

VOTES CAN FIGHT CORRUPTION



The Center for Transparency and Accountability (CENTAL) is a civil society organization and national chapter of Transparency International (TI), the global coalition against corruption with chapters and networks in more than 120 countries worldwide. Since 2004, we have led and sustained active civil society engagement with integrity building and anti-corruption efforts in Liberia.

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STATE OF CORRUPTION REPORT 2023

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EXECUTIVE SUMMARY

The anti-corruption space is reawakening with public integrity institutions being staffed at the highest levels. New leaderships at these institutions have professed commitment to contributing to a robust anti-corruption effort. Local and international actors remain steadfast in their efforts against corruption. Amidst these interventions, however, corruption continues to assert its dominance.

Corruption is not only a matter of perception. While nine out of ten Liberians continue to say the level of corruption is high, developments over the period

point to this fact. For instance, the Auditor General, P. Garswa Jackson, reached adverse conclusions regarding a number of audits including audits related to civil servants' payroll and payment of domestic debts. In the Judiciary, Chief Justice Sie-A-Nyene G. Yuoh suspended Judge Sikajipo A. Wollor following a complaint alleging grave misconduct, while then Judge Yamie Gbeisay disbarred a jury for lack of independence.

Allegations of corruption also arose during the period.

For example, Representative Josiah Marvin Cole of Electoral District #4 in Bong County was accused of diverting approximately US\$80,000 intended for a health facility.

Aloysius Howe, an aide of Finance Minister Samuel D. Tweah was accused of withdrawing US\$160,000.00 from the Census fund. Also, Frontpage Africa reported that a sum of US\$500,000 was used to influence the jury to acquit four defendants in a trial over trafficking of US\$100 million worth of cocaine.

The situation can change, nonetheless. Lack of prosecution and rampant allegations are cited as the main reasons why many Liberians believe corruption is high. Upon closer scrutiny, one realizes that these factors

border on political will. Hence, things can change if those occupying key positions in government summon the commitment to tackle corruption. Elections present an opportunity for citizens to vote those with

an anti-corruption agenda as well as track record of fighting corruption. This opportunity must be leveraged.

KEY FINDINGS

01 Corruption level remains high

90%

of respondents indicated that the level of corruption in the country is high. The percentage remains steady for the third year running, re-echoing citizens' firmness about the issue. Principal reasons cited for this rating include lack of prosecution, allegations of rampant corruption, and corruption being a custom in Liberia.

02 Education rated as most important election issue for voters

75%

of those surveyed regarded education as the most important issue in choosing a candidate. Other issues ranked most important by respondents are employment (72%), healthcare (72%), and combating drug abuse (70%).

03 Government's commitment to fighting corruption increasingly ranked low

67%

of those surveyed hold the view that government's commitment to fighting corruption is low. This represents a 5 percent increase in the number of respondents rating government's commitment as low in the previous report. Meanwhile, 14 percent rate government's commitment as moderate. Another 12 percent rate government's commitment as high. The remaining seven percent did not know which rating to give.

04 Almost three-quarters of respondents witnessed corruption

74%

of respondents said they witnessed public sector corruption over the last 12 months. Of these, 77 percent witnessed bribery followed by misuse of public funds (35 percent). This year's result represents a four percent increase in the number of respondents who witnessed corruption compared to 70 percent in the previous report. Nonetheless, it falls two percentage-points shy of the highest rating of 76% reported in 2021.

05 Public services remain increasingly prone to corruption

73%

of respondents said police services are more prone to corruption compared to 69 percent in the previous survey. This four percent increase from the last report keeps police services as the public service seen to be most prone to corruption for the second year running. Meanwhile, 59 percent cited medical services as more prone to corruption compared to 60 percent in the previous report, while 38 percent cited court services as more prone to corruption compared to 36 percent in the previous report.

06 Confidence in public institutions low

27%

of respondents have confidence in the Executive to fight corruption compared to 26 percent in the previous report. 24 percent have confidence in the Legislature compared to 22 percent in the previous report, while 28 percent have confidence in the Judiciary compared to 22 percent in the previous report. With just marginal increases, public confidence in government to fight corruption remains low.

07 Decline in number of persons paying bribe

34%

of respondents reported paying a bribe as compared to 38 percent in the previous year. This shows a four-percent decline in the practice. From 46 percent in 2021, 38 percent in 2022, to 34 percent in 2023, the number of persons reporting paying bribes is steadily declining.

07 Poor administrative and criminal accountability



Triangulated views and responses from respondents highlighted that administrative and criminal accountability are the weakest links in the fight against corruption. The President is unwilling to take administrative or legal actions against public officials accused of corruption. These deficiencies reinforce impunity.

08 Public integrity institutions remain underfunded



Overall, financial resources allocated to integrity institutions in the national budget are not substantial to enable them to implement comprehensive programs in the fight against corruption such as the hiring of competent and experienced lawyers by the LACC to prosecute cases.

09 Judicial independence threatened



Judges are occasionally subject to pressure from the executive, legislature, and traditional societies. The jury system is sometimes subject to manipulation. Also, bribes are sometimes solicited by judges to grant bail to detainees or try cases. Meanwhile, funds allocated to the judiciary in the national budget are not provided adequately and timely.

10 National budget still manipulated as a tool for corruption



Public resources continue to be channeled through questionable budgetary allocations for the benefit of public officials. For instance, reports emerged of a diversion of US\$80,000.00 meant for a medical facility in Bong. Also, while the budget line on legislative engagement and accessibility has been removed, a whopping US\$10,406,380.00 was allocated for legislative committee hearings.

Recommendations

In effecting the desired changes that would place Liberia on a path where corruption is combatted, this research proposes the following recommendations for action by the government, public, civil society and development partners. Note however, that with the already enormous body of preexisting recommendations from previous SCOREs, the recommendations presented below are selective rather than exhaustive:

1. STRENGTHEN ANTI-CORRUPTION FRAMEWORK

- Operationalize the office of the Ombudsman and support it financially for the enforcement of the Code of Conduct for Public Officials.
- Verify assets of officials upon entry, promotion, transfer, and exit from government
- Establish and make fully functional a dedicated fast-track anti-corruption court.
- Grant integrity institutions the legal scope to use the courts to halt activities of public institutions that are non-compliant with laws.

2. DEMONSTRATE COMMITMENT IN FIGHTING CORRUPTION

- Increase budgetary support to integrity institutions.
- The Executive should implement recommendations from the Public Accounts Committee of the Legislature on audit reports prepared by the GAC.
- Avoid interference with the mandates of integrity institutions.
- Finalize the establishment of an e-procurement system to avoid or reduce physical contact between bidders and government institutions awarding contracts.

3. ALL BRANCHES OF GOVERNMENT SHOULD SUBMIT TO AUDIT

- The National Legislature should demonstrate the political will to allow the presence of internal auditors from the Internal Audit Agency (IAA) to strengthen the internal control system of the Legislature.
- All public institutions including the Judiciary and Legislative Branches of government should submit to yearly audits to be conducted by the GAC.

4. STRENGTHEN THE RULE OF LAW SECTOR

- Increase budgetary support to the Liberia National Police (LNP) to sustain its operational capacity and effectiveness.
- Establish an independent constitutional or statutory framework to vet competency, integrity, and qualification of judicial nominees.

5. BUILD PEOPLE'S TRUST AND ENSURE

- Ensure that policymaking is fully transparent and consultative, considering the interests of all affected groups equally.
- Promote social accountability mechanisms such as Integrity Pledges and Integrity Pacts.

6. INCREASE TRANSPARENCY AROUND PUBLIC SPENDING

- Ensure budget performance and fiscal outturn reports are regularly published.
- Ensure all information about public sector projects are widely disseminated, especially in beneficiary communities.

9. IMPROVE PARTICIPATION, INCLUSION, AND COORDINATION

- Ensure a conducive environment for media, civil society, and the public to meaningfully participate in the fight against corruption.
- Strengthen the financial, technical, and logistical capacity of media and civil society to demand for and take concrete actions against corruption.
- Improve partnership and collaboration between and among state and non-state actors in the fight against corruption.



INTRODUCTION

This report places a spotlight on corruption in Liberia. As the title depicts, it endeavors to paint a picture of the extent to which corruption is intertwined with Liberian society, particularly the public sector. It proceeds from the backdrop that corruption cannot be successfully tackled in the absence of information outlining how it plays out. Hence, understanding the nature and extent of corruption as well as actors and enablers is critical to stopping corruption in its tracks.

There is no universally accepted definition of corruption. The principal treaty on corruption, the United Nations Convention Against Corruption (UNCAC), defines corruption-related offences but falls short of defining corruption.¹ This lack of a generally accepted definition affects how countries, institutions, and individuals view and tackle corruption. Few definitions have gained traction notwithstanding. Transparency International defines it as the abuse of entrusted power for personal gain,² the World Bank (WB) defines it as the abuse of public office for private gain,³ and Sida defines it as an abuse of trust, power or position for improper gain.⁴ In Liberia's New Anti-Corruption Commission Act (NACCA) of July 2022, corruption is defined as:⁵

the act of doing something with an aim or intent to give some advantage inconsistent with official duty and the rights of others; a fiduciary duty or official use of a station or office to procure some benefit either personally or for someone else, contrary to the rights of others or in violation of the law. Any act or acts, decision or decisions or use of public resource or resources by a public or private official in the discharge of official duties and or

¹ United Nations Convention Against Corruption (UNCAC) arts 15-25

² Transparency International 'What is corruption?' <<https://www.transparency.org/en/what-is-corruption>> accessed 17 July 2023.

³ The World Bank 'Anticorruption Factsheet' (2020) <<https://www.worldbank.org/en/news/factsheet/2020/02/19/anticorruption-fact-sheet>> accessed 15 June 2022.

⁴ Sida 'Sida's anti-corruption work' <<https://cdn.sida.se/publications/files/sida61479en-sidas-anti-corruption-work.pdf>> accessed 2 June 2022.

⁵ New Anti-Corruption Commission Act of 2022 sec 2(f)

responsibilities which in order to satisfy the selfish desire or interest of the said official or other person or persons, natural or legal, ignored the established laws, regulations and thereby denies, deprives and prevents the State or person or persons, natural or legal, from receiving entitlements, consideration, and or treatment.

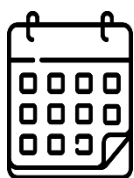
The above NACCA definition captures previously mentioned definitions of corruption and broadens them further. For instance, the gain arising from a corrupt act need not be personal. Thus, even if a person’s corrupt conduct does not benefit them directly but benefits another such as a friend or relative, corruption is deemed to have occurred. Also, it recognizes that corruption can have negative impacts on the State and can violate the rights of individuals. With such recognition, certain acts infringing on the state and human rights could be regarded as corruption. The use of the term corruption in this report, thus, is in light of the relevant definitions explored above.

The Research

This is the State of Corruption Report (SCORE) 2023. In three years, three editions of the report have been produced. SCORE 2023 reflects people’s views and experiences of corruption in Liberia, and gauges public reactions about the fight against corruption. To better understand trends of public perceptions and experiences, results of SCORE 2023 are presented against the results of the previous reports.

SCORE 2023 is a product of mixed method including desk review, survey, key informant interviews, and media monitoring. Fieldwork conducted between May and August included a survey of 728 people in nine counties. The counties are: Grand Cape Mount, Margibi, Montserrado, Nimba, Bong, Grand Bassa, Rivercess, Gbarpolu, and Bomi. Media monitoring and tracking was also carried out between October 2022 and August 2023. 60% of respondents were males, while females accounted for 40%. Results presented are representative only of the counties included in the survey.

ABOUT THE SURVEY



**CONDUCTED
FROM
JUNE 2023 –
JULY 2023**



**728
PEOPLE AGED
15+ SURVEYED**



**9
COUNTIES
COVERED**



**ODK
FIELDING THE
SURVEY**

WHAT DO PEOPLE THINK ABOUT CORRUPTION?

Corruption level remains high

90 percent of respondents hold the view that the level of corruption in the country is high, while one percent think the level of corruption is low. Eight percent think the level of corruption is moderate. These results mirror the findings of the previous report. Nonetheless, there are

notable variations when analyzed by county. Grand Bassa takes the top spot as the county with the highest percentage of respondents holding the view that corruption is high. In Gbarpolu, 97% of respondents think corruption is high. In all of the counties surveyed, the minimum proportion of respondents who think

corruption is high is 80 percent.

In the previous report, 100 percent of respondents in Rivercess and 93% in Bong thought corruption was high. Nonetheless, the 2023 survey shows a drop in percentage of persons thinking so.

90%

OF PEOPLE THINK
CORRUPTION IS
HIGH

8%

OF PEOPLE THINK
CORRUPTION IS
MODERATE

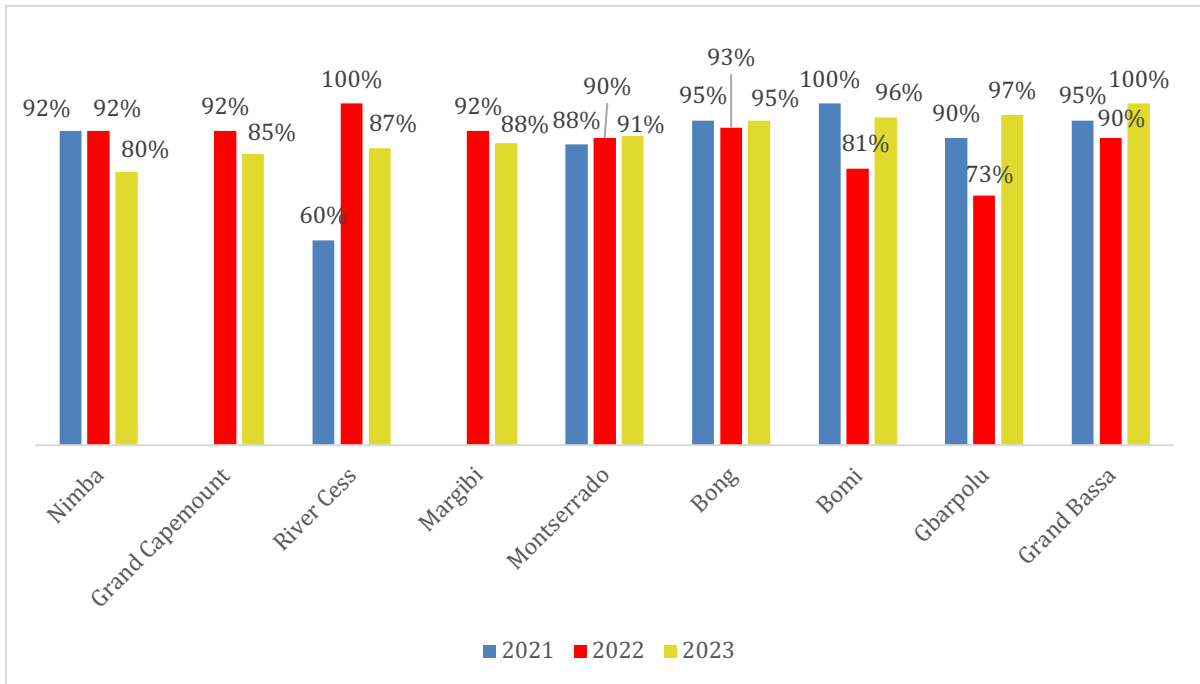
1%

OF PEOPLE THINK
CORRUPTION IS
LOW



CORRUPTION IS HIGH, BY COUNTY

Percentage of people who think corruption is high, by county and year.



Why rate corruption as high

We asked those who rated corruption level as high their reason for the rating. Lack of prosecution overtakes rampant allegations of corruption to become the chief reason

why people believe corruption is high. Like last year, 38 percent cited it. Rampant allegations of corruption drops two percentage points to take the second spot. 37 percent of respondents cited it. 35% of respondents believe that

corruption is high because of the lack of transparency and accountability. Another 35% believe corruption is high because it is a custom.

38%

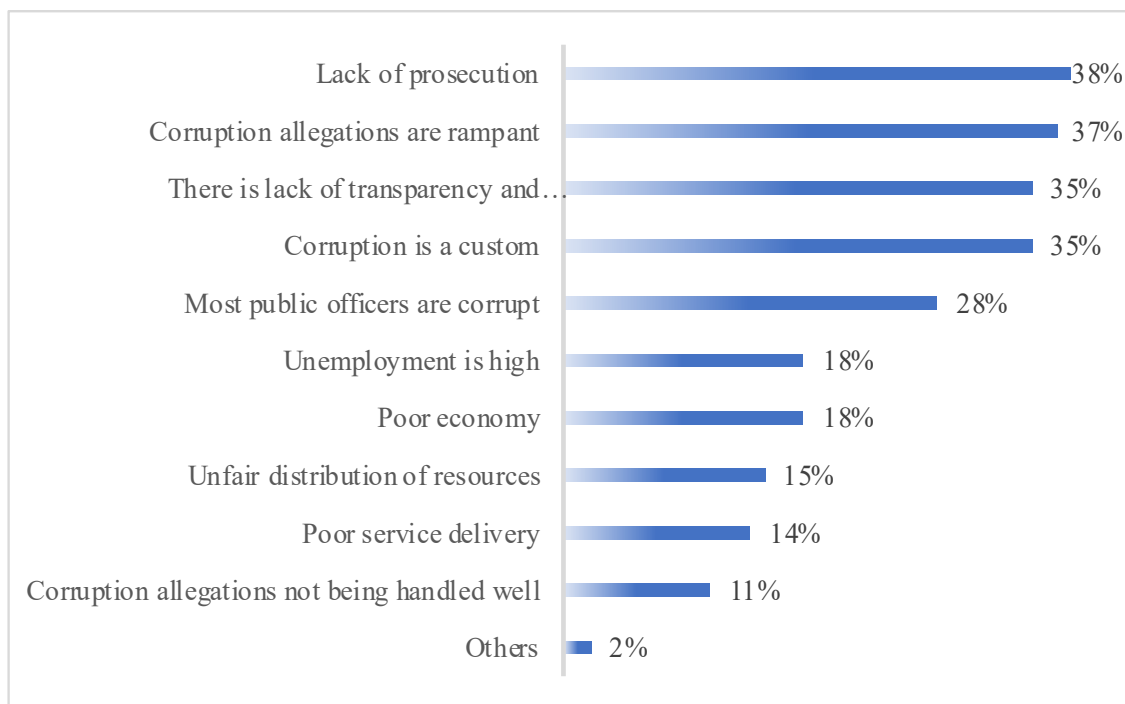
OF THOSE WHO THINK CORRUPTION IS HIGH CITED LACK OF PROSECUTION

37%

OF THOSE WHO THINK CORRUPTION IS HIGH CITED RAMPANT CORRUPTION ALLEGATIONS

WHY RATE CORRUPTION AS HIGH

Percentage of people who think corruption is high disaggregated by reason for rating so.





“

The more engaged we are in Corruption, the harder the country becomes. It is not good for the country nor in the sight of God.

Vincentia —University Student

IN FOCUS: ALLEGATIONS OF CORRUPTION

In 2022, a New Anti-Corruption Commission Act (NACCA) was passed. The law forbids the Liberia Anti-Corruption Commission (LACC) from sharing information on investigations until indictments are drawn.⁶ As such, unlike before, the LACC is prevented from providing updates on the progress of on-going investigations, which is more than required for openness, accountability, and building trust in the Commission. The public will now have to wait for prosecutions to commence before learning of investigations being conducted. Notwithstanding, allegations of corruption continue to emerge. These allegations border on corruption by public officials and private persons.

Public sector corruption

In November 2022, there were reports of illegal withdrawal of US\$200,000.00 (Two Hundred Thousand United States Dollars) from funds meant for members Executive Protection Service.⁷ In February 2023, several members of the Margibi County Health Team were suspended following a leaked audio in which they were discussing solicitation of kickbacks from vendors.⁸ The accused were turned over to the LACC for investigation. The audio surfaced at the time the United States Agency for International Development (USAID) through the Ministry of Health (MOH) is providing

⁶ New Anti-Corruption Commission Act (NACCA), sec 10.9.

⁷ O Johnson 'Liberia: US\$200K illegally withdrawn from President Weah's Executive Protective Service's Account' *FrontPage Africa* (2022) <<https://frontpageafricaonline.com/amp/news/liberia-us200k-illegally-withdrawn-from-president-weahs-executive-protective-services-account/>> last accessed July 23, 2023.

⁸ 'MOH Takes Legal Action against Margibi County Health Team' *The Independent Probe* (2023) <<https://independentprobe.com/2023/02/06/moh-takes-legal-action-against-margibi-county-health-team/>> last accessed August 2, 2023.

annual financial support of US\$801,693.00 to the Margibi Health System.⁹ Responding to the report, the United States Embassy in Monrovia expressed concerns over the stealing of American taxpayers' money intended to support health initiatives in the county.¹⁰

Also, in November 2022, corruption was raised as a factor denying Liberians of the Census.¹¹ In Early 2022, the Liberia Anti-Corruption Commission (LACC) forwarded three LISGIS officials to the Ministry of Justice for prosecution on grounds of procurement and tax irregularities.¹² They are: Wilmot Smith, Lawrence George, and Dominic Paye. Aloysius Howe, an aide of Finance Minister Samuel D. Tweah was accused of withdrawing US\$160,000.00 (One Hundred Sixty Thousand United States Dollars) from the Census fund.¹³ The Finance Minister, who is also the Chairman of the Board of Directors of LISGIS stated that he had been informed that Howe was paid for Public Relations services allegedly provided to LISGIS.¹⁴ Minister Tweah claimed that the payment was being investigated but there are no indications that the investigation was conducted.¹⁵ A specialized ad-hoc Committee of the Legislature found administrative missteps at LISGIS and recommended that census funds, especially contributions from international partners, are managed according to clear procedures.¹⁶ Following several calls for removal of the LISGIS leadership due to controversy over accounting for the funds and management of the National Census, which had led to repeated postponement of the Census,¹⁷ President George M. Weah dismissed LISGIS Acting Director General Wilmot Smith, and his Deputy Director General for Statistics and Data Processing, Alex M. Williams based upon administrative reasons.¹⁸

In February 2023, Representative Josiah Marvin Cole of Electoral District #4 in Bong County was accused by Representative Moima Briggs Mensah and other Bong County lawmakers of diverting funds budgeted for a non-existent clinic--Gbondoi Health Center.¹⁹ Since 2019, approximately US\$80,000 has been budgeted for the construction/operation of the clinic/health center in the area.²⁰ The amount was allegedly diverted to support another clinic – Kpayah Clinic in Representative Cole's district. *"I did a communication to the Deputy Minister of Health...I did not have any intent of criminality, that is why I put myself on record asking them to transfer \$25,000 to Kparyah to have the clinic completed"*²¹, Cole stated. Contrary to the Lawmaker's claim, the Public Financial Management Law does not grant any single individual lawmaker the power to shift lines in the

⁹ L Doodoo 'Liberia: Health Ministry Replaces Margibi County Health Team following Corruption Exposé' Frontpage Africa (2023) <<https://frontpageafricaonline.com/news/liberia-health-ministry-replaces-margibi-county-health-team-following-corruption-expose/>> last accessed July 20, 2023.

¹⁰ As above

¹¹ 'How corruption is denying Liberians of census' *The New Dawn Liberia* (2022).

<<https://thenewdawnliberia.com/editorial-how-corruption-is-denying-liberians-of-census/>> last accessed July 28, 2023.

¹² R Dopoe 'Liberia: LACC Accuses Agriculture Minister, LISGIS Authorities, LWSC Deputy of Corruption' *Liberian Observer* (2022) < <https://www.liberianobserver.com/liberia-lacc-accuses-agriculture-minister-lisgis-authorities-lwsc-deputy-corruption>> last accessed July 13, 2023.

¹³ 'Embarrassing: Liberia's Finance Minister Samuel Tweah Confesses His Aide, Aloysius Howe Received Us\$160k From LISGIS' *SMART NEWS LIBERIA* (2022) <<https://smartnewsliberia.com/embarrassing-liberians-finance-minister-samuel-tweah-confesses-his-aide-aloyisius-howe-received-us160k-from-lisgis/>> last accessed July 20, 2023.

¹⁴ As above

¹⁵ As above

¹⁶ <https://frontpageafricaonline.com/news/liberia-house-summons-lisgis-board-of-directors-over-alleged-administrative-missteps%ef%bf%bc/>

¹⁷ The census had been postponed thrice since 2019. See (n1)How corruption is

¹⁸ "Weah Fires LISGIS Officials." *The New Dawn Liberia* (2022) <thenewdawnliberia.com/weah-fires-lisgis-officials> last accessed July 29, 2023.

¹⁹ B Milton 'Who's chopping 'ghost' clinic money? As Gbondoi clinic gets funding from national budget' (2023) <[https:// thenewdawnliberia.com/whos-chopping-ghost-clinic-money/](https://thenewdawnliberia.com/whos-chopping-ghost-clinic-money/)> accessed 16 February 2023.

²⁰ G. Yeakula, A Miamen, A Glay 'Making the Budget Work' (2023) 19

<<https://cental.org.lr/index.php/documents/publications/budget-paper>> last accessed July 5, 2023.

²¹ Spoon TV 'Honorable Marvin Cole responds to Representative Moimah Briggs Mensah regarding the passage of the budget; (2023) < <https://fb.watch/j9VVPk11gh/>> accessed 23 February 2023.

budget.²² Bong Senator Prince Moye called for investigation into the matter but there are no indications that any investigation was conducted.²³

There were continued scandals emanating from the use of Liberian Diplomatic passports by non-Liberians. Reports have it that diplomatic passports are being sold for over US\$200,000.00 (Two Hundred Thousand United States Dollars).²⁴ In November 2022, a holder of a Liberian diplomatic passport, Samuel Kwame Arbekwah, committed suicide at the Istanbul International Airport in Turkey after he was reportedly arrested for drug trafficking.²⁵ Earlier in May 2022, President Weah halted the issuance of diplomatic passports following a report that a Liberian diplomatic passport was found in the possession of Sheik Bassirou Kante.²⁶ Mr. Kante had been arrested in the United States for alleged money laundering conspiracy and wire fraud. Although President Weah instructed Foreign Minister Maxwell Kemayah to report on the process involving issuance of Diplomatic Passport by May 17, 2022, the public is yet to know the outcome of the investigation.²⁷ Reports say that diplomatic passports are still being issued to non-Liberians.²⁸ In March 2023, the Liberian government and Blue Carbon of the United Arab Emirates signed a Memorandum of Understanding to give the company over 1 million hectares of land over 30 years for US\$50 billion.²⁹ The MOU has been criticized for being in violation of procurement, forestry, and land laws.³⁰

Some of those hit with corruption allegations as well as their associates have not taken the accusations kindly. In 2022, the Mayor of the City of Monrovia, Jefferson Tamba Kojjee, took exception to the sanctions imposed on Liberian Government officials by the United State Government, noting that the Coalition for Democratic Change-led government will not be intimidated by the United States.³¹ Vice President Jewel Howard-Taylor also stated that the sanctions will not in any way affect the reelection of President George Manneh Weah, especially since she and President Weah are not mentioned.³² Nathaniel McGill, one of those sanctioned by the US, responded to allegations that he over US\$4 million belonging to him and residing in an oversea account had been frozen based on the sanctions.³³ He denied having any foreign accounts and stated that he doesn't steal from the public coffers.³⁴ Meanwhile, on his visit to Liberia in March 2023, the US Global Coordinator for Anti-Corruption, Richard Nephew, confirmed that the Biden

²² Yeakula, Miamen, and Glay (n 20)

²³ H Karmo 'Liberia: Senator Moye Calls for GAC Audit in US\$50K diversion allegation' Frontpage Africa (2023) <<https://frontpageafricaonline.com/news/liberia-sen-moye-calls-for-gac-audit-in-us50k-diversion-allegation/>> last accessed July 8, 2023.

²⁴ 'Diplomatic Passports On Sale For US\$200,000?' The New Republic (2023) <<https://www.newrepublicliberia.com/diplomatic-passports-on-sale-for-us200000/>> last accessed September 7, 2023.

²⁵ L. Doodoo, 'Liberia: West African Monetary Agency Distances Itself from Deceased 'Liberian Diplomat' Said to be In the Regional Agency's Employ'. *FrontPage Africa* (2022). <<https://frontpageafricaonline.com/news/liberia-west-african-monetary-agency-distances-itself-from-deceased-liberian-diplomat-said-to-be-in-the-regional-agencys-employ/>> last accessed July 12, 2023.

²⁶ L Doodoo 'Illicit Issuance of Liberian Diplomatic Passports Continues to Plague Weah-led Administration' Frontpage Africa (2023) <<https://frontpageafricaonline.com/news/illicit-issuance-of-liberian-diplomatic-passports-continues-to-plague-weah-led-administration/>> last accessed September 5, 2023.

²⁷ As above

²⁸ As above

²⁹ JH Giahvue 'International NGOs Call for Halt to Blue Carbon Deal' The Day Light (2023) <<https://thedaylight.org/2023/07/24/international-ngos-call-for-halt-to-blue-carbon-deal/>> last accessed July 30, 2023.

³⁰ As above.

³¹ 'Imposition of Sanction Will Not Intimidate Us- Mayor Kojjee Picks Bone with US' Global News Network (2022) <<https://gnnliberia.com/2022/08/27/imposition-of-sanction-will-not-intimidate-us-mayor-kojjee-picks-bone-with-u-s/>> last accessed July 3, 2023.

³² 'VP Taylor: "Sanction Will not Affect Our Re-election' The New Dawn (2022) <<https://thenewdawnliberia.com/vp-taylor-sanction-will-not-affect-our-re-election/>> last accessed August 1, 2023.

³³ L Doodoo 'Liberia: "I Have No Foreign Account" – Suspended Minister of State Debunks Frozen UBA Account Report' Frontpage Africa (2022) <<https://frontpageafricaonline.com/news/liberia-i-have-no-foreign-account-suspended-minister-of-state-debunks-frozen-uba-account-report/>> last accessed July 9, 2023.

³⁴ As above

administration is exploring opportunities to impose additional sanctions on public officials engaged in corruption.³⁵

Corruption involving private persons

Not all corruption accusations were raised against public officials. In some instances, private individuals were caught attempting to fraudulently take advantage of public institutions or goodwill. The United States Embassy congratulated the Liberia National Police (LNP) for the successful apprehension of David Witherspoon, a known document vendor, whose fraudulent documents have been encountered by the Embassy on more than eight separate occasions and for which visa applicants paid him up to US\$ 1000.00 (One Thousand United States Dollars).³⁶ In October 2022, Cyrus J. Doe and Junior V. Foley were sent to jail for purporting to be reporters and editors of FrontPage Africa, with the sole intent of extorting money and blackmailing senior officials of the government.³⁷ They were charged with forgery, impersonating officials, criminal conspiracy, criminal facilitation, and criminal solicitation in violation of sections 15.70, 10.2 and 10.3 of the Revised Penal Law of Liberia.³⁸ Also, Lawrence A. Reeves, James Dukuly of the American Underwriter Group (AUG) insurance company and Titus J. Monbo of Zubah Town medical clinic appeared in court in November 2022 to answer to multiple crimes of theft of Property, criminal facilitation and criminal conspiracy for allegedly duping the Liberia National Police of Medical Insurance Scheme in the amount of LD\$233,900 (Two Hundred Thirty-three Thousand Nine Hundred Liberian Dollars).³⁹

In October 2022, Planet P.C. Liberia, Inc., company owned and headed by national headed. If Anita Nambiar, the wife of Crosswords CEO, Sachin Nambiar, was alleged to have submitted a winning bid for a World Bank/Ministry of Education project to sidestep her husband ban by the World Bank for carrying out fraudulent activities in a previous bid.⁴⁰ The same month, the Liberia Electricity Corporation announced a campaign to prevent power theft, with at least one person being arrested for stealing LEC Meters and streetlights in the Beh-wein Community in Barnersville, Montserrado County.⁴¹ LEC uncovered roughly 30,000 illicit connections and disconnected 19,000 of them between November 2022 and June 2023.⁴² In November 2022, the Liberian Electricity Corporation (LEC) stated that it lost \$48 million every year to power theft, a figure that is more than 5% of the

³⁵ T Mehnepaine 'Liberia: US 'Developing Evidence' to Sanction More Corrupt Gov't Officials' *Liberian Observer* (2023) <<https://www.liberianobserver.com/liberia-us-developing-evidence-sanction-more-corrupt-govt-officials/>> last accessed July 4, 2023.

³⁶ 'U.S. Embassy Thanks Liberian Police For Successful Arrest Of Fraud Suspect' *Smart News* (2022) <<https://smartnewsliberia.com/us-embassy-thanks-liberian-police-for-successful-arrest-of-fraud-suspect/>> last accessed July 8, 2023.

³⁷ WN Tokpah 'Liberia: Two Jailed for Impersonating FrontPage Africa News Desk Chief Lennart Dodoo' *FrontPage Africa* (2022). <<https://frontpageafricaonline.com/news/liberia-two-jailed-for-impersonating-frontpageafrica-news-desk-chief-lennart-dodoo/>> last accessed July 13, 2023.

³⁸ As above

³⁹ G Lomo '3-Men Sent to Court for Allegedly Duping Liberian Police Officers' *News Public Trust* (2022) <https://newspublictrust.com/3-men-sent-to-court-for-allegedly-duping-liberian-police-officers/?utm_source=ground.news&utm_medium=referral> last accessed June 2, 2023.

⁴⁰ 'Dishonesty' *New Republic Liberia* (2022) <<https://www.newrepublicliberia.com/liberia-news-43/>> last accessed July 30, 2023.

⁴¹ 'Liberia: Court Issues Arrest Order for Indicted 27-year-old man Charged with Power Theft, Economic Sabotage' *FrontPage Africa* (2022) <<https://frontpageafricaonline.com/amp/news/liberia-court-issues-arrest-order-for-indicted-27-year-old-man-charged-with-power-theft-econ>> last accessed July 5, 2023.

⁴² Liberia Electricity Corporation 'Report on LEC's Anti-Corruption Efforts for the Period January 2022 to June 2023' (2023).

entire national budget.⁴³ In January 2023, the Liberia Water and Sewer Corporation disclosed that approximately 50,000 residents are illegally connected.⁴⁴

Unproven allegations

On September 9, 2022, Judge A. Blamo Dixon of Criminal Court ‘A’ acquitted former officials of the National Housing Authority who had been on trial for alleged corrupt practices particularly economic sabotage, criminal conspiracy, bribery, misapplication of entrusted property, and criminal facilitation.⁴⁵ Mr. Duannah Siryon, Tugbeh C. Tugbeh and Isaac C. Robert were indicted on December 14, 2018 following publication of a leaked secret recording in which they were heard discussing and expressing their dissatisfaction with the disbursement of some US\$80,000 given by a Burkinabe real estate firm among themselves.⁴⁶ According to Judge Blamo, the prosecution willfully failed to establish its prima facie against the defendants in the absence of Augustine Weah and Emmanuel Taosoba (officials of the Burkinabe firm who allegedly brought the money).⁴⁷ There is no proven evidence because Emmanuel Taosoba and Augustine Weah, also defendants, escaped the bailiwick of the Republic of Liberia,” Judge Blamo ruled.⁴⁸

Also, two dismissed staff of the Financial Intelligence Unit (FIU), Cooper Leamah and Amos Goba called on the government through the Ministry of Justice to launch an investigation into circumstances around their dismissal.⁴⁹ The pair were dismissed in June 2022 for allegedly leaking sensitive information for personal gains.⁵⁰ Meanwhile, the Ministry of Labor ordered their reinstatement after the Ministry of Justice submitted a no opinion on the matter because no fact or evidence of breach was provided.⁵¹

⁴³ ‘Liberia Electricity Corporation Launches National Campaign to Eradicate Power Theft; Assures Stable Electricity Beginning December 1st.’ Frontpage Africa (2022) <www.frontpageafricaonline.com/front-slider/liberia-electricity-corporation-launches-national-campaign-to-eradicate-power-theft-assures-stable-electricity-beginning-december-1st> last accessed July 29, 2023.

⁴⁴ K Thompson ‘LWSC boss on unsafe water, water theft’ The New Dawn (2023) <<https://thenewdawnliberia.com/lwsc-boss-on-unsafe-water-water-theft>> last accessed July 2, 2023.

⁴⁵ ‘Liberia: National Housing Authority Officials Cleared Of Corruption Charges’ FrontPage Africa (2022) <<https://website.frontpageafricaonline.com/news/liberia-national-housing-authority-cleared-of-corruption-charges/>> last accessed July 3, 2023.

⁴⁶ As above

⁴⁷ As above

⁴⁸ As above

⁴⁹ ‘Dismissed FIU Staff Pressure Government to Launch Investigation, Else Clears them of ‘False Accusations’ Frontpage Africa (2022) <<https://frontpageafricaonline.com/news/dismissed-fiu-staff-pressure-government-to-launch-investigation-else-clears-them-of-false-accusations/>> last accessed July 15, 2023.

⁵⁰ As above

⁵¹ GIABA ‘Anti-money Laundering and Counter-terrorist Financing Measures’ (2023) 74 <<https://www.fatf-gafi.org/content/dam/fatf-gafi/frsb-mer/Liberia-Giaba-Mutual-Evaluation-2023.pdf.coredownload.inline.pdf>> last accessed July 12, 2023.



"Those corrupt men sanctioned by the American Government need to be prosecuted. Their properties must be seized.

Madam Vio Campbell

Marketer

<http://www.cental.org.lr>

Government's commitment to fighting corruption is low

We asked people to rate government's commitment to fighting corruption.

More than two-thirds or 67 percent of respondents hold the view that government's commitment is low. 12 percent believe that

commitment is high, while another 14 percent hold that commitment is moderate. The remaining seven percent are undecided on the issue.

Responding to a similar question in the previous survey, 62 percent of respondents said that government's commitment to fighting corruption was low.

Rivercess tops the list as 83 percent of Respondents believe that government's commitment to fight corruption is low. Gbarpolu sits in second place at 81 percent, followed by Bomi (80 percent) and Nimba (69 percent). In Grand Cape Mount, Margibi, and Montserrado respectively, 67 percent of respondents rated corruption level as low.

67%

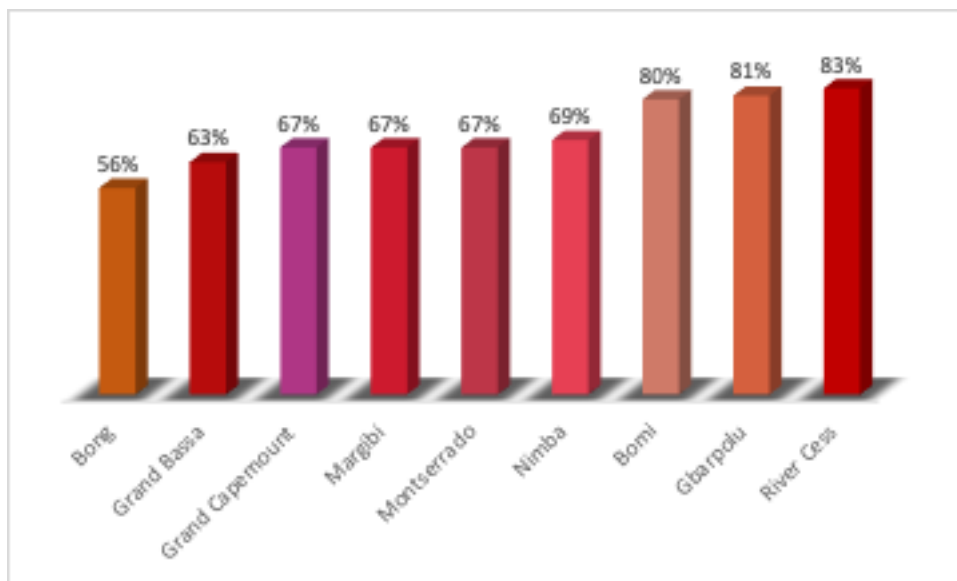
**THINK GOVERNMENT'S
COMMITMENT IS LOW**

12%

**THINK GOVERNMENT'S
COMMITMENT IS HIGH**

COMMITMENT IS LOW, BY COUNTY

Percentage of people per county with the view that government's commitment to fighting is corruption is low.



IN FOCUS: THE ANTI-CORRUPTION LANDSCAPE

Generally, after a hiatus, the anti-corruption landscape is gradually reawakening, especially national government's efforts. In part, the near pause on investigation and prosecution of corruption cases and other well-meaning efforts resulted from the re-establishment of the Liberia Anti-Corruption Commission (LACC), vacant leadership positions at integrity institutions, the longstanding issue of inadequate financial and non-financial resources, amongst others. Majority, if not all of the leadership gaps at key integrity institutions have since been filled. The increasing level of efforts and engagements from government, civil society, development partners and other actors is a positive development in the country's anti-corruption drive.

In terms of key highlights, international partners such as the Embassy of Sweden in Liberia and the Swedish International Development Cooperation Agency (Sida) made noticeable efforts, including but not limited to the provision of increased financial and technical support to civil society organizations to strengthen and scale up engagements.⁵² The imposition of targeted sanctions by the United States Government on allegedly corrupt government officials and other individuals bolstered advocacy efforts of civil society, while serving as warning signals to officials and the general public. Additionally, the former United States Ambassador to Liberia, Michael A. McCarthy called Liberian government officials out for engaging in budget and other forms of corruption that undermine poverty alleviation, strengthening of health, education, and other critical sectors, among others. "In my most recent press release, I expressed a deep concern for this sort of corruption which exists at all levels, regardless of political affiliation, and let me be clear; the blatant theft of government funds by public servants at the highest levels is not just unethical, it is a betrayal."⁵³

⁵² Liberia: Sweden, NAYMOTE sign US\$1.1 million Grant Agreement to Promote Principles of Good Governance, Rule of Law

[https:// frontpageafricaonline.com/news/liberia-sweden-naymote-sign-us1-1-million-grant-agreement-to-promote-principles-of-good-governance-rule-of-law](https://frontpageafricaonline.com/news/liberia-sweden-naymote-sign-us1-1-million-grant-agreement-to-promote-principles-of-good-governance-rule-of-law)

⁵³ 'Amb. McCarthy Screams At Corruption In Liberian Gov'tSays It Is "Unethical And A Betrayal"' <[https:// inquirernewspaper.com/amb-mccarthy-screams-at-corruption-in-liberian-govt-says-it-is-unethical-and-a-betrayal/](https://inquirernewspaper.com/amb-mccarthy-screams-at-corruption-in-liberian-govt-says-it-is-unethical-and-a-betrayal/)>

Meanwhile, citizens' engagement and participation in anti-corruption efforts continues to increase. The increase in capacity and demand for accountability efforts leading to reporting of corruption and other related issues to key reporting platforms such as the Advocacy and Legal Advice Center (ALAC) of CENTAL. Also, over 6,000 persons, including men, women, boys, girls, public officials signed CENTAL-led Integrity Pledge committing to support national anti-corruption and integrity building efforts. Additionally, there is growing increase in coordinated and collaborative efforts against corruption in the country. Supported by CENTAL, the Joint Civil Society Anti-Corruption Initiative, a network of more than 10 civil society and community-based organization undertook multiple citizens' engagement and other initiatives during the period. More importantly, the National Integrity Forum, a collaborative effort of governance and integrity-focused government and civil society organizations, increased her efforts, especially around increasing transparency of key government institutions by making information about their services publicly available and accessible.

On January 26, 2023, the Supreme Court of Liberia unanimously upheld the New Anti-Corruption Commission Act which abolished the LACC and created a new one—including a new leadership.⁵⁴ The Court opined that the LACC being a creature of the Legislative Branch of Government, the Legislature has the unquestionable power to amend, modify or abolish the LACC as deemed expedient in the interest of the State; and its action cannot be said to violate the Constitution.⁵⁵ The Opinion of the Court followed a petition filed by the then Executive Chairperson of the LACC, Cllr. Edwin Kla Martin. Meanwhile, the Opinion of the Court could serve as reliance for future removal of tenured officials through passage of similar law.

In September 2022, President Weah appointed Mr. Stanley Ford as Director General of the Financial Intelligence Unit (FIU), urging him to demonstrate diligence, honesty and commitment to duty.⁵⁶ In the same month, the Internal Audit Agency (IAA) welcomed a new leadership comprising Director General David Kemah and his three deputies.⁵⁷ In July 2023, Mr. Bodger Scott Johnson was appointed as Executive Director of the Public Procurement and Concessions Commission (PPCC).⁵⁸ He pledged commitment to ensuring that the PPCC becomes the best integrity institution in Liberia under his leadership.⁵⁹ In January 2023, President Weah nominated Atty. Garrison Yealue as Chairperson of the Governance Commission.⁶⁰ Meanwhile, on July 28, 2023, the Coalition for Democratic Change (CDC) named Atty. Garrison Yealue, Chairman of the Governance Commission (GC) as the Deputy Campaign Manager for Administration.⁶¹ The 2007 Act creating the Commission requires its Commissioners to be politically neutral. Section 5.3.4 states that "Commissioners must be non-partisan to prevent the governance agenda and process from being a political one." Additionally, Section 5.1 of the Code of Conduct states that "all officials appointed by the

⁵⁴ WN Tokpah 'Liberia: Supreme Court Denies Cllr. Martins Petition in Landmark Ruling on Tenured Positions' Frontpage Africa (2023) <<https://frontpageafricaonline.com/news/liberia-supreme-court-denies-cllr-martins-petition-in-landmark-ruling-on-tenured-positions/>> last accessed July 3, 2023.

⁵⁵ As above

⁵⁶ 'President Weah Makes Additional Appointments in Government' Executive Mansion (2023) <https://www.emansion.gov.lr/2press.php?news_id=5652&related=7&pg=sp> last accessed July 16, 2023.

⁵⁷ 'IAA Transitions to New Management Team' Internal Audit Agency -Facebook (2022) <<https://www.facebook.com/p/Internal-Audit-Agency-Liberia-100069320674868/>> last accessed July 6, 2023.

⁵⁸ F Boayue 'Liberia: Bodger Scott Johnson Takes Over PPCC as New Executive Director, Vows to Make PPCC 'Best Integrity Institution' <<https://frontpageafricaonline.com/news/liberia-bodger-scott-johnson-takes-over-ppcc-as-new-executive-director-vows-to-make-ppcc-best-integrity-institution/>> last accessed July 29, 2023.

⁵⁹ As above

⁶⁰ M Kasseh 'Pres. Weah Nominates New GOVERNANCE Commission Chairman, Others...' Liberia Broadcasting System (2023) <<https://elberadio.com/2023/01/31/pres-weah-nominates-new-governance-commission-chairman-others/>> last accessed July 30, 2023.

⁶¹ L Teh 'Liberia: Yealue's Appointment Ill-Advised' The New Dawn (2023) <<https://allafrica.com/stories/202308020080.html>> last accessed August 2, 2023.

President of the Republic of Liberia shall not engage in political activities... [or] serve on a campaign team of any political party or the campaign of any independent candidate.”

New beneficial ownership regulations have been adopted as an important step towards transparency in company ownership that helps increase accountability in the business sector, strengthen domestic resource mobilization, and reduce risks of money laundering, corruption and other financial or environmental crimes.⁶² The regulations require companies to disclose information about their beneficial or ultimate owners in a new central register.⁶³ Information gathered from this process will also be made publicly available online.⁶⁴ Beneficial ownership regulations will help address money laundering which continues to pose a challenge to anti-corruption efforts. An evaluation conducted by the Inter-Governmental Action Group Against Money Laundering (GIABA) found that cases involving money laundering are not being ‘*proactively pursued and prioritized*’ and that there has been no convictions for money laundering.⁶⁵ GIABA indicated that Liberia’s use of restitution agreements instead of prosecution could impede application of sanctions to mitigate money laundering risks and dissuade criminals.⁶⁶ The predominant use of cash in financial transactions makes the tracing of most transactions difficult and therefore providing an opportunity for the laundering of proceeds of crime.⁶⁷ The report indicated that the preference for cash transactions by economic actors and the use of dual currency regime (United States dollars and the Liberian dollars) can facilitate the flow of money outside the conventional financial systems and create cross-border risks.⁶⁸ In November 2022, the Customs Department of the Liberia Revenue Authority signed a memorandum of understanding with their counterparts in Guinea and Sierra Leone to stamp out vices such as tax avoidance and smuggling.⁶⁹ The US Treasury Department in September 2022 announced rewards for information that would lead to recovery of stolen assets.⁷⁰

⁶² ‘Liberia Launches New Digital Beneficial Ownership Register’ Liberia Extractive Industries Transparency Initiative’ (2023) <<https://www.leiti.org.lr/media/news/liberia-launches-new-digital-beneficial-ownership-register>> last accessed August 15, 2023.

⁶³ As above

⁶⁴ As above

⁶⁵ Anti-money Laundering and Counter-Terrorist Financing Measures- Republic of Liberia’ Inter-Governmental Action Group against Money Laundering (2023) 8 <<https://www.fialiberia.gov.lr/wp-content/uploads/2023/08/Liberia-Giaba-Mutual-Evaluation-2023.pdf>> last accessed July 5, 2023.

⁶⁶ As above

⁶⁷ As above, 18.

⁶⁸ As above, 20.

⁶⁹ ‘Liberia, Guinea, S/Leone Sign Pact To Improve Cross-Border Trade, Revenue And Security In The Region’ *FrontPage Africa* (2022) <<https://frontpageafricaonline.com/news/liberia-guinea-s-leone-sign-pact-to-improve-cross-border-trade-revenue-and-security-in-the-region/>> last accessed July 19, 2023.

⁷⁰ ‘U.S. Treasury Department to Offer Rewards for Information on Stolen Assets’ *FrontPageAfrica* (2022) <<https://frontpageafricaonline.com/news/u-s-treasury-department-to-offer-rewards-for-information-on-stollen-assets/>> last accessed July 28, 2023.

Public services are increasingly prone to corruption

Citizens were asked which public services are more prone to corruption. Police, medical, court, and educational services retain their ranking. Police services retain the top spot, having been cited by 79 percent of respondents. With 69 percent of respondents citing police services last year, there is a four percent increase in persons holding this view.

Medical services also retained the second spot with 59 percent of respondents mentioning it.. With 60 percent mentioning it in 2022, there is a one percent decrease in percentage of people viewing medical services as prone to corruption. While 36 percent cited court services in 2022, 38 percent said court services are prone to corruption.

Education services retains fourth place with 31 percent of respondents citing it. 31 percent of respondents also cited it last year.

73%

THINK POLICE SERVICES ARE MOST PRONE TO CORRUPTION

59%

THINK MEDICAL SERVICES ARE MOST PRONE TO CORRUPTION

38%

THINK COURT SERVICES ARE MOST PRONE TO CORRUPTION

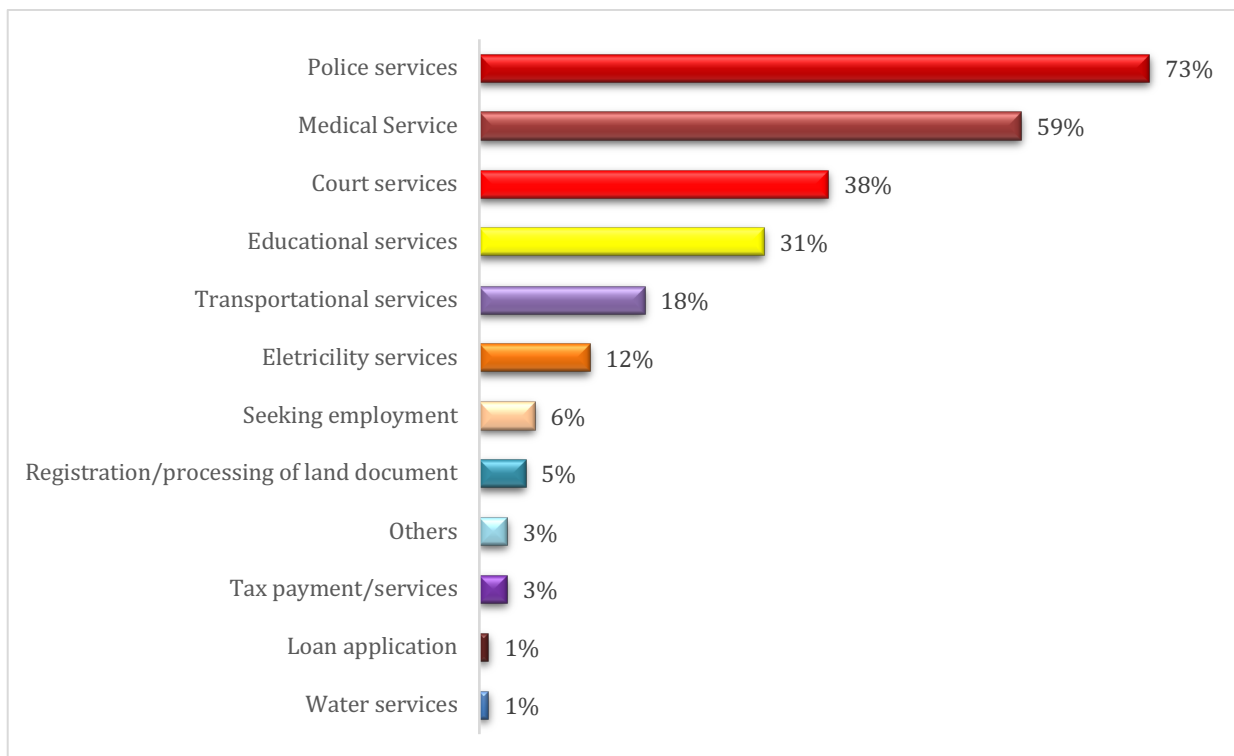
31%

THINK EDUCATION SERVICES ARE MOST PRONE TO CORRUPTION



SERVICES PRONE TO CORRUPTION

Percentage of people rating public services prone to corruption.





Election would last a day, but bad governance could run for six years.

AMOS F. SAMUKA

Member / CENTAL-JOCSAI

[HTTPS:// www.cental.org.lr](https://www.cental.org.lr)

In Focus: Elections 2023

Elections are a key feature of democracy. With the freedom to choose their leaders, citizens can effect changes to government by voting persons with integrity, persons with anti-corruption agendas, and those who can uphold key democratic values as participation, equality, transparency, and accountability. Free, fair, and transparent elections are critical to the democratic process. In September of 2022, speaking at the UN General Assembly in New York, President Weah assured the world of free and fair elections in Liberia.⁷¹ Also, speaking at the US-Africa Leaders' Summit 2022, the President said: *"I have participated in a lot of elections and even when the results were not favorable, we respected the results."*⁷² Liberia's General and Presidential Elections are constitutionally required to be held every six years. Following a rally organized by the opposition, President Weah urged members of the opposition to remove him through the ballot and not through protests.⁷³

Multiple legal instruments are in place to prevent abuse of public office and resources during elections. Notable among them are the including New Elections Law and the Code of Conduct for Public Officials. While many provisions are significant, a few take central stage. One of these is the requirement for resignation from office ahead of contesting for an elected office. To facilitate this requirement, in March of 2023, President Weah issued an Executive Order (Number 117) in application of the Code of Conduct which had been amended in December 2022, asking all

⁷¹ L Dodoo 'Liberia: Pres. Weah Assures Free and Transparent Elections at UN General Assembly'. *FrontPage Africa* (2022) <<https://frontpageafricaonline.com/news/liberia-pres-weah-assures-free-and-transparent-elections-at-un-general-assembly/>> last accessed July 25, 2023.

⁷² 'Liberia: President Weah Urges US Support For 2023 Elections' *Frontpage Africa* (2022) <<https://www.liberianobserver.com/liberia-president-weah-urges-us-support-2023-elections/>> last accessed July 6, 2023.

⁷³ E Genoway 'Liberia: Pres. Weah Urges Opposition to Remove Him Through the Ballot and Not Through the Streets with Protests' *frontpage Africa* (2022) <<https://frontpageafricaonline.com/politics/liberia-pres-weah-urges-opposition-to-remove-him-through-the-ballot-and-not-through-the-streets-with-protests/>> last accessed July 4, 2023.

Presidential appointees with intent to contest the elections, to resign on or before April 7, 2023.⁷⁴ As a result, multiple individuals resigned from government, to include Mr. Zinnah Norman, City Mayor of Bopolu City; Madam Kebbeh Forpka Collins, Board Member of Liberia Water & Sewer Corporation; Madam Josephine W.A. Davies, Inspector General, Ministry of Commerce; Madam Barbara M. Keah, Assistant Superintendent for Development, Gbarpolu County; and Mr. Lance K. Gbagonyon, Deputy Minister for Culture, Ministry of Information, Culture and Tourism.⁷⁵ An opposition political party known as the Economic Freedom Fighters of Liberia (EFFL) challenged the legality of the Executive Order on grounds that it contravened the Code of Conduct regarding time of resignation by appointed officials desirous of running for office. The petition was denied at the Supreme Court.⁷⁶

A number of public officials who exited government amidst clouds of corruption were cleared to contest in the elections--thanks to government's failure to investigate those sanctioned. Both Nathaniel McGill and Bill Tweahway who appeared on the US Treasury Department Sanctions list were cleared as senatorial candidates on the ticket of the governing Coalition for Democratic Change (CDC). Two other Treasury Department indictees, Cllr. Varney Sherman and Senator Prince Y. Johnson were cleared to contest Senate seats as an independent candidate and candidate of Movement for Democracy and Reconstruction respectively. Then US Ambassador Michael McCarthy described the government's failure to investigate the officials as "extremely disappointing and discouraging".⁷⁷ He added: "If the voters of Liberia wish to elevate to public office individuals who have been sanctioned, that's their prerogative."⁷⁸

Additionally, Duannah Kamara who experienced no consequences for corruption allegations during his tenure as Managing Director of the Liberia Water and Sewer Corporation⁷⁹ was cleared to contest as an Independent Candidate for the Senate in Bomi County⁸⁰ while Wilmot Smith, dismissed from the Liberia Institute for Statistics and Geo-Information Services⁸¹ was cleared to contest as an Independent Candidate for a representative seat in Montserrado County. On the opposite end of the spectrum, Tugbeh Chieh Tugbeh who was cleared of corruption charges⁸² but not reinstated was cleared to contest for the House of Representatives in Montserrado County as a candidate of the Liberia First Movement.⁸³

⁷⁴ 'Pres. Weah Mandates Appointed Gov't Officials Wanting to Contest 2023 Elections To Resign' *Liberian Observer* (2023) <<https://www.liberianobserver.com/pres-weah-mandates-appointed-govt-officials-wanting-contest-2023-elections-resign>> last accessed August 1, 2023.

⁷⁵ 'Liberia: President Weah Accepts Resignations from Several Government Officials' *Liberian Observer* (2023). <<https://www.liberianobserver.com/liberia-president-weah-accepts-resignations-several-government-officials>> last accessed July 20, 2023.

⁷⁶ FW Kwiah 'Justice Yamie denies economic freedom fighters' petition filed' *Liberia Broadcasting System* (2023) <<https://elbcradio.com/2023/05/02/justice-yamie-denies-economic-freedom-fighters-petition-filed/>> last accessed July 2, 2023.

⁷⁷ 'In Liberia, corruption sanctions are not a deterrent for candidates' *The Africa Report* (2023) <<https://www.theafricareport.com/316010/in-liberia-corruption-sanctions-are-not-a-deterrent-for-candidates/>> last accessed July 30, 2023.

⁷⁸ As above

⁷⁹ 'General Auditing Commission Audit Uncovers Major Financial Improprieties At The Liberia Water & Sewer Corporation' *FrontPage Africa* (2022) <<https://frontpageafricaonline.com/news/general-auditing-commission-audit-uncovers-major-financial-improprieties-at-the-liberia-water-sewer-corporation/>> last accessed July 28, 2023.

⁸⁰ Candidate Nomination Senate Aspirants Preliminary List' National Elections Commission (2023) <https://necliberia.org/pg_img/Senate_Aspirant_Summary_Report.pdf> last accessed July 28, 2023.

⁸¹ 'Liberia: CENTAL Welcomes President Weah's Dismissal Action At LISGIS, Demands More Actions to Ensure Credibility and Integrity of 2022 Census' *FrontPage Africa* (2022) <<https://allafrica.com/stories/202211170426.html>> last accessed July 27, 2023.

⁸² Liberia: National Housing Authority Officials Cleared Of Corruption Charges' *FrontPage Africa* (2022) <<https://website.frontpageafricaonline.com/news/liberia-national-housing-authority-cleared-of-corruption-charges/>> last accessed July 3, 2023.

⁸³ '2023 Candidate Nomination House of Representative Aspirants Preliminary List' National Elections Commission (2023) <https://necliberia.org/pg_img/Representative_Aspirant_Summary_Report.pdf> last accessed July 29, 2023.

The electoral process has also had challenges. In September 2022, following public outcry, Legislators abandoned plans to remove election Magistrates through amendment to the election law.⁸⁴ They also rejected proposals to increase registration fees for candidates.⁸⁵ In November 2022, the National Elections Commission (NEC) cancelled its award of a bid for production of biometric voter registration after the Public Procurement and Concessions Commission (PPCC) denied the electoral body's request for no objection twice.⁸⁶ The Elections Coordinating Committee (ECC) alarmed that, during the voter registration process, NEC workers were not consistently asking applicants to provide proof of eligibility as Liberians.⁸⁷ During the campaign period, government resources such as vehicles were used for partisan political purposes, potentially undermining the principle of fairness in electoral processes.⁸⁸ Despite laws on campaign financing, there exists opacity surrounding funds received and spent by political parties and candidates. Meanwhile, NEC is partnering with Integrity Watch Liberia (IWL), to strengthen monitoring, compliance, and enforcement of the campaign finance framework.⁸⁹ Guaranteeing transparency of political financing protects systems from conflicts of interest, influence peddling, and state capture while reducing corruption.

⁸⁴ A Octavius 'Amid Public Outcry, Lawmakers Abandon Plan To Remove Election Magistrates, But Want Them Rotated' News Public Trust (2022) <<https://newspublictrust.com/amid-public-outcry-lawmakers-abandon-plan-to-remove-election-magistrates-but-want-them-rotated>> last accessed July 2, 2023.

⁸⁵ As above

⁸⁶ D Menjor Liberia: NEC kicks EKEMP Out, But. . .' (2022, November 23). *Liberian Observer* (2022) <<https://www.liberianobserver.com/liberia-nec-kicks-ekemp-out>> last accessed July 10, 2023.

⁸⁷ FG Boayue 'Liberia: Elections Coordinating Committee Expresses Dissatisfaction with Phase One of the Biometric Voter Registration; Signals Possible Registration of Ineligible Voters' Frontpage Africa (2023) <<https://frontpageafricaonline.com/news/liberia-elections-coordinating-committee-expresses-dissatisfaction-with-phase-one-of-the-biometric-voter-registration-signals-possible-registration-of-ineligible-voters/>> last accessed July 30, 2023.

⁸⁸ 'The Balancing Act Between Campaign Finance, Money in Politics, and Public Resources in Elections' Electoral institute for Sustainable Democracy in Africa (2023) <<https://www.eisa.org/the-balancing-act-between-campaign-finance-money-in-politics-and-public-resources-in-elections/>> last accessed July 30, 2023.

⁸⁹ As above

Major challenges facing Liberia

We inquired about the major challenges facing Liberia.

For the third year running, unemployment, corruption, and poverty are considered major challenges, retaining the first, second, and third spots respectively.

Respondents citing unemployment increased by 3 percent from 50 percent in 2022 to 53 percent in 2023.

Respondents citing corruption increased by 5 percent from 46 percent in 2022 to 51 percent in 2023.

Poverty also retains the third spot. Meanwhile, respondents citing poverty increased by four percent from 36 percent in 2022 to 40 percent in 2023.

53%

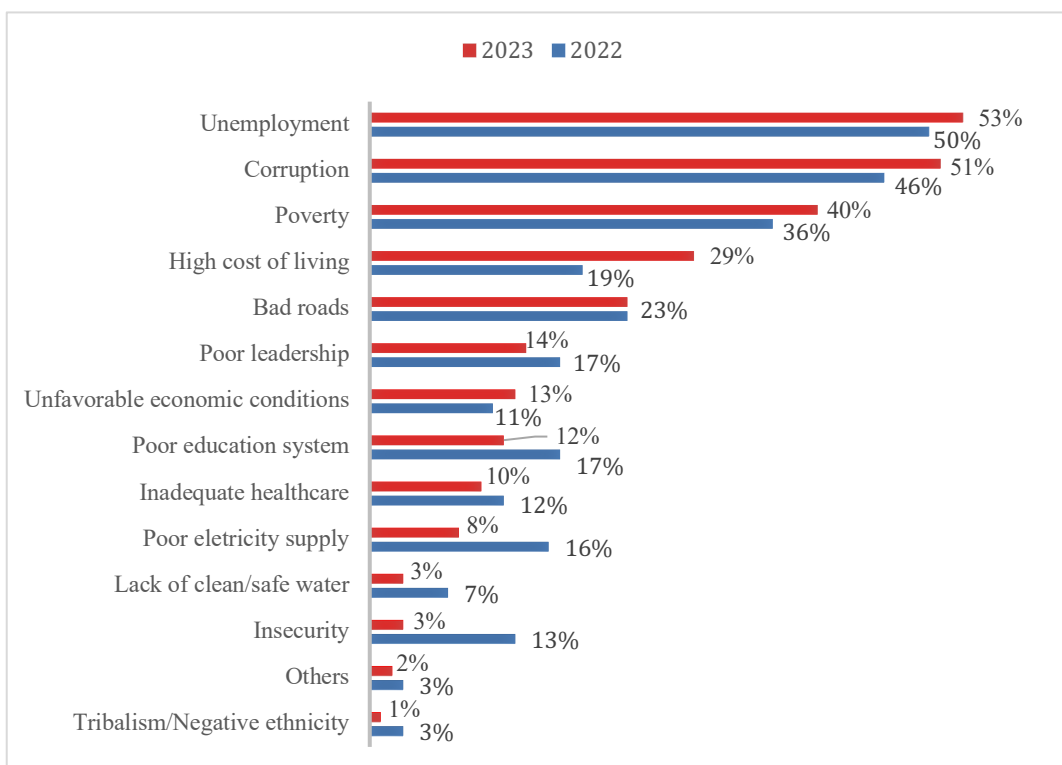
OF PEOPLE THINK UNEMPLOYMENT IS A MAJOR CHALLENGE FACING LIBERIA

51%

OF PEOPLE THINK CORRUPTION IS A MAJOR CHALLENGE FACING LIBERIA

LIBERIA'S MAJOR CHALLENGES

Percentage of people rating the country's major challenges.



In Focus: The National Budget

The Process

In November 2022, Liberian President George Manneh Weah requested permission to delay submission of the 2023 National Budget to the Legislature, citing global economic and political crises, including the war in Ukraine.⁹⁰ This was criticized by some observers as similar request was made during the previous year.⁹¹ At the start of January 2023, the Legislature announced the schedule for budget hearings, beginning with the revenue component of the budget.⁹² Some ministries and agencies of government did not appear for the hearings as scheduled, prompting rebuke from lawmakers.⁹³ When all legislative processes were exhausted, the President signed into law a national budget of US\$782 million in April 2023.⁹⁴ In May 2023, the Legislature commenced hearing on budget performance for Fiscal Year 2022 Consolidated Report and Fiscal Year 2023 First Quarter Report.⁹⁵ The hearing focuses on reviewing spending by public entities vis-a-vis efficient and effective attainment of expected results.⁹⁶ It is unclear what resulted from the scrutiny which has been lacking over the years. The Amended and Restated Public Financial Management Act mandates reporting of budgetary expenditures.⁹⁷ Spending entities are required to submit monthly and quarterly expenditure performance reports to the Minister of Finance, who in turn is required to produce a consolidated quarterly performance report and make same available to the President, Legislature, and the general public within 45 days of the end of each quarter.⁹⁸ Unfortunately, there is no evidence of compliance.

Allocations

The Liberian Senate in November 2022, invited the Minister of Finance to explain how \$11 million allocated for rice subsidy was expended.⁹⁹ However, in the same month, the House of Representatives blocked a request for the Minister of Finance, Samuel D. Tweah and Minister of Commerce Mawine Diggs to appear before plenary and account for \$4 million which the two ministries were to expend.¹⁰⁰

⁹⁰ L Sonpon 'Liberia: President Weah delays 2023 budget' Liberian Observer (2022) <<https://www.liberianobserver.com/liberia-president-weah-delays-2023-budget>> last accessed July 4, 2023.

⁹¹ As above

⁹² 'House releases timelines for budget hearing – Liberia' Africa Press (2023) <<https://www.africa-press.net/liberia/all-news/house-releases-timelines-for-budget-hearing>> last accessed June 4, 2023.

⁹³ JB Carter 'Liberia: Lawmakers Blast Commerce, Gender and others for Snubbing Budget Hearing' Liberian Observer (2023) <<https://www.liberianobserver.com/liberia-lawmakers-blast-commerce-gender-and-others-snobbing-budget-hearing>> last accessed July 5, 2023.

⁹⁴ K Weeks 'Pres. Weah signs into law over US\$782M annual budget' Liberia News Agency (2023) <<https://liberianewsagency.com/2023/04/12/pres-weah-signs-into-law-over-us782m-annual-budget/>> last accessed July 17, 2023.

⁹⁵ 'House begins budget Performance Report Hearing' The New Dawn (2023) <<https://thenewdawnliberia.com/house-begins-budget-performance-report-hearing/>> last accessed July 13, 2023.

⁹⁶ As above

⁹⁷ Amended and Restated Public Financial Management (PFM) Act of 2019, sec 48 (1)

⁹⁸ As above, sec 48(4)

⁹⁹ 'Samuel Tweah On-The-Run Over Unaccounted 11 Million Rice Subsidy' Independent Probe Newspaper (2022) <<https://independentprobe.com/2022/11/24/samuel-tweah-on-the-run-over-unaccounted-11-million-rice-subsidy/>> last accessed August 1, 2023.

¹⁰⁰ GC Koinyeneh, 'Liberia: House's leadership leads plenary in blocking ministers Tweah, Diggs' appearance for questioning' *FrontPage Africa* (2022) <<https://frontpageafricaonline.com/news/liberia-houses-leadership-leads-plenary-in-blocking-ministers-tweah-diggs-appearance-for-questioning/>> last accessed August 2, 2023.

Allocations to Legislative engagement and accessibility have been expunged from the national budget following backlash from the public.¹⁰¹ In Fiscal Years 2021 and 2022, a total of US\$7.2 million (Seven Million Two Hundred Thousand United States Dollars) was allocated and distributed amongst legislators with no mechanism for accountability. While such funding is no longer being provided, it is worth noting that other allocations to the Legislature has significantly increased. For instance, a whopping US\$10,406,380.00 (Ten Million Four Hundred Six Thousand, Three Hundred Eighty United States Dollars) was allocated for Legislative Committee Hearings. This represents a 1,327.49% increase from the 2022 budgetary allocation of US\$729,000 (Seven Hundred Twenty-nine Thousand United States Dollars).¹⁰²

Audits

The General Auditing Commission (GAC) conducted financial statement audits, compliance audits, performance audits, and project audits during the period. The Auditor General, P. Garswa Jackson reached an adverse conclusion regarding a number of audits including the audit of the civil servants' payroll for the period January 1, 2018 – December 31, 2021 and the audit of domestic debts for the Period January 1, 1980 to December 31, 2021.

The audit of the civil servants' payroll revealed earnings above the harmonized pay-grade expected salaries, earnings below the harmonized pay-grade expected salaries, and lack of pay-grades for some employees.¹⁰³ These revelations contrast government's much touted 'harmonization' policy intended to create equity in pay across government by reducing or eliminating salary disparity.¹⁰⁴ The audit also revealed duplication of National identification Numbers, and shared bank accounts of employees. 9,287 (Nine Thousand Two Hundred Eighty-Seven) employees representing 13.7% of employees' were not available for physical verification.¹⁰⁵ 3,970 (Three thousand Nine Hundred Seventy) employees representing 5.9% of civil servants across 80 ministries and agencies earned above the harmonized pay-grade expected salaries, with the monthly excess in salary payments amounting to US\$581,439.15.¹⁰⁶ 32,759 (Thirty-Two thousand Seven Hundred Fifty-Nine) employees representing 48.7% of civil servants across 90 entities of government earned below the harmonized pay-grade expected salaries.¹⁰⁷ The total monthly difference amounts to US\$5,710,026.97. 25,162 (Twenty-Five Thousand One Hundred Sixty-Two) employees representing 37.4% of civil servants in government across 97 ministries and agencies did not have pay-grades.¹⁰⁸ 564 (Five Hundred Sixty-Four) employees across 47 (forty-seven) ministries and agencies did not have National Identification Numbers (NIN).¹⁰⁹ 903 (Nine Hundred Three) employees from 54 (fifty-four) entities had duplicate. 122 (One Hundred Twenty-Two) employees from across 20 ministries and agencies had shared bank accounts.¹¹⁰

¹⁰¹ 'Approved National Budget FY 2023' (2023) 3 <<https://www.mfdp.gov.lr/index.php/docs/the-national-budget>> last accessed July 30, 2023.

¹⁰² As above, 5.

¹⁰³ 'Auditor General's Report on the Compliance Audit of Civil Servants National Payroll for the Period January 1, 2018 to December 31, 2021' General Auditing Commission (2023) 5 <<https://gac.gov.lr/wp-content/uploads/2023/01/Auditor-Generals-Report-on-the-Compliance-Audit-of-Civil-Servants-National-Payroll-for-January-1-2018-to-Dec.-31-2021-1.pdf>> last accessed July 31, 2023.

¹⁰⁴ 'Pay Harmonization Frequently Asked Questions' <<https://docs.google.com/viewer?url=https://www.mfdp.gov.lr/index.php/component/edocman/gol-pay-harmonization-frequently-asked-questions/fdocument?Itemid=9999>> last accessed July 30, 2023.

¹⁰⁵ (n 103)

¹⁰⁶ As above

¹⁰⁷ As above

¹⁰⁸ As above

¹⁰⁹ As above

¹¹⁰ As above

The Audit of the Consolidated Account for Fiscal Year 2022 found disbursement of Grant expenditure amounting to US\$25,370,063.99 (Twenty-five Million Three Hundred Seventy Thousand Sixty-three United States Dollars Ninety-nine cents) which exceeded the approved appropriation in the National Budget.¹¹¹ Also, approved appropriation of three (3) entities were exceeded by a total of US\$22,823,980.00 (Twenty-two Million Eight Hundred Twenty-Three Thousand Nine Hundred Eighty Dollars) with no evidence of disclosure of the Statement of Excess Expenditure or evidence of legislative approval.¹¹² The National Security Agency (NSA) exceeded allocations by 15.70%, the MFDP by 15.03%, and the Liberia Revenue Authority (LRA) by 1.80%.¹¹³ The Auditor General noted that unauthorized disbursement may lead to misappropriation and misapplication of public funds.¹¹⁴ The law only allows expenditures in excess of appropriations in ‘exceptional circumstances’.¹¹⁵ And where such circumstances exist, the MFDP is required to submit a statement of expenditures in excess to the Legislature and, following review by the Legislature’s Public Accounts Committee, the Legislature decides by Resolution on whether to allow the excess expenditure. In such case, the amounts are to be included in a supplementary appropriation Bill for appropriation.¹¹⁶ We have seen no record that this important accountability procedure has been complied with.

The audit also found unpaid tax liabilities. Of the total of 15 (fifteen) State-Owned Enterprises’ (SOEs) income tax liability assessed by the Ministry of Finance and Development Planning (MFDP) at the sum of US\$4,815,608.82 (Four Million Eight Hundred Fifteen Thousand Six Hundred Eight Dollars and Eighty-two cents), only eight (8) entities remitted income tax amounting to US\$1,450,745.45 constituting 30% of the total assessed amount.¹¹⁷ Also, of the total of fifteen (15) entities, only one (1), the Liberia Petroleum Refining Company (LPRC), was assessed for Corporate Income Tax amounting to US\$ 339,634.92.¹¹⁸ The LPRC subsequently remitted Corporate Income Tax amounting to US\$ 150,911.54 constituting 44% of the assessed amount. Further, out of fifteen (15) entities, only 4 (four) entities remitted Goods and Services Tax (GST) amounting to US\$ 382,948.35.¹¹⁹ The Auditor General pointed out that failure to remit collected GoL revenue may impair the achievement of government’s mandates and objectives, and may lead to misappropriation and misapplication of government’s revenue.¹²⁰ Meanwhile, the MFDP has blamed the situation on the failure of SOEs to file their income tax and withholding returns to aid in establishing the actual amount of tax liabilities.¹²¹ According to the MFDP, the few SOESs that filed their returns also failed to pay.¹²²

Further, the audit found under-disbursement of approved appropriations to 36 (thirty-six) spending entities amounting to US\$ 27,411,210.00 (Twenty Seven Million Four Hundred Eleven Thousand Two Hundred Ten United States Dollars).¹²³ This is concerning as entities continue to decry non-receipt of funds allocated. The Auditor General notes that unauthorized

¹¹¹ ‘Final management Letter- Consolidated Funds Account Financial Statements Audit FY 2022’ (2023) 11 <<https://gac.gov.lr/wp-content/uploads/2023/08/Final-Management-Letter-Consolidated-Funds-Account-Financial-Statements-Audit-FY-2022-Formatted.pdf>> last accessed July 27, 2023.

¹¹² As above, 19

¹¹³ As above

¹¹⁴ As above, 11.

¹¹⁵ PFM) Act (n 97) , sec 24

¹¹⁶ As above

¹¹⁷ (n 111) 14

¹¹⁸ As above

¹¹⁹ As above

¹²⁰ As above

¹²¹ As above, 15.

¹²² As above.

¹²³ As above, 19.

under disbursements of approved appropriation to spending entities may impair the achievement of the entities' mandates and objectives.¹²⁴

Regarding domestic debt, the Auditor General concluded that the domestic debt management process is not in all material respect compliant with the Public Financial Management Act and Regulations, PPCC Act and Regulations, GoL Financial Rule (2006- 2009), GoL Domestic Debt Management Policy, Executive Laws of Liberia 1972, Budget Laws, International Organizations of Supreme Audit Institution (INTOSAI) Development Initiative Public Debt Framework Handbook, and other authoritative policies & procedures relevant to domestic debt acquisition.¹²⁵ The Auditor General noted that significant non-compliance matters exist. For instance, variances of US\$50,963,652.97 (Fifty Million Nine Hundred Sixty-Three Thousand Six Hundred Fifty-two Dollars and Ninety-seven cents) and L\$5,191,147,397.85 (Five Billion One Hundred Ninety-One Million One Hundred Forty-seven Thousand Three Hundred Ninety-Seven Liberian Dollars Eighty-five cents) exist between the domestic debt payment recorded in the Vendor Analysis Detail Report of the IFMIS and the bank statements for the fiscal period 2020/2021 and special budget year (July 1 to December 31, 2021).¹²⁶ Further, domestic debt payment transactions amounting to US\$29,239,139.21 (Twenty-Nine Million Two Hundred Thirty-nine Thousand One Hundred Thirty-nine Dollars Twenty-one cents) and L\$200,200,000.00 (Two Hundred Million Two Hundred Thousand Liberian Dollars) for the fiscal years 2018/2019 to 2020/2021 could not be traced to the Vendor Analysis Detail Report of IFMIS which records payments for domestic debt.¹²⁷

¹²⁴ As above

¹²⁵ 'Auditor General's Report on the Compliance Audit of the Government of Liberia Domestic Debts through the MFDP for the Period January 1, 1980 to December 31, 2021' (2023) 6 <<https://gac.gov.lr/wp-content/uploads/2023/05/AGs-Report-on-the-Compliance-Audit-of-the-Government-of-Liberia-Domestic-Debts-through-MFDP-for-the-Period-January-1-1980-to-Dec.-31-2021.pdf>> last accessed August 1, 2023.

¹²⁶ As above

¹²⁷ As above, 7.

Confidence in public institutions decline

Corruption can contribute to the erosion of people’s trust in public and other institutions. We asked if citizens have trust in certain institutions to fight corruption.

The results show a decline in respect of the three branches of government. Only 27 percent of respondents have confidence in the Executive to fight corruption. This, however, represents a percentage increase from 2022. 24 percent have confidence in the Legislature compared to

22 percent in the previous report, while 28 percent have confidence in the Judiciary compared to 22 percent in the previous report.

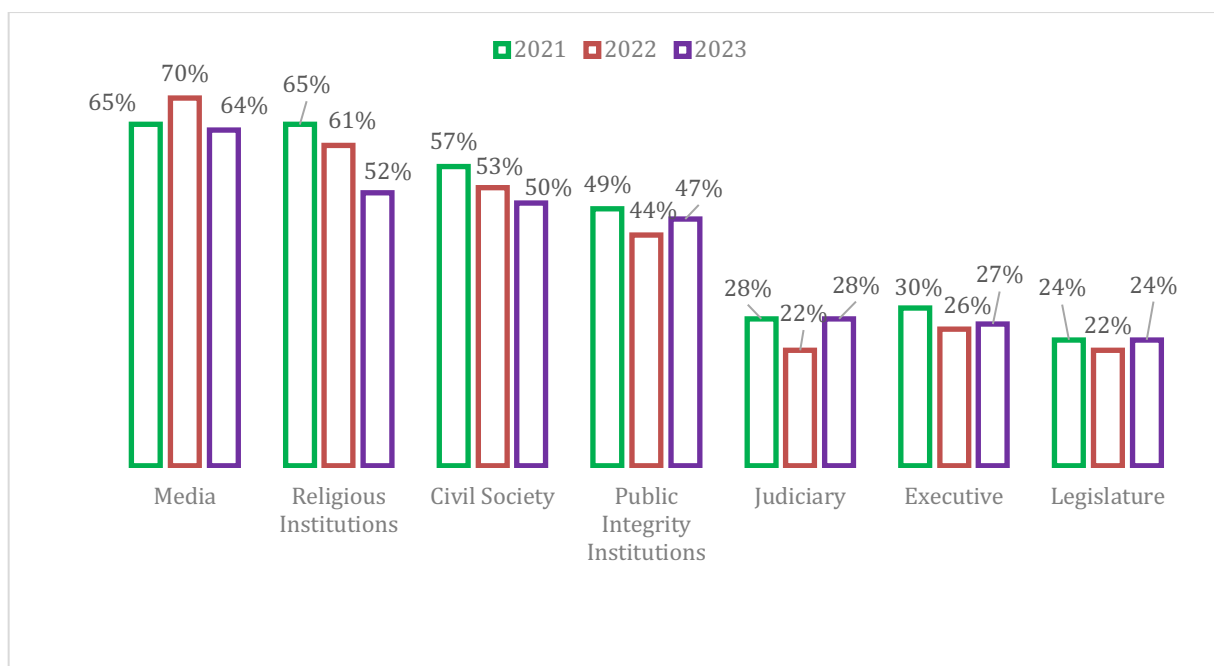
Meanwhile, majority of respondents retain confidence in the media, religious institutions, and civil society albeit with a decline. While 70 percent of respondents had confidence in the media in 2022, 64 percent have confidence in the media this year. compared to 65 percent in 2021. Confidence in religious institutions

decline from 61 percent in 2022 to 52 percent in 2023 and civil society from 53 percent to 50 percent.

It is worth noting that confidence in public integrity institutions increased by 3 percent from 44 percent in 2022. Also, while public confidence in the Judiciary, Executive, and Legislature remain low, slight increases occurred this year.

CONFIDENCE IN INSTITUTIONS

Percentage of people having confidence in public and other institutions.



IN FOCUS: THE LEGISLATURE

The Legislature exercised its constitutional powers to review, exercise oversight, debate and enact national legislation. The Senate suspended confirmation of nominees to the Liberia Anti-Corruption Commission on grounds that they had not declared their assets.¹²⁸ The Liberian Senate in November 2022, invited the Minister of Finance to explain how \$11 million allocated for rice subsidy was expended.¹²⁹ However, in the same month, the House of Representatives blocked a request for the Minister of Finance, Samuel D. Tweah and Minister of Commerce Mawine Diggs to appear before plenary and account for \$4 million which the two ministries were to expend.¹³⁰

A Senator asked President Weah to remove the leadership of the Liberia Institute for Statistics and Geo-Information Services due to controversy over accounting for the funds and management of the National Census. While this was not heeded, a lawmaker in the lower house asked for the postponement of the Census,¹³¹ while the House of Representatives invited LISGIS Administration for questioning on the Census processes. The Senate called the Ministry of Public Works to appear and give information on payment of road contractors.¹³²

The Legislature was also subject of corruption allegations. Also, just like in previous periods, no audit of the legislature was conducted. Senator Darius Dillon accused fellow lawmakers of being involved with construction companies contracted by government. He accused Rep. Edward W. Karfiah, Chair, Public Account and Expenditure Committee; Rep. Thomas P. Fallah, Chair, Ways, Means, Finance and Development Planning Committee and Sen. Saah H. Joseph, Chair, Executive; Member, Ways Means, Finance & Budget; Health, etc.¹³³ Representative Crayton was accused of using his company, Sino Forest International, to deplete forest reserves of the Tartweh and Drapoh communities in Sinoe.¹³⁴ Representative Duncan admits that he previously owned a 12% share in the company while serving as a sitting lawmaker but that he later relinquished same.¹³⁵

¹²⁸ H Karmo 'Liberia: Senate Suspends LACC Nominees' Confirmation Hearing over Their Failure to Declare Assets' *FrontPage Africa* ((2023) <<https://frontpageafricaonline.com/news/liberia-senate-suspends-lacc-nominees-confirmation-hearing-over-their-failure-to-declare-assets/>> last accessed July 30, 2023.

¹²⁹ 'Samuel Tweah On-The-Run Over Unaccounted 11 Million Rice Subsidy' (2022) *Independent Probe Newspaper* <<https://independentprobe.com/2022/11/24/samuel-tweah-on-the-run-over-unaccounted-11-million-rice-subsidy/>> last accessed July 21, 2023.

¹³⁰ GC Koinyeneh 'Liberia: House's Leadership Leads Plenary In Blocking Ministers Tweah, Diggs' Appearance For Questioning'. *FrontPage Africa* (2022) <<https://frontpageafricaonline.com/news/liberia-houses-leadership-leads-plenary-in-blocking-ministers-tweah-diggs-appearance-for-questioning/>> last accessed July 28, 2023.

¹³¹ GC Koinyeneh 'Liberia: Rep. Youquoi Makes Last-Minute Appeal To Postpone Census Amid Poor, Uncoordinated Planning'. *FrontPage Africa* (2022). <<https://frontpageafricaonline.com/news/liberia-rep-youquoi-makes-last-minute-appeal-to-postpone-census-amid-poor-uncoordinated-planning/>> last accessed July 24, 2023.

¹³² Karmo, H 'Liberia: Public Works Minister Accused Of Selectively Paying Contractors For Work Done On Road' . *FrontPage Africa* (2023) <<https://frontpageafricaonline.com/news/liberia-public-works-minister-accused-of-selectively-paying-contractors-for-work-done-on-road/>> last accessed July 20, 2023.

¹³³ Liberia: 'Corruption Allegation over Legislature Worrisome,' Naymote says' *Liberian Observer* (2023) <<https://www.liberianobserver.com/liberia-corruption-allegation-over-legislature-worrisome-naymote-says>>last accessed August 4, 2023.

¹³⁴ O Johnson 'Lawmaker Accused of Depleting Forest For Personal Gains' *Frontpage Africa* (2022) <<https://frontpageafricaonline.com/news/liberia-lawmaker-accused-of-depleting-forest-reserves-for-personal-gains/>> last accessed July 30, 2023.

¹³⁵ As above

The Senate voted in favor of an exceptionally generous retirement package for elected officials and judges, constituting half of their salaries that the House later rejected in September of 2022.¹³⁶ The Bill also sought to retain 75% of the President’s staff and assigned security detail following retirement.¹³⁷ Then US Ambassador Michael McCarthy accused lawmakers of “buttering their own bread” and “feathering their own nests” while underfunding hospitals and service centers and leaving rural citizens “destitute”.¹³⁸ Meanwhile, the Swedish Embassy refuted allegations that it bribed Liberian Senators to pass an amendment to the country’s public health law that would legalize abortion, which remains prohibited except in extreme cases.¹³⁹

¹³⁶ Liberia: House Rejects Controversial Pension Bill As Senate Recalls Own Bill for Correction. *FrontPage Africa* (2022) <<https://frontpageafricaonline.com/news/liberia-house-rejects-controversial-pension-bill-as-senate-recalls-own-bill-for-correction/>> last accessed July 30, 2023.

¹³⁷ As above

¹³⁸ ‘Liberia: US Ambassador accuses regime of ‘neglect’ and ‘contempt’ for citizens’ *The Africa Report* (2023) <<https://www.theafricareport.com/303637/liberia-us-ambassador-accuses-regime-of-neglect-and-contempt-for-citizens/>> last accessed July 5, 2023.

¹³⁹ T. Mehpaine ‘Liberia: Swedish Embassy Denies Bribing Liberian Senators to Legalize Abortion’ *Liberian Observer* (2023) <<https://www.liberianobserver.com/liberia-swedish-embassy-denies-bribing-liberian-senators-legalize-abortion/>> last accessed August 10, 2023.

IN FOCUS: THE JUDICIARY

At the heart of the fight against corruption lies accountability for corrupt acts. The Judiciary is essential if persons accused of corruption must be held accountable for corruption-related offences. With a corrupt judicial system, however, justice is elusive. Having reliable courts that sanction corrupt people require balancing the discretionary power of judges and the need for oversight mechanisms to hold judges accountable, as well as strengthening the jury system.¹⁴⁰ Opportunities that allow judicial system actors to act corruptly must be identified with appropriate remedial actions taken. With a change of leadership at the helm of the Liberian Judiciary during the period under review, statements from high-ranking officials have heralded judicial transformation.¹⁴¹ Chief Justice Sie-A-Nyene G. Yuoh has acknowledged reputational and administrative challenges facing the Judiciary, promising to work to turn the tides for the better. “*We are resolved to reposition our courts to a judicial stature that will not only be highly respected but revered by all despite the changes of our modern society,*” she stated. She continued that efforts applied by her Bench will “*fan the fires of hope in our people*”.¹⁴² For his part, Judge Nelson B. Chineh has proposed continuous legal education for justice system actors as a way of tackling bad legal practice, engendering positive change, and shifting public perception about the judiciary.¹⁴³ In March 2023, Chief Justice Yuoh ordered that judicial workers sit an aptitude test to inform personnel decisions.¹⁴⁴

The existence of corruption in the judiciary continues to be acknowledged at the highest levels. In August 2022, then Outgoing Chief Justice Francis S. Korkpor admonished judges to stop collecting money before adjudicating cases.¹⁴⁵ In particular, he called on them to refrain from collecting bond fees.¹⁴⁶ For his part, the Carter Center Liberia Country Representative, James Dorbor Jallah, remarked that the Judiciary is suffering and bleeding from the lack of accountability, transparency and inclusiveness amidst limited resources.¹⁴⁷ The United States Department of State has also noted that Judges reportedly solicit bribes in exchange for favorable decisions.¹⁴⁸

¹⁴⁰ V Jennett ‘Guide on Judicial Corruption’ (2014) <<https://knowledgehub.transparency.org/guide/topic-guide-on-judicialcorruption/5305#:~:text=Private%20parties%20or%20political%20actors,hamper%20the%20enforcement%20of%20judgments.>> last accessed August 3, 2023.

¹⁴¹ Chief Justice Korkpor retired on September 27, 2022 and Chief Justice Yuoh assumed the high office on September 29, 2022. See <<https://thenewdawnliberia.com/justice-without-fear-and-favor-chief-justice-yuoh-vows/>> last accessed August 4, 2023.

¹⁴² ‘Chief Justice Opening Address October Term 2022’ (2022) <<http://judiciary.gov.lr/chief-justice-speech-october-term-2022/>> last accessed August 2, 2023.

¹⁴³ G. Byrant ‘Perception About Judiciary Is Bad ... Says Judge Chineh’ The Inquirer (2023) <<https://inquirernewspaper.com/perception-about-judiciary-is-bad-says-judge-chineh/>> last accessed August 5, 2023.

¹⁴⁴ L Peters ‘Chief Justice Yuoh Roars’ The New Dawn (2023) <<https://go.gale.com/ps/i.do?id=GALE%7CA742493091&sid=sitemap&v=2.1&it=r&p=EAIM&sw=w&userGroupName=anon%7E8b51c35c&aty=open-web-entry>> last accessed July 4, 2023.

¹⁴⁵ ‘As Corruption Eats Up Judiciary In Liberia, Outgoing Chief Justice Decries’ GNN Liberia (2022) <<https://gnnliberia.com/as-corruption-eats-up-judiciary-in-liberia-outgoing-chief-justice-decries/>> last accessed July 30, 2023.

¹⁴⁶ As above.

¹⁴⁷ G Bryant ‘Carter Center-Liberia Speaks On Corrupt Judiciary ... As AFELL Reminds Weah Of Access To Free Speech’ The Inquirer (2023) <<https://inquirernewspaper.com/carter-center-liberia-speaks-on-corrupt-judiciary-as-afell-reminds-weah-of-access-to-free-speech/>> last accessed July 20, 2023.

¹⁴⁸ US State Department ‘2022 Country reports on Human Rights Practices’ (2023) <<https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/liberia/>> last accessed July 30, 2023.

In September 2022, Judge Yamie Gbeisay of the Civil Law Court disbarred jurors in a case for lack of independence. Investigation further revealed that the jurors had opened where they had been discussing the case.¹⁴⁹ On May 19, 2023, Frontpage Africa reported that a sum of US\$500,000 was used to influence the jury to acquit four defendants in a trial over trafficking of US\$100 million worth of cocaine.¹⁵⁰ Within 24 hours after being acquitted of all charges linked to the notorious US\$100 million cocaine bust in Monrovia, all four defendants fled the country, leaving behind the US\$200,000 which was to be returned to them as ordered by the Court, following their acquittal. The Minister of Justice and Attorney General, Cllr. Frank Musah Dean, and the Minister of Information, Ledgerhood Rennie, expressed disappointment with the verdict and the sudden departure of the defendants from the country following their acquittal, questioning the validity of their claim of innocence in light of this action.¹⁵¹ The two officials were later adjudged guilty of criminal attempt of the Judiciary by the Supreme Court and ordered to publish apologies and a fine of US\$500 each.¹⁵²

There are also interferences which undermine judicial independence. Judge Nelson T. Tokpa, Circuit Judge of Maryland County, alarmed over political interferences in the judicial process. He stated that party litigants convicted or adjudged liable constantly refer their cases to officials of the Legislative and Executive branches of government to influence and overturn judicial decisions instead of seeking redress by appeal or other legal means before the Supreme Court.¹⁵³ According to him, trial judges and magistrates receive threats of violence from party litigants, their family members, or member of the public for judicial actions taken.¹⁵⁴ During the period under review, the Supreme Court sentenced seven traditional leaders in Bong County to six months imprisonment in connection with the capturing of a Judge and others by the ‘country devil’ over a case bordering on land dispute.¹⁵⁵ The United States Department of State has also pointed out that judicial officials appear subject to pressure, especially when cases involve politically connected or socially prominent persons.¹⁵⁶ At the Opening of the February Term of Court 2023, the Resident Judge of the 15th Judicial Circuit Court, George W. Smith, recalled an incident where a Legislator disregarded a Judge’s invitation for a conference and threatened the Judge with impeachment “*under the erroneous ground that, as a lawmaker, he enjoyed...absolute immunity*”.¹⁵⁷

¹⁴⁹ VG Wesseh ‘Court Jails Jurors for Compromising Trial’ (2022)

<<https://frontpageafricaonline.com/news/court-jails-jurors-for-compromising-trial/>> last accessed July 6, 2023.

¹⁵⁰ G. Koinyeneh ‘Liberia: Criminal Court ‘C’ Judge Blames Govt For the Acquittal of Defendants in US\$100m Cocaine Trial’ Frontpage Africa (2023) <>last accessed August 12, 2023.

¹⁵¹ L Dodoo, ‘Liberia: Acquitted Defendants Flee Country, Leaving Behind Seized Money, As Justice Minister Condemns Court’s Verdict’ *FrontPage Africa* (2023) <<https://frontpageafricaonline.com/news/liberia-acquitted-defendants-flee-country-leaving-behind-seized-money-as-justice-minister-condemns-courts-verdict/>>last accessed July 2, 2023.

¹⁵² ‘In Re Contempt Proceedings Against Cllr. Frank Musah Dean’ Liblaw (2023) <<https://liblaw.org/document/in-re-contempt-proceedings-against-cllr-frank-musah-dean-2023/>>last accessed August 5, 2023.

¹⁵³ Garma Lomo ‘Liberia: Criminal Cases Dominates Docket in the August Ensuing Term of Court as Judge Alarms Interferences into the Judicial System’ Frontpage Africa (2023) <<https://frontpageafricaonline.com/news/liberia-criminal-cases-dominates-docket-in-the-august-ensuing-term-of-court-as-judge-alarms-interferences-into-the-judicial-system/>> last accessed August 28, 2023.

¹⁵⁴ As above

¹⁵⁵ ‘Liberia: Supreme Court Jails Six Traditional Leaders for Abducting A Judge over Land Dispute’ Frontpage Africa (2022) <<https://frontpageafricaonline.com/news/liberia-supreme-court-jails-six-traditional-leaders-for-abducting-a-judge-over-land-dispute/>> last accessed July 20, 2023.

¹⁵⁶ US State Department (n 148)

¹⁵⁷ G Lomo ‘Judge Smith Says Some Gov’t Officials Are Undermining The Rule Of Law’ News Public Trust (2023) <<https://newspublictrust.com/judge-smith-says-some-govt-officials-are-undermining-the-rule-of-law/>>last accessed August 2, 2023.

Another key challenge confronting the Judiciary is the availability of financial resources. Judge Blamo Dixon has described delays in payment of salaries as “painful”.¹⁵⁸ According to Judge Dixon, a month’s salary is not received until after two months.¹⁵⁹ In 2022, protest by Judicial workers in Rivercess in demand of eight months’ salaries paralyzed courts in the county.¹⁶⁰ In November 2022, the Supreme Court ordered the arrest of the Minister of Finance, Samuel D. Tweah, after he had failed to appear when initially summoned to give explanation on delayed disbursements of budgetary to the judiciary.¹⁶¹ The Financial Autonomy to the Judiciary Act of 2006 provides for four (4) quarterly allotments of budgeted funds at the beginning of each quarter. The Law was passed with a view of ensuring smooth operations of the Judiciary, which is key to judicial independence.

It is worth noting that actions were taken during the period under review to address judicial corruption. Chief Justice Yuoh suspended Judge Sikajipo A. Wollor from presiding over the 5th Circuit Court of Grand Cape Mount County on account of a complaint alleging ethical misconduct of “a grave magnitude”.¹⁶² The Judge remains suspended pending outcome of investigation by the Judicial Inquiry Commission (JIC). Chief Justice Yuoh also ordered the dismissal of Mr. Webster B. Wreh, Clerk of the Tax Court for Montserrado County following an investigation finding him for egregious misconduct.¹⁶³ Meanwhile, the Supreme Court overturned a decision by the JIC which found Judge Eva Mappy Morgan of the Commercial Court guilty of unethical conduct. The Commission had asked the Supreme Court to suspend the Chief Judge of the Commercial Court for a year without pay and benefits for improperly lifting a stay order on an escrow account without the consent of one of the parties to the case.¹⁶⁴ But majority members of the Supreme Court opined that the lifting of the stay order did not violate the Judicial Canons or the Act establishing the Commercial Court.¹⁶⁵ Meanwhile, Judge Morgan faces new allegations of misconduct and has been forwarded by the Chief Justice to the JIC for investigation.¹⁶⁶

¹⁵⁸ M Kasseh ‘Salaries delay at the Judiciary is painful-Judge Blamo Dixon’ (2022) ELBC Radio <<https://elbcradio.com/2022/11/15/salaries-delay-at-the-judiciary-is-painful-judge-blamo-dixon/>> last accessed August 3, 2023.

¹⁵⁹ As above

¹⁶⁰ ‘Judiciary Workers In Rivercess County Protest For Delayed Of Eight Months Salaries’ GNN Liberia (2022) <<https://gnnliberia.com/judiciary-employees-in-rivercess-county-judicial-workers-protest-for-the-delayed-of-eight-months-salaries/>> last accessed August 1, 2023.

¹⁶¹ ‘Supreme Court of Liberia Orders Minister of Finance Arrested’ (2022) *Liberian Observer* <<https://www.liberianobserver.com/supreme-court-liberia-orders-minister-finance-arrested>> last accessed August 4, 2023.

¹⁶² L Peters ‘Liberia: Yuoh Suspends Judge Wollor’ *The New Dawn* (2022) <<https://allafrica.com/stories/202210170467.html>> last accessed August 4, 2023.

¹⁶³ As above

¹⁶⁴ A Davis ‘Liberia: Supreme Court Reverses Judicial Inquiry Commission Decision on Judge Morgan’ *Liberian Observer* (2022) <<https://www.liberianobserver.com/liberia-supreme-court-reverses-judicial-inquiry-commission-decision-judge-morgan>> last accessed August 5, 2023.

¹⁶⁵ As above

¹⁶⁶ G Bryant ‘Conspiracy Allegation With Senate Secretary Drags Judge Mappy Before JIC’ *The Inquirer* (2023) <<https://inquirernewspaper.com/conspiracy-allegation-with-senate-secretary-drags-judge-mappy-before-jic/>> last accessed August 13, 2023.

HOW ARE PEOPLE AFFECTED BY CORRUPTION?

We asked citizens about their experiences with corruption in accessing public services to better understand what happens in people's daily lives.

Decline in number of persons paying bribe

74 percent of respondents said they witnessed corruption in the public sector over the 12 months preceding the survey. With 70 percent of respondents indicating they witnessed corruption in the previous survey, there is a four-percent increase in the number of persons witnessing corruption.

Of those who witnessed corruption, 77 percent witnessed bribery as compared to 63 percent

in the previous report. 35 percent witnessed misuse of public funds compared to 34 percent in the previous year. Extortion and abuse of office ranked respectively as the third and fourth widely witnessed forms of corruption. While the last report indicated 69 percent, 63 percent is reported this year.

We further asked respondents whether they had paid a bribe during the period. 34 percent reported

paying a bribe as compared to 38 percent in the previous year. This shows a four-percent decline in the practice.

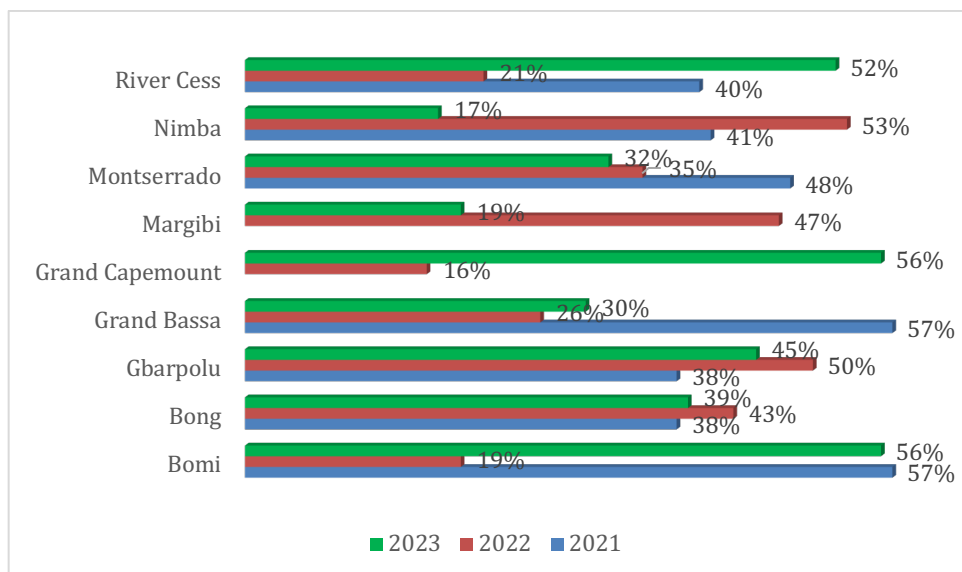
Bomi, Grand Capemount, Rivercess, and Gbarpolu have the highest ratio of bribe payers per respondents. Bomi and Grand Capemount recorded equally at 56 percent, while Rivercess and Gbarpolu have 52 percent and 45 percent respectively.

34% OF THOSE SURVEYED PAID A BRIBE IN THE PREVIOUS 12 MONTHS



BRIBERY RATES IN COUNTIES, BY YEAR

Percentage of people in surveyed counties who paid a bribe, by year.



Bribery linked to different factors

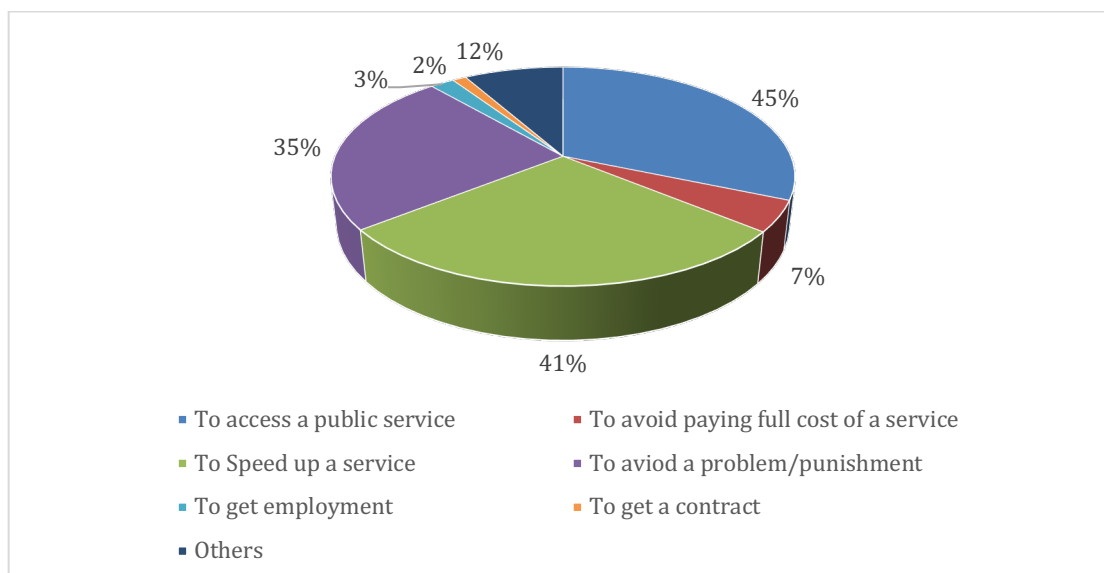
We were concerned why people paid bribes. Of those who paid bribes, 45 percent did so to access public services compared

to 32 percent in the previous year. 41 percent paid bribes to speed up services compared to 39 percent

in the previous year. Another 35 percent paid bribes to avoid problems or punishment from authorities.

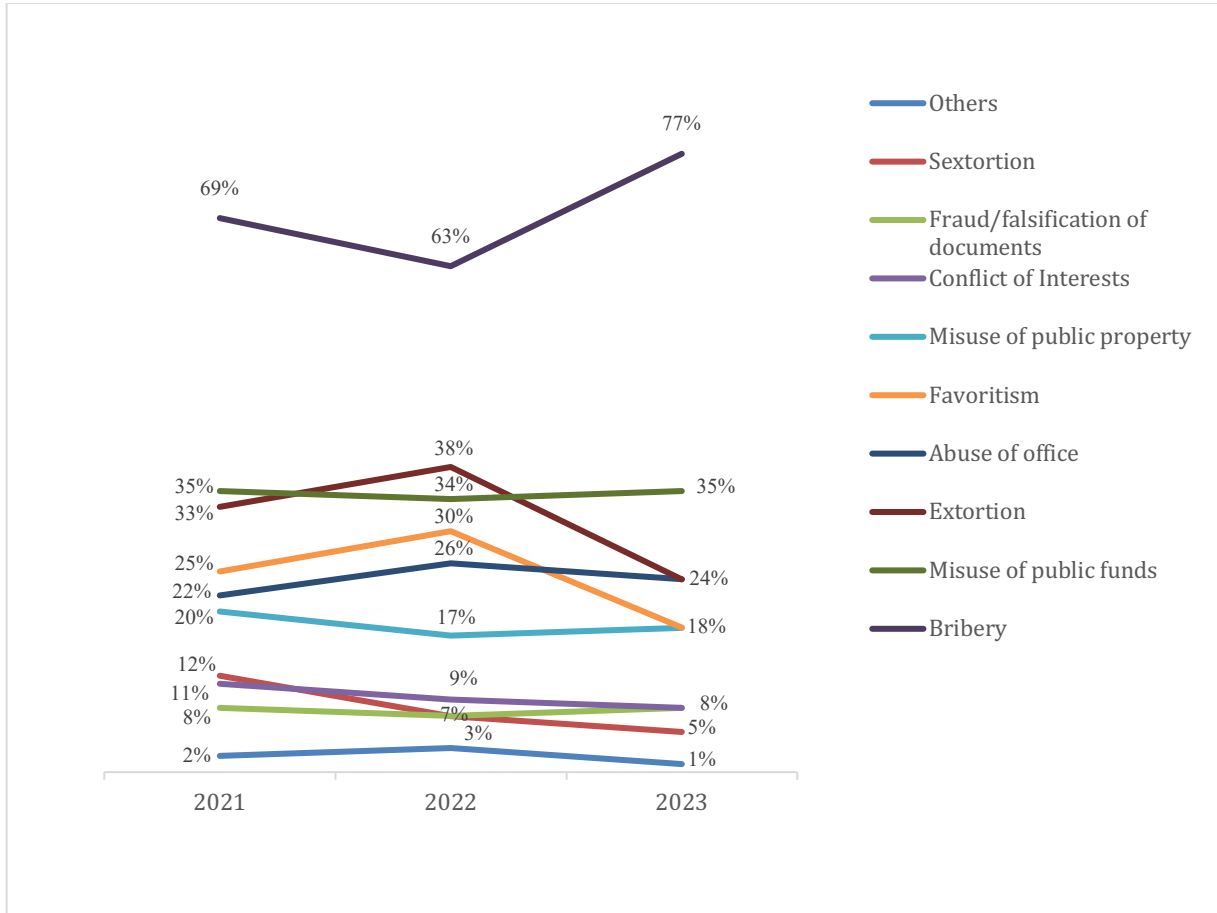
REASONS FOR PAYING BRIBES

Percentage of people who paid bribes disaggregated by reasons for paying bribes.



FORMS OF CORRUPTION WITNESSED

Percentage of respondents who witnessed corruption disaggregated by forms of corruption they witnessed, by year.



TAKING ACTION

People are unwilling to engage in corruption

Overall, people are unwilling to engage in corruption. 84 percent of respondents mentioned that if they were faced with a situation or an opportunity to engage in corruption, they would not.

In order to gauge the public

view on deterrence against corruption, 86 percent of respondents compared to 82 percent in the 2022 report stated that corruption would reduce if people involved in it were sent to jail. 86 percent hold the view that there is need to increase women

participation in decision-making at all levels. 66 percent of respondents compared to 65 percent in the previous report said that men in public service are more corrupt than women.

84%

WOULD PASS AN OPPORTUNITY TO ENGAGE IN CORRUPTION

86%

THINK CORRUPTION WOULD REDUCE IF CORRRUPT PEOPLE ARE SENT TO JAIL

86%

BELIEVE THERE IS A NEED TO INCREASE WOMEN PARTICIPATION IN DECISION-MAKING AT ALL LEVELS

Corruption reporting remains low

Reporting is key to preventing and combating corruption. However, only a few who witness corruption report it. Only 17 percent of those who witnessed corruption reported it. This represents a 4-percent increase from the previous year’s finding of 13 percent but falls below the 25 percent reported in 2021.

There are different reasons why corruption was not

reported. 50 percent of respondents mentioned that it was pointless to do so since no actions would be taken. 43 percent did not know where to report, while 31 percent feared harassment.

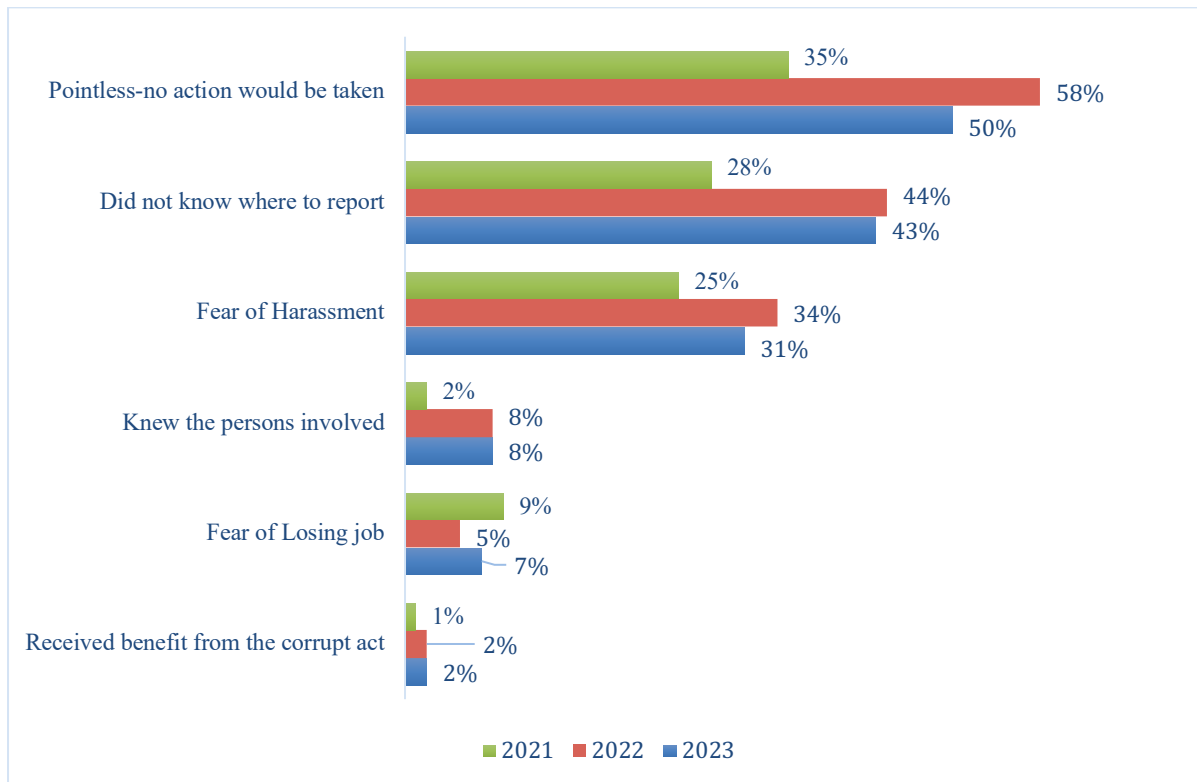
Of those who reported corruption cases, 27 percent reported to the police, followed by 26

percent who reported to the media. 17 percent reported to a community leader while 16 per cent reported to a traditional leader. Taken together, 33 percent of reports are handled at community level.

Although still low, persons reporting to the LACC have increased from 3 percent in 2022 to 8 percent in this report.

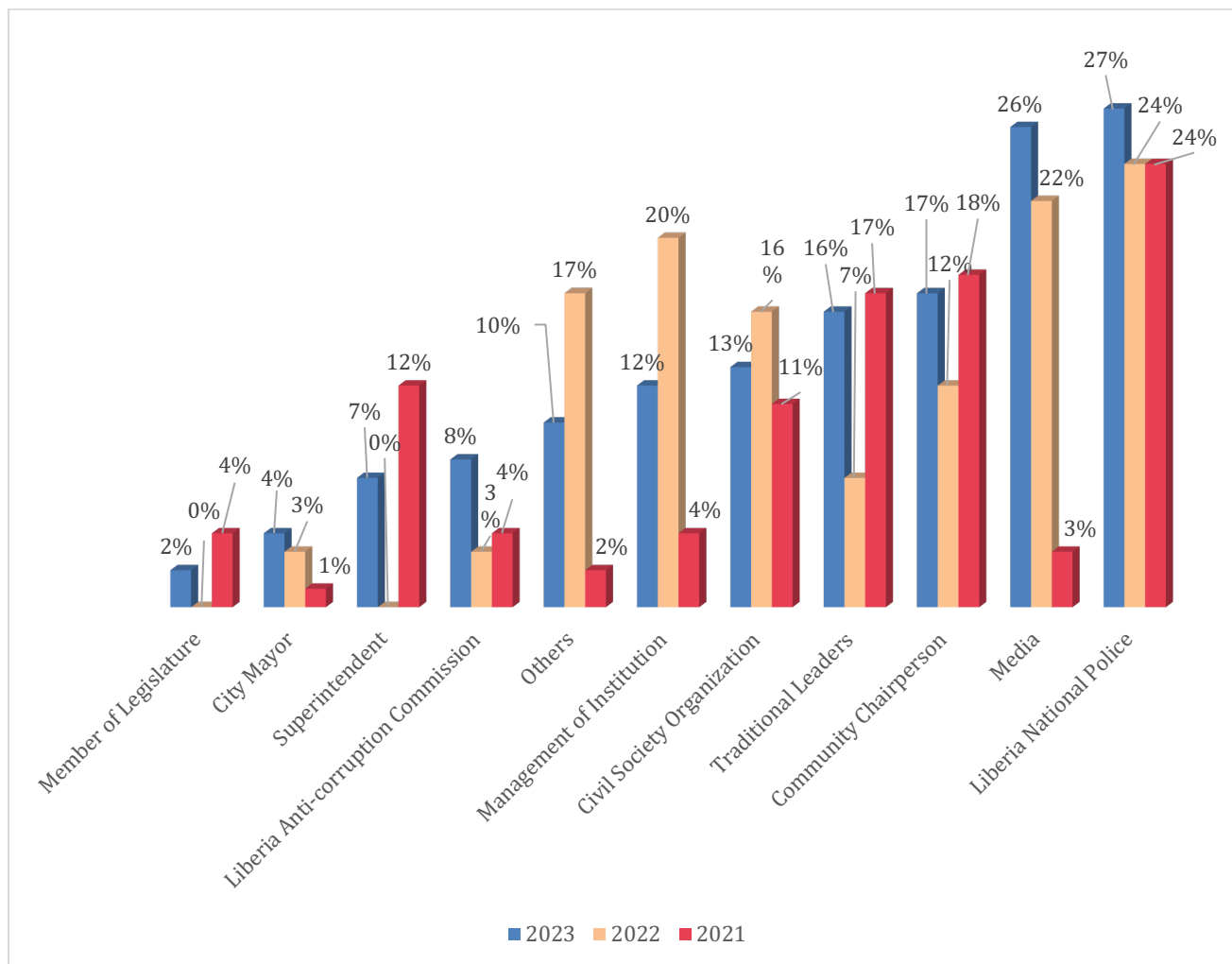
REASONS CORRUPTION NOT REPORTED

Percentage of respondents who did not report corruption disaggregated by their reasons for not reporting, by year.



INSTITUTIONS RECEIVING CORRUPTION COMPLAINTS

Percentage of respondents who reported corruption disaggregated by institutions they reported to per year.



METHODOLOGY

This report is a product of combined qualitative and quantitative research methods. For the quantitative component, a survey was conducted with a sample size of 728 persons.

Of this number, 60 percent were males and 40 percent were females. The confidence interval of the results is 95 percent, and the margin of error is four percent. The survey targeted the general population aged 15 and older in nine of the 15 counties: Montserrado, Nimba, Bong, Grand Bassa, Rivercess, Gbarpolu, Margibi, Grand Cape Mount and Bomi.

Respondents were randomly selected based on targeted localities that were accessible. All interviews were conducted face-to-face, and data were collected using Open Data Toolkit application installed on mobile phones.

Members of CENTAL’s Integrity Clubs at the University of Liberia, Stella Maris Polytechnic University, United Methodist University, and the African Methodist Episcopal University were deployed in the field to collect survey data. Data was collected between June and July 2023. Below is the breakdown of the sample size per county:

Margibi	26
Montserrado	435
Nimba	70
Bong	61
Grand Bassa	30
Bomi	25
Gbarpolu	31
Grand Cape Mount	27
Rivercess	23

Qualitative data was collected through the conduct of Key Informant Interviews (KIIs) targeting government institutions and civil society organizations.

Secondary data was generated through desk review including laws and policies relevant to the subject under consideration. Media monitoring also took place from October 2022 to August 2023. The findings of the report were validated during a virtual forum attended by stakeholders including representatives from integrity institutions, media, and civil society organizations.

LIMITATIONS

- As corruption is often practiced out of public view, this report could not cover the full extent of corruption in the country.
- Due to limited resources, the survey could not cover all fifteen counties and thus a reduction in the sample size.

Mitigating Factor: Despite these limitations, quantitative and qualitative data collected was sufficient to enable triangulation to guarantee reliability of the findings.

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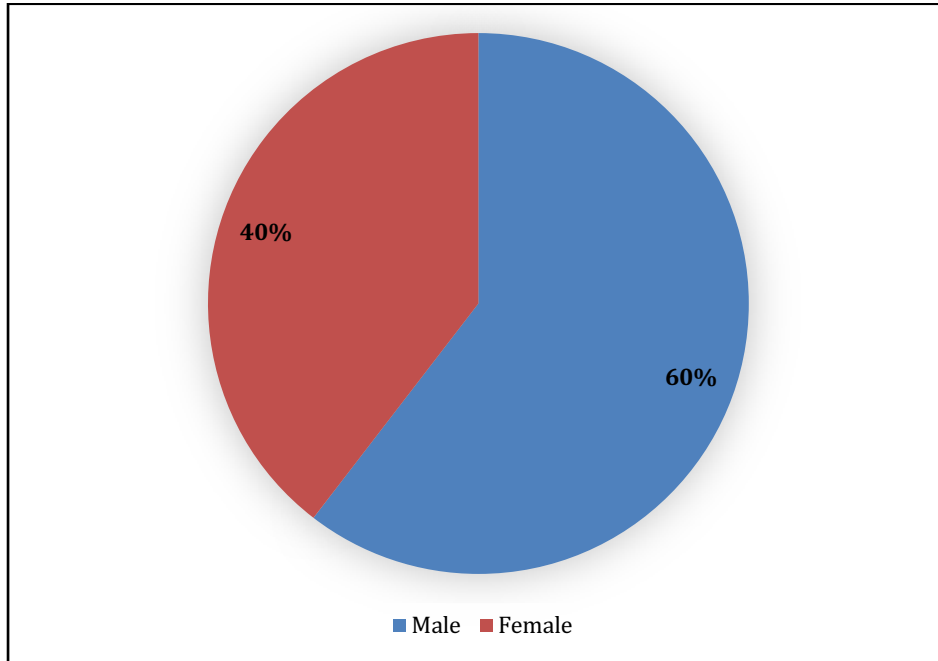
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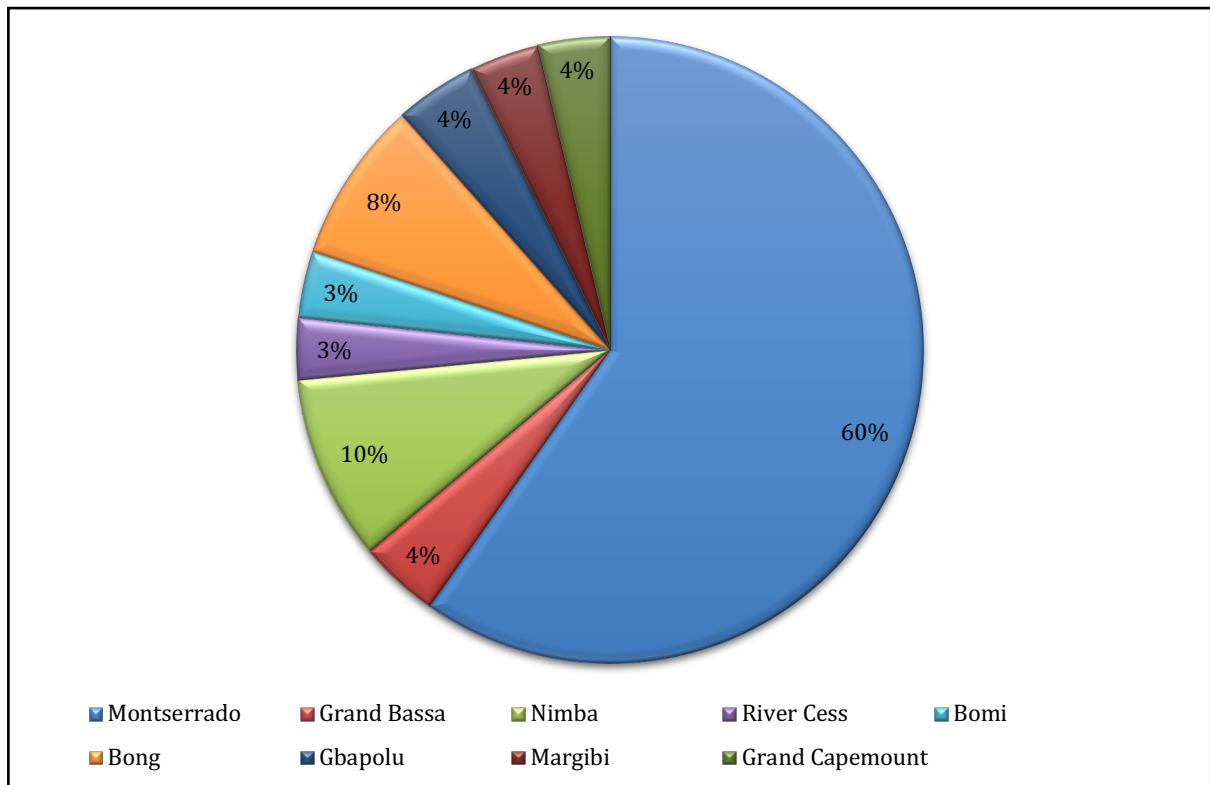
Appendix A: Survey Demographics

Distribution of respondents by sex



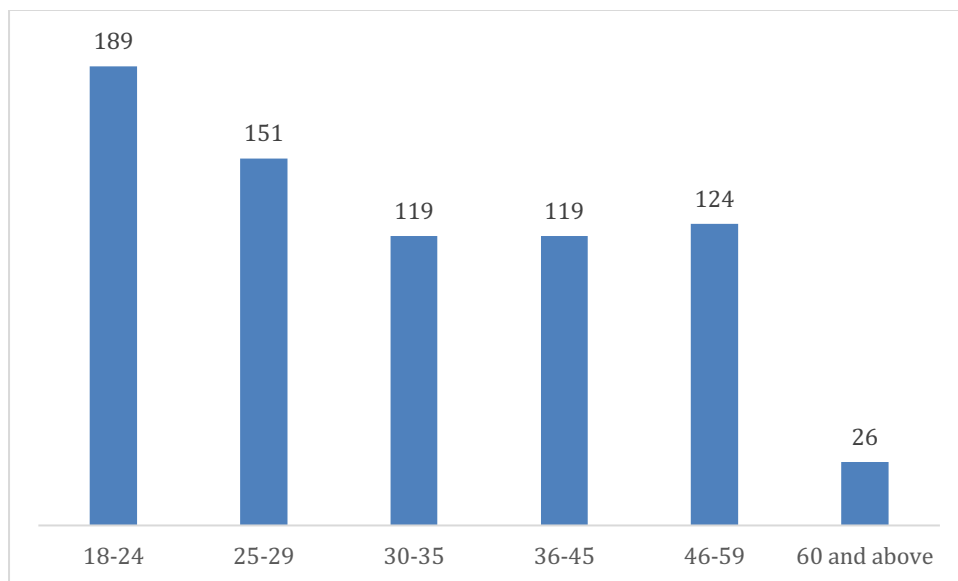
Appendix B: Survey Demographics

Distribution of Respondents by county:



Appendix C: Survey Demographics

Distribution of Respondents by age category



Appendix D: Survey Demographics

Distribution of respondents by education

