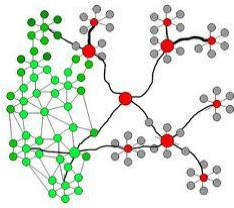
	<p>Summary Report NDI - Policy Seminar on Decentralization ‘Which Way To Go?’ 16th of May 2012 – Mamba Point Hotel – Monrovia</p>	
<p>NDI – Liberia – 16th street – Sinkor – Monrovia – Tel 0777026627 / 0777026175</p>		

These summary notes are not intended as a full report of everything that was addressed or said during the policy seminar. The most important challenges, dilemmas and questions that were tabled in the presentations and discussion are presented here. The many potential benefits and opportunities of a decentralization and local governance policy may already be found in the Preamble and Policy Framework of the Governance Commission’s Decentralization Policy, which was distributed in advance of the seminar. These summary notes from the policy seminar are shared as reminders for seminar attendees to consider in follow-up in their areas of work and responsibility.

You will find the program of the seminar, as it occurred, in the annex as well as a list of the attendees.

1. Unitary State – Federal State

According to the Liberian constitution (art. 3) *Liberia is a unitary sovereign state divided into counties for administrative purposes.* There were different views during the seminar on whether the Decentralization Policy would turn Liberia into a Federal State, and thus art. 3 of the constitution would need to be amended. In the policy paper of the Governance Commission it is written (Part III, section 3.0) that *‘county governments and their local citizens shall have the power to operate as autonomous political sub-national units of the country’*. It was questioned whether an autonomous political sub-national unit is in compliance with ‘administrative purpose’ of the constitution. Besides this, it was also questioned whether the decentralization policy should go so far (see following sections).

2. Decentralization and imperfectness of institutions and officials

People in favor of decentralization highlighted its democratic and efficient aspects. The policy can be fine-tuned according to demands of the people, services can be more efficiently delivered, public management can be more transparent and accountable, etc. Against this position were those who emphasized that the imperfectness of the national institutions and officials (e.g., stagnant bureaucracy, corruption, etc.) will be multiplied 15 times. It has to be clarified with which measures the executive plans to avoid these pitfalls. At the same time, was the question raised why this anticorruption policy is not implemented on the national level.

3. Decentralization of powers

According to the policy paper of the Governance Commission administrative and additional powers would be devolved to the county governments. This is fundamental for decentralization. If elections are held for county governments, then these governments should have relevant powers to do what is promised during elections. But seminar participants questioned from which institutions these powers would be taken. Some pointed to the currently weak position of the Legislature; which could be weakened even more by the decentralization policy. It needs to be clarified how a proportional balance will be established between the powers of the executive, the national legislature and the county governments. The legal position of the Members of Liberia's national Senate and House of Representatives, as elected representatives of their counties and districts, is called into question if county governments more or less take over political and representational duties, responsibilities and tasks. On the other hand, decentralization can lead to more transparency and accountability in the activities of Senators and Representatives.

4. Decentralization, the welfare state and development

Some were in favor of the 'celebration of decentralization', as one speaker put it. Decentralization shapes better conditions for improvement the infrastructure, a better deliverance of services, a better division of state money between Monrovia (less) and up-country (more) and a more justified division of benefits of resources nationwide. In this way, decentralization contributes to economic growth and equality, which is needed for the building of a welfare state. Others doubted if this would happen due to decentralization, as the first priority to reach this goal lies in the improvement of the functioning of national institutions. Why invent something new instead of improving what already exists? Before embarking on decentralization it was also argued that Liberia must address the proliferation of hamlets into towns, which impedes genuine development.



5. Powers and election of the County Superintendents

Election of Superintendents has to be seen as a democratic improvement on the way these positions are currently filled. At this moment, Superintendents are appointed by the President so they are, more or less, dependent on the President. On the other hand, an elected Superintendent has to relate to and serve the voters of the County. Others questioned why the criticized position of the 'imperial' president should to be copied at the county level. Some also underlined that the quality of the chosen Superintendent would be a big risk and that the present situation should, therefore, prevail.

6. Removal of powers

According to the policy paper of the Governance Commission, a minimum of 1000 citizens from each administrative district within a county can endorse a petition for impeachment of a Superintendent. A minimum of 1500 citizens from the jurisdiction of the government concerned can endorse a petition for impeachment of a District Commissioner, a member of the County Legislative Assembly (CLA), and the head of a subordinate unit of local government. The basis and justification for these figures were questioned. The definition of ‘citizen’ was also questioned. Another argument was that removal powers should remain in the counties and not be vested in the National Legislature.

7. Position of chiefs

Some contributions asked that the policy pay more attention to the position of the chiefs as defenders and representatives of the more traditional involvement of people in rural areas and of culture, history and traditional values of each ethnic group. This might be threatened if chieftaincies are no longer inherited but instead are won through elections and subject to political party slates. Their position in the Decentralization policy should be clarified from this perspective.

8. Decentralization and Reconciliation

Liberia is a nation with many ethnic groups and a long history of war. Some raised the general caution that decentralization could divide the Liberian people further and counter attempts at peace-building, unification and reconciliation.

9. Licensing and Taxation

The question was raised of whether a county would have the power to independently tax or license extractive industries or other businesses operating in its jurisdiction. One contributor offered that the decentralization policy is unclear in this respect.



This publication is made possible by the generous support of the American people through the United States Agency for International Development (USAID) under Award No. 669-A-00-09-00070-00. The opinions expressed herein are those of the authors and do not necessarily reflect the views of USAID or the United States Government.



**Program Policy Seminar | 16th of May 2012 | Mamba Point Hotel
Decentralization: Which Way To Go?**

Time	Activity	Presenter/Facilitator
8:30am – 9:00am	Registration	
9:00am – 9:20am	Opening and Welcome Remarks <i>Louise Fahnbulleh</i> (Democracy and Governance Specialist - USAID) <i>Ademola Araoye</i> (Chief, Political, Policy and Planning Section - UNMIL) <i>Hans Barchue</i> (Deputy Speaker of the House)	Moderator: <i>Leo Platvoet</i> Senior Program Manager NDI
9:20am – 9:30am	Introduction and Overview of the Seminar <ul style="list-style-type: none"> • Objectives • Expectations • Announcement 	<i>Aubrey McCutcheon</i> Country director NDI
9:30am – 10:15 am	What is ‘Liberia National Policy on Decentralization and Local Governance’ and what are the challenges? <ul style="list-style-type: none"> • Why a decentralization policy? • Is the time right, are conditions fulfilled? • Relation with Constitution 	<i>Yarsuo Weh-Dorliae</i> Governance Commission <i>Jonathan F. Koffa</i> expert constitutional and political issues
10:15am – 10:45am	Question/answers and Discussion	
10.45 – 11.00 am	Coffee Break	
11.00am – 12.15 pm	The role of the Legislature and other stakeholders <ul style="list-style-type: none"> • Programming strategy • Implementation plan • Stakeholders role – civil society, legislature, etc. 	<i>Tiah Nagbe</i> Deputy Minister of Development Planning <i>Gloria Mayah Musu Scott</i> Representative CSO
	Reflection on these two contributions	<i>J.F. Whitfield</i> ¹
12.15 am – 12:55 am	Question/answers and Discussion	
12:55am – 1:30pm	Closing and Lunch	

¹ J.F. Whitfield is chairing the Committee Internal Affairs and Governance of the Senate

**List of participants NDI policy seminar on Decentralization
16th of May 2012 – Mamba Point Hotel**

<p>House of Representatives Fofi S. Baimba Hans Barchue Johnson T. Chea Mariamu B. Fofana Edward Forh Josephine Francis Mary M. Karwon Mambu M. Sonii Richard M. Tingban Larry P. Younquoi</p> <p>Senate Dallas A. V. Gueh Matthew N. Jaye Joseph Nagbe John F. Whitfield</p> <p>Legislators Staff Solomon Forh Yvette F. Harris Lawrence Knowlden Adolphus B. Targae Benedictus Broderic</p> <p>Legislature Staff V. Mustang Queelyme</p> <p>Executive Jabaru Carlon (Governance Commission) John Dennis (Ministry of Internal Affairs) Ruth Japp (Governance Commission) Alfred Kulak (Governance Commission) Tiah Nagbe (Dep. Minister of Development Planning) Yarsuo Weh-Dorliae (Governance Commission)</p>	<p>International Organizations Bornfree Adué (UNMIL) Ademola Araoye (UNMIL) Louise Fahnbulleh (USAID) Elisabetta Michelov (UNMIL) Kns Nair (UNDP)</p> <p>Civil Society Organizations Mike Butscher (Liberia Media Center) Senesee G. Freeman (IFES) Katja Christensen (IBIS) Eddie Jarwolo (NAYMOTE) Thomas Nah (CENTAL) Tilly Reed (IREX) Cerue Konah Garlo (IREX)</p> <p>Media N. Cyrus Harmen (Sky FM) Varney M. Kamara (New Democrat) Sandi Kamara (Farbric Radio) Darlington Pelenah (Kinks FM) Togba Tuurney (Business Day)</p> <p>Others Paul W. Boe (National Traditional Council of Liberia) J. Mark Brown (National Traditional Council of Liberia) Momon Kiazolu (National Traditional Council of Liberia) J. Koffa Jacq Turel Gloria Scott</p> <p>NDI Aubrey McCutcheon Thomas Du Varney Kanneh Nannoh Seekey Domah Cooper Leo Platvoet</p>
--	---