
Ladies and Gentlemen of the Press

EBOLA IS REAL!!!!!

October 7, 2014: With funding from the National Endowment for Democracy-a US based philanthropic organization and the National Democratic Institute-supported by the Embassy of Sweden, the Institute for Research and Democratic Development (IREDD) has monitored the performance of members of the 53rd legislature. Under the theme: “Towards Legislative Openness: See Your Lawmaker at Work”

This report covers the period of January to July, 2014 and reveals findings from all of the 49/48 sessions held at the House of Representatives and the Liberian Senate respectively. IREDD and its partner intend for the project to contribute toward greater transparency and democratic accountability in Liberia in ways that ensure pro poor policy formulation that contributes to improved development outcome.

The Report focuses on three areas in which lawmakers have traditional mandate to execute their formal responsibilities in the interest of their constituents and the country. It evaluates each lawmaker on his or her “Constituency Representation” assesses each lawmaker’s “Law Making Efforts” during the year and evaluates each lawmaker on his or her “Oversight Responsibility.” The report card also records lawmakers’ performance on how he or she identifies and communicates to plenary about critical prevailing issues that interest and/or affect the Liberian people.

The Report provides a thorough description of each measure and raises a few caveats that are important when considering the performance of lawmakers. It includes the full set of scores for each lawmaker, presented on general report card. Finally, the report describes the Legislature’s overall performance relative to its primary and fundamental responsibilities. We limited our coverage of these responsibilities to key legislative functions that could be easily captured during plenary sessions which are often open to the public.
Fellow Liberians, Ladies and Gentlemen of the Press: Liberia has signed onto the open government partnership especially on the new global openness of government across the world, following a wide range of activities, consultation, and accumulation of performances of individual Legislators, IREED states in categorical terms that it takes no interest in targeting any particular legislator or institution but feels it has a national responsibility as a civil society organization to campaign for transparency and accountability in all facet of society.

During the period under review (January-July), the following observations and findings were noted and recorded:

- The Liberian legislature remains under-equipped and sadly operates in a state of paralysis with clerical professional staffs’ performance continuing to be hindered by the unavailability of basic office equipment such as printers, photocopiers and printers’ ink. Despite incredible budgetary support by development partners and government since the inauguration of the Modernization Plan, operational condition for staffs continue to experience deplorable condition thus creating poor documentation constraints and inefficiency within the legislature. This paralysis is been used as a cover up to deny citizens vital public information crucial to monitoring the legislative representation of legislators and thereby undermining citizens’ right to information.

- The efficiency of the legislature continues to be impeded by the lack of time consciousness and commitment to serve. During the period under review, most sessions started late, often an hour or more late. Although this violates rule #2 of both Houses which put the starting time at 10:00am on every session day (Tuesday and Thursday), legislators and the leadership continue to exercise insensitivity. As observed during the year, regular plenary sessions were not only starting late but also a number of lawmakers were recorded late (those who came in after roll call).

- On the average, attendance for both Houses reveal a fair rating of a little below 80% accumulatively during the entire reporting period. Our research shows a considerable number of legislators continue to place personal economic interest over national duty for which they have been elected. This means some lawmakers used their working hours to engage in other activities of their personal interest at the detriment of their respective constituencies. However, the Senate topped members of the House of Representatives during the reporting period. (i.e. Senate 83.73%, House of Representatives 76.6%).
The members of the House of Representatives attended more sessions than those of the House of Senate. Senators Fredrick Doe Cherue, UP, River Gee County and Mathew Jaye, UP, River Gee County, attended all the 48 sessions held at the Senate and got the score of A+. Other senators with high plenary attendance include: Joseph Nagbe, APD, Sinoe County, Henry Yallah, NDC, Bong County and Adventus D. Gueh LDP, Rivercess County. They got A in plenary attendance.

Senator Mabutu Vlah Nyenpan, APD Sinoe County got the lowest in plenary attendance. He attended 28 out of the 48 sessions held and got a score of “F”. Others senators with low plenary attendance include: Joyce Musu Freeman Sumo, CDC (she traveled to attend AU Parliament), Montserrado and Cletus S. Wotorson UP, Grand Kru County. They got a score of “D” respectively (We wish to state here that Sen. Cletus was pronounced sick for a month and half).

Hon. Zoe Emmanuel Pennue, INDEP, Grand Geded County, got the highest in plenary attendance at the lower house. He attended 48 out of the 49 sessions held.

Others with high attendance marks include: Thomas Fallah, CDC Montserrado, Abraham V. Corneh, III, INDEP, Montserrado, William V. Dakel, Sr. NDC, Montserrado, Garrison Yealue, Jr. NUDP, Nimba and Francis Paye, NDC Rivercess County.

Conversely, nine representatives got a score of “F” in plenary attendance. They include: Jeremiah W.N. McCaulay, NDC, Sinoe, Jefferson Karmoh, APD Sinoe, (it important to note however that Hon. Karmoh is a member of the ECOWAS parliament which might have necessitated his continuous absence from plenary session), Ricks Y. Toweh, NUDP, Nimba, Solomon C. George, CDC, Montserrado, Clarence Massaquoi, UP, Lofa, George Wesseh Blamoh, UP, Grand Kru, Manbu M. Sonii, LP Cape Mount, Alfred G. Koiwood, CDC Gparpolu and Haja F. Siryon, UP, Bomi.

The plenary of the Liberian senate recorded a total of 31 distant times during its 48 sittings while the House of Representatives recorded 156 distant times. Senator Mabutu Vlah Nyenpan got the highest distant times at the senate. He was pronounced distant six (6) times while Hon. Henry B. Fahnbulleh got the highest distant times in the House of Representatives. He was pronounced distant fourteen (14) times. Four others members of the lower house got higher distant
times. They are Johnson Toe Chea, NDC, Rivergee, Mariamu B. Fofana, UP, Lofa, George Wesseh Blamoh, UP, Grand Kru and Samuel G. Karmo, Bomi County.

- Though limited in numerical strength, the Senate again topped Lower House in plenary participation. During this reporting period, there were a total of 1856 participation times in the Senate and 1040 at the House of Representatives.

- Senator Fredrick Doe Cherue, UP, Rivergee County got the highest participation times at the Senate. He spoke 89 times. Others with high participation marks include: Peter S. Coleman, CDC, Grand Kru, 88 times, Isaac W. Nyenabo, NDPL, Grand Gedeh, 85 times, Armah Z. Jallah, NPP, Gbarpolu 83 times, Alphonso G. Gaye, UP, Grand Gedeh, 82 times, Sumo G. Kupee, UP, Lofa, 81 times and John A. Ballout, UP Maryland, 76 times.

- Hon. Prince K. Moye, UP, Bong County of the House of Representatives got the highest participation times at the Lower House. He spoke 115 times. He is followed by Hon. Jeh Byron Brown who spoke 70 times.

- Conversely, ten lawmakers got zero (0) in plenary participation. They include: Jeremiah W.N. McCaulay, NDC, Sinoe, Charles K. Bardyl UP Rivergee, Samuel G. Z. Worleh, NUDP, Nimba, Adolph A. Lawrence, IDEP, Montserrado, Roland Opee Cooper, LP, Margibi, Zoe Emmanuel Pennue IDEP, Grand Gedeh, Manbu M. Sonii, LP Grand Cape Mount, Robert N. Siaway, Sr. APD, Bassa and Malai Goutu Gbogar, LP, Gbarpolu.

- Similarly, nine lawmakers spoke only once during the entire forty-nine (49) sessions held at the House of Representatives. They include: Haja Siryon, UP Bomi, Tokpah Mulbah, CDC Bong, Gertrude T. Lamin, UP Gbarpolu, Aaron Bondokai Vincent, NRP Cape Mount, Saah Hardy Joseph, CDC, Montserrado, Abraham, V. Corneh, INDEP Montserrat, Garrison Yealue, Jr. NUDP, Nimba, Alfred Giotee Juweh, LDP Rivercess and Jefferson Kanmoh, APD, Sinoe.

- A total of thirty two (32) bills\(^1\) were recorded at the legislature during this reporting period. Of this 32 bills recorded 9 or 28.125% came from the Executive.

\(^1\) See summary of bill introduced and passed below
branch of government, 7 or 21.875% came from the senate and 16 or 50% came from individual legislators. Hon. Johnson Chea, NDC, River Gee County, Hon. Moses Kollie, UP Lofa, Hon. J. Byron Brown, LP, Bassa, Mariama Fofana, UP, Lofa, introduced the highest Bill at the House of Representatives. Other representatives who introduced bills include: Hon. Larry Younquoi, APD, Nimba County, George Mulbah, NPP, Bong, Morias T. Waylee, UP Grand Geded, Ben Fofana, UP, Margibi, Worlea Dunah, UP Nimba, Fofi Biamba, UP, Lofa, Edwin M. Snowe, IDEP, Montserrado, and Jeremiah Kounig, NUDP, Nimba County.

- Of the 32 new bills introduced during this reporting period all were passed by the House of Representatives, four were approved and printed into hand bills, twenty one are still pending for concurrence at the chambers of the senate and six are pending before the President for signature.

- Without any form of interest and special malice to a specific legislator or branch of government, IREDD takes key interest in “An Act of Legislature Prescribing the National Code of Conduct for all Public officials and Employees of the Republic of Liberia” and An Act against criminal conveyance of land.” The institute believes that these bills are not only in the interest or serve the benefit of the vast majority of Liberians but also, when passed into law, will boost the morale of our emerging democracy on both the national and international scene while potentially addressing multiplicity of land conflict/sales across the country as well as ethical transgression in public service sector.

- There were sixty two (62) letters recorded during the period. Of this 62 communications recorded, twenty (20) or 32.25% came from the Senate, thirty nine (39) or 62.90% came from the House of Representatives and three (3) or 4.83% came from the President.

- Senator Geraldine Doe Sheriff of the Congress for Democratic Change, Montserrado County wrote the highest communications during the period and was followed by senator George Tengbeh of the ruling Unity Party, Lofa County. They both wrote five (5) and four (4) communications respectively.

- Honorable Larry P. Younquoi of NUDP, Nimba County wrote the highest communication and was followed by Hon. Ben Fofana of the ruling Unity Party, Margibi County who also wrote four communications.

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2 See annex A below for list of communications and issues raised therein
Oversight weaknesses and the lack of transparency within the legislature accounts largely for the poor management of the state by the Executive. Oversight committees lack the political will or fail to develop the needed capacities to ensure the quarterly scrutiny of oversight agencies’ budget performance consistent with the Public Financial Management Law. Even in the event some scrutiny is initiated, the outcome is never well documented neither is it made public. For example, a legislative concession monitoring committee was set up in 2011 and chaired by Representative Edwin Snowe and co-chaired by Gabriel Smith to assess the extent to which concession holders are in compliance with the terms and provisions of their concessions. Our research reveals to date, there is no report on the work of such committee. Over the last years, the health sector has been the epic-center of routine demonstrations involving poor working facilities, inadequate incentives, lack of personnel and poor access to healthcare services. The committee on Health took no concrete action to mitigate the situation. In addition, because legislators own businesses which they also have oversight responsibilities over, such conflict of interest compromises their oversight roles. For example, Speaker Alex Tyler and Representative Moses Kollieof Zorzor, Lofa County are both shareholders of ICC, a logging company which has been awarded Forest Management Contract in Grand Gedeh without the required capacity.

Our research recorded a total of one hundred forty three (143) legislative instruments in committees’ room. Of this amount of instrument dusting on the shelves of legislative committees, seventy six (76) or 55.24% originated from the House of Representatives, thirty (33) or 23.07% originated from the Senate, twenty six (26) or 18.18% came from the Executive, and eight (8) or 5.5% came from other sources.

Further research showed that of the total bills pending (covering 2012-2014) in committee room, seventy three (73) or 54.48% comprises of new bills, eleven (11) or 8.21% are petitions, twenty two or 16.42% are amendment to old legislative instruments, one (1) is the national budget of 2013/2014, and the rest are proposals (5), joint resolutions (2), treaties/protocols (5) and convention/charter (8).

The committees on Judiciary, Ways Means, and Finance and Education were found to be the committees which have the most congested dockets during the period. Particularly the committee on Judiciary which provides legal oversight to every
committee’s work was found to be present on all of the over one hundred forty-one legislative instruments pending in committees rooms.\(^3\)

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

A few examples of Secret Sessions are noted below:

- The appearance of the Chairman of the National Elections Commission to provide clarification on the reduction of voter precincts from 4000 to 99 held on the 15\(^{th}\) day of July 2015 at the House of Representatives

- Consultative meeting with NOCAL and Ministry of Finance on the way forward to promote in Petroleum Exploration held on the 24\(^{th}\) day of July 2014 at the House of Representatives

- An act to amending a certain provision of the 1986 elections law held at the senate on the 27\(^{th}\) day of May 2014.

Ladies and Gentlemen of the Press, we thank you very much for your tireless support given IREDD and its partners throughout these monitoring efforts and please be reminded that EBOLA IS REAL, IT KILLS, LETS PREVENT IT AND SAVE OUR LIVES AND THOSE OF OUR LOVE ONES

MAY GOD BLESS OUR COUNTRY!!

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\(^{3}\) See appendix B for instruments pending in committee room