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Press statement for the official release of the IREDD Legislative Monitoring report title:

“Is the Liberian Legislature working for the People or for the President?”

Ladies and Gentlemen of the Press

Ladies and Gentlemen of the Press, the **Institute for Research and Democratic Development (IREDD)** the leading policy research advocacy and democratic advancement institution organization championing the voices of ordinary citizens of Liberia for democratic governance since 2000 extends new year greetings and like to inform the general public through your respective media institutions on the performance of the 54th legislature of Liberia for the period covering January to June 2021 sittings.

The Institute for Research and Democratic Development (IREDD) has monitored the performance of members of the 54th legislature. Under the theme: *“Lawmaker’s Watch”*, this report covers the period of January to June 2021 and reveals findings from all the 47/46 sessions held at the House of Representatives and the Liberian Senate respectively. Consistent with its objectives, IREDD intent for the Monitoring is to contribute toward greater transparency and democratic accountability in Liberia in ways that ensure pro poor policy formulation for improved development outcomes. This Monitoring report focuses on three areas in which lawmakers have constitutional traditional mandate to execute their formal responsibilities in the interest of their constituents and the country.

Further, a thorough description of each measure is provided by this report as it raises 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 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: this report is intended to complement the open parliament declaration and government partnership engender by the world today, especially on the new global openness of governments. We at IREED take no interest in targeting any legislator or institution but feels it has a national responsibility as a civil society organization to campaign for transparency and accountability in all facets of the society.

During the period under review (January-June 2021), the following observations and findings were noted and recorded:

Plenary Sessions

A total of 47 plenary sessions were recorded at the House of Representatives which comprises of 44 regular and 3 special plenary sessions. Meanwhile at the Liberian Senate, a total of 46 plenary sessions were recorded. Consisting of 44 regular and 2 special plenary sessions.

Performance on plenary attendance

A total of two thousand, fifty (2050) present times were recorded at the House of Representative while a total of nine hundred, six (906) present times were recorded at the Liberian Senate.

A total of 4 representatives obtained A' which represents 5% while 9 representatives obtained F' which represents 13%. Similarly, 8 Senators obtained A' which constitute 28%. While 3 senators obtained D' which constitute 10%. The Representatives who obtained A' in plenary attendance at the House of Representatives include Hon. Larry P. Younquoi of Nimba County, UP, Hon. Sampson D. Wiah of Sinoe County, CDC, Hon. Ivan K. Jones of Margibi County, IND. Representatives who obtained F in plenary attendance Hon. Lawrence Morris of Montserrado, IND, Hon. Rustonlyn S. Dennis Montserrado County, LTP, Samuel Regen Enders of Montserrado County, IND, Yekeh Y. Kolubah, IND, Abu B. Kamara of Montserrado, CDC, Abraham V. Corneh, CDC, Mary M. Karyor of Grand Bassa County, Nathaniel Bahway Sr. of Montserrado County, LINU and Alex Chersia Grant of Grand gedeh County, CDC.

Meanwhile at the senate, senators who obtained A' in plenary attendance include, Sen. Prince K. Moyer of Bong County of UP, Sen. Emmanuel Nuquah of Margibi County, PUP, Sen. Augustine S. Chea of Sinoe County, UP, Sen. Jonathan B. Sogbe of Rivergee County, Sen. Numene T. H. Bartekwa of Grand Kru County, INDP, Sen. Botoe Kanneh of Gbarpolu County, INDEP and Sen. James P. Biney of Maryland County, INDP. Senators who obtained D' in plenary attendance include Sen. Jonathan Kaipay of Grand Bassa County, LP, Sen. Stephen J. H. Zargo Lofa County, LP, Sen. Marshal A. Dennis Grand Gedeh county, CDC and Sen. Edwin Melvin Snowe of Bomi County, INDP.

ABSENT TIMES

The House of Representatives obtained the total of eight hundred and ninety-two (892) absent times during the period. Hon. Clarence G. Garr of Margibi County, CDC obtained 29 the highest absent times. Other include Hon. Manah Bishop Johnson obtained 27 absent times due to illness and Hon. Rustonlyn S. Dennis, IND of Montserrado County obtained 26 absent times. At the Liberian Senate, a total of seventy-three (73) absent times were obtained. Sen. Prince Y. Johnson obtained the highest of 12 absent times.

A total of one hundred sixty-nine (169) distant times were obtained at the House of Representatives with Hon. Nathaniel Bahway of Grand Kru County obtaining the highest of 11 distant times while at the Liberian Senate, a total of sixty-nine (69) distant times were obtained. Sen. Stephen Zargo, LP of Lofa County obtained the highest distant times of 14 and followed by Sen. Jonathan Kaipay of Grand Bassa County who obtained 13 distant times.

A total of forty(40) excuse times at the Liberian Senate were recroded. Sen. Nyonblee K. Lawrence, LP of Grand Bassa County and Sen. Marshall Dennis, CDC of Grand Gedeh County Obtained the highest excuse times, both were seemed excuse 10 times. At the House of Representatives, a total of 10 excuse times were obtained with Hon. Lawrence Morris obtaining the highest of 5 excuse times.

A total of twenty-nine (29) Sick times were obtained at the Liberian Senate. Sen. Francis PAYE, NDC of Rivercess County obtained the highest Sick times. He was pronounced sick twenty-two times up to the compilation of this report.

At the House of Representatives, a total of fifty-five (55) sick times were obtained. Hon. Hans Barchue, IND of Grand Bassa County obtained the highest sick times, he was pronounced Sick 38 times and was followed by Hon. Alexander Poure, ALP of Rivergee County, also obtained 11 sick times.

Debate

A total of one thousand, six hundred, six (1606) participation times was recorded at the Senate and five hundred eighty-one (581) participation times was recorded at the House of Representatives. Senator J. Milton Teajay, UP of Sinoe County obtained the highest participation times. He spoke 183 times. Others with high participation marks include: Abraham D. Dillon, LP spoke 155 times, Sen. J. Gbleh Bo Brown, IND of Maryland County Spoke 110 times and Sen. Daniel Flomo Naateh, ANC, Gbarpolu County also spoke 111 times. Conversely, four Senators obtained the lowest in plenary participation. Those Senators include Sen. James P. Binney, CDC of Maryland County obtained 12, Sen. Mashells Dennis, CDC of Grand Gedeh County obtained 17, Sen. Henrique Togba, and IND of Bong County obtained 8 and Sen. Jeremiah Koung, MDR of Nimba County obtained 10 in plenary participation times.

At the House of Representatives, four Representatives obtained the highest participation times. Hon. Matthew ZarZar, UP of Sinoe County spoke 42 times. Others include Hon. Ivar K. Jones, IND of Margibi County spoke 37 times, Larry Younquoi, UP of Nimba County also spoke 37 and Hon. Moima Brings Mensah, IND of Bong County spoke 25 times respectively. Opposingly, Hon Edward P Flomo IND Montserrado, Hon Abu Kamara CDC of Montserrado, Hon Josphe M. Matthew Jr IND of Gbapolu, Hon. Jonathan Fonati Koffa CDC of Grand Kru and Hon Manah Bishop Johnson CDC of Bomi did not speak at all during the period under review.

Oversight

There were 27 committee reports recorded at the House of Representatives and 51 Committees reports at the Liberian Senate. These reports highlighted recommendations on the passage of bills into law, ratification of treaties and protocols, investigation into complaints, reports and other legislative related matters.

A total of 16 Senators wrote Communications to plenary at the Liberian Senate. Those Senators include Sen. Jonathan L. Kaipay, LP of Grand Bassa County wrote the highest communication and was followed by Sen. Varney Sherman, UP of Grand Cape Mount County. Sen. Jonathan L. Kaipay wrote 7 while Varney Sherman wrote 5 communications respectively. On the contrary, Twelve Senators did not write any communication up to the compilation of this report.

A total of 38 Representatives wrote communications at the House of Representatives. Hon. Richard N. Koon, UP, of Montserrado County wrote the highest communications and was followed by Hon. Dorwohn T. Gleekia. Hon. Koon wrote 6 while Hon. Gleekia wrote 5.

CONFIRMATION PROCEEDINGS:

The Liberian Senate received the total of twenty-seven Presidential Nominees. Of those Nominees, 4 were confirmed by the Liberian Senate and 22 are pending for confirmation during the period (Jan-

June 2021). On the other hand, the Liberian President withdrew one Nominee on grounds that the nominee was allegedly accused of involvement into Corruption and also above the required age.

PUBLIC HEARINGS

A total of 17 public hearings were held at the House of Representatives. All the House Public hearings were held in plenary sessions. The public hearings brought together key stakeholders from the public and the Legislature.

POLITICAL PARTIES CAUCUSES

IREDD has made tremendous effort in engaging political parties Representatives in order to ascertain information on whether they hold regular caucuses' meetings and feedback on their activities at the Legislature to their various political parties. Unfortunately, political parties do not have functional and well structure Caucuses at the Legislature. Efforts were made to obtain Caucus meetings' minutes but no political party at the Legislature could provide such information to us. Political Parties Representatives and Senators at the Legislature have fragmented views during plenary deliberations. Throughout the period, Political parties Caucus or Caucuses were not seem making collective decisions neither raising issues based on their Party manifesto or interest. Such an act makes Citizens to create doubt on whether people who are elected on political party's ticket as Representatives and Senators were passionate Partisans of the political parties or they wanted to use the political parties to ascend to such public office. These issues do not just create doubts on the mind of the Citizenry but also undermine functional democracy and good governance.

BUDGET PERFORMANCE REPORT

Budget performance reports from Line Ministries and Agencies at the Legislature remains a serious ghost. IREDD wonders whether line ministries and Agencies are presenting their budget performance reports. Perhaps, the relevant committees of the Legislature are making limited effort to request those reports from the Line Ministries and Agencies that are not regularly reporting. Legislature is not instilling penalties on head of these ministries and agencies.

A Total of four budget performance reports were obtained at the Liberian Legislature from various Line Ministries and Agencies of the Government. The Reports were obtained from offices of the Chief Clerk and the Secretariat of the Liberian Senate. IREDD obtained two Agencies of the government budget performance report during the reporting period and these reports were submitted during the special proposed budget for the fiscal month of July to December 2021. The ministry of Transport Budget performance report covered the month of January to June (Fiscal year 2020-2021) while the National Police Budget performance report covered fiscal year 2020. IREDD has made tremendous effort to obtain the rest of the Agencies budget performance reports but was unable to obtain none. The Budget law and the Constitution of Liberia state that Line Ministries and Agencies should submit quarterly and annual budget performance Report to the Liberian Legislature, Sadly, Line Ministries and Agencies has been grossly violating the budget law and constitution.

b. LAWMAKING

a. BILLS IN COMMITTEE ROOM

A total of eighty-eight (88) Bills were recorded in committee room up to the compilation of this report while a total of 49 Bills in committee room at the Liberia Senate Respectively.

BILLS PASSED

Throughout the six months, the House of Representatives passed thirteen Legislations while the Liberian Senate passed seven Legislations.

CHALLENGES

The Legislative budget office and the legal drafting center are very weak due to limited budget and logistical support. Legislators are not regularly updating the Legislative information service thus creating a huge challenge of the public to access near real time Legislations that are passed and pending at the Legislature. These factors also undermine Legislative transparency and promote closed governance system that leads to corruption.

Holding the Liberian Legislature accountable most especially individual Legislators relating to decision-making has become a challenged to the public including CSOs due to the breakdown of voting machine. Citizens are unable to hold their elected Leaders accountable due to the lack of voting machine at the Legislature.

The offices of the Secretary of the Senate and the Chief Clerk of the Liberian Legislature faced huge challenges of the needed logistics to effectively operate and meet the demand of the Legislature and the public. This situation does not only affect the Legislature, but it greatly affects the public most especially those who visit the Legislature to obtain information.

The Secret sessions have become a regular component of plenary sessions. Very crucial agenda items are discussed in closed door. This situation also continues to undermine Legislative accountability and transparency and creates information gaps and doubt on the minds of the public. For instance, the replacement of the Liberian Dollar was discussed in secret sessions and confirmation of public officials are also carried out in secrete sessions. Based on best parliamentary practices, Secrete Sessions are intended for state security related matters but what confirmation of a presidential Nominees have to do with State Security issue?

The Legislature which is considered as the first branch of government is parked with dark cloud with the lack of transparency and accountability evidence by the lack of voting Machine and continuous secret session. In view of the foregoing, the Legislature which monitors the Executive Branch of government is not transparent, therefore the executive branch of government is also not transparent in-Service delivery to the Liberian people evident of the lack of budget performance reports.

The County Service Centers are nearly closing but the Liberian Legislature has not been able to address the situation but was able to allocate thirty thousand (30,000) for each Legislators in the National Budget neglecting national and communities' interest for development. These acts of the Legislature undermine national development and sadly promote individual legislators' political interest above their electorates. IREDD believes that the Liberian Legislature needs to take prompt actions that address citizen's interest and national development.

MONITORING OBSERVATION

- a) The fragmented and neglect of statutory functions by committees, especially their failure to carry out due diligence on individuals appointed into government prior to confirming them,

and their non-insistence to have a quarterly review on annual budgetary performance are factors that hamper productivity across government. From the Monitoring, it is noticed that performance reports are submitted during the budget hearing period as a means to justify funding for the new fiscal year. The period is so short, leaving committees the burden of most times not acting from informed decisions.

- b) The weakening of political institutions within the legislature can be attributed to the placement of interests above duty by members.
The frequent cross-carpeting within the political parties leaves their platforms vague since members who should be championing a party's cause relatively take on different course upon joining new parties.
- c) Obtaining participatory votes on issue remains a challenge to the monitoring. No tracking machines installed in the "chamber" that hosts plenary in the new building making it quite difficult to record names of who voted through a "Nay", "Yea" response.
- d) The circulation of unsigned committee reports for plenary endorsement against existing rules of having all reports signed a day prior to a session day. Most of the Committee reports are signed in Plenary. This is against standing rules of the House.
- e) Most Acts submitted to Plenary do not go through all the required reading procedures. The first reading constitutes the second as well depending on the interest attached, some bills overstay in committee room, while others are addressed hastily. This is evidence by the number of bills passed for the Quarter 2021.
- f) IREDD monitoring revealed that during the period, there was no report submitted to the plenary from the ECOWAS Team, this means Legislators only attend regular ECOWAS Committee meetings, but they failed to submit comprehensive report during their deliberations at such meeting. This highlights the lack of financial accountability of taxpayers' monies by legislators.
- g) While the House functions through committees, it has been observed that the Speaker is in the business of setting up special committees to perform the duties of statutory committees. This situation has caught the attention of legislators, who have argued that existing committees should rather be empowered to perform their oversight functions. For example, the committee on rules, orders and administration should investigate every matter but investigative committees are set up in its presence.
- h) IREDD recognizes the efforts made by the Liberian Senate through our advocacy over the years in reducing the number of secret sessions (executive sessions) and moving from a "Na Yea" voting to a manual vote taking with calling of names. However, IREDD calls on the legislature to reintroduce and make use of the electronic voting machines installed at the both houses. IREDD will also like to call on the House of Representatives to follow suit to improve legislative openness, transparency and accountability at the legislature.
- i) At the House of Representatives, sessions begin late, leaving plenary little or no time to exhaust the agenda. This is attributed to committee meetings being held on session days, violating the House's standing rule. Frequently, agenda items are deferred for more than two weeks.

- I) Loitering during sessions and leaving session when invitees are answering to concerns for which they are invited, speaking when one is not recognized are other issues which the presiding needs to take stringent measures on.
- II) The frequent and blatant disrespect of public Officials from the Executive Branch of government to the legislature when they invited to provide information on state related matters by committees or the plenary has caught IREDD's attention. The Minister of Finance, Hon. Samuel D Tweh is mostly involved in this act. This is also evident by the fine of 4,999 Liberian dollars placed on the Minister of Agriculture, Madam Jeanine Cooper for gross disrespect.
- III) Fellow Liberians, International Partners, ladies and gentlemen of the press, IREDD is concern as to whether the Liberian legislature is working for the people or for the president. IREDD noticed, 90% of the legislation passed by the legislature under the period recorded originated from the president. It is also important to highlight that most of these legislations were speedily passed sometimes ignoring the clear procedure to pass legislations.

Recommendations

1. Moving forward, IREDD recommends that the passage of all legislations should be acted upon based on the Legislature's standing rules and best legislative practices
2. That the Liberian Legislature ensures that all line ministries and agencies provide their quarterly and annual budget performance reports so as to enhance transparency and accountability in public service and also inform legislative decisions during budget deliberations
3. That the both Houses of the Liberian Legislature review its standing rules to prevent Committees' members signing committees reports during plenary sessions.
4. That the plenary of the House of representatives and the Liberian Senate ensure that all members of international parliaments to provide report on their representations at the different parliaments.

Ladies and Gentlemen of the Press, we thank you very much for your tireless support given IREDD and its partners throughout these monitoring efforts. IREDD remains committed to improving Democratic governance through evident based advocacy and research.

MAY GOD BLESS OUR COUNTRY AND SAFE THE STATE.

Singed _____

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