed from office by impeachment for treason, bribery and other felonies, violation of the Constitution or gross misconduct.

F: REMOVAL OF PRESIDENT PRO TEMPORE (SENATE) SPEAKER AND DEPUTY SPEAKER

They may be removed from office for cause by resolution of a two-thirds majority of the members of the Senate (President Pro Tempore) or House respectively.

G: REPORTING DUTY OF THE PRESIDENT TO THE LEGISLATURE

- 1. The President shall present the administration's legislative program for the ensuing session**
- 2. The President shall once a year report to the Legislature on the state of the Republic. In presenting the economic condition of the Republic the report shall cover expenditure as well as income**

H: STATE OF EMERGENCY

The President may declare a state of emergency only where there is a threat or outbreak of war or where is civil unrest affecting the existence, security or well-being of the Republic amounting to a clear and present danger

The Legislature shall within 72 hours by joint resolution voted by two-thirds of the membership of each House decide whether the proclamation is justified or not.

If the two-thirds vote is not obtained, the emergency AUTOMATICALLY shall be revoked

I: PREROGATIVES OF THE SENATE:

The Senate has to consent to the following Presidential Nominations:

- 1. Cabinet Ministers, Deputy and Assistant Ministers**
- 2. Ambassadors and Consuls**
- 3. Chief Justice and Associate Justice of the Supreme Court**
- 4. Judges of subordinate courts**
- 5. Superintendents, other county officials**
- 6. Members of the military from the rank of lieutenant and above**

7. Marshals, Deputy Marshals, Sheriffs

List of Committees of the House

STATUTORY AND STANDING COMMITTEES

- 1. Executive**
- 2. Foreign Affairs**
- 3. Ways, Means and Finance**
- 4. Judiciary**
- 5. Rules and Order**
- 6. Maritime Affairs**
- 7. Peace Process and Truth**
- 8. National Security**

REGULAR STANDING COMMITTEES

- 9. Defence**
- 10. Good Governance and Government Reform**
- 11. Contract and Monopolies**
- 12. Repatriation and Resettlement**
- 13. Planning and Economic Affairs**
- 14. Commerce and Industry**
- 15. Transport**
- 16. Banking and Currency**
- 17. Claims and Petitions**
- 18. Agriculture, Forestry and Fishery**
- 19. Internal Affairs**
- 20. Post and Telecommunication**
- 21. Information, Broadcasting, Culture and Tourism**
- 22. Labor**
- 23. Youth and Sports**
- 24. Public Works**
- 25. Rural Development**
- 26. Land, Natural Resources and Environment**
- 27. Health and Social Welfare**
- 28. Reconstruction, Rehabilitation and Demobilization**

- 29. State Enterprise, Public Autonomous Agencies and Commissions**
- 30. Investment Commission**
- 31. Public Utilities**
- 32. Relief and Re-Adjustment**
- 33. Election and Inauguration**
- 34. Gender Equity and Child Development**
- 35. Education and Public Administration**
- 36. Human Rights Committee**
- 37. Public Accounts and Expenditure**