

LEGISLATIVE DIGEST

Second Edition

POLITICAL ACCOUNTABILITY



Sweden
Sverige

1. Executive Summary

This report presents findings from an assessment and monitoring of the legislature of Liberia in 2022. The Legislative Digest is an annual publication of Naymote Partners for Democratic Development (www.naymote.com) which reports on the activities of the Legislature of Liberia. The aim of the **Legislative Digest** is to foster “Legislative Openness, Responsiveness, and Accountability” in Liberia.

This second edition of the Legislative Digest covers the period from January 1, 2022, to December 31, 2022. The first edition, published in 2022, covered the period from January 1, 2018, to December 1, 2021.

The assessment found that the Legislature is still disproportionately occupied by men, despite numerous campaigns for women’s inclusion and representation in decision-making and leadership structures over the years. As of the end of 2022, 91% of the membership of the Legislature were men, while only 9% were women. Similarly, the two houses are strikingly unequal in terms of gender composition: men occupy 90% and 93% of the seats in the House of Representatives and Senate respectively; while women occupy just 10% and 7% of the seats in the House of Representatives and Senate respectively.

During the year 2022, the Legislature held **167** sittings, of which **106 (63%)** were regular sittings, **36 (22%)** were secret/executive sittings, **9 (5%)** were special sittings, **16 (10%)** were extraordinary sittings. There were **29** public hearings held during the year. All secret sittings were held by the House of Representatives. The Liberian Senate followed the recommendations of the first edition of the Legislative Digest on reducing secret sittings and canceled all secret sittings in 2022.

The publication of the first edition of the Legislative Digest increased public awareness of the workings of the Legislature and empowered civil society and ordinary citizens with more information to advocate for greater transparency in the activities of the Legislature. This perhaps led to a slight decrease in executive/secret sitting numbers, from 35% in 2021 to 22% in 2022.

The Legislature passed a total of **53 bills** during the year 2022, of which **35 (66 %)** originated from the Executive/presidency, **12 (23%)** from the House of Representatives, and **6 (11%)** from the Senate.

The total budget allocated to the Legislature in 2022 amounted to **USD 64,383,926.00**. There is no publicly available financial report to account for the use of this money. Popular demands to audit the financial records of the Legislature have yielded no results.

The assessment did not also find any voting records or reports of ministries, agencies, and commissions filed with the Legislature, for instance, annual reports.

As a modern Legislature, crucial reforms will be needed to strengthen its institutional capabilities in exercising oversight, promoting inclusion, and advancing democracy. In this light, it is recommended that the Legislature, among others, work towards greater transparency and

openness, deepen engagement with government ministries and provide greater oversight and accountability; and promulgate laws that promote the inclusion and participation of women in the legislature and other public decision-making bodies.

About Naymote Partners for Democratic Development

Naymote Partners for Democratic Development is a good governance and research institution working to advance the principles of democracy, rule of law, and participatory governance in Liberia. The institution believes that a determined and effective civil society is needed to set the national policy agenda, stimulate sound and healthy grassroots responses to governance issues, and influence the uneven power dynamics that characterize the relationship between Liberia's citizens and government. Since its establishment in 2001 by student Leaders and activists, the institution has initiated several programs to foster political accountability in an effort to make elected leaders more accessible, responsible, and accountable to the electorates; and to build the capacity of local leaders to be more effective in the delivery of essential government services.

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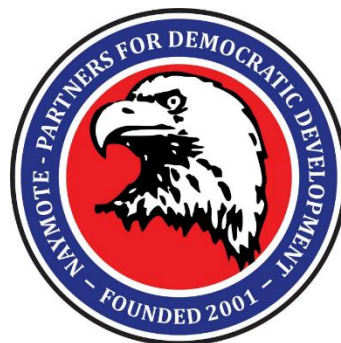


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2. Introduction

An inclusive, accountable, accessible, and responsive legislature is a crucial pillar of constitutional democracy. Under Liberia's system of constitutional democracy, like in many other democracies, the legislature is responsible to enact laws, represent citizens, and provide oversight over the other two branches. In many ways, an effective and responsive government depends on the outputs and quality of legislative decisions. Despite their crucial roles, not much has been done in recent years to demand accountability from members of the legislature. Besides electoral periods, citizens have limited opportunities to exact accountability from their elected representatives. This might be partly due to the lack of information and awareness on the roles, functions, and activities of the legislature among the citizens; and partly due to the lack of transparency in the workings of the legislature, among other factors.

The right to information is not only a human right, but an essential tool that empowers citizens to demand accountability from their government, participate in public life, and fight corruption through knowledge. The Legislative Digest is a platform created by Naymote Partners for Democratic Development to inform citizens about the workings of their elected representatives.

The Liberian legislature has three cardinal functions listed below.

- **LAWMAKING:** they make laws that address the concerns of the citizens of Liberia through the submission of bills from the Executive, individual members, or group of members of the Legislature or petitions from citizens.
- **REPRESENTATION:** the representation function requires that lawmakers attend sessions regularly and participate in deliberations and decision-making processes; during deliberations, they speak on issues affecting the lives of their constituents. Each lawmaker is required by their rules to speak on every issue on the agenda once or they may choose to cede their right to speak to another lawmaker.
- **OVERSIGHT:** Legislative oversight in particular seeks to ensure that the executive and its agencies, or those to whom authority is delegated, remain responsive and accountable to the

people, represent good value for money; in compliance with applicable policies, laws, regulations, and ethical standards.

The legislative function of lawmaking, representation, and oversight deepens social accountability and the delivery of public goods and services.

The Legislative Digest, a project of Naymote Partners for Democratic Development, seeks to provide more information to the public on the workings of the Legislature and advocate for more transparency in the activities of the Legislature. The overall aim is to foster “Legislative Openness, Responsiveness, and Accountability” in Liberia. The first edition of the Legislative Digest had a wider temporal scope, covering the period from January 1, 2018, to December 31, 2021.

This second edition of the Legislative Digest reports on the activities of the legislature for the period January 1 - December 31, 2022. It assesses and reports on the Liberian legislature in the performance of its three core functions of lawmaking, representation, and oversight, as well as the extent to which the legislature is transparent and accountable to the public. It focuses more on the sittings of the legislature during the period and the outputs in terms of legislative instruments, and engagement with the public through hearings and petitions.

3. Methodology

This report was compiled by a team of monitors at NAYMOTE. The team closely monitored and tracked the activities of the Legislature from January to December 2022. Data was collected from reviews of newspapers, government publications, and annual national budgets. Specific information on the data regarding sittings, bills, and public hearings was corroborated with sources at the Legislature, including staff of lawmakers, lawmakers, and other professional civil servants at the central administration of the Legislature.

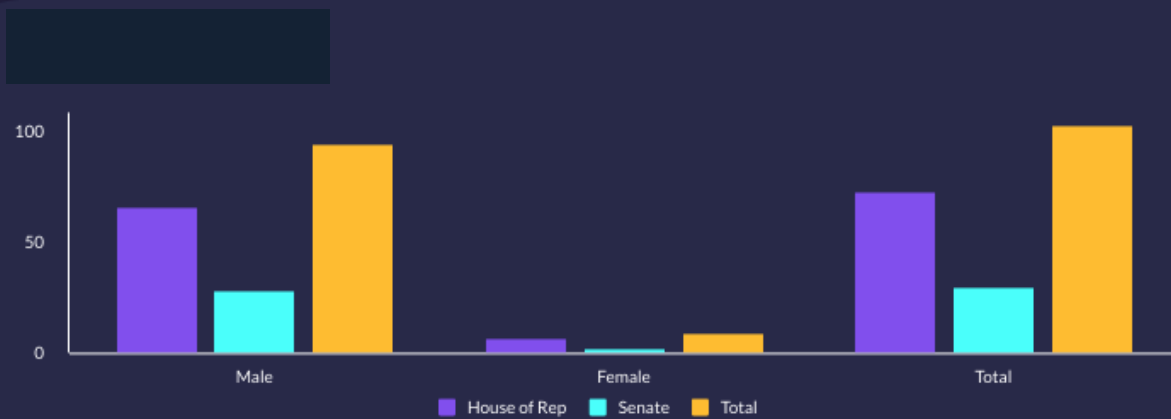
4. Key Findings, 2022

4.1 Membership and Gender Composition

The Liberian Legislature had 103 members at the end of 2022: Seventy-three (73) members of the House of Representatives, comprising 66 males and 7 females; Thirty (30) members of the Senate, comprising 28 males and 2 females. The gender breakdowns are presented in the table and figures below.

Table 1. Gender Composition of the Legislature, 2022

Gender		House of Rep	Senate	Total
Male	●	66	28	94
Female	●	7	2	9
Total	●	73	30	103



4.2 Sitzings of the Legislature

Sittings are the meetings of the Legislature where proposals (for examples bills and budgets) are deliberated and decided upon. The two houses have separate meetings but sometimes meet for joint sittings. **During the year 2022, the Legislature held a total of 167 sittings.** Four types of sittings, and public hearings (an open meeting) were tracked during the period under review, and the findings under each are presented below:

1. **Regular Sitting** - This is the routine plenary sitting/meeting of members of a House (Representative or Senate) consistent with their rules. Currently, regular sittings are held on Tuesdays and Thursdays each week of a legislative session, save for public holidays falling on those days. Regular sessions are usually open and observed by the press and the public. **There were 106 constituting 63% of regular sittings held in the year 2022.**

2. **Executive Sitting:** This is a setting that is held behind closed doors— cannot be observed by the press and the public— and is usually meant to discuss sensitive national security and defense matters. These meetings are dubbed by the public as ‘secret’ sittings. **There were 36 secret/executive sittings (22% of total sittings) held in the year 2022. There was a slight decrease in the number of ‘secret sittings’ from 2021.** The publication of the first edition of the Legislative Digest exposed the extent of secrecy—marked by the high number of secret sittings—in the workings of the legislature. The publication triggered calls for more transparency and public engagement in the activities of the legislature, and this apparently led to the reduction in the number of secret sittings— from 35% in 2021 to 22% in 2022—as a percentage of total sittings. **It is worth noting that only the House of Representatives held ‘secret’ sittings during the reporting period, and the Liberian Senate canceled all ‘secret’ sitting following the publication of the first edition of the Legislative Digest, which recommended the reduction in secret sittings.**

3. **Special Sitting** – A sitting held outside of the regular/statutory sitting which is held on Tuesdays and Thursdays. **There were 9 (5%) special sittings held in the year 2022.**

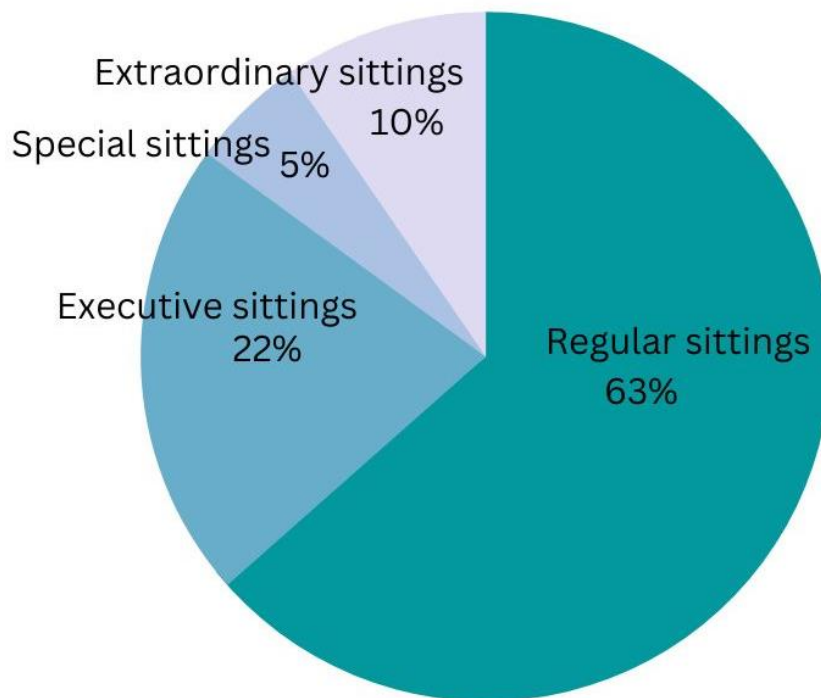
4. **Extraordinary Sitting:** Sitting which takes place when the Legislature adjourns but has to return to perform official duty based on a decision by the lawmakers themselves or by a request from the president. **There were 16 extraordinary sittings (10% of total sittings) held in the year 2022.**

Table 2 and figure 2 below present summaries of the number of sittings in 2022, while table 3 presents comparative figures from 2018 to 2022.

Table 3. Sittings of the Legislature (Comparative figures, 2018 – 2022)

Sittings of the Legislature, 2018 - 2022					
Year	Regular sittings	Executive sittings	Special sittings	Extraordinary sittings	Total
2018	57	49	3	0	109
2019	56	47	2	11	116
2020	69	34	2	15	120
2021	61	43	6	13	123
2022	106	36	9	16	167
Total	349	209	22	55	632
	55%	33%	3%	9%	100%

Figure 3. Sittings of the Legislature (Comparative figures, 2022)



4.3 Bills and Resolutions

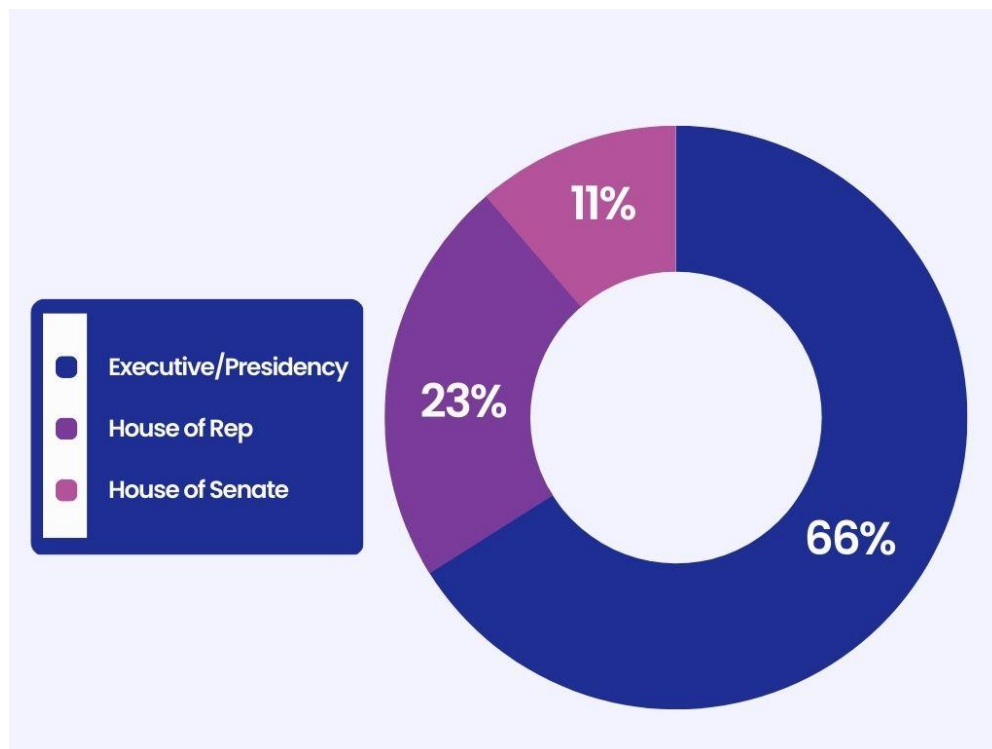
A bill is an instrument/proposal presented to the legislature for enactment into law. These instruments (bills) are presented by an individual lawmaker or group of lawmakers, the president, or any member of the public but through a member of the legislature.

The Legislature passed a total of **53 bills** during the year 2022. Sixty-six percent (66%, or 35 bills) of the bills passed in 2022 originated from the Executive/presidency, 23% (12 bills) came from the House of Representatives, and 11% (6 bills) originated from the Senate. The comparative figures shown in Table 5 below show the number of bills passed and their origin from 2018 to 2022.

Table 4. Origin of Bills passed in 2022

Origin of bills passed in 2022		
Origin	Number of bills	% of Total
Executive/Presidency	35	66%
House of Representatives	12	23%
House of Senate	6	11%
Total	53	100%

Figure 4. Origin of Bills passed in 2022, (percent of total)

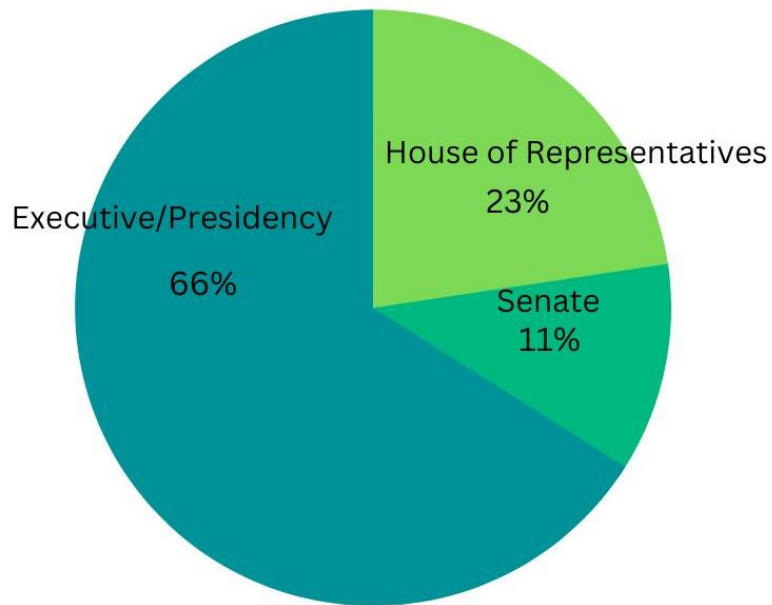


This shows that the Legislature passed more bills in the year 2022 than they did in 2021 during which year 29 bills were passed. Like in 2022, the majority of the bills passed (65.4%) originated from the Executive or the Presidency.

Table 5. Number of Bills Passed per Origin, 2018 - 2022

Number of Bills Passed per Origin				
Year	House of Representatives	Senate	Executive/Presidency	Total
2018	9	5	12	26
2019	11	4	35	50
2020	4	1	19	24
2021	7	4	18	29
2022	12	6	35	53
Total	43	20	119	182

Figure 5. Number of Bills Passed per Origin, 2022



In addition to bills, the Legislature also adopts resolutions. A resolution is legislative decision that does not require presidential approval. **The Legislature adopted two (2) resolutions in the year 2022: (1) Joint Resolution LEG-001/2022 Setting a new date for the conduct of the Lofa County Bye-Election, 4th Tuesday of June, 2022; and (2) Joint Resolution #002/2022 authorizing the Executive Branch of Government to conduct the 2022 National Census from 24 October 2022 to 7 November 2022.**

4.4 Public Hearing

A **public hearing** is a meeting or session of a Senate, House, a joint, or special committee of the legislature, usually open to the public, to obtain information and opinions on proposed bills, conduct an investigation, or evaluate/oversee the activities of a ministry, agency or commission. Members of the public are usually invited to speak as experts on issues discussed at public hearings.

There were 29 public hearings held by the Legislature in the year 2022. This represents a marked increase from 2021 during which only 13 public hearings were held. The table below shows comparative figures (number of public hearings) from 2018 to 2022.

Table 6. Number of Public Hearings held by the Legislature, 2018 - 2022

Public Hearings		
Year	No. of Public Hearings	%
2018	34	30%
2019	20	18%
2020	17	15%
2021	13	11%
2022	29	26%
Total	113	100%

4.5 Petitions Received

A petition is a formal request presented by citizens to the Legislature to address an issue of interest or grievance. The Constitution of Liberia provides that “All persons, at all times, in an orderly and peaceable manner, shall have the right to assemble and consult upon the common good, to instruct their representatives, to petition the Government or other functionaries for the redress of grievances...”

During the year 2022, the Legislature received four (4) petitions from the public. This represents a drop by 42.8% from 2021 when the public submitted seven (7) petitions.

The table below shows comparative figures (number of petitions) from 2018 to 2022. the number of petitions the legislature receives per year.

Table 7. Petitions received by the Legislature, 2018 - 2022

Petitions		
Year	No. of Petitions	%
2018	10	35.7%
2019	3	10.7%
2020	4	14.2%
2021	7	25%
2022	4	14.2%
Total	28	100%

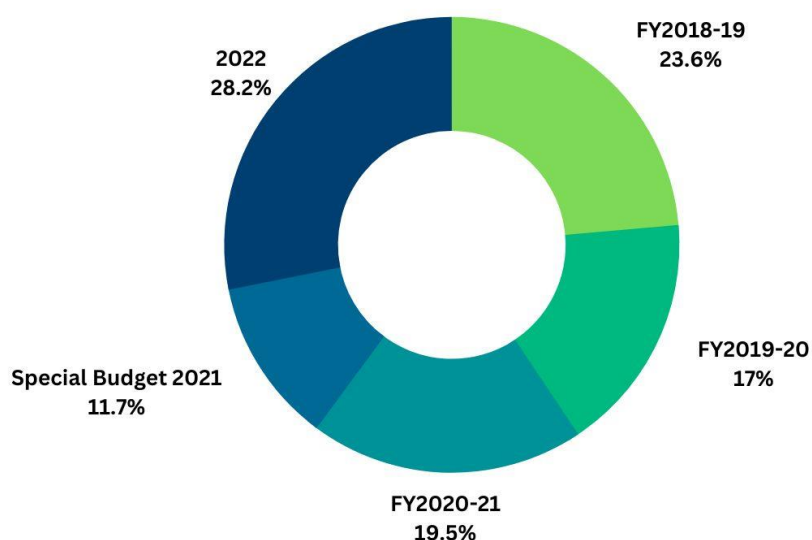
4.6 Budget of the Legislature

The budget allocation to the Legislature as shown in the National Budget for Fiscal Year 2022 was **USD 64,383,926.00**. This represents an increase of 44.34% from Fiscal Year 2021-2021, during which the allocation was USD 44,603,304.00. The year 2022 marked the beginning of a new Fiscal Year based on the calendar year (January to December). Previous fiscal years straddled two calendar years, beginning in July of the first year and ending in June of the second year. During the transition to this new fiscal year, the last six months of 2021 were considered a Special Fiscal Year 2021, and the Legislature received a total allocation of USD 26,794,952.00 in that Special Budget. The table below shows annual allocations to the Legislature from 2018 to 2022.

Table 8. The Annual Budget of the Legislature, 2018 – 2022

The annual budget of the Legislature per fiscal year (USD), 2018 – 2022	
Fiscal year	Amount
FY2018-19	53,990,836.00
FY2019-20	38,893,165.00
FY2020-21	44,603,304.00
Special Budget 2021	26,794,952.00
2022	64,383,926.00
Total	US\$228,666,183.00

Figure 6. The Annual Budget of the Legislature, 2018 – 2022



Despite the huge financial support to the Legislature, the body does not have any regular (official) publications on its activities or an active, official website for public information. The assessment did not also find any voting record, making it nearly impossible for citizens to track their elected representatives' legislative and voting decisions.

Similarly, it was impossible to access reports of ministries and agencies at the legislature apparently because the ministries and agencies have not been submitting periodic reports to that body since 2018. This further indicates that the legislature has been derelict in exercising its oversight responsibilities over the Executive branch.

5. Conclusion and Recommendations

In 2022, the Legislature of Liberia remained a male-dominated body, with women occupying only 9 percent seats of the 103 seats in both Houses. The Legislature did not do much in 2022 to improve transparency and public participation in their activities. It is still difficult for citizens to openly access information about the legislature, including voting records and legislative decisions made in executive/secret sessions.

Although the number of ‘secret’ sessions reduced in 2022, when compared to 2021, it is still striking that more than one-third of legislative deliberative sittings were held in ‘secret’ or executive sessions. This undermines efforts at transparency and public participation, and engagement with the Legislature.

The findings suggest that more bills were passed in 2022 (53 bills) than in 2021 (29 bills); but oversight of the implementation of the enacted laws, by the executive branch, remains weak. Activities of the legislative committees responsible for oversight are not easily accessible, and this assessment could not access reports of ministries and agencies filed with the committees. The team could not also access special reports of legislative committees on their statutory functions carried out during the year.

Based on the findings of this report, it adopts the same recommendations from last year, given that the substantive issues remain the same from the previous years:

- That the legislature implements immediate institutional reforms to strengthen its various oversight committees, and establish the appropriate systems for transparency, and accountability, including limiting “executive/secret” sessions to only matters with serious implications for national security and defense as required under the law.
- That the institution set up a functional website, and ensure voting records of members of that body are made public and available to assess the performance of its members.
- The legislature should submit itself for a full-scale financial and system audit as required of all other public institutions.

- That the legislature makes a deliberate effort to support constitutional reforms in support of affirmative action that increases the proportion of women in both houses.
- That the legislature, as part of its oversight responsibilities, ensures ministries, agencies, and commissions submit periodic reports that are vetted and made available to the public.

