

# ANTI-CORRUPTION POLICY PAPER

**Liberty Party, Republic of Liberia**

Charles W. Brumskine  
Standard Bearer

Franklin O. Siakor  
Vice Standard Bearer

7/20/2011

## **Introduction**

That corruption is rampant in today's Liberia is not in dispute! Liberia is now said to be one of the most corrupt countries in the world. The level of corruption is arguably of human rights violation proportion. Sadly, even though corruption in government was given as one of the reasons justifying the civil war, the level of government corruption today is unprecedented. The menace has now reached a level where it is a threat to the country's recovery, and long-term peace and stability.

Corruption in Liberia is rooted in our indiscipline and our stubborn refusal, for example, to follow procedures, stand in line, or distribute anything fairly. A political system based on patronage reinforces it; impunity sustains it. Our socio-political culture is such that we continue to embrace corrupt government officials, instead of shaming and punishing them. We ignore their crime of corruption and betrayal of the public trust, forgetting that righteousness exalts a nation, but corruption is a shame or disgrace to any people!

To deal with the issue of corruption as is done by the current government—shielding and protecting the culprits who happen to be related to, or are political allies of the President—is a demonstration of a fundamental lack of appreciation of the role that corruption played in bringing about our national tragedies, and the threat that this cancer poses to Liberia's national security.

The absence of the three “Ss”—System, Shame, and Sanction—in Liberia's socio-political culture has led to the unabated growth of corruption. Our fight against public corruption must, therefore, have a generational perspective as well as focus on institutional and institutionalized challenges. By generational, we mean the long term strategic apportioning and ingraining of the anticorruption mentality in all generations of Liberians. To effectively attack corruption in our society, we must reform our socio-political culture and create ample opportunities for Liberians to get wealth through honest means. Public sector reforms designed to create and empower other tiers of government will be a significant plank in our effort to create wealth among Liberians and ensure popular sovereignty.

The nation's fight against corruption must have a holistic perspective as well as an urgent focus on tackling the present challenges through social and institutional changes. By holistic, we mean looking at the Liberian society as a whole, and proffering solutions that would pervade every aspect of society, and confront and reverse the culture of corruption and impunity. By urgent, we mean immediately tackling the menace of corruption to check its growth and see a reversal of its gains.

Therefore, we will adopt a holistic, systematic, and long term approach to fighting corruption, but with strong and sufficient short term measures that will yield results upon which to build and sustain the momentum.

## Understanding Corruption in Liberia

Corruption is not just about mismanaging and misapplying public funds and the lack of transparency, even though these are significant and widespread. Historically, corruption came to be the public face of a system of governance that guaranteed the concentration of economic and political powers in the hands of a few elites. It is the re-emergence of that system, characterized by excessive influence peddling, inside dealing, impunity—protecting the good old boys and good old girls club—that we commit to stop and reverse.

A good working definition of corruption would be, “the improper use of influence, power, or other means for private gain at the expense of the public and the detriment of the people.” The average person generally thinks of corruption only in terms of money-related offenses such as bribery, extortion, embezzlement, and graft, which are easier to identify in government systems. But corruption also takes the form of conflict of interest, nepotism and patronage, and influence peddling. In fact, these latter forms of corruption often encourage some of the former. And the worst form of corruption does not begin with the lower level civil servants, but is inherent in our institutional structures and the policy processes of government.

- **Conflict of Interest:** Conflict of interest is pervasive in Liberia. Public officials, for example, are routinely involved in commercial enterprises that do business with Government. These public officials direct government business to their companies thereby depriving the government and people of Liberia of the benefits of competition—efficiency, lower prices, better quality of goods and services, among others.
- **Political Patronage:** Political patronage occurs when the power to make appointments to government jobs is exercised for political advantage; that is, so that the recipient or recipients can provide political support now or sometime in the future to their benefactor.
- **Nepotism:** Government officials routinely hire their unqualified relatives to government positions thereby depriving the Government of hiring qualified people on a competitive basis.
- **Institutional Corruption:** Institutional corruption occurs when the structures of public agencies or policies are designed to benefit a select group of people. This results in a system of governance that not only guarantees concentration of economic and political powers along with excessive influence peddling and inside dealing in the hands of a few elites, but also condones a culture of impunity.

Institutional corruption also occurs when the powerful manipulate the governance system to achieve predetermined ends, as is often the case with our judicial system. The following excerpt from Mr. J. Aloysius Toe’s remarks at the National Endowment for Democracy in Washington, DC illustrates this form of corruption; Mr. Toe is a leading Liberian human rights leader.

...judges of lower courts regularly complain of interference from the Chief Justice who, they claim, instructs them to serve presidential or executive interest. And

when they refuse they are dismissed, removed or assigned in rural villages away from their families. For example, Magistrate Milton Taylor of the Monrovia City Court was removed by the Chief Justice because he rendered a decision against the interest of the executive. Circuit Court Judge, James Zota vehemently and publicly resisted and refused interference from the Chief Justice to serve executive interest. The Chief Justice served the judge a letter of suspension, alleging that he was acting on the directive of the president of Liberia. The judge refused the Chief Justice's order and contended that it was contrary to the Law for the president to request his suspension. His fate was removal and re-assignment in the most rural and remotest part of the country where he would be far from his family and no longer preside over high profile cases involving the executive. Again, another Circuit Judge, Blamo Dixon, was removed from the Capital and transferred to rural parts of the country after he entered a judgment against the interest of the executive. If this is independence, I beg to differ. On top of all of these, the judiciary is reported to be corrupt." [*Liberia: Elections, Justice, Corruption and the Role of the International Community*, J. Aloysius Toe, Speaking at the National Endowment for Democracy, Washington DC, February 24, 2011].

Corruption in the Judiciary is the result of three principal factors: presidential influence, lack of knowledge of the law, and plain old fashion bribery.

Allegations also abound of corruption in the legislature. But the President of a Liberty Party Government will work with members of the Legislature, using political persuasion and the "bully pulpit" to have bills enacted into law and concession agreements ratified, thereby tackling corruption in the Legislative Branch of Government

## Causes of Corruption

There are several factors responsible for public corruption in Liberia. Among them are the following:

- **Lack of Accountability and the Culture of Impunity:** Those who commit acts of corruption such as stealing public resources are not held to account. Instead, they are often shielded and regarded as smart, or as having "used their heads." When government officials commit acts of corruption without being punished or otherwise held accountable for their actions, a culture of impunity is developed in the nation.
- **Lack of Transparency:** Many important government activities having little or nothing to do with national security are kept from public knowledge. This makes it difficult for the public to judge the performance of the government and its agencies. This shroud of secrecy encourages corruption. For instance, this Government does not publish concession and contracts it signed for public scrutiny. Instead they are kept secret. Even the salaries of some high level officials of this Government are kept secret.

- **Lack of Adequate Systems of Control:** Accounting systems and controls of most government ministries and agencies are non-existent, inadequate or outdated, or not standardized from one ministry or agency to another. As a result, it is difficult to ensure the integrity of financial transactions. It is only when there are proper systems and controls that we can limit the opportunity to engage in corruption. For instance, after five years of being in office, this administration has not developed a comprehensive asset register to account for the vehicles, generators and other assets that are purchased year after year. This is simple control that could save the Government of Liberia millions of dollars, as it would identify ownership of the assets and hold people accountable for such assets. The current administration has also failed to produce bank reconciliations, creating opportunity for illegal transfers of funds, as have been witnessed over the last five years.
- **Lack of Sufficient Oversight:** Senior government officials/political appointees engage in routine financial transactions such as signing checks and vouchers, thus limiting their abilities to provide oversight and strategic guidance in the management of their entities. In addition to undermining accountability and transparency, some of these officials are often implicated in audit reports by virtue of their involvement in routine financial transactions. As a result, audit report recommendations are seldom, if ever, implemented.
- **Undeveloped Institutions:** The lack of developed institutions of government and defined systems for implementing the mandates of the various agencies of government have led to, and continue to plague Liberia with corrupt practices in government. Governance has always been personality driven, as opposed to being institutional based. This system of governance has led to the welfare of the people being conditioned on the personal character of a president, as opposed to the systems and institutions of government. This is historical!
- **Low Salaries and Salary Disparity:** The salaries of civil servants are extremely low. Civil servants and low level officials, with the disposition to be corrupt, who are underpaid, are likely to embezzle funds that may be entrusted to them, or receive bribe as a consideration for performing their official functions. Also, salaries across Government and within institutions are also not standardized. Disparity in salaries has led to an “I do not care” attitude among public officials and civil servants. Disparity in salaries is also said to be a cause of corruption, as some political appointees and civil servants seek to make up the compensation gap by stealing from anywhere they can. .
- **Lack of Tenure:** Civil servants have no protections against arbitrary dismissals. Definite criteria such as qualification, competence, performance, and longevity of service which guarantee continued employment are either nonexistent or not followed. The fact that they could be arbitrarily dismissed provides ample incentives for theft of public resources in order to prepare for rainy days.
- **Lack of Retirement Benefits/Pension:** Once public officials leave office or retire, the government has no responsibility for their upkeep, especially when they become elderly and unable to take care of themselves. Public officials as well as employees know that,

no matter how much service they render to the government, once they leave office they are forgotten. Public officials and employees' desire to provide for themselves and their families after active government service, often leads those who are predisposed to engage in corrupt activities.

- **Uninformed Public:** Because the public is not informed about how government should function or what the rights of members of the public are *vis a vis* political appointees, elected officials, and civil servants, corruption does not only remain unabated, but continues to spread. An uninformed citizenry is less likely to be aware of corruption in governments or how to stop it. It is, therefore, easier for corrupt office-holders to conceal their corrupt activities and get away with impunity.
- **The Imperial Presidency:** The “imperial presidency” is the single most alarming cause of corruption in Liberia. The imperial presidency trumps every other form of corruption. The government is, and has always been, the largest employer of Liberians, the biggest consumer of goods and services; and, every cent that is expended from the public treasury must have the prior approval of the president, prior budgetary legislation of appropriation notwithstanding. Article 34 (d) (ii) of the Liberian Constitution provides that “no monies shall be drawn from the treasury except in consequence of appropriations made by legislative enactment and upon warrant of the President.”

Presidents of Liberia have generally denied government payment to persons whom they perceive as political adversaries, notwithstanding the fact that such person may have been legally entitled to compensation. But the vouchers of partisans, supporters, or relatives of the president are expeditiously approved.

Also, having the President as the chief executive, chief legislator, and chief judicial officer for Liberians living under our traditional system or customary law, is another source of serious corruption. Tribal customs and tradition are regulated, interpreted, and executed by the Executive Branch, making it impossible for the larger segment of Liberians to know what their rights are under the law. Under the Constitution, the President is authorized to remove chiefs from their elected offices for “proved misconduct.” The every action of the chiefs is therefore to please the President, whether doing so negates the rights of their constituents or otherwise corrupts the system of governance.

### **Consequences of Corruption**

Corruption is the most insidious tax imposed by those in power or with government connections upon average Liberians, who are already finding it difficult to survive. It causes the poor to get poorer as the higher-ups in government get richer.

Corruption prevents our children from getting the education that they deserve and civil servants from earning livable wages; corruption contributes to women dying in child birth because of lack of proper medical care; and, corruption replaces one form of criminal exploiter with another.

Researchers and leading voices on corruption have chronicled the phenomenon's impacts on nations, particularly developing ones. In a 2000/2001 World Bank World Development Report, "Attacking Poverty", for example, the link between corruption and poverty was summarized as follows:

Corruption affects the lives of poor people ...It biases government spending away from socially valuable goods, such as education. It diverts public resources from infrastructure investments that could benefit poor people, such as health clinics, and tends to increase public spending on capital-intensive investments that offer more opportunities for kickbacks ... It lowers the quality of infrastructure, since kickbacks are more lucrative on equipment purchases. Corruption also undermines public service delivery. (WDR2000/2001: Attacking Poverty; Part III-Empowerment, Chapter 6 (<http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTPOVERTY/>, Accessed June 26, 2011).

In a January 2003 Management Systems International study on "corruption and poverty," the authors' review of previous studies on the subject found that "corruption, by itself, does not produce poverty. Rather, corruption has direct consequences on economic and governance factors, intermediaries that, in turn, produce poverty" (Chetwynd, Chetwynd, & Spector, *Corruption and Poverty: A review of recent literature*, January, 2003).

Even though Chetwynd, Chetwynd, and Spector (2003) described the link between corruption and poverty as an "indirect one," their use of economic and governance models to explain corruption's impacts on nations shows that corruption is no less insidious. Economically, corruption "affects poverty by first impacting economic growth factors, which, in turn, impact poverty levels" (Ibid) "Corruption impedes economic growth by discouraging foreign and domestic investments, taxing and dampening entrepreneurship, lowering the quality of public infrastructure, decreasing tax revenues, diverting public talent into rent-seeking, and distorting the composition of public expenditure" (Ibid.).

"Corruption affects poverty by influencing governance factors, which, in turn, impact poverty levels" (Ibid). First, "corruption reduces governance capacity," in other words, "it weakens political institutions and citizen participation and leads to lower quality government services and infrastructure." In this situation, helpless and poor citizens get the short end because high-level government officials prioritize capital intensive projects which benefit them rather than health and basic education which benefit the poor. Second, "impaired governance increases poverty by restricting economic growth and, coming full circle, by its inability to control corruption" (Ibid.). And third, "corruption that reduces governance capacity also may inflict critical collateral damage: reduced public trust in government institutions" (Ibid.). As in Liberia, for example, when the president directs ministers of government to dismiss employees in order to employ partisans, "trust—an important element of social capital—declines" and the "vulnerability of the poor increases" (Ibid.). Ultimately, when the people perceive their leaders as well as their social system as "untrustworthy and inequitable," they find it difficult to muster the energy to "engage in productive economic activities" (Ibid.).

In 2008, in response to Ramesh Jaura's question in Berlin about the link between corruption and poverty, Huguette Labelle, Chair of Transparency International, reiterated Chetwynd, Chetwynd, and Spector's 2003 conclusion. She responded by noting that

“In the poorest countries, corruption levels can mean the difference between life and death, when money for hospitals or clean water is in play. . . I am convinced that poverty does not cause corruption, but corruption causes poverty because if you are in a country with a lot of natural resources, with a lot of money moving into the government, but that money is being diverted into fiscal havens instead of going in for the development of a country, that does mean that the school will not be built, the health system will not be there, and the infrastructure will be weak, so that we will have poverty as a result. So yes there is a direct link between corruption and poverty.” (Ramesh Jaura's interview with Huguette LaBelle, September 23, 2008; [www.ipsterraviva.net/UN/](http://www.ipsterraviva.net/UN/), Accessed June 26, 2011).

Confidence in government is diminished when corruption is reacted to differently if committed by the privileged, as opposed to when it is committed by the average Liberian. When the law is broken to suit the need of a particular individual or group of people, it damages the spirit of the majority of Liberians, and is one of the principal reasons why Liberia has failed. This is a practice that a Liberty Party Government will end.

When the government refuses to act and the President fails to lead on such critical issues, the corrupt practices of the higher-ups permeate the society, and it becomes a free-for-all situation. The message that it sends is that this is the standard, we cannot do better; this is what government is all about. And this is why people indulge in ritualistic killings to get government jobs; why they stage military coups and rebel incursions; why they rig elections, start civil wars, among other evils! With this perverted message, Presidents of Liberia along with Liberia's political classes have succeeded in coining a new definition for poverty reduction: become a part of a corrupt regime, take your share of the loot and leave the victimized masses to fend for themselves.

### **Combating Corruption in Government**

Our determination to fight corruption will be judged by reference to our preparedness to govern within the framework of the rule of law, ensuring transparency, accountability, and responsiveness, among other ideals. Once a president loses the perception battle with regard to his or her own integrity, the war against corruption is lost, and it is time for that president to quit. The President under a Liberty Party government will commit to resign if he is unable to arrest the growth of corruption within the first half of the administration and begin the process of renewal.

We make no pretense about how difficult it will be to eliminate corruption in government because of its deep cultural roots, compounded by the fact that Liberia's first post-conflict government, the current administration, has allowed the attitude to be rekindled and manifested that corruption is a way of life in Liberia. But allowing this cancer to continue to fester and grow,



as is now the case, is to begin building another powder keg, another time bomb that could cause even greater devastation than the 1989-2003 civil war. We, therefore, commit to the people of Liberia that we will vigorously combat corruption in every aspect of our national life.

Liberty Party's vision for fighting corruption includes both structural and nonstructural means. Structurally, the government will pay livable wages to civil servants and other government employees, mandate a minimum wage for all employees, develop systems of workable checks and balances in the management of the country's resources, and prosecute those accused of corruption, regardless of status or relationship. In a short time, Liberians will be led to appreciate the value of discipline and shown its positive impacts on our personal and collective well-being.

Non-structurally, the national leadership of a Liberty Party Government will lead by example. This means developing a real public reputation for abhorrence of corruption, leading a government whose members' life styles demonstrate the idea of shared sacrifice, and credibly waging a public campaign to discourage those cultural practices that support corruption. National economic tough times are easier to weather if there is a sense of shared sacrifice across all segments of the population. The huge income disparities that now exist in Liberia, evidenced by the flamboyant and luxurious life styles of government officials combined with the daily reporting of government corruption, not only remind the majority of Liberians that they remain on the periphery of the Liberian society, but also generate resentment and anger.

This non-structural means of fighting corruption is much needed today! It will transform declarations from mere words to deeds. It is the credible demonstration of a commitment to impartially govern in a transparent manner that goes to the heart of good governance.

A Liberty Party Government will also take a multi-pronged approach to fighting corruption because corruption undermines our peace by limiting justice and equitable growth, and destroying our economic potentials. Corruption cannot be minimized until we develop the will to prosecute offenders, irrespective of relationship and status in the community. We will, therefore, address the issue of corruption by the example of the leadership that we offer the Liberian people, by indiscriminately enforcing the law, and by reform.

The most important way to combat corruption is to resolve the underlying factors, stated earlier— lack of adequate systems of control, lack of sufficient oversight, low salaries and salary disparity, lack of accountability and the culture of impunity, nepotism and patronage, political culture, lack of tenure (for civil servants), lack of transparency, undeveloped institutions, lack of retirement benefits/pension, uninformed public, and the imperial presidency—that cause corruption in government. But we are convinced that the primary source of corruption in Liberia is the imperial presidency. Liberians may talk all they want about transparency and accountable and postulate about the many causes and effects. But until we deal with the issue of the imperial presidency, Liberia will remain a corrupt nation.

## A Liberty Party Government's Anti-Corruption Policy

In order to address the problems identified in this paper, a Liberty Party Government will do the following:

- **Review and Act On Audit Reports:** A Liberty Party Government will review and act promptly on all audit reports presented by the General Auditing Commission, with the view of instituting legal proceedings against those implicated in the reports.
- **Institute Effective Systems and Controls:** Liberty Party believes in the use of technology to transform how we conduct the affairs of Government. We, therefore, applaud the efforts of the international community, especially the World Bank, the African Development Bank, USAID, and IMF, among others, for funding an Integrated Financial Management and Information System (IFMIS), which is currently being implemented. A Liberty Party Government will be committed to ensuring that the system is fully and successfully deployed, as this integrated approach to management is expected to ensure accountability and transparency- providing timely, reliable and comprehensive financial information on the activities of government, as well as establishing effective control over the government's financial resources. The system is also expected to ensure the protection of government's assets, ensuring that they are used in the most effective and efficient way to benefit all Liberians.

However, if technology like IFMIS is not properly deployed and managed by skilled and competent individuals, with compensating procedures and controls put in place, it will not be an effective tool in the fight against corruption. For instance, an IFMIS will not be fully effective in meeting its objectives in the absence of a government-wide asset register and regular bank reconciliations. Also, an IFMIS cannot prevent a fake voucher from being entered into the system unless such payment vouchers are serialized and prenumbered, which, for more than five years, the Ellen Johnson Sirleaf Administration has refused to do. A Liberty Party Government will put in place adequate internal controls and procedures, and checks and balances, to ensure compliance with budget laws and public finance restrictions and rules. The successful implementation and maintenance of the IFMIS will require a complete re-engineering of business processes to ensure that we do not operate the IFMIS on the basis of the business-as-usual accounting practices that have only served to promote corruption. A Liberty Party Government will ensure that appropriate training and capacity building programs are provided for all users of the IFMIS.

Furthermore, the configurations of government office spaces will be reviewed with the view of creating as much spatial transparency as appropriate. Spatial transparency is achieved when public business is performed within public view. The current configurations of almost all government work spaces that put many government transactions behind a closed door encourage corruption.

- **Support the General Auditing Commission:** The General Auditing Commission will be given the necessary support—political and financial—to ensure that it can effectively

perform its mandate to determine how government resources have been used, and to verify compliance with accounting principles, and administrative procedures and provisions, in addition to revealing fraud, corruption, and waste in government. We will further strengthen the laws governing the GAC so as to clearly define how and when the Auditor General can be removed, with consideration of a tenure position that is consistent with international best practice.

We will buttress the work of the GAC by creating a National Integrity Office (NIO) within the Office of the President, indicating the resolve of a Liberty Party Administration to deal with corruption in government. The NIO will review all audit reports and reports submitted by whistle blowers, human rights organizations, and other watchdog organizations. Every such report shall be promptly acted upon by the NIO.

Further complimenting the work of the GAC, the provision in the Public Financial Reform Act of 2009 that calls for the establishment of internal audit units and audit committees in all institutions of Government will be fully implemented. We know that internal auditing and audit committees are only effective when we have systems and controls in place that are auditable. A Liberty Party Government will ensure that the GAC is provided adequate financial support and operational flexibility to produce the legally required Annual Internal Control Report to measure the extent of the effectiveness of our internal control systems.

- **Eliminate Bribery and Unlawful Gratuity:** New laws shall be enacted and/or existing ones amended to:
  - 1) Provide severe criminal sanction and civil liability for legal persons involved in bribery and other unlawful gratuity, which shall include confiscation of property; such liability shall be without prejudice to the criminal liability of the natural persons who personally committed the offences.
  - 2) Establish a long statute of limitations period, twelve years or longer, in which to commence proceedings for acts of corruption, and to provide for the tolling of the statute of limitations where the alleged offender has evaded the administration of justice.
  - 3) Ensure that entities or persons who have suffered damage as a result of an act of corruption have the right to initiate legal proceedings against those responsible for that damage in order to obtain compensation.
- **Avoid Conflict of Interest:** In order to avoid officials of government and others in positions of public trust trading with government or otherwise interacting with themselves, every company desirous of doing business with a Liberty Party Government will be required to have the names of all of its shareholders listed in the articles of incorporation and published in newspapers so that the Liberian people will know who is doing business with their government. Moreover, every contract that the government will enter into will include a full disclosure form to be filled out by the company indicating

the names of its shareholders and business interests. Any change of ownership of the shares of such a company, will be done through amendment of the articles of incorporation and publication in local newspapers. Furthermore, all companies wishing to do business with the government will be required to go through a prequalification process to ensure not only that they possess the capability to deliver the goods and services they will be competing for, but also to verify that they don't have a prior record of bad business practice and that their operation will be free from conflict of interest. Any company having connection, directly or indirectly, with a government official, will be delisted and not allowed to do business with the government.

Each quarter the Public Procurement Commission will be required to publish on its website names of and relevant information about all businesses doing business with government. Information about the businesses will include ownership, tax identification, business registration number, articles of incorporation number (registration issued by the Ministry of Planning and Economic Affairs for Non-governmental entities). Furthermore, a Liberty Party Government will enforce Section 131 of the Procurement Act of 2005, amended in 2009. This provision requires public disclosure of assets within three months of taking office and three months after leaving office for all persons involved in procurement, including the heads of all Government agencies. This provision of the procurement act has been ignored by the Sirleaf Administration but a Liberty Party Government will enforce it because procurement constitutes about seventy percent of Government expenditure.

- **Control Nepotism:** Controlling nepotism must begin with the first family. The President of a Liberty Party Government will abide by all laws and regulations put in place to combat corruption. The President will be required to place all his business interests in a blind trust during his presidency. Moreover, all public officials will be banned from appointing any first-degree relative (mother, father, son, daughter, brother, and sister).
- **Dismantle the Imperial Presidency:** We have recognized that the imperial presidency trumps every other form of corruption. Liberia will remain a corrupt nation until the imperial presidency is dismantled. In this regard, the Liberian Constitution will be amended to revise Article 34 (d) (ii), deleting the portion which provides that no monies shall be drawn from the treasury except upon warrant of the President. This would deter the president from withholding payments rightly due to creditors of the government because they are or perceived to be political oppositions or "enemies of the president." Such creditors would be able to sue the Minister of Finance or other government functionaries to compel payment.

We will also propose amendment of Article 56 (b) of the Constitution to delete the portion that authorizes the President of Liberia to remove chiefs from their elected offices for proved misconduct.

The laws and practice that support tribal customs and tradition being regulated, interpreted, and executed by the Executive Branch will be changed. Such practice

corrupts Liberia's system of governance, as it encourages every action of the chiefs to be about appeasing the President.

- **Address corruption in the Judiciary and the Legislature.** Cause a Judicial Service Commission to be established. The Commission will work with the three branches of government to,
  - i. Minimize corruption in the judiciary;
  - ii. Provide continued legal education for members of the judiciary and members of the legal profession;
  - iii. Establish guidelines for the selection and removal of judicial officers and other personnel of the judiciary; and,
  - iv. Recommend means for dealing with justices, judges, and lawyers who engage in bribery, jury tampering, or otherwise subverting the system of justice.
  
- **Strengthen the Ministry of Justice:** It is the responsibility of the Ministry of Justice to enforce the laws of the country, which include ensuring that the President of Liberia does not overstep the bounds of what is allowed by law. But the officials of the Ministry are often torn between the laws they swore to uphold and pleasing the President. A Liberty Party Government will depoliticize the Ministry of Justice, allowing attorneys of the Justice Ministry to function independent of the office of the President. The Ministry of Justice will be required to establish a number of internal checks governing when prosecutors should and should not bring cases, as a way of cutting down on potential abuses of discretion. To avoid these abuses, the Ministry will be required to establish guidelines for contacts with the President or officials of government with regard to cases to be prosecuted, in order to avoid tipping the scale of justice in inappropriate ways.

A Liberty Party Government will build the capacity of the Ministry of Justice by recruiting career prosecutors, who will not be political appointees, but engaged under contract for fixed terms with the right to recover against the government, if the contract of engagement is wrongfully terminated for political reasons or otherwise.

- **The Anti-corruption Commission:** The Act creating the Liberia Anti-corruption Commission (LACC) will be amended, transferring LACC to the Ministry of Justice as a department of the Ministry, so that the Anti-corruption Department can avail itself of the capacity that would have been created at the Ministry of Justice. The current Act to Protect Whistle Blowers will be amended to strengthen the protection provisions as well as to provide incentive for those willing to disclose acts of corruption by: minimizing the involvement of political appointees; revising the provision on “non-protected disclosures” with the view of encouraging unfettered disclosure—even encouraging anonymous whistle blowing, shifting the burden to the new Anti-Corruption Department to establish the veracity of the information, instead of the Whistle Blower; unconditionally prohibiting retaliation against whistle blowers; among others.

A Liberty Party Government will borrow a concept from the UN and the World Bank—the co-called STAR (Stolen Asset Recovery) Initiative—to deal with restitution of all moneys stolen by corrupt public officials.

- **Merit Based Civil Service System:** A Liberty Party Government will focus on developing a professional/merit based civil service that will be totally devoid of the influence of party politics, holding loyalty to the Constitution and people of Liberia. The President's use of extensive appointment power availed by law and custom, shall have due regard to the qualification and character of appointees, weighing against relationship and status—all indicating the will to fight corruption.

A career in the public service under a Liberty Party Government will be based upon a transparent merit based promotion system. Providing for the day to day concerns of civil servants, which may subject them to the temptations of corruption, will be a major consideration of a Liberty Party Government. As such, public servants will, in the short run, be paid adequate wages and, over a period of time, provided incentives with welfare packages, such as healthcare coverage, education for their children, and housing. Salaries throughout Government will also be standardized to avoid discretion and nepotism. That would help to make public service an honorable path.

Public service will be promoted and seen for what it is: a service of dignity. Liberians will once again be proud to be civil servants, having a status of distinction and honor, not worth losing on account of corruption.

- **Code of Conduct:** There is no code to guide the conduct of public officials, especially those involved in financial transactions. As things stand today, government officials feel no obligation to the people whom they should be serving. A Liberty Party Government will, therefore, adopt several measures to reverse that attitude and ensure accountability of public officials.

Immediate steps will be taken to develop a comprehensive Code of Conduct for all civil servants, presidential appointees, and elected public officials, with clear gratuity and conflict of interest provisions. All presidential appointees and elected public officials will be subjected to background checks, a clearance process, and compulsory declaration of assets.

The Code of Conduct will be pursuant to Article 90 of the Constitution of Liberia, which provides:

1. No person, whether elected or appointed to any public office, shall engage in any other activity which shall be against public policy, or constitute conflict of interest.
2. No person holding public office shall demand and receive any other perquisites, emoluments or benefits, directly or indirectly, on account of any duty required by Government.

3. The Legislature shall, in pursuance of the above provision, prescribe a Code of Conduct for all public officials and employees, stipulating the acts which constitute conflict of interest or are against public policy, and the penalties for violation thereof.

And the Code of Conduct will be modeled after UN Resolution 51/59:

1. No civil servant or official shall use his position or any property of the government assigned for his official duties to carry on personal business.
  2. No civil servant or official of government shall lobby another official of government in order to gain favorable treatment for himself or herself, family members, business associate or any other person as this conduct has the propensity to undermine the public's confidence in fair play in the conduct of government business.
  3. At the time of appointment or election, at the end of the first half of the term of a Liberty Party Government, and/or upon leaving office, every public official shall file a prescribed form, declaring all assets he or she owned before appointment and any new asset acquired during the course of the year, and any asset disposed of.
  4. Public officials shall not solicit or receive directly or indirectly any gift or other favor from any person who is not a family member. This prohibition does not include meals, transportation or souvenirs, the value of which shall not exceed US\$100.00, provided by a sponsor of a government approved event.
  5. No public official, including the President of Liberia, shall have a "Special Fund," not subject to public scrutiny, whether for market construction or other putative charitable projects, as such funds serve as conduits for bribes and other unlawful gratuities.
- **Minimizing Partisan Politics in Government:** Although every Liberian has the constitutional right to join any political party of his choosing and to participate in political activities, civil servants and officials of government shall be impartial in the execution of their duties. The appropriate legislation shall be enacted, making it unlawful for the President of Liberia to appoint officials of government or civil servants as officials or members of his/her personal political campaign, or to use the government functionaries and bureaucracy as an extension of his political party. It shall also be unlawful for appointed officials of government to engage in political campaign activities, except upon resignation or duly authorized leave of absence without pay for a period of not less than six weeks.

### **Generational/Long-term**

In order to win the fight against corruption, Liberians must think and act with the long term in view. The fight for the integrity of our country cannot be limited to one political party, one administration or an individual president. The holistic components elaborated above must be passed down and embraced by each generation of Liberians. Measures must be taken to make sure that national policies are passed down from one administration to the other. In this regard, a

Liberty Party Government will target the younger generations (from elementary school to college) for civic education and integrity awareness training. Youth integrity clubs will be established and supported by government in our schools across the country to promote the ideals of a corruption free society.

A Liberty Party Government will also establish an annual National Integrity Award Program to honor individuals with distinctive and exemplary character from elementary, high school and college; civil servants, presidential appointees, politicians, and individuals from the private sector. We will showcase and reward integrity and honesty as a means of making corruption something to be ashamed of. We will expeditiously punish anyone who engages in corruption. We will work to make corruption an expensive crime.

## **Conclusion**

A Liberty Party Government will fight corruption aggressively because it threatens the peace and stability of our country, robs each and every one of us and limits equitable growth potentials of our economy. We will fight corruption vigorously through reforming public institutions, and changing customs and habits that have made corruption a way of life. A Liberty Party Government's anti-corruption policies will arrest the growth of corruption and cause its reversal within the first half of the Presidential term. We have the political will and a strong resolve to prosecute those who engage in corrupt practices, regardless of who they are; and we pledge to develop the capacity and integrity of the judicial system.

The office of the President of a Liberty Party Government will set the tone for the fight against corruption. Measures to minimize corruption under a Liberty Party Government will be open to scrutiny and evaluation by the General Auditing Commission, the media and human rights and other watchdog organizations on an ongoing basis for the purposes of continual improvement and accountability.

Let's be clear. Those who simply believe that the cancer of corruption by itself is Liberia's No.1 problem are mistaken. Liberia's No. 1 problem today is that we have a government that is either unable or unwilling to bring this peril under control. Public corruption is a world-wide phenomenon but in countries where it is under control, their governments make it a very costly practice. In the past, corruption in Liberia was simply alleged, but rarely documented. But during the last almost six years, the practice was professionally and consistently documented by the General Auditing Commission. The UP Government, on the other hand, did very little to sanction acts of corruption committed by friends, political allies, and supporters of the President. A Liberty Party Government's commitment to fighting corruption will not be compromised. The word will go forth from day one that the culture of impunity is over. That message will go out both to those who will do business with the government as well as those who will serve in our administration.

We have laid out a substantive plan to deal with the issue of corruption, drawing on our own experiences and on the basis of research conducted by experts. We have a plan and a clear road map to reduce the high level of rampant corruption in government. Our solution is simple! It is based on a system of carrots and stick—reward and punishment—which is supported by



institutional reforms of Government. Liberians can be assured that a Liberty Party Government will not recycle corrupt people in the system. It is that simple.

**THIS IS LIBERTY PARTY'S SOLEMN PLEDGE!**