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**“Support to the Legislative Assembly in Liberia”**

**MISSION REPORT**

**Good Governance and Parliament in Liberia –  
Best Practices**

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## **Executive Summary:**

The role of Liberian Parliament and Parliamentarians in best practices of Good Governance requires a proper understanding of the concept of Good Governance. Good governance concepts differ as regards the scope of their goals, the areas and actors included as well as the exact method how to reach these goals. Constraints to Good Governance stem from its frequent external imposition by donors. It has to be understood that Good Governance is in the very self-interest of any people and strong leadership commitment is required to at least implement the bigger part of such goals. Nevertheless the notion of Good Governance needs to be adapted to the Liberian situation: Liberia is a post-conflict country which has to rebuild both trust and infrastructure. Though rich in natural resources its economy lays in ruins, a majority of Liberians live in abject poverty and women suffer repression. The Liberian state displays poor institutional quality and corruption is rampant. After the national elections in 2005 it is a emerging democracy at best. Security and basic services do not seem to be maintainable without external assistance and the presence of UN-peace keepers. Liberians have to live up to the challenge once the international community decides that the country has to stand on its own feet. Parliament and Parliamentarians as key players can contribute to the many tasks of Good Governance by efficient legislation, fair and accountable representation of the electorate as well as an effective oversight of the executive branch.

## **Introduction<sup>1</sup>**

In November 2005 Ellen Johnson-Sirleaf won the presidential run-off for the presidency in Liberia, defeating former Milan forward and soccer star George Weah. When Johnson Sirleaf will take office on January 16, 2005 – provided that Weah's complaints about electoral fraud will not block the inauguration – , this will mark the end of a more than two year transitional period. The civil war ended in August 2003, when the president turned warlord Charles Taylor was forced to leave Liberia and seek exile in Nigeria and UNMIL (United Nations Mission in Liberia) moved in to establish security in the country.

Although Johnson Sirleaf has been praised as the first (future) African female head of state, she will face major challenges given the whole situation in the country. It has been consensus that the many problems, such as civil strife, corruption, poverty and dictatorship, which Liberia has been suffering from, are a result of marked bad governance. Thus, it is not Good

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<sup>1</sup> The expert has followed the instructions laid down in contract and terms of reference as well as the verbal requests by the KAF team leader in Liberia, Dr. Heinz Jockers.

Governance that is in question, but what it exactly means and how it can be achieved, particularly in the Liberian situation.

This report starts by clarifying the concept of Good Governance, including a discussion of several constraints to Good Governance. It then proceeds to specific problems in Liberia in terms of areas, respective goals and measures to be recommended. Finally, the role of Parliament in this process is assessed and recommendations are given, including a brief assessment of the strategy of the European Commission (EC) and the Konrad Adenauer Foundation (KAF) thus far.

## **1. Understanding the Concept of Good Governance**

### **1.1 Different Concepts of Good Governance**

As a matter of fact, almost any actor will subscribe to the notion of Good Governance or at least pay lip service to it. According to the Constitutive Act of the African Union (AU) (Article 3, g) it is one the objectives of the organization to “promote democratic principles and institutions, popular participation and Good Governance;” However, no exact definition of the term is given, though many of the other objectives, such as the promotion of peace, democracy and prosperity, could be described as such best practices.

However, a survey of different notions of Good Governance reveals that, in fact, there are many different understandings of the concept.

The former managing director of the IMF, Michel Camdessus (1987-2000), for instance, focused on economic management when saying:

*„Good Governance is important for countries at all stages of development....Our approach is to concentrate on those aspects of Good Governance that are most closely related to our surveillance over macroeconomic policies-namely, the transparency of government accounts, the effectiveness of public resource management, and the stability and transparency of the economic and regulatory environment for private sector activity.“*

The United Nations attribute to Good Governance a number of adjectives which are revealed in the graph below.



In a similarly inclusive manner the German Ministry for Development and Cooperation names five areas, goals and practices which, at the same time, serve as guide-lines for preconditions of development cooperation:

- Respect for basic human rights (e.g. freedom of expression, protection of minorities)
- The participation of the population in the decision making process (e.g. free and fair elections)
- The rule of law (e.g. independent Judiciary, accountability of Government)
- A sound framework for a socially responsible market economy (e.g. property rights, fair competition, minimum social welfare)
- Development-orientated government policies (e.g. efficient use of resources, control of corruption, moderate military expenditure)

The following table compares three notions of Good Governance. It becomes clear that they differ substantially. The IMF – partly due to its limited political mandate – stresses on the conditions of market economy whereas the United Nations and the German Ministry for Development Cooperation have a much more inclusive approach in terms of political and social aspects. The latters' two concepts can be distinguished by their focus on goals (German Ministry) and methods (UN) respectively.

**Table 1: Comparison of different notions of Good Governance**

IMF	German Ministry for Development Cooperation	United Nations
Sound Framework for Market Economy	Human Rights Participation Rule of Law Socially Responsible framework for Market economy Development-oriented Government Policies	Accountability Transparency Responsiveness Equity and Inclusion Effectiveness and Efficiency Rule of Law Participation and Consensus

## 1.2 Goals, Practices and Actors

On an abstract level, Good Governance cuts into three important dimensions: **What** should be achieved, **how** it should be achieved and **who** will be responsible and affected by respective actions. As a matter of fact, concepts of Good Governance differ in all respects. It is relatively easy to agree on the goals, although the presentation of different notions in the section above reveals differences as regards the inclusiveness ranging from a focus on economic management aspects to more holistic approaches. The “how” of Good Governance is a more technical problem which might prove more difficult than expected given unforeseen problems and obstacles. The “who” of Good Governance is connected to such a problem. Although we will lay stress on the role of Parliament and Parliamentarians, there are many other actors, including non state and external actors, who are involved in governance.

**Table 2: Three Dimensions of Good Governance**

Dimension	Goals	Methods/Techniques	Involved and Affected Actors
	“What?”	“How?”	“Who?”
Examples	Democracy	Free and fair elections	Political Parties & Leaders, Electoral Commission, Voters

### 1.3 Constraints to Good Governance: External Imposition

The implementation of Good Governance practices faces a number of constraints of which the most pertinent challenges in Liberia will be outlined in the next section of this report. Yet, a general problem with the realization of Good Governance stems from its frequent imposition by donors. Although this may force unwilling leaders to comply with certain best practice benchmarks it certainly hinders the ownership of such measures and practices. As a consequence, commitment might be limited. This problem will be aggravated when exact notions of Good Governance are diverging or even contradictory. However, it must be understood that a lack of ownership or outside pressures must not be used as a pretext to reject the notion of Good Governance or respective best practices. What is needed is a careful adaptation to country specific conditions and cultures as well as a true partnership between donors and countries.

Yet, the fact remains: Good governance is in the very self-interest of any people. This is acknowledged by the aforementioned objective(s) of the AU and even the Constitution of Liberia. Although the term Good Governance is not mentioned *expressis verbis*, the General Principles of National Policy in Chapter II of the Constitution of Liberia reads like a listing of Good Governance goals and practices (see Table 4).

**Table 4: General Principles of National Policy (Chapter II, Constitution of Liberia)\***

Provision	Content
Article 5	<i>"Strengthening national integration and unity"</i>
Article 6	<i>"Equal access to educational opportunities"</i>
Article 7	<i>"Manage the national economy and the natural resources of Liberia...to advance the general welfare of the Liberian People"</i>
Article 8	<i>"Ensuring without discrimination, opportunities for employment and livelihood"</i>

\* Examples; the Constitution includes many more such provisions, namely Chapter III.

## 2. Challenges to Good Governance in Liberia

Liberia faces many challenges in the areas of peace & security, democracy & human rights, socio economic development as well as the quality of institutions & leadership. According to Governance Indicators by the World Bank and other sources Liberia displays a poor governance record by all standards.

**Table 5: Governance Indicators in Liberia in Regional Comparison**

Governance Indicator	Year	Percentile Rank (0-100)	Estimate (-2.5 to + 2.5)	Standard Deviation	Number of surveys/polls	Regional Average, Percentile
Voice and Accountability	2004	12.6	-1.24	0.16	7	32.7
Political Stability	2004	1.9	-2.20	0.29	5	32.8
Government Effectiveness	2004	1.0	-1.86	0.25	5	27.6
Regulatory Quality	2004	3.4	-1.83	0.34	3	29.5
Rule of Law	2004	1.4	-1.76	0.24	5	27.6
Control of Corruption	2004	21.2	-0.86	0.30	3	30.1

Source: [Kaufmann D., A. Kraay, and M. Mastruzzi 2005: Governance Matters IV: Governance Indicators for 1996-2004.](#)

Although the relative peace since 2003 has certainly brought some improvements, the country scores disappointingly by both absolute and relative standards (see Tables 5 and 6). These challenges, which are interrelated and can be addressed only artificially separately, are:

### 2.1 Peace and Security

As a country which is recovering from violent conflict UN peace keepers have provided relative security since the last peace agreement in 2003. As a consequence, World Bank Indicators on “Political Stability” have improved sharply between 2002 and 2004 (see Table 6). However, many problems persist, such as the effective disarmament, demobilisation and reintegration of ex-combatants, an effective, loyal and legitimate security sector and the rebuilding of trust that cuts across different segments of society in this war-torn country (see also report Mehler). A particular problem is acceptance of the election results – still contested by the Weah camp at the completion of this report – and the peaceful inclusion of former warlords in the political process. Before these problems are not sufficiently addressed, a withdrawal of the UNMIL peacekeepers will most likely entail resumed violence in Liberia.

### 2.2 Institutional Quality and Transparency

Even in Liberia and by Liberians it is widely acknowledged that corruption is rampant in the country. Although the World Bank Indicators indicate progress in this respect (see Table 6),



several scandals in the NTGL (National Transitional Government of Liberia) paint a different picture, including reports on the involvement of Transitional President Guyde Bryant in corruption. Therefore, the international community of donors decided to impose GEMAP (Governance and Economic Management Assistance Programme) on the country, a scheme that provides for a approval of all Liberian government expenditure. Institutional quality does not suffer only from corruption and a deficient rule of law but also from limited effectiveness. This is illustrated by respective World Bank Indicators, such as “Government Effectiveness”.

**Table 6: Governance Indicators for Liberia 1996-2004**

Governance Indicator	Year	Percentile Rank (0-100)	Estimate (-2.5 to + 2.5)	Standard Deviation	Number of surveys/polls
Voice and Accountability	2004	12.6	-1.24	0.16	7
	2002	6.1	-1.54	0.21	6
	2000	15.7	-1.16	0.25	4
	1998	23.0	-0.90	0.26	3
	1996	7.3	-1.40	0.30	3
Political Stability	2004	1.9	-2.20	0.29	5
	2002	0.5	-2.28	0.29	4
	2000	9.7	-1.35	0.41	3
	1998	12.1	-1.20	0.35	2
	1996	2.4	-2.42	0.47	2
Government Effectiveness	2004	1.0	-1.86	0.25	5
	2002	2.0	-1.58	0.25	5
	2000	4.8	-1.41	0.28	4
	1998	1.6	-1.86	0.37	2
	1996	0.0	-2.19	0.36	2
Regulatory Quality	2004	3.4	-1.83	0.34	3
	2002	5.6	-1.53	0.25	3
	2000	8.0	-1.35	0.31	3
	1998	2.7	-2.35	0.46	2
	1996	0.0	-2.91	0.52	2
Rule of Law	2004	1.4	-1.76	0.24	5
	2002	2.0	-1.62	0.25	5
	2000	1.6	-1.55	0.28	5
	1998	1.1	-1.79	0.35	3
	1996	0.0	-2.15	0.56	2
Control of Corruption	2004	21.2	-0.86	0.30	3
	2002	4.1	-1.30	0.27	4
	2000	2.7	-1.29	0.31	4
	1998	0.5	-1.44	0.35	2
	1996	0.7	-1.66	0.61	1

Source: [Kaufmann D., A. Kraay, and M. Mastruzzi 2005: Governance Matters IV: Governance Indicators for 1996-2004.](#)

### **2.3 Socio-economic Development**

Given the poor quality of institutions in technical terms – not to mention their democratic quality (see below) – Liberia desperately needs an improvement of the framework for a (socially responsible) market economy. Generally, the state of the economy has mirrored the political situation in Liberia. Improvements cannot be denied after the end of the war in 2003, as a modest growth rate in 2004 shows, however, the social and economic situation remains unsatisfactory by all standards. Per capita income is below US\$ 200 per annum and an estimated 85% of the population are unemployed. Other data are largely unavailable. Liberia is rich in natural resources, such as iron ore, diamonds and timber. Yet, this potential wealth has not been used for the good of the country but rather fuelled the civil war, thus perverting the potential. As a result timber and diamonds from Liberia have been banned in international trade. Consequently, the management of natural resources needs to be both transparent and effective in order to make use of these assets to the benefit of the Liberian people.

### **2.4 Democracy and Human Rights**

The most recent largely free and fair elections in October and November 2005, notwithstanding opposition claims of electoral fraud, are a crucial step forward as regards the democratisation of Liberia. Yet, as the International Crisis Group (ICG) puts it, they are a necessary not a sufficient condition. Democracy includes also a general respect for basic human rights, such as freedom of expression and assembly as well as minority rights. Given resentment against the Mandingo minority, widespread repression of women and occasional death threats against journalists Liberia has still to go a long road ahead. This is also revealed by respective governance assessments (see Tables 5 & 6). Moreover, genuine democracy requires an effective control of the executive branch in order to prevent the abuse of power. Presidential forms of government (as in Liberia) run the risk of becoming authoritarian in nature as well as less accountable and responsive. Both civil society, Parliament (see below) and the Judiciary will have a key role in realizing the domestication of the executive in Liberia.

### **2.5 Gender Issues**

Exact statistical data on gender issues is not available in Liberia given the political turmoil in recent years (the country is not assessed in the Human Development Report). However, there is little doubt that women still face de facto discrimination in Liberian society. This might be

subject to change given the future female head of government and state. However, action must go beyond this fact and include the empowerment of women in the economic area, their increase in the number of Parliamentarians (which is still around 10%) and measures to tackle (still widespread) domestic violence. Female genital mutilation is a lesser problem in Liberia, though also practised by some groups in the country.

## **2.6 A Limited Sovereignty? External Influences as a Special Problem**

What makes the Liberian situation special is the strong influence of external players and donors. Security is mainly guaranteed by UNMIL peace keepers and police; government expenditure is controlled by donors under GEMAP. Thus, one could argue that Liberia is a “partly sovereign” country or even a protectorate, not to mention the term “recolonialization”. The unsettling aspect in this situation is partly the problem of ownership (see above in this report) but more importantly the question of disengagement. It is unlikely that external assistance will last for ever. As of now UNMIL presence will expire in 2006. In order to avoid an immediate or intermediate outbreak of violence (like after the 1997 elections), Liberia has to stand on its own feet by then. Both the international community and Liberian leaders have to be aware that immediate and committed action on all areas of Good Governance is urgently required.

## **2.7 The Key Role of Leadership**

Liberia faces many problems and given the fact that international assistance – at least not in this scope – will not last forever, Liberian leaders have to live up to many challenges. The best institutions cannot guarantee Good Governance and favourable outcomes as long as the actors do not show commitment, competence and integrity. This challenge does not apply only to the political class in the narrow sense but also to civil society and Liberian society as a whole. The following table outlines some of the recommendation as regards the areas, methods and actors involved:

**Table 7: Challenges and Good Governance Best Practices in Liberia**

Area of Challenge	Goal	Best Practice/Method	Actors Involved/ Responsible
Precarious security/ post conflict setting	Monopoly on the use of force	Disarmament of former warring factions, rebuilding national security sector	UNMIL, Government
	Demobilisation and reintegration of ex-combatants	Create jobs for ex-combatants, psychological programmes	UNMIL, government, donors
	Loyal and professional Armed Forces	Capacity building, training and civil oversight	UNMIL, government, donors
	Loyal and professional national police	Capacity building, training and civil oversight	UNMIL, government, donors
	Independent and professional judiciary	Capacity building, training and civil oversight	UNMIL, government, donors
	Addressing past injustices	Truth and reconciliation commissions, war criminal trials, re-compensation for victims, psychological programmes	All Liberians
Institutional quality/ transparency	Fighting corruption	Establish strong Anti-Corruption Office, Pass strict anti corruption laws and ensure enforcement, Disclosure of assets and income of leaders	Government, Parliament, Judiciary, local and international NGOs, donors (GEMAP)

Area of Challenge	Goal	Best Practice/Method	Actors Involved/ Responsible
	Effectiveness and efficiency	Capacity building and training Law enforcement	Civil servants, local NGOs, Parliamentarians, donors (GEMAP)
	Efficient and sound framework for business	Rule of law, including legislation for property rights and competitions as well as law enforcement	Government, Parliament, civil society, donors
Socio-economic development	Growth	Effective management of natural resources, Provide sound framework, Attract foreign investors	Government, Parliament, civil society, donors (GEMAP)
	Reducing poverty	PRSP, create jobs, promote growth	Government, Parliament, civil society, donors
	Rebuilding infrastructure	Build roads, restore supply of electricity and water	Government, Parliament, civil society, donors
	Increasing education and health	Build schools, train teachers etc.	Government, Parliament, civil society, donors
Democracy	Free and fair elections	Fair registration, Fair campaigning, Fair balloting, Fair counting	National Electoral Commission (NEC) Government, Judiciary, NGOs, political parties

Area of Challenge	Goal	Best Practice/Method	Actors Involved/ Responsible
	Respect for Human Rights	Freedom of expression, Freedom of assembly, Minority rights, Gender balance	Government, Judiciary, NGOs, political parties
	Effective control of the Executive	Strong Parliament, Independent Judiciary, Civil society and media “watchdogs”	Parliamentarians, courts, judges, civil society and the media
Gender Issues	Representation of women’s interest	Increase number of female MPs, Senators, and leaders	Parliamentarians
	Reduce discrimination and violence against women	Launch campaigns & make effective laws against domestic violence	Government, Parliament, civil society, donors
	Economic empowerment of women	Affirmative action, special capacity building programmes	Government, Parliament, civil society, donors

It has to be understood that this table does not claim to be exhaustive. It should be also noted, that many, if not all, of the goals and measures are interrelated. For instance, there will be no sound economic growth without a good quality of institutions (and controlled corruption) and a minimum of nation-wide security. Moreover, some of the goals might also be conceived as methods or practices in another context – and vice versa (growth is a goal but also a means to create jobs, for instance). Finally, the column of actors responsible for actions includes many such actors. The next section of this report will turn to the specific role of Parliament and Parliamentarians.

### 3. The Role of Parliament

This section deals with the opportunities to promote Good Governance through the Parliament in Liberia. It starts by outlining the functions of Parliament in general as well as in Liberia and then proceeds to recommendations how best practices can be realized in Liberia as regards the key functions representation, legislation and oversight. Finally the section assesses the EC/KAF strategy thus far.

#### 3.1 Functions of Parliament in Liberia

In general terms any Parliament has to perform three key functions:

1. **Representation:** Parliamentarians have to articulate and represent the interests of their electorate. This does not end once a MP is elected. He/she has to keep the promises made through election campaigns and push for respective laws. MPs should stay in contact with their constituencies and communicate/explain the actions of Parliament to the public.
2. **Legislation:** In the classical sense the key role of parliament is to make laws. As a matter of fact these laws must be efficient and effective. Consequences, particularly unintended ones<sup>2</sup>, must be anticipated. Since legislation is the joint task of two chambers and the President in Liberia, institutional deadlocks must be avoided. Especially for the critical state budget cooperation in Parliament as well as between Parliament and the President is required.
3. **Oversight:** Parliament should cooperate with the Executive but also oversee the latter's actions. It is Parliament that can hold the government accountable by hearings and committees of inquiry. In case of gross misconduct of the Chief Executive, such as high treason, Parliament can impeach the President. It has to be understood that both oversight and cooperation vis-à-vis the President have to be balanced. Generally, Parliament should use the public for effective oversight.

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<sup>2</sup> The banning of alcohol in the US, for instance, derived from the intention to avoid the negative consequences of alcohol abuse. However, people continued drinking. Criminals, often providing alcohol of poor or even dangerous quality, benefited largely from illegal trade in alcoholic beverage.

The functions of Parliament are laid down in the Constitution of Liberia (Chapter V). The Liberian Legislature comprises a lower and an upper chamber (House of Representatives and the Senate). As one of the major Constitutional bodies it is embedded in the general system of checks and balances (see Power Point Presentation, Handout P. 21). The Senate has to confirm the President's proposals for cabinet ministers. The legislature, with the consent of the president, passes law bills. A Presidential objection can be overruled by a two thirds majority in both houses. In case of gross misconduct by the President both chambers can jointly impeach the head of state. Both the legislature and the executive are overseen by the Judiciary. The President appoints judges, in the case of Supreme Court judges with the consent of the senate.

### **3.2 Measures to Strengthen Good Governance by Parliament**

Four major obstacles can hinder effective Good Governance by Parliament in Liberia:

- **Constitutional dominance of the Executive/Presidency.** For instance extensive decree powers can marginalize the role of Parliament. This marginalization might also come about by a fragmented parliament that is subject to political manipulation by the Executive. A marginalized Parliament will first and foremost damage the oversight function of Parliament vis-à-vis the Executive. If the government engages in “bad governance” this will be certainly a serious setback.
- **Potential conflict between Parliament and Presidency.** Given the fragmented nature of Parliament – especially the President's party, the United Party (UP) is far from a working majority – there is a risk of a conflict between the two bodies, if political parties opposing the presidency should manage to unite. In the worst of cases this can lead to institutional deadlock which might paralyze effective legislation and governance – by all means an antithesis to Good Governance. Thus, a minimum of cooperation, also within Parliament, is urgently required.
- **Lack of resources/capacity.** Law making frequently requires expertise and capacity no one can expect from all Parliamentarians on all fields of expertise, in particular in the Liberian context. A lack of support staff, offices, expertise on pertinent issues such as state budget etc. is certainly contradictory to the legislation function and Good Governance in general.



- **Lack of acceptance in the public.** Parliamentarians are the key agents of representation in a democratic system of government. They represent the people. Often, however, Parliamentarians do not care about their electorate once elected. As a consequence, laws might not consider the interest of the electorate, might not be explained to the public or Parliamentarians fail to fulfill their control function vis-à-vis a possibly ill-performing executive.

Both functions and possible obstacles are not independent but interrelated: For instance, a lack of capacity might undermine the acceptance in the public. Thus, some of the measures will be listed twice in the following paragraphs.

### **3.2.1 Representation: Managing the Trust**

During the workshops conducted in Monrovia it became clear that representation is mainly about “managing the trust” voters have confided to their representatives. The Liberian Representatives-elect and Senators-elect had clear ideas about what they are expected to deliver for their constituencies. In the first place this is about keeping the promises during election campaigns – a mission hard to be accomplished given the number of promises on the one hand and the limited opportunities in Liberia on the other hand. It is also about staying in touch with their constituencies to know about their grievances and needs. More precisely, it is about creating jobs, providing security, health care, education, and physical infrastructure. This of course is mainly part of the legislation function.

Generally, recommendations to strengthen the function representation are:

- Make MPs stay in contact with their constituencies (this also includes making resources and time available)
- Invite citizens to Parliament’s sittings and their MPs’ offices
- Hold information workshops in the Counties on the work of Parliament (successfully conducted in Ghana, for instance)
- Involve civil society in Parliament’s work (e.g. committees)
- Increase the role of women in Parliament (e.g. fill important positions with women)
- Train MPs on their role as representatives of the people
- Try to keep promises during election campaigns (according to the promises made)
- Try to deliver results for the constituencies (security, health, education, employment)

### **3.2.2 Legislation: Capacity and Cooperation**

Effective legislation rests on two pillars: a) Parliamentarians need to have the required expertise and support to make effective and fair laws. b) There must be a sense of minimum cooperation within Parliament and between Parliament and the Presidency, in particular as regards the sensitive issue of state budget.

Generally, recommendations to strengthen the function of legislation are:

#### **Capacity**

- Establish committees on pertinent subjects (e.g. on the Budget, Corruption or Demobilisation) and, if necessary, increase their powers
- Make sure that committees have enough time to make them familiar with the issues to be decided
- Provide resources to MPs (offices, support staff)
- Provide expertise from within parliament (Library, research units)
- Make use of outside research facilities
- Make use of modern technology
- Train new MPs and staff on their rights and duties
- Train MPs and staff on pertinent subjects (e.g. on the Budget or demobilisation)
- Increase attendance in Parliament (e.g. imposing penalties)

#### **Cooperation:**

- Draft a code of conduct for all MPs in Parliament (e.g. use of abusive speech)
- Ensure fair and clear procedures (e.g. time allocation of speeches; motions, hearings, Orders of the Day)
- Elect an impartial and integer Speaker of Parliament who ensures fair and balanced conduct of business including access to media
- Elect strong chairs for the committees who can build consensus across party lines
- Ensure political neutrality of the parliamentary secretariat
- Review and revise Constitution, if necessary, as regards the relative powers of Parliament and the Presidency
- Establish a committee of mediation between the two chambers and the Presidency, if necessary

### **3.2.3 Oversight: Controlling the Executive Branch**

The issue of control of the Executive is key for tackling misconduct by the executive branch. Since, in the strict sense, Constitutional powers of Parliament in Liberia as regards oversight are limited, laid down in “normal laws” or unclear, one option is to review and, if necessary, to revise the Constitution (which might prove difficult). For the time being, it is crucial to make use of the public. Moreover, In Liberia, as in other countries, a special focus has to be awarded to corruption issues. One must keep in mind, however, that Parliament will be only credible if it applies strict anti-corruption measures to its own members.

Generally recommendations to strengthen the function of oversight are:

- Establish regular hearings in Parliament
- Broadcast discussions in parliament on TV and the Radio
- Establish a “televised question hour” where the President and other ministers are subject to direct questioning
- Discuss and debate corruption issues frequently
- Establish a special Anti-Corruption-Committee
- Pass strict anti-corruption laws
- Make all MPs declare their assets publicly
- Review and revise, if necessary, the Consitution to beef up Parliament’s oversights powers vis-à-vis the Presidency.
- If necessary, think about impeachment of the president, when gross misconduct takes place (but only in this case)

### **3.3 The EC/KAF Strategy Thus Far**

Since May 2005 the EC/KAF Team in Monrovia/Liberia, headed by Dr. Heinz Jockers, has started to support Parliament in Liberia. The team has prepared, organized and conducted:

- Workshops with the NTLA (National Transitional Legislative Assembly) legislators
- Workshops with the permanent staff of the NTLA
- Workshops with the legislators of the recently elected Representatives and Senators (in which the author of this report participated)

- Workshops with the incoming permanent staff of the future Parliament in Liberia (planned)

As far as can be judged by the author of this report, the workshops were extremely well organized, addressed very pertinent issues – many of the recommendations outlined above, in fact – and covered the appropriate audience. The workshops were conducted in close cooperation with other organizations, namely UNMIL, the National Democratic Institute (NDI) and the United Nations Development Programme (UNDP).

Dr. Jockers and his team selected competent local facilitators who have been cooperating well with the experts from outside. It was particularly favourable to have a local partner for both presentations given by the author of this report.

Dr. Jockers and his team were particularly helpful in preparing the author's mission to Liberia, and in providing the necessary support during the stay, including extensive briefing and de-briefing as well as permanent discussion.

The cooperation between the outside expert and the local facilitator was both pleasant and pertinent. The workshops were jointly prepared and conducted, followed by extensive discussion for the second workshop, including a revision of the handouts.

The author had the chance to interview experts on the subject, including numerous Parliamentarians-elect (see also Annex). A focus group discussion (teachers) on the perception of security in Liberia as well as a workshop on a survey poll in Liberia on the same subject.

It must be clear that Parliament is just one institution/actor within a complex political and socio-economic framework of actors, institutions and structures. Thus, one must not expect that Parliament will be able to realize Good Governance in Liberia without the cooperation within and without the country. However, it will be a key player. A continuation of the programme is strongly recommended.

#### **4. Annex**

List of Interviewees during the stay:

- Aidoo, Harold, Consultant, Monrovia
- Blanksom, Emmanuel, N., Consultant, Monrovia
- Chambers, Bhofal, Dr. Senator-Elect, Liberia
- Diawara, Sidi M, NDI, Country Director, Monrovia
- Freudenhammer, Thomas, Ambassador, Federal Republic of Germany, Monrovia
- Gerdes, Felix, Researcher, Hamburg University, Hamburg
- Jockers, Heinz Dr., Head EC/KAF Mission to Liberia („Support to the Legislative Assembly in Liberia”).
- Loetzer, Klaus D., KAF, Bureau Sous-Régional Cotonou-Benin (responsible also for project n Monrovia)
- Meinhardt, Heiko, Expert, Hamburg University, Hamburg
- Munyaradzi, Motsi, UNMIL, Civil Affairs Officer, Monrovia
- Pshorr, Menekeh, KAF, EC/KAF, Monrovia, Support Staff
- Secka, Omar A, UNMIL Monrovia, Civil Affairs Manager
- Simpson, Veda A.N., KAF, EC/KAF, Monrovia, Support Staff