



2nd Fragility Assessment

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Final Report



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Foreword

On November 30, 2011, the New Deal for Engagement in Fragile States was signed at the 4th High Level Forum on Aid Effectiveness in Busan, South Korea. The New Deal is an agreement between fragile states and partners to change the policy and practice of engagement.

The New Deal promotes reforms in fragile states and comprises three components: *Five 'Peacebuilding and State-building Goals'* (PSGs) which call on all actors working in conflict-affected environments to direct their resources towards strengthening the foundations of the state for sustainable development. The PSGs prioritize what matters most for people affected by conflict and fragility through inclusiveness, security, justice, jobs, infrastructure and services. *The 'FOCUS' principles of engagement* encourage countries to take ownership of their pathways out of fragility. And *the 'TRUST' commitments* highlight five areas where simple reforms can greatly improve development results in fragile contexts; transparency, risk, use of country systems, strengthening capacities and timeliness of aids.

In 2012, Liberia, as one of the seven countries to pilot the exercise, conducted its first fragility assessment to ensure Liberia stays steadily on a path towards recovery, peace and prosperity. After 5 years of interrupted implementation of recommendations from the 1st Fragility Assessment, Liberia commissioned a 2nd Fragility Assessment financed solely by the Government of Liberia. This second fragility assessment reviewed relevant Government of Liberia and other external assessment reports relating to Peace-building and State-building Goals (PSGs). Following the review, nation-wide and sectoral consultations were held and the report validated. Key stakeholders at these consultations and validation included civil society organizations, development partners, the private sectors, religious leaders, community leaders and government actors from around the country.

This report summarizes the main findings of the Fragility Assessment. It is our anticipation that the report will be used to inform our fellow g7+ members, CSOs and Development Partners in Liberia regarding Liberia's Peacebuilding and State-building initiatives.



Hon. Samuel D. Tweah Jr.
Minister of Finance and Development Planning
LIBERIA

Executive Summary

Liberia's first fragility assessment in 2012 came on the heels of a painstaking but steady transition from conflict to peace after many years of a debilitating war. Before then, the country had had two elections and was gradually proceeding with a reform agenda aimed at fostering democracy, promoting development and upholding the peace. Since 2012, much of the reform and rebuilding has been consolidated with significant progress made. The Liberian economy, until the Ebola outbreak in 2014, was growing at a rate of about 7 percent mainly as a result of commodity extraction. In addition, the country has had several initiatives to improve institutions and governance in general, and promote peacebuilding. In 2017, a third successive elections after the war was held. While there were tensions in several concessions areas in the country during this period, the peace has largely been maintained.

Meanwhile, the state of peace is believed by some to be "negative peace"- and therefore threatened - with many of the pre- war fissures still in place as a result of unmet public expectations for improved social and economic conditions. Growth spurred by commodity export has been unequal, with much not particularly ploughed back to the delivery of service and other political goods. Also, prospects from a reported US\$19billion worth of potential concession investments in the past 12 years fell through. These and many more resulted in public criticisms, increased citizens' mistrust of the government and limited collaboration, thus sowing seeds of conflict that could undermine peace and security and stymied development efforts.

Derived from the application of principles and processes of the *New Deal for Engagement in Fragile States*, a second fragility assessment was therefore commissioned not only to evaluate the country's state of fragility – in a 'self - assessment process' such as the extent to which it is able to withstand internal and external shocks and avoid a reversal to conflict -but to also provide the basis for a successor development framework to the Agenda for Transformation (AfT). This report is the product of the second assessment and captures results indicating the extent to which the country has come since the last assessment in 2012 in progressing from fragility to resilience.

The results of the second assessment show that the country has continued on the path of progress, benefiting particularly from the reform process instituted since democratic rule was restored after years of war. While the jolt from the Ebola crisis and the plunge in the price of Liberia's export earners threatened peace and security, curtailed the provision of essential services and undermined national stability, the country has remained steady for the most part. State rebuilding process and peacebuilding efforts, although generally not at optimum levels, have helped to improve the country's democratic processes and strengthened institutions, moving it to the transition stage, thus increasing opportunities and the sources of resilience.

The methodology employed for this assessment is based on the *New Deal Fragility Assessment Guidance note*. Unlike the 2012 fragility assessment, this year's assessment combined the review of relevant Government of Liberia and other external assessment reports in related areas of the PSGs with a nation-wide consultation process. The first fragility assessment excluded the latter process by focusing

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primarily or solely on gathering information from these secondary sources. This second assessment benefited from the key component of stakeholder consultation to garner the reflections of practitioners and citizens across the country. More than a participatory and inclusive process, the consultations allowed citizens, who themselves have been impacted by the post war state building and peacebuilding process, to reflect on the causes of fragility, assess progress made and the opportunities for resilience, challenges, as well as propose priority actions to increase resilience. The results of their reflections and review of post war efforts at rebuilding the country, may significantly contribute to understanding where Liberia currently is or how far the country has progressed on the long road from fragility to resilience, and how they may help inform national planning processes.

Fragility Spectrum Summary

Overall Assessment Results

The results of the assessment show that Liberia has made significant progress on the five PSGs since the first assessment was done in 2012. The strength of Liberia’s institutions and processes has increased in ways that put the country beyond “Reform and Rebuild”, even though significant challenges still remain. The highlights of the progress made can be seen in the first democratic transitions of power from a ruling party to an opposition party in the history of Liberia and the management of security of the entire electoral process by Liberians, with only minimum foreign support. The reform of our security institutions, efforts to diversify the economy, improvement in revenue generation and the expansion of public services, broadening of the justice system, including the introduction of ADR processes and expansion of court services and supply of public defenders to ensure justice for all, are all signals of the move up the fragility spectrum from Rebuild and Reform to Transition.

PSGs and Fragility Spectrum	Crisis	Rebuild and Reform	Transition	Transformation	Resilience
Legitimate Politics			●		
Security			●		
Justice			●		
Economic Foundations			●		
Revenue and Services			●		

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Acronyms/Abbreviation

ADR	Alternative Dispute Resolution
ADB	African Development Bank
AFISMA	Africa International Support Mission in Mali
AFL	Armed Forces of Liberia
AFT	Agenda for Transformation
AU	African Union
BCR	Bureau of Corrections and Rehabilitation
CET	Common External Tariff
CIA	Central Intelligence Agency
CoC	Code of Conduct
CSC	County Service Center
CSOs	Civil Society Organizations
CWF	Community Watch Forums
DSRSG	Deputy Special Representative of the Secretary General
ECOWAS	Economic Community of West African States
EVD	Ebola Virus Disease
FDA	Forestry Development Authority
GDP	Gross Domestic Product
HIES	Household Income and Expenditure Survey
IMF	International Monetary Fund
LARA	Liberia Petroleum Regulatory Authority
LATA	Liberia Agricultural Transformation Agenda
LDEA	Liberian Drug Enforcement Agency
LEITI	Liberia Extractive Industries Transparency Initiative
LGA	Local Government Act
LIS	Liberia Immigration Service
LISGIS	Liberia Institute of Statistics and Geo-Information Services
LNP	Liberia National Police
LRA	Liberia Revenue Authority
LRA	Land Rights Act
MCC	Millennium Challenge Corporation
MCP	Monrovia Central Prison (MCP)
MFDP	Ministry of Finance and Development Planning
MSMEs	Micro, Small and Medium-Sized Enterprises
MW	Megawatts
NAS	National Anti-Corruption Strategy
NOCAL	National Oil Company of Liberia
NSA	National Security Agency
NSRIA	National Security Reform and Intelligence Act
PEFA	Public Expenditure and Financial Accountability Assessment
PFM	Public Financial Management
PRS	Poverty Reduction Strategy
PSC	Productions Sharing Contracts
PSGs	Peace-Building and State-Building Goals

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SBA	Small Business Administration
SDGs	Sustainable Development Goals
SGBV	Sexual and Gender-Based Violence
SSR	Security Sector Reform
TRC	Truth and Reconciliation Commission
UN	United Nations
UNMIL	United Nations Mission in Liberia
US	United States
USAID	United States Agency for International Development
USD	United States Dollar
WTO	World Trade Organization

Introduction

1.1 Background and Context

Liberia's long running civil conflict ended in 2003 with the signing of a peace agreement in Accra amongst the warring factions and civil society. With nearly three hundred thousand people killed, several hundreds of thousands more people internally displaced and huddled in refugee camps across West Africa, and the massive destruction of properties and infrastructure, the effect of the civil war on the country's social, political and economic fabrics almost eviscerated the state. The country has successfully held two democratic elections since the end of the war, which were generally deemed credible and peaceful with minimum incidences of irregularities and violence. In October 2017, the country held a third successive elections. Expectation among war-weary Liberians, following the inauguration of the newly elected government in 2006, was understandably high. And to address this expectation and overcome the deepening political, social, and economic fragility occasioned by the war years, the new Government then embarked on several national recovery programs. In the last 12 years, several policies were formulated, including the National Anti-Corruption Strategy (NAS), Poverty Reduction Strategy 1 & 2 (PRS1&2), National Reconciliation Roadmap, Liberia National Vision (Vision2030), the Agenda for Transformation (AfT), and the National Decentralization Policy, among others. Key legislations have also been passed, including the Public Financial Management Act, Code of Conduct for Public Officials, and Freedom of Information Act, which are key components of good governance and democratic reform efforts.

These interventions have largely been pivotal to the country's recovery and reconstruction, with initial achievements manifested in the entrenchment of the institutions of good governance and processes that are contributing to the consolidation of democracy, peace and security and the revitalization of the economy. Similarly, there have been efforts to reconstruct the country's social and physical infrastructures for the delivery of public goods and services. Efforts are currently afoot on the domestication of the Sustainable Development Goals and African Union Agenda 2063 by integrating them into the aforementioned national strategies.

Despite these efforts and initial achievements, many challenges remain, including deeply-rooted historical fault lines and drivers of conflict, which threaten to undermine the gains of peace and security, and economic, social, and political stability. It has been found that societies emerging from conflicts are more likely to experience a relapse because they are typically fragile and have a "far greater danger" of conflict reoccurrence.¹ In 2012, Liberia conducted its first fragility assessment - one of seven countries to pilot the exercise.

That first assessment was driven by the government's desire "to ensure that Liberia stays steadily on a path to recovery, peace, and prosperity, investing in both national and international conversations around new approaches to supporting countries struggling with challenges of peace-building and state-building."² One of such approaches is the *New Deal for Engagement in Fragile States*' implementation of fragility assessments in "fragile and conflict-affected states." Approved by over 40 countries and international partner organizations at the Fourth High Level Forum on Aid Effectiveness in 2011, a *fragility assessment* is a process where local actors identify factors precipitating fragility and attendant resilience in a country to manage them. "Fragility" thus suggests that nation- or state-rebuilding and the quality of life of citizens following a violent conflict, are

¹Paul Collier, et al, *Breaking the Conflict Trap: Civil war and Development policy* (World bank and Oxford University Press, 2003) p..x

²New Deal - Liberia fragility Assessment Report. September 5, 2012.

at a risk of reversal by a conflict relapse. On the other hand, "resilience" is the capacity of state institutions to insulate against such fault lines and reduce those risks.³

The New Deal for Engagement in Fragile States therefore seeks a shift in the way conditions of fragility are addressed in countries coming from war, opting instead away from conventional methods of development and aid assistance--believed to provide only a short term relief to countries coming from conflict - to an approach that sustains development in the long term by addressing the root causes of conflict that may likely undermine development. As a way of addressing the causes of fragility, the *New Deal* identifies five key Peace-building and State-building Goals (PSGs) fragile states must focus on to strengthen resilience and enhance their transition on the fragility spectrum. These 5 PSGs are:

1. *Legitimate Politics* – with emphasis on the promotion of "Inclusive Political Settlements and Conflict Resolution" by strengthening legitimate and responsive political processes and institutions that ensure citizens' participation and voice in decision making, promote accountability and transparency;
2. *Security* – "Establish and Strengthen People’s Security" by building a peaceful society, limiting violence and conflict and increase access to security;
3. *Justice* – "Address Injustices and Increase People’s Access to Justice";
4. *Economic Foundations* – “Generate Employment and Improve Livelihoods;” and
5. *Revenue and Services* – "Manage Revenue and Building Capacity for Accurate and Fair Service
6. Delivery."

Below is a complete table of the PSGs and their respective dimensions and sub – dimensions.

PSG	Dimension	Sub-dimension
1. Legitimate Politics	1.1 Political Settlement	Peace Processes and Political Dialogue
		Agreement on division of power/ competition
		Territorial presence of the state and center-periphery relations
	1.2 Political Processes and Institutions	Enabling environment for political participation
		Inclusive representation in institutions of the state
		Checks and balances on the executive
	1.3 Societal Relationship	Relationships among groups
		Processes for reconciliation and local dispute resolution
		Quality and quantity of Civil Society Organizations
2. Security	2.1 Security conditions	Intensity of conflict and political violence
		Intensity of criminal/interpersonal violence
		Incidence of cross-border destabilization
	2.2 Capacity of security sector institutions	Size and proportionality of security sector
		Adequate resourcing and skills of security sector institutions
		Civilian oversight and accountability over the security sector
		Relationship between security and justice systems
	2.3 Performance of security sector institutions	Public confidence in security sector institutions

³see Fragility Assessment Guidance Note

		Impunity of security sector institutions
		Responsiveness of security sector institutions
3. Justice	3.1 Justice Conditions	Fair and equal access to the delivery of justice
		Impunity of the elite
		Addressing grave atrocities and systematic violations of rights
	3.2 Capacity of justice institutions	Adequate resourcing and skills of justice institutions
		National law-making
		Transitional justice
	3.3 Performance of justice institutions	Codification, alignment and application of norms
		Citizen confidence in the judiciary
		Resort to non-violent measures to express grievance
4. Economic foundations	4.1 Economic Conditions	Infrastructure
		Economic (in) equalities
		Criminalization of the economy
		Vulnerability to economic shocks
	4.2 Jobs, livelihoods and private sector development	Quantity and quality of employment
		Agricultural productivity
		Enabling environment for private sector development and growth
	4.2 Exploitation of natural resources	Mechanisms for resolution of land/ property disputes
		Regulatory framework for natural resource management
		Capacity for negotiation, verification and enforcement of contracts
5. Revenues and Services	5.1 Revenue Generation	Sources of revenue
		Conditions for tax and customs administration
		Tax policy
		Capacity of tax and customs administration
		Performance of tax administration
	5.2 Public Administration	Public financial management and procurement
		Core administrative capacities
		Accountability, transparency, and integrity of the civil service
	5.3 Service Delivery	Regulatory framework and functions of the state
		Adequacy of resources, skills, and facilities
		Access and fair distributions of services

To ensure success, national stakeholders and their international partners in this exercise are accordingly required by the *New Deal* to commit to supporting "political dialogue, national visions, transparency, and the strengthening of capacity. " See Annex I in *New Deal Fragility Assessment Guidance note* for a list of fragility indicators in Liberia.

1.2 Purpose and Scope of the Assessment

The primary objective of the Second National Fragility Assessment for Liberia was to review and update previous fragility findings on the sources and drivers of conflict and national resilience to inform ongoing and future national development planning. By analyzing the factors that may increase fragility or help to move the country toward resilience, the scope of the exercise was intended to determine Liberia's current location on the spectrum. Findings from the assessment were compared with the previous assessment. The assessment therefore drew on factors prevalent and impacting the statebuilding – or re- building- and peacebuilding process in Liberia since the 2012 assessment. Changes identified along Liberia's fragility spectrum are highlighted with an overall score derived, which explain the country's progress towards building a resilient state following years of conflict.

As geographic representation is important in gauging national mood, it was significant that such assessment captured the experiences of all parts of the country, especially since the conflict affected every fabric of the country. It was therefore, crucial to reflect most and overwhelming Liberian voices in the consultations. In addition to geographic areas, a cross-section of society was reflected in the mix, through knowledge and experience of participants deliberating each PSG. Participation of public officials at the highest level of government was important for giving impetus to the process and inspiring confidence that the outcomes would be utilized in future national development planning.

2.1 Overall Approach

The conduct of Liberia's first fragility assessment was essentially focused on the review of, and extrapolation from multiple national assessments "relevant" to fragility; it excluded consultation with national stakeholders. However, the second National Fragility Assessment sought to follow a more comprehensive approach based on the *New Deal* guidance. Thus, using the guidance note on fragility assessments, the study has adopted the recommended key steps for conducting the second National Fragility Assessment. As a first step, the consultants were expected to work with the Ministry of Finance and Development Planning (MFDP) – the commissioners of the assessment – to fully constitute a task force for delivering the fragility assessment. The task force would include the g7+ focal point and a government representative for each Peace-Building and State-Building Goal.

Having developed the objectives and approach of the fragility assessment, the consultants were then required to work with the taskforce to identify and brief stakeholders on the plans, activities, and findings of the assessment, in order to ensure their understanding, buy-in, and ownership of the process. In this regard, the assessment was designed to reach stakeholders – through three stakeholders' engagement workshops and series of one-on-one briefings with key stakeholders. To this end, consultative workshops were held in each of the 15 political subdivisions (counties).

Since 2006, Liberia has become a subject of much study by government and national institutions, Civil Society, international organizations, non-governmental organizations, donor and other development partners. The result is a plethora of assessment reports with findings and conclusions relevant to the state of fragility and resilience. The approach as in the previous assessment, was also to analyze information from these investigations spanning over a decade

2.2 Methods of Data Collection

In addition to the identification and briefing of stakeholders, the assessment employed further steps detailed below in keeping with the *Fragility Guidance Note*. Data collection for the assessment incorporated the immediate next two steps – Background Research/Analysis and Consultative Workshops. Two (2) key methods of data collection, namely the review of documents and stakeholder consultations. Data was largely based on secondary sources

a) Literature Review

In preparation for a participatory assessment involving key stakeholders, the consultants dedicated time in reviewing key documents, other crucial national strategy papers and assessment reports. The consultants specifically reviewed various Government of Liberia and donor reports addressing key issues and containing relevant data on the PSGs. Review of the role of key institutions of the state in national development programs across the three branches of government was also key. Additionally, the consultants conducted interviews with key stakeholders.

Fragility assessments stem from a new approach in addressing situations of fragility in countries coming from war. The underlying argument for this new thinking is grounded on the premise that the

development orthodoxy of aid assistance to countries coming from conflict only provide short term relief without sustainable development in the long term – a sort of crisis management that is more reactive in scope and tackling symptoms more than root causes of fragility. A more vigorous system wide assessment of conflict societies will provide the knowledge needed to address the underlying causes of fragility to guarantee development on a more sustainable basis. Recognizing the validity of this approach, the assessment team reviewed background literature to establish its soundness and the need for the assessment.

The vulnerabilities and uncertainties that bedevil countries coming from prolonged crisis have been well documented as broad themes in the extant literature on development, peacebuilding and statebuilding processes. Undergirding the *New Deal* approach, Paul Collier and others in the study *Breaking the Conflict Trap: Civil War and Development Policy*, assert that societies emerging from conflicts are more likely to experience a relapse because they are typically fragile and have a "far greater danger" of conflict reoccurrence.⁴ Similarly, and more specifically, they posit a link between conflict and development and argue the development approach to peacebuilding. According to the development perspective of peacebuilding, low income, economic decline and dependence on primary commodities, as has been the case, for example with Liberia for decades, are characteristics defining countries susceptible to civil conflict.⁵ It concludes that the failure of economic development is the cause of conflict, and therefore countries less prone to conflict are the ones that experience successful development. In sum, economic development is the ideal path to peacebuilding.

In his work *At War's End: Building Peace After Conflict*, Roland Paris espoused the institutional approach to peacebuilding by asserting that the 'liberal thesis' of peacebuilding promoted through political and economic liberalization in post conflict countries "stimulate the highest level of societal competition at the very moment when states are less equipped to contain such tension ... within peaceful bounds."⁶ Against this background and by the evidence of what transpires in post conflict countries such as Liberia that are struggling to meet developmental goals, domestic competition without the necessary safety nets creates tension and conflict. Paris' alternative approach which calls for 'institutionalization before liberalization' seeks to strengthen domestic institutions to ensure a functional government that can absorb the effects of liberalization in countries emerging from conflict.

Like Paris, Francis Fukuyama in *State Building: Governance and World Order in the 21st Century*, argues the institutional approach but through the prism of statebuilding, where statebuilding is defined as building and strengthening institutional capacity. Institutional capacity in this context means having the ability to formulate and implement policies, pass and enforce laws, "administrate efficiently" control graft and corruption and ensure accountability and transparency in public institutions among others.⁷ On the contrary, the lack of such capacities, he asserts, weakens the

⁴ Paul Collier, et al, *Breaking the Conflict Trap: Civil war and Development policy* (World bank and Oxford University Press, 2003) p.x

⁵ Ibid, p.101

⁶ Roland Paris, *At War's End: Building Peace After Civil Conflict* (Cambridge: Cambridge University Press,2004) p.6

⁷ Francis Fukuyama, *State Building: Governance and World Order in the 21st Century* (Ithaca, New York: Cornell University Press,2004.) pp.8-9.

ability of countries emerging from conflicts to address social, economic and political problems, which may cause further conflicts.

The contention of these different perspectives is not about which approach ensure peacebuilding and statebuilding, but like the proverbial “chicken and egg,” which comes first. Against this background, multi- dimensional approach to peacebuilding and statebuilding or peacebuilding and statebuilding by multiple means provides the desire pathways to address the root causes of conflicts, as each approach without the other is limited in itself. It is within this context that the rationale for the fragility assessment driven by the 5 peacebuilding and statebuilding goals may be profound. Like the foundational principle of Liberia National Vision 2030, a system wide diagnosis that integrate all aspects of national development provides the best opportunity to assess fault lines and address root causes of fragility and conflict.

The review of government documents and reports and studies by other actors in the Liberian system allowed the organization of data or evidence to establish the fragility results. The following are among many documents that were reviewed by the assessment team to help with the Liberia case description:

- Liberia Revenue Authority (LRA) Annual Reports for 2014, 2015, and 2016
- Liberia Conflict Vulnerability Assessment Final Report. Produced by USAID (2016)
- Electoral Security Assessment in Liberia Final Report. Produced by USAID (2016)
- Bertelsmann Stiftung's Transformation Index (BTI) 2016 Liberia Country Report
- Relevant IMF and World Bank's Country Reports
- Building Blocks to Prosperity: The Peacebuilding and State-building Goals (PSGs) High Level Meeting One Pager on the PSGs.
- Guidance Note on fragility Assessments (2014)
- Joint Fragility Assessments Narrative
- Strengthening Citizen Participation in Government: Access to Justice and information. USAID (2014)
- Liberia Food Security Assessment (LFSA)
- Advancing Youth Project: Labor Market Assessment - Liberia. USAID Report.
- Agenda for Transformation (AFT) Mid-term Pillar Summary Report (2012 – 2015)
- Agenda for Transformation: Report of the Midterm Progress Review (October 2016)
- Annual Governance Report: The Liberian Electoral System (February 2017)
- Liberia 1st Fragility Assessment Report
- Final Report of Liberia National Vision 2030

b) Consultative Workshops

The assessment was highly participatory, involving different stakeholder groups, through consultative workshops. Specifically, the assessment team held a five-day national consultative workshop in Monrovia, with each day's workshop dedicated to engaging stakeholders in 1 of the 5 PSGs. This was followed by a 1-day consultative workshop in each of the 15 counties. In these workshops, participation of public officials at the highest level of government was important because it gave impetus to the process and inspired confidence that the outcomes would be validated and utilized in future national development planning

At all levels, the content of the workshops included short presentations, plenary interactions and small group work sessions on the PSGs. Each workshop had a chairperson; two facilitators and two note-takers. The assessment team developed a facilitator's guide for facilitating the discussions at the workshops. The agenda

for the workshop was informed by the following key questions--to allow a reflection on root causes of conflict and fragility and opportunities for resilience:

- **Root Causes of Fragility:**
 - What were things like during the crisis stage in Liberia?
 - What caused conflict to occur and spread?
 - What issues need to be dealt with to stop conflict?
- **Current Risks:**
 - What specific issues risk or sustain conflict now?
 - What grievances need to be addressed now?
 - What would signal that things are changing now? What are things like now in Liberia? E.g. Where would you position Liberia on a scale of 1 (most fragile) to 5 (least fragile)?
- **Opportunities for Resilience:**
 - What is good about the way things work in Liberia now?
 - How can these be strengthened or be used more effectively in the reconstruction of the country?
 - What sustains people during crisis?
 - Where do we want to go? What steps are needed to get there?
 - What priority issues ('indicator areas') are most important for monitoring progress?

Specifically, discussions in the workshop focused on identifying and analyzing the sources and drivers of fragility and conflict and how Liberia can move towards resilience and peace, with a particular focus on the PSGs. The information from the discussions was then analyzed and a draft fragility spectrum developed.

2.3 Data Analysis

Through the use of *thematic analysis*, the consultants processed and analyzed the data collected from the literature review, interviews and stakeholder consultations. From the information collected, the consultants identified key areas of focus for the assessment, captured the key drivers and dynamics of conflict, and populate the 'crisis' and 'resilience' stages of the fragility spectrum.

2.4 Indicator Development

Workshop participants identified 'indicator areas' or priority issues for monitoring progress towards resilience and for serving as early warning signals to highlight when a relapse may occur. The key questions that help guide the identification of these 'indicator areas' during the workshop are: 1) How will we know if progress towards resilience is being made and 2) How will we know if the country is relapsing into conflict?

The consultants worked with the commissioners of the assessment to review proposed 'indicator areas', gathered from the various workshops; and develop a set of indicators for tracking progress towards resilience and for serving as early warning signals. These indicators were further validated by participants at the validation workshop.

Sources and methods of collecting data on the indicators were also identified. However, the indicators will be reviewed and refined after the assessment has informed the development of national plans and policies that will address key fragility areas.

The technical working group will comprise key government institutions, civil society actors, Liberia international development partners and the assessment team.

2.5 Findings Testing and Evaluation

The results of the assessment were distributed for review and validation by different stakeholders. The assessment team held a validation workshops with various stakeholders, where a draft fragility spectrum was also validated before this final fragility assessment report was prepared and presented.

2.6 Limitations to the Assessment

A key limitation of the assessment was the failure to commence the assessment in keeping with the original schedule. Another 6 months passed beyond the original schedule before the procurement process began and a contract signed. This adversely affected the project as the scrambling start coincided with elections campaigns across the country. In addition, an important requirement for the fragility assessment is the constitution of a task force for the assessment. At the time of writing this report, that key requirement was yet to be met. Both limitations affected the timely delivery of the project's outcome.

Assessment Results

This section is a brief highlight of the review of documents relevant to the PSGs. Though this is a synopsis of initial findings of the desk review, it provides an indication of progress in moving from fragility to resilience, and the challenges in addressing both proximate and remote drivers of conflict and fragility in general.

3.1 Legitimate Politics - Forster Inclusive Political Settlements and Conflict Resolution

Context

Legitimate politics – encompassing inclusive political settlements and conflict resolution - is a major area of attention under the PSGs in ensuring the transition by post conflict countries from fragility to resilience. Political exclusion and marginalization have been found largely to be responsible for creating fissures in societies; and the lack of universal participation in the political space, accountability, trust in the institutions of state and incompatibility of objectives across especially social groups trigger conflicts in fragile countries. In countries coming out of a major national crisis such as Liberia, where public trust is low, the state rebuilding process must critically involve strengthening state institutions and creating the propitious environment that promotes inclusive politics, trust, predictability, and accountability to enhance the peaceful resolution of conflicts and reconciliation. Such conditions must also be undergirded by capable leadership with the political will to promote a pluralistic culture to encourage active citizens' participation.

The foundational problems of governance in Liberia have been quite profound and therefore the tendency to describe the Liberian crisis as a crisis of governance is not untenable. Historical marginalization and the perpetration of an insular political culture have explained this political archetype. In its findings and determinations, the Truth and Reconciliation Commission established poor governance as one of the root causes of the Liberian conflict, with “over centralization” of governance and the domination for more than a century by a minority political class over the majority, a key antecedent.⁸ Participants at recent nation – wide stakeholders’ consultations on Liberia’s fragility assessment generally believed that “marginalization” and “unequal representation” accounted for public dissatisfaction and mistrust over several years. In addition, the appropriation of power by an elite few through state domination also underlie the exclusionary nature of the state formation process and meant that the nature of the Liberian state as derived from its origin would not have been one to necessarily promote nation building and inclusive governance.

In many respects, the centralized and authoritarian nature of the state allowed imposition, whether regarding, for example, policy or even concession without consultation. Findings of the structural analysis to construct the base (Retrospective Analyses) for Vision 2030 underscored the nature and influence of the state in the Liberian system. The structural analysis found “state capacity” and “state origin” as variables featuring both prominently in the evolution of the Liberian system and likely to impact its future.⁹ Duality of systems

⁸ Truth and Reconciliation Commission, Volume II: *Consolidated Final Report Containing Findings, Determinations and Recommendations to the Government and People of Liberia*, July, 2009, p.6.

⁹ *Liberia Rising 2030*. The structural analysis of Liberia was premised on the idea that a system is characterized by its structure (the network relationships among its various elements) and the future of the system is synonymous with the future of the structure. The goal of the structural analysis was to make this structure apparent and to identify the factors that are likely to play a major role in determining its future. Sixty-six variables or elements of the Liberian system as defined in the retrospective studies were lifted for analysis. The relationship between these variables and the impact of each on the system now and in the future was identified. The purpose was to make the structure of the relationships clearer and answer the question regarding which factors involved in building Liberia’s future should be given priority.

inhibited genuine nation building and inclusion, and further sharpened center - peripheral divide. Conflicting value ¹⁰systems including legal and land tenure systems cut across national social, economic and political life with polarizing effects.¹¹

Elections are a crucial part of citizens' participation in the governance of their country and therefore key to inclusive politics. However, despite their potential in political settlements, elections have been quite contentious and sown seeds of conflicts in Liberia. At least since 1955, elections in the country have been marred by controversies over questions of integrity particularly regarding participation, fairness, openness and transparency. In this regard, the 1985 elections arguably was the most contentious because the disputed outcome was one of the major factors, which triggered the events leading to the country's brutal civil war.¹² In addition, the 1985 elections set the tone for political exclusion based on ethnicity with the tension between ethnicities in Nimba and Grand Gedeh serving as seedbed for the violence that ensued. In the post conflict period, the 2011 elections were marred by allegations of "widespread fraud and voting irregularities," which gave rise to violence and the main opposition political party boycotting the presidential run-off.¹³

Continued public mistrust of government and state institutions and their processes, especially over their capacity to deliver has been a bane of the governance process. But more importantly, the belief by citizens that they lack serious voice in the decision-making process and that public officials do not necessarily account for their stewardship underline the distrust. It has been reported recently that citizens believe corruption and impunity in government had created a condition of "permissiveness" where officials of government seemed no longer bound by the laws or obligated to citizens.¹⁴

In the centralized system of governance in Liberia, the executive - through the presidency - historically has been a dominant force in the country's political, economic and social life. With the exercise of such power, checks and balance under the constitutional principle of separation of power guaranteeing co-equal branches of government, becomes a difficult proposition. Although one of the sources of presidential power officially comes from constitutional provisions, it is the presidency's historical legacy as the "dispenser" and "guardian of privilege" that ensures its supremacy in governance. Given the control of resources, the presidency influences allocation and who gets what and when and how. Through this means and other informal political networks, the executive has especially in the past dominated both branches. In some cases, the relationship can be negotiated based on common interest, which in the case of the legislature, may not necessarily reflect the interest of constituents.

Liberia's historical governance system characterized by insular political culture, marginalization, corruption, patronage, adverse social and economic conditions, general civil mistrust of state institutions and public officials, and ethnic identity issues has largely contributed to the erosion of social capital and undermined social cohesion within the society. Ethnic tensions are compounded by decades of conflicts over land rights and boundary harmonization. Social cleavages across demographics have also created tensions. The erosion of social capital removed opportunities of the peaceful resolution of conflicts. While efforts have been made in the last decade to bridge systemic fissures prone to breeding conflict, it has been observed that these entrenched social and economic problems such as "unmet economic expectations and mounting pressures to

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¹¹ Vision 2030 *National Consultation Report, 2012*

¹² Republic of Liberia, Governance Commission, *Annual Governance Report: The Liberian Electoral System* (February, 2017)

¹³ <https://www.theguardian.com/world/2011/nov/06/liberia-presidential-election-boycott-call>

¹⁴ Catholic Relief Services (CRS), Justice and Peace Commission (JPC) and Catholic Bishop Conference of Liberia (CABICOL), *State of Peace, Reconciliation, and Conflict in Liberia, 2016*

secure ethnic political bases will fuel neo-patrimonial behavior (e.g. nepotism, ethnic favoritism and exclusion, making it more difficult to foster dialogue, reconciliation and reestablishing the linkages between and among diverse and between citizens and the state.”¹⁵

Liberia has come a long way in the struggle to establish strong democratic governance, ensure citizens' full and unfettered participation in the decision-making process, as well as address the country's divided past and harmonize the many political, economic, social and ethnic interests to consolidate and entrench peace and promote reconciliation. But as in any historical epoch in Liberia, the end of the fourteen- year conflict yet again presented enormous opportunity to change course, reverse trends, reset and transform. Recognizing the imperative of this transformation and the need for Liberians to have a voice in the governing of the country, Liberia has since 2003 been steadily progressing with a reform agenda aimed at building and sustaining the institutions and processes of good governance. The Accra Comprehensive Peace Agreement (ACPA) created five commissions to address the root causes of the conflict. Four of those commissions: Governance Reform Commission (GRC); National Elections Commission (NEC); Independent National Human Rights Commission (INHRC); and a Truth and Reconciliation Commission (TRC) are key to strengthening legitimate politics. Of the four, the GRC, now Governance Commission (GC) has taking several policy initiatives to reform institutions and the processes of governance.

Factors militating against the pursuit of good governance are not only entrenched but systemic, and therefore attempts to transform a seemingly impervious governance archetype will always be daunting and require some trade-offs to sustain the transformation. Such trade -offs would come also in the form of the political elite in Monrovia deliberately shedding and sharing long held grip on power with citizens by, for example, committing to decentralization and a steady process of devolution.

Citizens are expectant but also weary of a return to *status quo ante*, where despite the best efforts, Liberia still remains in the business as usual mode. In this regard, it is crucial that policy makers be reminded of the need to hone social capital in the governance reform process if citizens must play key role in governing. Governing by using old and command structures where affairs of the state are conducted from the core by elites in Monrovia, and with limited peripheral participation may not work again. People want to be involved and want to be consulted.

Political Settlement

Liberia's first fragility assessment was conducted after the 2011 presidential and legislative elections. The 2011 elections themselves were the second of two successive elections – the first being in 2005 - held following the end, in 2003, of the country's 14-year brutal civil war. Since 2012, Liberia has continued to solidify its democratic gains, expand the political space and enhance participation and inclusiveness in governance particularly through regular and uninterrupted elections. Large turn outs during elections underscore the continuing interest of Liberians in the process and the desire for inclusiveness. However, electoral politics in Liberia has often been a challenging process that has at times significantly impacted legitimate politics and threatened the credibility of the outcome. For example, whereas the 2011 elections were peaceful and technically an improvement in quality over the 2005 process, they were still marred by allegations of "widespread fraud and voting irregularities,"¹⁶ which gave rise to the main opposition political party Congress for Democratic Change (CDC) boycotting the presidential run-off amidst violence, which claimed at least one life. But in 2014, despite the Ebola crisis, senatorial elections were held peacefully without an incident. Two of the twelve incumbent senators standing for re-election won their seats back. The son of the president participated and lost the senatorial seat for the most populated political sub-division in the

¹⁵ Ibid

¹⁶ <https://www.theguardian.com/world/2011/nov/06/liberia-presidential-election-boycott-call>

country, Montserrado County to the main opposition leader George Weah, a seeming rarity in Africa. continent.

In October this year, a third successive presidential and legislative election in the post conflict era were held, with several presidential candidates, and almost one thousand candidates vying for the 73 seats in the House of Representatives¹⁷ – a proof of widening political pluralism and a growing democratic culture. The results of the October 10, 2017 presidential elections were disputed by the opposition Liberty Party and the ruling Unity Party claiming irregularities and widespread fraud, although none of the parties had obtained the more than the 50% threshold to achieve a first-round victory. Both parties applied themselves to the electoral dispute resolution mechanism of the National Election Commission and the Supreme Court. The court ruled in favour of the two parties and placed an injunction on the round off for another two months until the NEC had addressed the allegations raised. The round off was subsequently held on December 26, 2017.

The capacity, logistics and political will to enforce electoral laws and regulations subject to constitutional provisions are as contentious today ahead of the October 10 elections as they were in past elections.¹⁸ For example, much has not been done to address the 10-year residency requirement for presidential candidates as specified in the constitution, which has been ruled inapplicable over the past two elections.¹⁹ Similarly, the issue of citizenship, with special attention to the prohibition of dual nationality, has been a testy issue in elections in Liberia, with challenges mounted against candidates who are suspected of possessing dual citizenship. Although the court has dealt with some of these challenges in the past, based on the apparent 'lack of evidence,' they continue to be an area of contention in election cycles. The seemingly perennial problems of institutional capacity and resource constraints also continue to contribute to electoral insecurity, and low public trust.²⁰

The 2017 presidential election was a watershed moment in the growth of Liberia's democracy and a testament to the incremental development of inclusive political settlement for several reasons. First, it was historic for parties to challenge the outcome of elections in the court and the court to grant an injunction to stop a round off; second, the dispute, challenge and subsequent adjudication pass off without violence unlike 2011; third, the outcome of the round –off was accepted by the losing candidate despite serious reservations; fourth, the country's institutions especially the judiciary were tested and suggested when allowed to work without undue interference, may assert independence and strengthen legitimate politics; fifth, there was a peaceful transfer of power from a ruling party to the opposition in the first democratic transition for more than 70 years; finally, despite misinformation and vale threats from some quarters, citizens were patient to allow the exhaustion of process and procedure.

It must be noted that unlike the two previous elections, the UN mission were not deeply involved because of substantial drawdown of UN troops in the country. The Liberian National Police took full charge of security with no violent incident reported. It can be argued also that because Liberians appreciated the peace they have been enjoying for the past 12 years, there was little or no incentive to disrupt it.

The scale of the irregularities and the many questions raised by observers and parties over the management of the elections, bring to sharp focus the need to address gaps in the electoral process including the capacity of the participating institutions especially the NEC to ensure the integrity of elections and preserve their

¹⁷ Preventing Election Violence in Liberia @ <https://www.usip.org/publications/2017/09/preventing-election-violence-liberia>

¹⁸ "A nationally representative survey indicated that a majority of Liberians (61 percent) were convinced that election disputes could reignite violent conflict." See State of Peace, Reconciliation, and Conflict in Liberia," Catholic Relief Services Report Brief, (2016): 8, www.crs.org/sites/default/files/tools-research/state-of-peace-reconciliation-liberia_0.pdf.

¹⁹ Annual Governance Report: The Liberian Electoral System, p. ix

²⁰ Electoral Security Assessment - Liberia, p.3

contribution to the evolving “culture of democracy as the way of political governance.”²¹ Voter registration was particularly contentious during the 2017 elections, prompting some to even call for the introduction of a biometric system ahead of the next general elections to prevent or minimize the risk of undermining the integrity of the process.²²

As indicated previously in this section, years of “unilateral state centrism” marginalized the majority of the population and deprived them the opportunity to participate in the decision-making process. Governance reform efforts since 2003 have accordingly been supporting increased citizens’ participation. In February 2012, the government declared a National Policy on Decentralization and Local Governance. The policy is meant to incrementally advance both administrative, fiscal and political decentralization to spur development in counties and local communities. However, its effect in improving state – society relations or bridging the relational gap between the government and citizens cannot be overemphasized. Steady progress has been made towards the deconcentration of public service. Sector deconcentration is aimed at establishing County Service Centers (CSCs) in all political subdivisions to extend about 13 different services provided by the central bureaucracy in Monrovia to the counties. In 2015, CSCs were established in just four counties (Grand Bassa, Grand Bassa, Margibi, Bong, and Nimba). By 2017, service centers were present in each of the in all 15 counties.

Initial steps have been taken towards political decentralization. In 2015, the Local Government Act (LGA) was submitted to the Legislature. After a couple of years lingering in the legislature, it was recently passed by the lower house but is stuck in the Senate. Although, there are indications it will pass the upper chamber, early resistance to the LGA underscores the entrenched nature of centralization and the challenge confronting efforts to achieve a more inclusive government in the near term. Participants at the recent fragility assessment consultation agreed this was a hurdle and a major concern; and viewed the passage of the LGA as an important step to overcome fragility. Similarly, while deconcentration has extended administrative services to counties, it is yet to fully meet structural requirements for the uninhibited delivery of service. While functions have been extended, they have not matched the equal provision of requisite functionaries. Similarly, county officials have also not been delegated responsibility to make decisions regarding resources associated with these services. If citizens must own development, they must be empowered, and that includes allowing them to play leading roles through a participatory process.

In the last few years, Liberians have become more engaged with the process of governance. This may be attributed to the widening democratic space and the unfettered exercise of fundamental freedoms including the freedom of speech. The media, including community radios has been pivotal in the dissemination of information. The Ebola outbreak of 2014 -2015 engendered a sense of community and social mobilization to fight the epidemic. Such mobilization has since been extended to community participation in the decision-making process regarding their welfare. Civil society has led issue (land, governance, natural resources etc.) based engagements with various communities around the country that are helping to promote inclusiveness. Assessments show that civil society remains critical to political stability and legitimate politics; thus, civil society organizations continue to play meaningful roles in promoting accountability in public administration, transparency and good governance. In 2015, through a collaborative effort between the Ministry of Planning and Economic Affairs, the Governance Commission, and the National Civil Society Council of Liberia (NCSCCL), the government signed an accord with CSOs seeking to improve collaboration and enhance efforts.²³

²¹ , Governance Commission, *Annual Governance Report: The Liberian Electoral System* (February, 2017) p.104

²² Participants’ recommendation at Fragility Assessment Validation Workshop in Monrovia

²³ <https://www.mfdp.gov.lr/index.php/national-development-plan?download=81:gol-cso-accord>.

Dualism and the conflicting nature of the value system in Liberia is a bane to inclusiveness as they speak to the issue of divided perception of reality. The application of statutory and customary practices as they relate to law and governance, provide citizens with choices that help to create apathy and aloofness among citizens. This is particularly profound when citizens harbor the perception that state institutions like the judiciary are corrupt, cannot be trusted and do not represent citizens interest. In addition, the lack of clarity regarding customary and statutory laws in terms of encouraging their simultaneous application yet with a proviso that statutory laws supersede customary laws sends mixed signals and a sense of a bifurcated governance system. Longstanding plans to harmonize the two systems is key to reversing the nation building and identity problem in Liberia.

Political Processes and Institutions

Reform of the Civil Service has continued with the development of policies and guides to elevate efficiency, control corruption and ensure it is merit -based to reduce the trappings of patronage long known to be associated with the civil service. Since 2013, Civil Service Reform has included the establishment of Civil Service Performance Management Policy and System to set “rules for promotion based on objective assessment of merit.”²⁴ However, governance is still suffused with patronage and informal networks to the extent that despite promises of a leaner government, the bureaucracy is bloated, serving in some instances, as the means of absorbing political loyalists. This creates distrust, leaving citizens – especially the youth- to believe that employment and social mobility depends on your association with influential actors, or as it is commonly termed in Liberia: “who you know.” Continued practice of patronage undermines democracy and legitimate processes.

Upholding integrity in public service and institutions has been boosted with the passing of the National Code of Conduct(CoC) in 2014, setting ethical standards for officials of government. Similarly, efforts have gone into strengthening accountability and transparency and addressing public corruption and impunity.

The CoC apply to official conduct, but it was initially its application during the 2017 elections that drew public interest. The CoC set ethical standards for appointed officials, including placing timeframe restrictions on their role in national elections,²⁵ with the objective of maintaining the state's neutrality. The COC states in part:

“All officials appointed by the President of the Republic of Liberia shall not, (a) Engage in political activities, canvass or contest for elected offices (b) Use government facilities, equipment or resources in support of parties or political activities. “Section 5.1

The CoC was heavily contested by several presidential and representative candidates leading to the Supreme Court recanting some of the law’s core provisions.

National reform efforts have included the establishment of several integrity and anti-graft institutions. The establishment of Liberia Anti- Corruption Commission (LACC), General Auditing Commission (GAC), Independent Audit Secretariat (IAS), Public Procurement and Concession Commission (PPCC), Liberia Extractive Industries Transparency Initiative (LEITI) and Financial Intelligence Unit (FIU) has bolstered the fight against corruption and shown a desire to address the transparent management of national resources, and ensure public accountability. While inroads have been made, sustaining accountable systems and the fight

²⁴ Agenda for Transformation (AFT) Year One Annual Progress Report, 2013

²⁵ Section 5.2 of the Code requires ministers and other officials who want to run for an elected office to step down at least two years prior to Election Day. Presidential appointees with tenure positions are required to resign three years prior.

against corruption has been challenging. The LACC has managed to prosecute some high-profile cases, but interference by political elites and lack of essential funding and other support have undermined success. Public outcry against corruption has been loud and was one consistent refrain during the 2017 elections. In her final State of the Nation Address, President Sirleaf admitted her failure to fight corruption was one of the biggest regrets of her presidency. Corruption is one of the major reasons of public distrust and apathy, and responsible for undermining inclusive governance.

Societal Relationships

In her 2017 and last annual address, President Ellen Johnson- Sirleaf admitted one of the failures of her government was her inability to ensure genuine reconciliation amongst Liberians. But there have been several peacebuilding and reconciliation initiatives in the past aimed at re- building societal relationship after the war. The Strategic Roadmap of National Peace Building, Healing and Reconciliation, the TRC findings, Vision 2030 and the Agenda for Transformation have all recognized that peace and reconciliation can thoroughly be addressed through a multidimensional approach.

Achieving genuine peace and reconciliation despite these interventions generally remains a daunting task because the society is divided and many of the fault lines that caused the conflict still remain.

As has been determined, the causes of the conflict were rooted in decades of economic, social and political inequities. While steps have been taken through the national reform agenda to reverse this trend, much is yet to be done to change the economic and social conditions of a large part of the population. With simmering discontent over their material condition, genuine reconciliation and peace become a challenge, thus threatening stability.

The lukewarm response to the Truth and Reconciliation Commission report by government has sparked public cynicism and created doubt about the government's intention to reconcile the country. Eight years after the TRC released its report, there has not been a clear plan of action to address the recommendations. Official response has, at best, been perfunctory. The submission of quarterly report on implementation of the recommendations as required by the statute creating the commission, has been very irregular, even if complied with. Thousands of victims suffering from the psychological and physical scars of the war have yet to find closure. Many Liberians have linked reconciliation to the implementation of the TRC recommendations.

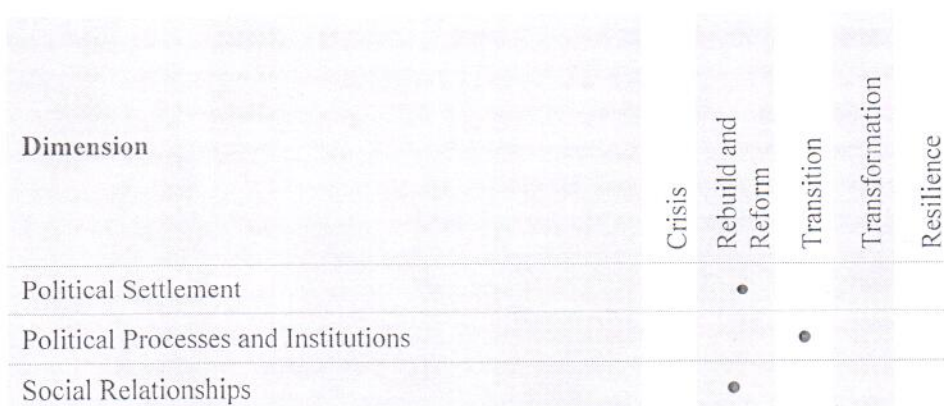
In 2012, a national consultative conference adopted government's flagship initiative to advance reconciliation: *The Strategic Roadmap of National Peace Building, Healing and Reconciliation*. " to ... foster national healing and reconciliation" and overcome "social, political, and religious cleavages." Aspects of the Roadmap including the Palava Hut processes and memorialization of the dead are being implemented. Similarly, dispute resolution mechanisms through several County Peace Committees (CPC) have been fostered. The establishment of the infrastructure has over the last four years resulted in increased community involvement in the resolution of conflict including land disputes, early warning incidents report and dialogues to resolve conflicts.

These efforts and many other programs to promote reconciliation and societal relations are challenged and undermined by lack of resources and limited national ownership of the general peacebuilding and reconciliation initiatives. Lack of political will or support for peace and reconciliation initiatives has included the absence of political leadership required to drive the agenda. Commitment has been a far cry with enthusiasm and support dwindling particularly over the last five years. As a result, the initiatives fail to attract full public interest and support, which account for general public cynicism.

Social cohesion is key to transforming Liberia's social, political and economic realities. Continued inequities, marginalization and entrenched social cleavages have undermined social capital, depriving society of the adhesiveness needed to work together for the common good. Public outcry against corruption and mistrust of government inhibits social cohesion. Building trust between the government and society through transparency in government and participatory decision making may improve dwindling social cohesion.

Results

The results indicate that overall, good progress has been made in fostering inclusive politics. In 12 years, since the first democratic elections were held after the war, Liberia has moved beyond crisis and emergencies, undertaking initiatives to rebuild institutions, manage fissures, and promote a democratic culture. Despite this inroad, serious challenges still remain. As the chart below shows, the dimensions of Political Settlement and Social Relationships present the most notable of these challenges. However, overall, the results of stakeholder consultations and other findings of the assessment generally indicate a movement toward transition on the fragility spectrum.



Challenges and Priorities

Political Settlement

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> • There is still over centralization of power and decision making. • Legislative inaction regarding proposed amendments to the 1986 constitution reflecting citizens' aspirations 	<ul style="list-style-type: none"> • Accelerate decentralization of power through passage and full implementation of the Local Government Act. • Immediate action by legislature on proposed amendments to the 1986 constitution for subsequent endorsement by citizens in a referendum.

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- Despite recurring political tensions especially during elections, parties have not established a formal and sustainable dialogue process to address political grievances.
- The mechanism for addressing electoral conflicts and the violation of elections laws is considered flawed because it positions the NEC as both referee and player, which creates a problem of the lack of independence
- Establish a permanent official and neutral mediation committee to address all disagreements to avoid any potential litigations or violence.
- Review the Elections Law with the view of ensuring a truly independent electoral dispute resolution mechanism to which NEC can also subject itself.

Political Processes and Institutions

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> • Government's action to curb public corruption is lethargic and reactive; lacks political will to implement recommendations of other integrity institutions such as the General Auditing Commission; and selective in enforcing Code of Conduct. • Separation of power not fully enforced (recurring incidences of power struggle and interference between Executive and Legislature). The separation of power is still weak as the political influence of the executive showed in many instances in legislative politics and, to some extent, judicial practices and decisions, as alleged by many citizens across the country, who generally lack faith in the judicial system • Public perception of elected officials not accountable to electorates and responsive to their needs is very high. • Almost all of the political parties are not institutionalized and therefore lack the requisite processes for political socialization; they also lack the capacity for transparent and predictable decision making outcomes. • Proliferation of political parties seen as undermining 	<ul style="list-style-type: none"> • Increase commitment to the fight against corruption; establish a corruption court to speedily try and dispose of corruption cases; promptly address audit findings; complete all appointments to the Office of the Ombudsman and make it functional to enforce Code of Conduct • Ensure full separation of power and independence of the branches of government; enforce legislative oversight of the executive and consider proposed amendment of article 34 as recommended by the Constitutional Review Committee. • Develop community initiatives through civil society organizations for engagement with elected officials. Citizens' rights to demand accountability must be ensured by public participation in the policy and decision making processes. Facilitate decentralization and devolution. • Strengthened political parties by building organizational capacities to make them functional; ensure internal democracy, make them broad-based, inclusive and national in character. • Introduce appropriate regulations to prevent

integrity of party politics and creating financial burden for country.

- There are challenges with implementing democratic processes because of resource constraints. So, even if the law is on the side of effective political inclusion, the lack of control over the resources needed to enforce it creates a huge stumbling block for achieving full and unfettered participation in political processes and ensuring citizens' confidence in national institutions
- Governance is still suffused with patronage and informal networks to the extent that despite promises of a leaner government, the bureaucracy is bloated, serving in some instances, as the means of absorbing political loyalists, creating distrust and the belief that the path to social mobility is association with party and/or influential political actor
- Limited civic education and voter information programs such as information on the electoral process and campaign issues; citizens are more likely to vote on sentiment and less on issues.
- Marginalization of vulnerable and disadvantaged groups such as women, the disabled and children; limited participation in decision making and access to public service.
- Inconsistent and sporadic provision of basic services resulting in low citizens' trust in public service institutions.
- Alternative Dispute Resolution (ADR) processes, though largely effective, are not yet commonplace, due to the lack of education, and weak support from the legal community, who are skeptical that it competes with their law practice and can potentially hurt their ability to attract clients and, consequently, their business

mushrooming of political parties.

- Democratic processes such as elections and other essential priorities must be guaranteed in the national resource allocation process.
- The political will must be found to finally reform the public service into a small and efficient enterprise. This must be matched by providing incentives and implementing a redirected workers program for voluntary separation and redundancy as well as private sector job creation and a highly competitive public-sector employment system.
- Electoral implementing and management bodies and other actors should improve and increase publicity and information dissemination around key electoral processes to ensure integrity of elections. Re-introduce civics in schools to bridge existing civic – awareness gaps among members of the public, mainly students
- Include marginalized and physically challenged in decision making; outlaw discriminatory practices that deny them access to employment opportunities, livelihood and public facilities; and ensure amendment to article 8 of the constitution as proposed by the Constitution Review Committee.
- Enhance public sector reform by addressing and removing institutional deficiencies such as corruption and overlapping of functions in public institutions to improve quality service delivery in the public sector.
- ADR processes must be promoted and formalized within the justice system to reduce the burdens on courts and speed up the delivery of justice. Civil society entities engaged in this process should be supported financially and technically by the Government

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> • Reconciliation not fully addressed • There are very few formal national institutions established and in charge of overseeing peace and reconciliation dialogue. Official bodies set up to address this matter are quite perfunctory in scope. In addition, they are resource strapped. Eight years after the TRC released its final report, there has not been a clear plan of action to address the recommendations • Land conflicts, including border harmonization issues and contested land and resource claims, still exists across the country. An estimated 90 percent of Liberia’s civil court cases are related to land and as many as 63 percent of violent conflicts in Liberia have their root in land rights issues • Civil society is poorly empowered, capacity uneven across sectors and activities not well coordinated. • Resource constraints, the lack of national ownership, and inadequate political will have hindered rapid progress in political, social, and economic reforms, though progress has been made 	<ul style="list-style-type: none"> • The Government should seek to implement the recommendations of the TRC as well as strengthen the capacity of existing organizations like the Independent National Commission on Human Rights, Peacebuilding Office and the Office of the Peace Ambassador as well as civil society to monitor implementation and advance peace and reconciliation on a long-term and sustained basis. • Fund and implement the National Strategic Roadmap on Reconciliation • There is a need to speedily pass the Land Rights Act (LRA) and supporting regulatory and institutional framework, map out various land conflicts, including border disputes, and put the appropriate mechanisms in place for resolving them • Empower civil society organizations to enhance their independence and build capacity to give voice to communities and encourage active citizens’ participation in governance and peacebuilding. Ensure implementation GoL – CSO Partnership. • Empower the Independent Information Commission (IIC) • Public resource allocation must match national priorities, particularly as it relates to addressing the root causes of the conflicts in Liberia.

3.2 Security – Establish and Strengthen People’s Security

Context

The Liberian civil war (1989-2003) resulted in the loss of more than two hundred thousand lives and the displacement of about a million people (Human Rights Watch, 2013). By the time the wars ended in 2003, the

nation's security sector was left in complete tatters. Decades of predatory rule and years of civil strife had factionalized and transformed security institutions into tools of oppression. The two main security institutions, the Armed Forces of Liberia or AFL (established to among other functions, protect the country from external aggression) and the Liberian National Police or LNP (established to provide internal security) had come to be widely viewed by the population as sources of insecurity and misery. An agreement dubbed the "Comprehensive Peace Agreement" (CPA) signed in Accra occasioned an immediate ceasefire, the disarmament of combatants, the formation of a transitional government, and the establishment of a truth and reconciliation commission (TRC). The CPA mandated the complete restructuring of the LNP and the AFL.

Liberia returned to constitutional democracy in 2005. The newly elected Government headed by Africa's first female head of state, Her Excellency Ellen Johnson Sirleaf, embarked upon an ambitious Security Sector Reform (SSR) process. The Government developed a National Security Strategy (NSS) and a corresponding National Security Strategy Implementation Matrix (NSSIM). The Strategy pin-pointed domestic, sub-regional and international factors of greatest risk to Liberian security – including lack of respect for rule of law, poor natural resource management, deactivated servicemen, corruption, robbery, illicit trafficking, land and property disputes, ethnic tensions, and citizenship among others. The Government of Liberia with assistance from the United States Government implemented a "root and branch" approach in rebuilding the AFL. The Army was completely disbanded and rebuilt from scratch. The LNP retained some of its personnel as the United Nations Missions restructured it. The Rand Group described the SSR results in Liberia as "un-even progress" with better results for the army and a far-less successful outcome for the LNP.

Fast forward today, security sector reform has made significant progress under the Sirleaf Administration. The national security architecture has been substantially restructured and developed; institutions in the architecture have been professionalized; the LNP has an oversight body and the military is subjected to the democratic civilian leadership. A great deal of efforts has gone into increasing the size and quality of the Liberian security services. Recruitment and trainings have been ramped up in the Liberia Immigration Services (LIS), the LNP, the Drug Enforcement Agency (DEA) and others.

Following the National Security Reform and Intelligence Act of 2011, the government successfully merged the Ministry of National Security and the National Bureau of Investigation with the Liberia National Police (LNP). The Liberia National Police Act (followed by a regulatory policy in 2016) and the Liberia Immigration Service (LIS) Act of 2015 established accountability mechanisms through civilian complaint and policy management boards. More so, security councils have been established in 5 of Liberia's 15 counties, and in some areas, LNP has initiated community policing, providing support to Community Watch Forums (CWF).

In 2013, the government in collaborated with UNMIL and other partners and launched Liberia's first regional justice and security Hub in Gbarnga, Bong County. The Hub provides the police with a useful access to citizens outside of Monrovia, through traditional law enforcement and specialized services such as the sexual and gender-based violence crimes unit to three rural counties namely Lofa, Nimba, and Bong. These initiatives follow goal 16 of the Sustainable Development Goals (SDGs) which "aims to significantly reduce all forms of violence, and work with governments and communities to find solutions to conflict and insecurity."²⁶

The Armed Forces of Liberia (including the coastguard), has over 2,236 personnel, 4 percent of whom are women. In August 2016, the United States of America concluded its professional training and mentoring program with the Liberian Army and will continue to offer institutional support, including technical, logistical, and professional trainings. ECOWAS is also mentoring the Armed Forces of Liberia. The AFL is participating in the joint Africa International Support Mission in Mali (AFISMA). In 2014, a Liberian took over the army as Chief of Staff of the Armed Forces, for the first time since the end of civil war.

²⁶ <http://www.lr.undp.org/content/liberia/en/home/sustainable-development-goals/goal-16-peace-justice-and-strong-institutions.html>

On June 30, 2017, Liberia assumed full responsibility for its internal and border security taking over from the United Nations Missions (UNMIL), which had performed this function since 2003. A Joint Security Taskforce staffed with personnel from the different security institutions and headed by the Inspector General (IG) of the LNP single-handedly provided security for the period leading up to, during and after the just ended Presidential and Representative elections. This is a strong indication of progress.

Notwithstanding the above gains, it is important to stay the course and deepen the reforms. The LNP has not met its projected manpower strength of 8000 personnel. As of 2016, there were 5,101 and 2,596 personnel in the police (2899 shy of projected full strength) – and immigration services, respectively. About a fifth of these forces are women, only about 3 percent shy of the expected UN 20 percent benchmark. The security sector as a whole is still challenged with structural and capacity deficiencies, poor provision of service and subsequent lack of motivation, especially outside of Monrovia, where trusts and access to the police and legal entities like the judiciary systems is very limited, and poor. There are also considerable variations in the level of trust and legitimacy of the police, with reports of abuses of authority, including bribery, arbitrary arrests, and property confiscations.²⁷ Liberia ranks 90th out of 176 countries in Transparency International's 2016 Corruption Perceptions Index.

There is a broad agreement that the lack of access to land and land rights, in general, especially around concession areas, between communities, on the one hand, and government and concessionaires, on the other hand, is growing, creating what has the potential to become a conflict trigger point. An estimated 90 percent of Liberia's civil court cases are related to land and as many as 63 percent of violent conflicts in Liberia have their root in land rights issues. And in 2017, UNMIL Deputy Special Representative of the Secretary General (DSRSG) for Peace Consolidation, Yacoub El Hillo, called "land rights... cardinal and a cornerstone in the consolidation of peace in Liberia."²⁸

As part of Liberia's commitment to the SDGs on Gender Equity and Justice, the security sector must improve on its gender and youth initiatives. Following this path, and despite the negative impact of the Ebola Virus outbreak, a total of 138 sexual and gender-based violence telephone calls were received, showing that women remain vulnerable. In 2013, armed robbery and rape were still two of Liberia's most reported crimes. Unfortunately, there are backlog and delay of cases, leaving Gender Based Sexual Violence (GBSV) victims without closure. Despite this, women currently make up about a fifth of the security forces, though from an initial low of 2% in 2011.

The country is also faced with a high youth bulge (approximately 75 percent of the population is under the age of 35), along with a high rate of unemployment, poverty, limited opportunity, and rural-urban migration. According to a 2016 World Bank report, most Liberians live on less than US\$2/day and have very limited access to healthcare, education, social justice, pipe born water, sustainable energy or other government services. Many also remain traumatized by the civil war, constituting a relatively large number of highly disgruntled individuals, who feel disadvantaged. Waves of property theft and rape, including armed robbery, especially in urban areas, and the proliferation of privatized security forces reveal limitations of the state security system.

Despite these challenges, the Government of Liberia and its international partners have taken bold steps to reform and professionalize the Liberian security sector, and results suggest that the reforms are at the nascent stages and improving. Most Liberians are appreciative of the government's security reforms, reflected in the

²⁷ Human Rights Watch, "No Money, No Justice" Police Corruption and Abuse in Liberia, 2013

²⁸ <https://peacekeeping.un.org/en/unmil-deputy-srsg-urges-enactment-of-liberia-land-rights-bill>

rule of law and enforcement of peace during a difficult ongoing transitional period including UNMIL drawdown and the ensuing 2017 presidential and legislative elections.

Security conditions

The overall security condition in Liberia has markedly improved over the 12 years since the nation returned to constitutional democracy. After years of reform initiatives undertaken by the United Nations Mission and friendly Governments including the United States, China, Nigeria and Ghana among others, security institutions in have demonstrated a capability and readiness to provide security in most parts of the country where they are now based. Notwithstanding this improvement, the current depressed economic reality fueled by, high unemployment, a bulging youthful population, widespread unresolved real or perceived occurrences of systemic corruption, an anemic health-care delivery system, and political discontentment, provide significant potential for civil unrest that could quickly escalate into mass protests and demonstrations.

a) Intensity of conflict and political violence

There is no record of intense conflict or political violence currently obtaining anywhere within Liberia. The country enjoys a degree of peace and stability that many pundits including international actors feared would be compromised during the just ended elections. The mature political posture taken by political parties and the Liberian populace in the face of accusations arising from the October 10 polls, complaints and a protracted litigation is a potent sign of political stability and commitment to long-term peaceful co-existence. The country has so far been spared the experience of regional terrorist strike, but the presence of these groups in Nigeria, Mali, Chad and other parts of the West African region presents a real danger to Liberia.

b) Intensity of criminal/interpersonal violence

Criminal activities remain a serious menace across the country. Armed robbery, burglary, rape, drug trafficking, substance abuse and theft of personal property are among the most prevalent crimes often reported in the LNP monthly Crime Statistics. There is ample evidence of a mushrooming manifestation of established criminal cartels involved in transnational narcotics trafficking in Liberia. Furthermore, there are pockets of drug-infested communities in most urban centers, with youth substance abuse gradually becoming a national concern.²⁹

Apparently, under pressure from the LNP from time to time, criminals shift their areas of operation from one or multiple urban center(s) to others based. Montserrado and Bong counties were among the counties that recorded the most crimes in 2017, with the perpetrators ranging from ages 20-29 (LNP Crime Statistics, April 2017). High crime rates mostly across urban areas in Liberia has posed a serious challenge not just to Liberians, but also to diplomatic missions who frequently issue travel advisories to their citizens visiting or intending to visit the country. The US Embassy for instance assessed Monrovia as "... BEING A HIGH-THREAT LOCATION FOR CRIME DIRECTED AT OR AFFECTING OFFICIAL U.S. GOVERNMENT INTERESTS." (United States Department of States, OSAC, Bureau of Diplomatic Security, Liberia, 2017)

c) Incidence of cross-border destabilization

²⁹ Pullen, AJ et al, "A Qualitative Analysis of Substance Use among Liberian Youth: Understanding Behaviors, Consequences, and Protective Factors Involving School Youth and the School Milieu," *Int J Ment Health Psychiatry*. 2016 Feb; 2(1): 116.

Reports of Liberia's borders serving as staging grounds for cross border incursions or support of instability in neighboring countries are non-existent. This is in large part due to collaborations between Liberian and its neighbors (especially the Ivory Coast) security leaderships and the United Nations missions in both countries.

Capacity of security sector institutions

The question of capacity across the security sector is one that has to be answered on an entity-by-entity basis. Certain institutions (I.e the LNP) is better resourced than say the Liberia Immigration Service (LIS), the Drug Enforcement Agency (DEA) and the Liberia National Fire Service (LNFS) among others. Being the first line of defense the LNP has understandably had more opportunities for capacity development trainings, recruitment and the supply of equipment. Similar attention now needs to be given to other institutions to enhance the sector as a whole. This is particularly true in the face of the UN Missions complete withdrawal. Urgent issues deserving immediate attention across all sectors include the huge disparity in salaries, low salaries, accommodation for officers manning official and patrolling unofficial border entry points, and the lack of adequate manpower to man major points of entry into the country. None of the two main security institutions targeted for immediate reform following the end of the civil crises (the AFL and the LNP) has met its intended manpower projection. The most resourced institution still has immense challenges and operates far below optimum. Working and living conditions need major improvement across the sector. There have been reports of inadequate accommodation for example, for soldiers dwelling at the Edward Beyan Kessylie Barracks on the Robertsfield Highway. Particularly attention needs to also be paid to tackling alleged corruption by top brass in the sector to curtail disenchantment, which has manifested in a number of ways including military spouses demonstrating and blocking the main access route to the international air port, LNP officers complaining about unpaid allowances (during the just ended 2017 elections), attrition and etcetera.

a. Size and proportionality of security sector

No institution in the security architecture has the required manpower recruited or deployed across the country. They all lack adequate human and material resources to function effectively. The Liberia National Police (LNP) has at little over 5,100 officers. This number includes 970 women. Official police document reveals that 3,858 of these individuals are deployed within Monrovia and around other parts of Montserrado County. This leaves just 1,284 officers for the rest of the country. Further complicating the problem, a good number of police depots are under resourced. There are no vehicles, no motorbikes, petroleum, often no lighting, no potable water or basic office and communication equipment. Police depots have zero capacity to respond to citizens request. At least one police depot was over run by criminals and police officers were manhandled in a suburb of Monrovia early January. Officers at the depot were unarmed and could not defend themselves.

Recruitment and training is on-going within the LIS, DEA and the LNP. The LNP currently has over 5000 personnel, while the LIS is beyond 2600, the AFL including the Coast Guard about 2236. Exact numbers of personnel in the remaining institutions was not readily available for this report, but cursory evidence tell a tale of the need for additional manpower to improve the citizen to personnel report for the LNP and response capacity of the remaining institutions within the sector.

b. Adequate resourcing and skills of security sector institutions

Various institutions within the sector have received some professional and technical trainings and some mentoring as well. On the aggregate, the sector though, is still challenged with fundamental organizational and capacity deficiencies, lack of adequate resources resulting in poor provision of service and subsequent lack of motivation. These conditions are more pronounced in leeward counties away from Monrovia. In

Monrovia where the sector could be a lot stronger, the capacity to respond to emergencies is almost negligible. There is no standard response time for first responders (and this include police and fire fighters). The LNP like most public sector institutions spend at least 75% of its budget on personnel cost. This will leave the organization with a fraction of its \$15 million annual budget for operations.

c. Civilian oversight and accountability over the security sector

The Sector has a civilian oversight mechanism in place. There are boards and regulatory bodies that are composed of civilians who have no technical or institutional specific training in the dynamics but who bring their perspectives and are very knowledgeable in their areas of expertise; these individuals add value to those with the technical abilities.

In a bid to guarantee that the system is accountable, an accountability mechanism has been set up. The LNP for example has organized and established a professional standard division. The LIS has also established a policy management board. The Government has a civil complaints board and a professional standards division within all security sector institutions. These are further complimented by a human rights compliant handling management system, which is also functional.

d. Relationship between security and justice systems

Liberia's justice and security systems constitute the core component of the security sector. The security sector is made of government structures duly authorized to execute legal orders. The courts thus, are an integral part of the system. The major institutions making up the justice and security architecture within the justice and security sector include:

- The Judiciary/Temple of Justice;
- The Ministry of Justice (MoJ);
- The Liberia National Police (LNP);
- Bureau of Corrections and Rehabilitation (BCR);
- Liberia Immigration Service (LIS) and the
- Prosecution Office

The Ministry of Justice has oversight for all the above institutions excluding the Judiciary/Temple of Justice. In addition to being directly responsible for the law enforcement bodies within the sector including the BCR that which administers incarceration and rehabilitation while in prison, the Justice Minister is the Attorney General or Government's lawyer who goes to court on behalf of the Government. The court (which is a part of the judiciary) may send an individual to jail, but the MoJ then assumes responsibility (enforcement duty) of the court's actions. This arrangement concentrates too much power within in the MoJ and could potentially render the Ministry (MoJ) susceptible to abuse, corruption and/or ineffectiveness. In some jurisdiction the law enforcement and security functions are divested from the MoJ and carried out by a separate body sometimes called the Ministry of Interior.

Although Liberia has registered more than a decade of notable stability, it must be emphasized that a lot of work is yet required. The justice and security sector still grapples with a number of challenges. The need to move justice and security services to other regions of the country where they are yet inaccessible, strengthening the existing county security structures so that they are more effective and become more responsive to the needs of the local populations where they exist, strengthening the capacity of justice and security personnel to enable them to provide fair and accountable services, provide logistics at the

county/regional level, improving working condition to stamp the tide of staff attrition are among the many priorities of the sector.

Performance of Security Sector Institutions

Performance of security sector institutions has significantly improved over the years. These improvements, nonetheless, need to be view as work in progress.

a. Public confidence in security sector institutions

The latest Afrobarometer survey results released revealed some troubling trends with respect to some institutions within the sector. The survey, which primarily reflects the public perception, found corruption to yet be endemic in the sector particularly with the LNP. Public trust is extremely low and only 2 percent of Liberians say the police were not corrupt. The survey report further asserted that 44 percent of respondents believed that all police are corrupt, and 42 percent don't trust the police at all. Police officers reportedly routinely extort money from citizens at all stages of a case, from registering citizen complaints, to requiring money to go to a crime scene, to obtaining release from detention. Moreover, police officers are known to prey on civilians, for example, by setting up roadblocks and extorting travelers or by seizing the goods and money of street vendors on the grounds that they are not operating legally. Sixty percent of Liberians say that the police need additional training.

The Justice Sector was rated slightly better but also enjoys low levels of trust. Some 25 percent of Liberians, according to the survey, don't trust the courts, and 23 percent believe that all judges are corrupt. Only 3 percent feel judges aren't corrupt.

The only exception to this unfavorable public perception is the Armed Forces of Liberia (AFL). Only 23 percent of respondents said they did not trust the AFL at all, with the rest reporting varying degrees of trust in this institution.

b. Impunity and Responsiveness of security sector institutions

A significant portion of the Liberian population views the LNP's Complaints Review Board as ineffective. They claim officers accused of corruption have rarely faced prosecution. The United Nations Mission in Liberia reported that the Policy Management and Civilian Complaints Review Boards required by the 2016 Liberia National Police Act are yet to become operational.

The corresponding effect this has had on the public is few to zero reporting. People fear retaliation against their persons or properties and have come to believe that reporting is useless.

The AFL is currently at full strength as espoused by the 2008 National Security Strategy. The force now requires institutionalized routine readiness preparedness training to make it responsive and more effective.

The army's budget was reduced in the 2016/2017 fiscal year from \$13.5 million to \$ 11 million. This reduction coupled exacerbated an already bad financial position and hampered the AFL's ability to operate outside Monrovia.

The LNP and the AFL need to work more closely with the former clarifying the rules of engagement that would necessitate it to intervene in supporting the civil authority. This will prevent a future recurrence of the

sad shooting of a civilian in the West Point Community during the 2014 Ebola outbreak. The public widely criticized the army for the use of lethal force during this altercation.

The AFL adoption of a Code of Military Justice last August is a giant step towards holding service personnel accountable. Operationalizing that code is a logical next step in this regard.

Results

There has been more positive development and improvements in the security sector since the first fragility assessment. These improvements have included reforms and improvements as well as increased national management of the sector. These developments and the relative peace and security that have accompanied them spur a movement up the fragility spectrum. But while much of the efforts made were intended to transform the sector, there are still enormous challenges to be overcome before transformation can be achieved, thus placing the sector at the transition stage.

Dimension	Crisis	Rebuild and Reform	Transition	Transformation	Resilience
Security Conditions			●		
Capacities and Accountability			●		
Performance and Responsiveness		●			

Challenges and Priorities

Security Conditions

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> • Criminal activities remain a serious menace in Monrovia and some cities across the country. Armed robbery, burglary, rape, drug trafficking, substance abuse and theft of personal property are crimes prevalent in our communities, especially in urban areas, according to the monthly LNP Crime Statistics. • There is poor relationship between the public and the police. Citizens generally do not trust the police. This sometimes results in mob justice. • Land disputes in Monrovia and other urban centers are also commonplace. • There have also been conflicts within concession areas over land rights, resource exploitation, and the failure to honor concession agreements related to commitments to host 	<ul style="list-style-type: none"> • Increase police resources to fight crime, educate the public about crime prevention, and increase police-community partnership to prevent and report crimes. • Land disputes, if not settled, can lead to serious conflicts and instability. The Land Authority efforts, the court system, and related ADR activities should be supported to educate the public about land issues, investigate and resolve land conflicts through established processes. • Review various concession agreements and ensure that companies comply with their obligations to concession communities. Also

communities.

ensure that the communities are aware of the obligations of the concession companies, their responsibilities to the concession companies, and have established structures and approaches for working with the companies for their mutual benefits, based on concession agreements.

Capacities and Accountability of Security Sector Institutions

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> No institution in the security architecture has the required manpower recruited or deployed across the country. They all lack adequate human and material resources to function effectively. For instance, the LNP has not met its projected manpower strength of 8000 personnel, which puts serious stress on policing in general. There are also considerable variations in the level of trust and legitimacy of the police, with reports of abuse of authority, including bribery, arbitrary arrests, and property confiscations.³⁰ Only 2 percent of Liberians say the police were not corrupt. There is a largely ineffective system for investigating police misconduct, even though the Police Act makes provision for that. The public is not properly educated about this complaints process and the police rarely sides with the public against its officers in instances of police misconduct. 	<ul style="list-style-type: none"> Appropriately resource security sector institutions to develop their manpower and logistical capacities as well as motivation to fight crime and enforce the law. Security service institutions must monitor public opinion about their services and credibility and develop and work to reach target for improvement in the public perception of them. They should also build the appropriate public information platforms and practices to continuously engage with the public. The work of security service institutions and individuals should be regularly reviewed and complaints against them investigated through the appropriate oversight mechanisms to ensure that the integrity of the various institutions is protected.

Performance of Security Sector Institutions

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> Access to security services, particularly the police, is extremely low. In many places across the country, communities lack access to the Police. A significant portion of the Liberian population views the LNP's Complaints Review Board as ineffective. Police emergency calls and response are largely ineffective. Police crowd control capacity is very weak. As a result, even legal public demonstrations of a protest nature are generally banned because of fear of escalation into violence. 	<ul style="list-style-type: none"> Security services, especially police stations and operations such as mobile units, should be expanded significantly across the country to address the security concerns of various communities and deter crime. Strengthen the Police's complains system and build citizens' confidence in its work. Review police emergency operations system to ensure the effectiveness of the 911 calls and reduce as well as punish the abuse of emergency signs and signals. Train the Police in crowd control and emergency operations and procedures.

³⁰ Human Rights Watch, "No Money, No Justice" Police Corruption and Abuse in Liberia, 2013

3.3 Justice – Capacity and Accountability of Justice Sector Institutions

Context

Justice is a key element of both peacebuilding and state building. Addressing grievances and injustice is essential to building strong and stable societies and nations. Formal justice mechanisms should be accessible, affordable and seen as fair by citizens. Where feasible, traditional non-state and informal means for dispute resolution and adjudication should be strengthened and aligned with international human rights standards.

Overall, the Justice Sector in Liberia has developed and improved since the last fragility assessment in 2011, but significant challenges remain to bring it up to acceptable international standards. Over the period, the Liberia government and its partners have continued to work to strengthen the institutional capacity of the justice system. A major focus has been on upholding the rule of law and improving access to justice. Every conflict assessment that has been recently completed in Liberia points to deficiencies in the justice system as a real cause for concern with regard to potential for future violence. There are multiple reasons for this, including that without judicial recourse communities and individuals may seek violent forms of redress that could easily spin out of control. Additionally, there continues to be a lack of harmonization in Liberia between the evolving statutory system and traditional systems of justice. Although some progress has been made in trying to reconcile these, stalled progress not only creates technical challenges of adjudication, but also represents a continuation of a center-periphery divide. As indicated earlier manifestations of this divide remain crucial to address in order to foster government legitimacy and broader national reconciliation. It is important, therefore, that Liberia not look only at increasing technical and functional capacity, but also at the very process of enshrining norms and values into a legal framework acceptable to the majority of the population.

Justice Conditions

The Justice Sector in Liberia has developed and improved since the last fragility assessment in 2011, but significant challenges remain to bring it up to acceptable international standards. Over the period, the Liberia government and its partners have continued to work to strengthen the institutional capacity of the justice system. A major focus has been on upholding the rule of law and improving access to justice. In 2013, the government set up one of five justice and security hubs in Gbarnga City, Bong County. The hub, which is staffed with police officers, human rights monitors, public defenders, prosecutors, and probation and immigration officers, seeks to deconcentrate state justice and security (J&S) services to three counties-- Nimba, Bong, and Lofa

However, Liberia continues to struggle with weak justice institutions resulting in, among other things, cases of arbitrary arrests and detention, harsh prison conditions, and pro-longed pre-trial detention. As the justice sector struggles to cope, external means are utilized, including mob violence. The judiciary remains inefficient and plagued by corruption. There is broad agreement among actors in Liberia on the need to extend justice services throughout the country as well as to improve capacity from both a substantive as well as administrative perspective. The Ministry of Justice has been piloting a magistrate mobile court project, probation project and has created a Pre-Trial Detention Task Force in order to address the issue of high rates of extended pre-trial detention. These initiatives and others have helped to decrease the number of pre-trial detainees. The reach of these initiatives have been, however, relatively limited in scope.

In addition to gaps on the government side, the public lacks a clear understanding of the judicial system or what their own rights and responsibilities are in terms of interacting with the system. This is further hindered by the coexistence of formal and traditional forms of justice, which raises the need for harmonization to

ensure the two systems complement each other. . Additionally, there is a substantive disconnect between the way many rural Liberians perceive justice, in terms of group interests and social relationships, and the much more individualistic statutory orientation. Harmonizing these differing conceptualizations of the very concept of justice means remains a key challenge. It is not only important to address from the scope of increasing overall judicial effectiveness, but this is yet one more representation of the center-periphery divide that has long plagued Liberia.

Capacity and Accountability of Justice Institutions

The legal framework governing the justice system has been improved. Such improvements are manifested in the adoption of laws to expand the jurisdiction of magisterial courts, reduce case backlogs, define court fees and fines and redefine rape. In 2014, a circuit and 3 magisterial courts were set up, thus increasing the number of cases processed in a shorter time frame. The Ministry of Justice has initiated a three-year access to justice program. The program, Alternative Dispute Resolution (ADR), is being supported by the World Bank. The Carter Center has also provided ADR training to customary authority. For many justice practitioners, ADR is viewed as a means of enhancing access to justice in Liberia and resolve conflicts in a speedy and transparent way.

A judicial institute has been established and is developing training programs for judicial and support staff. This has allowed for the development of standardized curricula. For the first time in twenty years, Liberia reconstituted the ranks of trained magistrates; 61 were graduated in 2011 from the Institute together with 15 probation officers. The GoL has also developed a national and county-level case management system and deployed public defenders throughout the country, although case management remains inconsistent and ad-hoc.

This progress, however, must be seen in light of the scale of the challenges. The judicial system remains highly susceptible to corruption, which increases public discontent with the system. Complaint systems are not clear, limiting recourse in the face of corrupt or unprofessional behavior. Liberia ranked sixty-second out of sixty-six states globally, and seventh out of nine states regionally on the World Justice Programme's index of 'absence of corruption.' The justice and security hubs are working to address this issue with the staffing of public outreach officers to help increase availability of complaints and reporting mechanisms, however, this remains a band-aid on a very large wound.

In the World Justice Project's Rule of Law Index 2011 Liberia scored 0.14 out of 1.0, the lowest ranking globally, regionally and among countries in similar income groups. "Liberia's rank reflects the non-publication of laws, limited opportunities for the public to participate in legal reform, restricted access to draft laws and opaque laws" (PBC 2012 Review). In order to address some of these issues, the GoL follow up on the Law Reform Commission strategic plan. The Ministry of Justice has initiated a three-year access to justice program. The program, Alternative Dispute Resolution (ADR), is being supported by the World Bank. The Carter Center has also provided ADR training to customary authority. For many justice practitioners, ADR is viewed as a means of enhancing access to justice in Liberia and resolve conflicts in a speedy and transparent way.

Performance and Responsiveness of Justice Institutions

According to the PRS-I Assessment perceptions of police and judicial fairness and access to justice was evenly split (forty-six percent positive and forty-six percent negative). However, most agree that justice services, such as those proffered through public defenders, legal aid centers and prosecution services are both limited and inefficient. This leads to a large backlog of cases and extremely long pre-trial detention patterns.

Many courts do not have sufficient facilities or equipment, particularly outside of Monrovia. Human resource systems are outdated and need to be improved in order to recruit and retain qualified staff, in particular for deployment outside of urban areas.

A special court and SGBV Prosecution Unit have been set up to hear sensitive cases involving SGBV out of recognition of the scale and scope of the problem and need for specialized services. At present, the government has prisons in all 15 counties, except Grand Kru.

Results

There are still challenges in the justice system. Capacity and accountability were recognized as the most challenging. However, the results of stakeholder consultations show that stakeholders at all levels considered the justice system to be generally in transition—not ideally where the citizens expect it to be, but a far cry from where it was (or was not) during the period of crisis.

Dimension	Crisis	Rebuild and Reform	Transition	Transformation	Resilience
Justice condition				●	
Capacity and Accountability		●			
Performance and Responsiveness			●		

Challenges and Priorities

Justice Conditions

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> The overall Justice Sector is rated only slightly better, but also suffers low levels of trust; only 25 percent of Liberians don't trust the courts, and 23 percent believe that all judges are corrupt. Access to justice is somewhat limited due to limited personnel and limited staff development opportunities, bad road condition, high cost of going to court, and delays in the adjudication of cases There are reported cases of illegal detention of juveniles, improper handling of rape cases, and harmful traditional practices There continues to be a lack of harmonization in Liberia's evolving statutory and traditional systems of justice 	<ul style="list-style-type: none"> The leaders of the justice sector and the government in general should take appropriate actions to build an independent justice system void of political and social interference, and founded on competence, integrity, and respect for the law. This will restore public confidence in the system. Increase access to justice through capacity building for justice officers, increase in the number and presence of functioning institutions to which citizens can seek justice, educate citizens about the law and their rights under it, and ensure financial barriers to access are addressed. Continue work to harmonize the statutory and traditional systems of justice as well as implement those that have already been harmonized

Capacity and Accountability

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> • Lack of confidence in the justice system • Limited magistrate court to dispense justice • Every conflict assessment recently completed in Liberia points to deficiencies in the justice system as a real cause for concern regarding the potential for future violence. • Complaint systems are not clear, limiting recourse in the face of corrupt or unprofessional behavior. • There is a large backlog of cases and extremely long pre-trial detention patterns. • ADR practices are not greeted with enthusiasm in the legal community, even though they provide a solid alternative to the speedy resolution of cases and potentially reduces the caseload on courts of record 	<ul style="list-style-type: none"> • There should be logistical support for all courts • Create more magistrate courts • Liberia must look not only at increasing technical and functional capacity, but also at the very process of enshrining norms and values into a legal framework acceptable to majority of the population. • Clarify complaints systems and processes within the justice system and educate the public about the process and how they can seek to utilize it whenever they feel aggrieved. • Based on broad international consensus, reduce the use of pretrial detention and, whenever possible, encourage the use of alternative measures, such as release on bail or personal recognizance. • Develop policy and guidance on ADR and promote and install it as an acceptable alternative to seeking redress in court

Performance and Responsiveness

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> • The judicial system is highly susceptible to corruption, which increases public discontent with the system. Liberia was ranked 62nd out of 66 states globally, and 7th out of 9 states regionally on the World Justice Program’s index of ‘Absence of Corruption.’ • Courts are slow to prosecute cases and the judiciary system remains plagued with issues of corruption and limited public confidence; decisions rendered are not always seen as fair. • The most serious human rights abuses were those linked to deficiencies in the administration of justice, official corruption, and violence against women and children, including rape, domestic violence, and human trafficking. • While access to information has improved within the justice system, Liberia scored 0.14 out of 1.0, the lowest ranking globally, regionally, and among countries in similar income groups, a ranking reflecting the non-publication of laws, limited opportunities for the public to participate in legal reform, restricted access to draft laws and “opaque laws.” • There is a substantive disconnect between the way many rural Liberians perceive justice, in terms of group interests and social relationships, and the 	<ul style="list-style-type: none"> • Build judicial system capacity and implement strict code of conduct for judges, lawyers, etc. Strengthen the National Bar and local bars to robustly address the integrity issues affecting the system. • Increase the resources available to courts to carry out speedy trials, develop court-specific plans for each court that will include case flow management training for the police, with the engagement of the Bar Associations; enshrine case flow management principles in the courts, which will ensure that cases pass through the courts at an efficient pace; and ensure that each time a case goes before the courts, it must be resolved with or without trial, while also ensuring that courts have realistic scheduling, which will affect the number of cases set for trial, increase trial date certainty, and force fewer unnecessary adjournments. • Target must be set and efforts made to increase access to information in the justice system, engaging the public in activities of the sector, including reforms. • Support the efforts of civil society to educate the rural population about the law and their rights and obligations under it. They should also be educated to understand how the justice system works and how

much more individualistic statutory orientation

it can work for them.

3.4 Economic Foundations – Generating Employment and Improving Livelihoods

Context

According to various reports, including the Ministry of Finance and Development Planning midterm report on the Agenda for Transformation (2016), Liberia had made sufficient progress to move beyond the crisis stage in relation to its economic foundations and revenue generation. Specifically, significant investments have been made in the natural resource sector to attract and maintain foreign investment, with over 118 companies operating in the sector. The country's economy, driven mainly by the service, agriculture, mining, forestry and manufacturing sectors, had been growing at an average rate of 8% between 2011 and 2014. The impressive growth rates were, however, disrupted by plummeting global commodity prices in the extractive sectors twin-shocks and the outbreak of Ebola Virus Disease (EVD) in 2014, together culminating in GDP contraction to 0% and 0.5% growth rate in 2015 and 2016, respectively. The economy is projected to grow at a rate of 4% in 2017, according to the African Development Bank's country outlook. The GDP in 2016 was at \$2.1B (World Bank, 2016).

With limited growth expected in the iron ore and rubber sectors in the coming years, the government is diversifying the economy by increasing productivity in the agriculture sector. Following the Ebola and commodity crisis, the Liberian government, working in close consultations with partners, initiated the Economic Stabilization and Recovery Plan in 2015 to support the economy by increasing productivity in the agriculture, forestry, and mining sectors, and investment in infrastructure. The government is also investing heavily on infrastructure projects such as road constructions in the north and south east of the county and expanding energy outputs.

Recent data shows Liberia ranks at the 153rd largest export economy in the world, with an export value of \$836M; resulting in a negative trade balance of \$5.02B.³¹ Total imports were valued at \$5.513B, mainly driven by higher importation of food, manufactured goods, petroleum products and machinery. Leading trading partners include the US, the European Union, China, and African countries, including the ECOWAS states (3%).

In spite of Government's huge attention and subsequent attraction of direct foreign investment (FDI) in the natural resource sectors, 54 percent of its approximate 4 million population lives below the poverty line, with nearly 64% of these living on less than \$2 a day, giving the population a relatively low purchasing power which has the propensity of inducing high cost of living that has characterized the economy, and thus a negative effect on population's purchasing power parity. Approximately 70 percent of the labor force is vulnerably employed.

The health sector remains poor, with very limited trained doctors and qualified medical personnel to deliver quality healthcare throughout in the country. In 2014, the Ebola Viral Disease exposed the vast weaknesses of the system, while claiming more than 4,000 lives. Recognizing these challenges, the Ministry of Health is actively investing in health worker salaries through the introduction of an Infection Allowance to bring government salaries closer to those paid by NGOs. The 2016 health facilities assessment showed that general service readiness index was 59% with all counties ranging between 53% and 65%. Basic amenities,

³¹ During the last five years the exports of Liberia have decreased at an annualized rate of -0.1%, from \$817M in 2010 to \$836M in 2015

equipment and standard precautions were frequently available across all counties but diagnostics and essential medicines were less available notably in; Bong (58%), Lofa (57%), River Gee (56%), Nimba (55%), Gbarpolu (55%), Bassa (53%), Sinoe (53%), and Maryland (53%) which had general service index below the national average (59%).³²

With a renewed effort made in the education sector, the government developed a Five-Year (2012–2017) Medium-Term Plan for Education Reform and Development in Liberia, focusing on restoring basic education (Grades 1-9), through expanding access and improving the quality of education by rebuilding facilities, providing learning materials, training teachers, and introducing accelerated learning for older learners.

The 2009 Education Sector Plan calls for a free and compulsory nine-year basic education, comprising six years of primary and three years of junior secondary education. In 2016, gross 1 in every 4 schools was a private, religious mission or community school, and by the 2014 academic year, these schools comprised nearly one-half (42%) of all physical schools in Liberia. Currently, a high percentage of children and adolescents are not in school, having either dropped out or never started at all.³³ By 2015, gross enrolment in primary school was 93%, 89% for girls and 98.5% for boys.³⁴

Road network remains key to socio-economic development. However, road network in Liberia is greatly underdeveloped and among the least developed in West Africa. According to the latest data available, from a 2014 USAID report, Liberia has a mere 66,000 miles of roads, and of these less than 7 percent are paved, far lower than the regional West African Economic and Monetary Union average of 4.7 km /100 km. “Liberia has a total area of 111,370 km² and a road system with a total length of 10,600 km. Of these, only 657 km are paved while 9,943 km are unpaved.”³⁵ Movement across the country, especially during the rainy season becomes treacherous, which lasts 8 months, during which most of the roads are inaccessible. Road construction has been promoted as a flagship infrastructural development project for the government. And evidently, the administration has, over the years embarked on the construction of many roads across the country, including the Monrovia and Buchanan and Monrovia and Ganta, which were paved and commissioned in 2013 and 2015, respectively.³⁶

The Liberia’s power sector is in a precarious situation. The most recent report shows Liberia now has 60,000MWh³⁷ of generation capacity is available in selective areas of Monrovia up from less than 23 megawatts (MW) a year ago. However, this number is still a lot lower than the projected demand of 350 MW by 2020. This means a significant percentage of Liberia do not have access to the national grid, and in rural Liberia, only 1 percent of the population has access to electricity, leaving most people to depend woody biomass for domestic cooking and heating. In 2015, it was estimated that over 95% of the population depends on firewood and charcoal for cooking and heating needs and palm oil for lighting. There are potentially game changing developments on the horizon such as the ability to import low-cost power via a regional interconnection. There is the West African Power Pool for the WAPP Interconnector Project and Integration and Technical Assistance Project which seeks “supply at the utility level for Liberia and Sierra Leone and increase the amount of electricity traded among all the participating countries.”³⁸ in addition, through the Millennium Challenge Corporation (MCC), the Liberian government, in October 2015, secured a compact, a support of US\$256,726,000 grant, under U.S. Government’s Power Africa initiative.

³² <http://unesdoc.unesco.org/images/0023/002332/233218e.pdf>

³³

[http://governancecommissionlr.org/doc_download/AfT%20document-](http://governancecommissionlr.org/doc_download/AfT%20document-%20April%2015,%202013.pdf?a4705305cd27e04fb1f66830e7e0ef9d=NzE%3D)

[%20April%2015,%202013.pdf?a4705305cd27e04fb1f66830e7e0ef9d=NzE%3D](http://governancecommissionlr.org/doc_download/AfT%20document-%20April%2015,%202013.pdf?a4705305cd27e04fb1f66830e7e0ef9d=NzE%3D)

³⁴ Ministry of Education’s Report, 2015 @ 15 <http://unesdoc.unesco.org/images/0023/002332/233218e.pdf>

³⁵ <http://dlca.logcluster.org/display/public/DLCA/2.3+Liberia+Road+Network?jsessionid=8B6ADE42F5212471B8455DA7307A12EF>

³⁶ <http://dlca.logcluster.org/display/public/DLCA/2.3+Liberia+Road+Network?jsessionid=8B6ADE42F5212471B8455DA7307A12EF>

³⁷ <https://www.esi-africa.com/news/refurbished-mount-coffee-hydro-power-plant-improves/>

³⁸ <http://www.worldbank.org/en/news/loans-credits/2017/11/17/west-african-power-pool-wapp-cote-divoire-liberia-sierra-leone-and-guinea-power-interconnection-project>

Results

In over 15 years since the end of the war, Liberia has grown beyond a crisis economy. The country’s economic foundations were tested by the twin shocks of Ebola in 2014 and the 2016 fall in the global prices of the country’s main exports and foreign exchange earners. The country’s GDP has been experiencing annual growths. Road construction, energy expansion, the investment in the health care sector following the Ebola crisis, and an expanding housing and service sector are significant developments in favor of a more resilient economy that can best be considered as being in *transition*. Notwithstanding, several challenges need to be addressed and reforms initiated and/or strengthened to totally transform the economy and achieve prosperity for all Liberians.

Dimension	Crisis	Rebuild and Reform	Transition	Transformation	Resilience
Productive resources and prospects for growth			●		
Jobs, livelihoods and private sector development			●		
Natural resource management			●		

Challenges and Priorities

Productive Resources and Prospects for Growth

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> Liberia remains among countries with the lowest HDI. Though it grew slightly from 0.416 in 2011 to 0.27 in 2016, Liberia still ranked 177 of 188 in the world, with over half of the population living below the poverty line. Poor and/or limited infrastructure, including bad road condition, inadequate power supply, limited access to quality housing, education, and water and sanitary services are factors impeding economic growth and development The use of dual currency and lack of price control are conspiring to affect business and create an acute economic burden for most Liberians, who live below the poverty line. Liberia is still essentially an Import-based economy (foods and other essential commodities imported), dependent largely on the export of commodities with fluctuating global prices and driven largely by foreign dominance. Meanwhile, weak commodity prices continue to weigh on the economy, which 	<ul style="list-style-type: none"> Improve the country’s basic infrastructure and social services—roads, electricity, water supply, health, and educational facilities and services—to support economic activities and economic growth and development. Ensure a single-currency regime and an effective price control system; increase public awareness on the implications of dual currency and basic understanding of key economic issues and processes that are attending these situations. Take active measures to continue to diversify the economy and reduce dependence on commodity exports for foreign exchange earnings, while at the same time empowering Liberians to get more involved in the economy through an effective legal framework, the provision of business incentives, and

contracted by an estimated 0.5% in 2016.

- The national debt has been rising, even though GDP growth was virtually stalled.
- The slowdown in economic activity has had a negative impact on fiscal revenue, inflation, exchange rate stability, and poverty rate. On top of this, the government had to take full responsibility for security following UNMIL's major drawdown in June 2016 and faces the challenge of staying focused on development priorities during an election year, while also contending with weak growth weighing on revenues, limited borrowing capacity, and added expenditure pressures linked to security and the election.

increased access to investment capital and training; support local production and manufacturing of essential commodities such as rice, soap, cooking utensils, household materials, etc.

- Develop a credit and debt management strategy, especially one that ensures that debt contracted go to support growth activities with potential for income generation and sustainability.
- The government must plan strategically on how to allocate its scarce resources in this election year and how to ensure that revenue generation continues at current levels.
- Harmonize the 2000 Mining Law with a number of laws, including the 2010 Public Procurement and Concession Act Law and the 2000 Revenue Code (as amended in 2011) and the 2009 Liberia Extractive Industries Transparency Initiative (LEITI) Law. Liberia joined the WTO in December 2015, and the new mining law will have to ensure conformity with the rules of the WTO.
- Switch from a concession-based system to a license-based system and reduce carve outs from the prevailing legislation that are currently available under the 2000 Mining Law based on negotiated mineral development agreements for major projects.
- Improve cooperation between the various governmental departments and agencies involved in the mining sector.

Jobs, Livelihood, and Private Sector Development

Status and Challenges

- Limited trained manpower and skilled laborers/workers
- High unemployment and lack of adequate economic empowerment for ordinary Liberians. The rate of unemployment increased from 3.7% in 2011 to 4% in 2016. Youth unemployment is dangerously high. Further, vulnerable employment, (% of total employment), modeled ILO estimate, was 76.40 in 2016 and as at 2017 had increased slightly to 76.60. The high percentage of vulnerable employed is because most persons employed worked in the informal sector, with no job security and low wages.
- Inadequate and low-yielding agricultural activities (small-scale and subsistence farming)

Priority Actions

- Provide business development and technical skills training for Liberians; continuous professional development trainings for workers, especially those serving in important positions
- Increase local content requirements (while ensuring compatibility with international trade rules).
- Create enabling business environment; diversify the economy and encourage/facilitate industrial development to provide more jobs and livelihood opportunities for Liberians
- Establish strategic priority in agriculture and make targeted investments in such areas where outputs reach adequate commercial quantities to boost farmers' income and taxes as well as promote an

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|--|--|
| <ul style="list-style-type: none"> • Low substantial local and foreign private sector investment. | <p>effective value chain for locally-produced agricultural products.</p> <ul style="list-style-type: none"> • Create enabling business climate for increased private sector investment and provide financing opportunities (micro credit), infrastructure, and training to Liberians to start and sustain their businesses. |
|--|--|

Natural Resource Management

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> • Inadequate use of resources. For example, rivers are not effectively used for transportation and power generation, food value chains not developed for most food produced, nature landscapes and wildlife not exploited for tourism, etc.) • Exploitation of natural resources without real benefits for communities from where they are extracted. • Illegal and informal exploitation of the country's natural resources. • Government's ability to negotiate and sign better concessions is weak and, in many instances, laden with corrupt intents that deliver very limited benefits for the population. 	<ul style="list-style-type: none"> • Explore possibilities for making the maximum use of our non-extractive natural resources to boost income generation and spur growth in the economy. • Equitably distribute the benefits of the exploitation of our natural resources, ensuring more local benefits, empowerment, and participation in decision making; ensure sanctions for those who abuse public trust and resources for pecuniary gains. • Monitor illegal and illicit mining and exploitation of diamond, gold, sand and other precious resources; take punitive actions against illicit individual and agencies involved in ways that set example and discourage the practice, in accordance with law. • Capacity building for government institutions and actors making concession decisions; ensure integrity and due diligence in concession negotiation processes to accrue desired benefits to Liberians, mainly residents of affected concession communities.

3.5 Revenue and Services – Managing Revenue and Building Capacity for Accurate and Fair Service Delivery

Context

From the backdrop of a post Ebola shock, lower commodity prices, and weak growth weighing on revenues, Liberia grappled with a near zero (0.5%) economic growth in 2016. Worse, the iron ore and rubber sectors expect limited growth in the coming years. The medium-term outlook is, however, more positive, projected to be 4 percent in 2017. The robustness of Liberia's recovery will depend on the effective diversification of the economy by increasing productivity in the agriculture sector, infrastructure, electricity, and development of strong financial institutions.³⁹

³⁹ See World Bank Country Report, 2017

To increase national revenue intake, the Liberia Revenue Authority (LRA) was established in 2014. The LRA has made progress in improving tax policy and administration, but actual receipts of domestic revenue continue to fluctuate falling short of the annual budget estimates. A 2017 IMF report indicates that: “while this was a success, it came at the cost of revenue mobilization efforts at the Ministry of Finance, and delays in laying the fundamental foundations of tax administration such as the reliability of the taxpayer register, reconciliation of taxpayer accounts, and tax arrears management. This emphasizes the need to focus on the basic building blocks of tax administration, while sustaining the reforms that have been achieved thus far.” The shortfalls in tax revenue and aid flows led to uncertain and unpredictable execution of non-statutory expenditures and to accumulation of payments arrears. From 2015, with support from donors, several Technical Assistance projects came online to support the government with the particularities of customs administration.

In the first half of 2017, Liberia witnessed inflationary pressures averaging 12.4 percent, compared with 7.3 percent in 2016. Inflation is driven by the fast pace of the depreciation of the Liberian dollar against the U.S. dollar. Combined with the impact of recent tax measures, this is contributing to the highest rate of inflation since 2014. The resultant rise in the cost of living, especially the cost of food, which is mostly imported, increased fiscal pressures.⁴⁰

In 2017, Liberia is expected to see a significant expansion in the commercial production of palm oil, with two key concessionaires projected to bring their mills online in mid-2017. In the forestry sector, more than 1 million hectares of forest are under logging contracts, and 785,841 cubic meters of logs valued at just under US\$150 million was exported between 2009 and 2016 (Siakor, 2017). Although gold is not the number one mineral in Liberia, the expansion of commercial gold exports in 2016, with 2 active mines, is helping to diversify and support export revenues. At the community level, commodities such as charcoal, plantain, cassava, pepper, coffee, cocoa, oil palm, etc. present better revenue generating prospects for communities. However, without good policies and institutions to serve as economic development tools, these activities have limited capacity to maximize returns for the government and society.⁴¹

In 2014, Liberia and Norway signed a \$150 million grant with the intention of improving the framework for forest governance, strengthen law enforcement, and support efforts to reduce greenhouse gas emissions from deforestation and forest degradation in Liberia. In 2014, the government initiated Community Forestry, allowing communities to manage their own forest, including for financial benefits. So far, over 100 community first applications have been submitted to the Forestry Development Authority (FDA).

The government has launched the Liberia Agricultural Transformation Agenda (LATA) a new policy framework that seeks to establish agribusiness and ensures agricultural value chains – cassava, cocoa, palm oil, rice, fisheries, livestock and poultry – are anchored in Liberia’s long-term economic landscape to support diversification and transformation in the sector. LATA strives to build up the agricultural sector as well as adopt a supportive industrial policy, and seeking to attract investment in non-extractive sectors.⁴²

In 2015, Liberia joined the World Trade Organization (WTO). As part of the ascension program, it has passed laws on foreign trade and competition promoting transparency and non-discrimination. The legislature passed the ECOWAS common external tariff (CET) and ECOWAS trade liberalization scheme in September 2016. The first phase of a three-year CET transition plan began in January 2017, although specific measures are being revised to avoid a significant increase in tariffs in the short term. These measures should support regional trade integration, although Liberia’s average tariff rates will increase in the process. Nonetheless,

⁴⁰ H., Patrick, 2017, Liberia 2017, AFRICAN ECONOMIC OUTLOOK © AfDB, OECD, UNDP 2017

⁴¹ <http://www.worldbank.org/en/country/liberia/overview>

⁴² International Fund for Agricultural Development (2016). Investing in rural people in Liberia @ <https://www.ifad.org/documents/10180/095da6dc-125d-42bc-b11f-b28cbc23273b>

Liberia faces significant challenges to improve trade across borders. The country ranked 120th out of 136 countries in the World Economic Forum's 2016 Global Enabling Trade Index. Importers identified tariffs and non-tariff barriers, burdensome import procedures, corruption, and the high cost of transportation as critical challenges.

In the private sector, Liberia is gradually addressing major constraints to business development by expanding both energy production and access, while also reducing electricity tariffs. The tariff has been reduced by 65%, from 54 cents to the current 35 cents per Kw/hr. In addition, several key transportation corridors have also been paved, although the network is still very limited. Beyond infrastructure constraints, businesses face a very onerous regulatory environment that impedes competition and innovation. This is highlighted by the country's ranking of 174 out of 190 countries in the World Bank Report, *Doing Business 2017*. This ranking of 174 falls below those of neighbors such as Cote d'Ivoire (142), Ghana (108), Guinea (163) and Sierra Leone (148).

In 2016, the government rolled out a public-private partnership education scheme involving 120 primary schools across the country. The program – cost an initial \$65 million, allows independent operators (for-profit, non-profit, and religious institutions) to run pilot educational programs in selected primary schools. However, with a budget of \$100 per student per year, the model has met growing criticism and skepticism from educators like the National Teachers' Association of Liberia (NTAL) – the country's major teachers union – around cost, scalability, and sustainability.

The manufacturing sector, mainly driven by cement and light-scale consumer products, is still relatively new and weak, and accounts for only 2 percent of GDP, due to limitations in energy supply, weak infrastructure, and poorly developed markets. Offshore Hydrocarbon exploration activities (oil exploration) is ongoing, with productions sharing contracts (PSC) signed with renowned oil companies such as Anadarko Petroleum, African Petroleum, Chevron, and ExxonMobil. While the prospects of oil discoveries are imminent, commercial viability assessment is still ongoing.

Furthermore, in 2016, the Petroleum (Exploration and Production) Law and the NOCAL Act repealed and replaced the NOCAL Act of 2000 and the Petroleum Law of 2002, respectively. The passage of these laws – which separates the commercial and regulatory functions in the petroleum sector into two institutions, the Liberia Petroleum Regulatory Authority (LPRA) and National Oil Company of Liberia (NOCAL) – marks a significant step towards ensuring best practice, transparency and accountability in the sector.⁴³

Meanwhile, informal enterprises dominate the entrepreneurial landscape in Liberia, with over 80 percent of Liberians holding informal employment (HIES), conducted by the Liberia Institute of Statistics and Geo-Information Services (LISGIS). Some 50 percent of households in urban areas run a non-farm business, which falls to 28 percent in rural areas. Of these businesses, 30 percent are managed by someone under the age of 30 and 63 percent by someone under 40, showing a youthful picture to the informal business landscape.

Numerous strategies have been developed to create an enabling environment for the micro, small and medium-sized enterprises (MSMEs), and to boost the growth of entrepreneurship, in general. These include a local-content policy for public procurement, a dedicated MSME policy, and a national export strategy, which inspired the LATA⁴⁴. In 2014, the government established the Small Business Administration (SBA), which works to ensure that 25% of public-procurement contracts are allocated to Liberian-owned MSMEs, and with at least 5 percent allocated to female owned firms.⁴⁵

⁴³ *ibid*

⁴⁴ <https://www.ifad.org/documents/10180/095da6dc-125d-42be-b11f-b28cbc23273b>

⁴⁵ The Small Business Administration (SBA). Ministry of Commerce and Industry @ <http://www.sbaliberia.org/about.html>

Progress with public financial management (PFM) has been mixed. A 2016 Public Expenditure and Financial Accountability Assessment (PEFA) has shown some improvements over the periods since 2012. However, while 14 of 31 categories showed progress, 10 received low ratings. Significant investments in an integrated financial management information system (IFMIS), corporate governance and in other information technology platforms have taken place.

This notwithstanding, capacity constraints, revenue shortfalls, structural and regulatory pitfalls, frequent budget adjustments, and insufficient commitment controls have continued to slow down reforms and undermined budget credibility. Building on the 2016 assessment, the government is developing a new PFM Strategy for 2017-19. The government is also progressing with efforts to decentralize services outside the capital city, Monrovia. After opening the country’s first County Service Center (CSC) in June 2015, it had inaugurated 6 more by February 2017 and intends to open a CSC in each of the 15 counties of Liberia by January 2018.

Results

The assessment results below show that despite the increasing challenges in revenue generation and service delivery as well as a poor public administration culture, stakeholders believed that there has been sufficient progress in revenue generation and public administration in the country that can be described as *transitional* along the fragility spectrum. The establishment of the revenue authority and the county service centers as well as an increase in government revenue and service expansions in some sectors (including electricity) are important examples of improvements, even though enormous needs that still exist.

Dimension	Crisis	Rebuild and Reform	Transition	Transformation	Resilience
Revenue			●		
Public Administration			●		
Service Delivery			●		

Challenges and Priorities

Revenues

Status and Challenges

- Inadequate organizational structure for revenue collection in the counties across the country; revenue system and its management and key resources are still more concentrated.
- The population’s tax morale is low; lack of trust and confidence on the part of many citizens that their taxes will be used for the right purpose, such as the provision of essential social services.
- Tax evasion, tax avoidance, poor tax policy, and ineffective enforcement.
- Inadequate staffing capacity, especially at the local level, for tax administration.
- Funding challenges also affect the capacity of the Revenue Authority to carry out effective tax administration.
- Property owners lack legal requirement for their assets and often do not pay taxes
- High tariffs that are driving import-related entities out of business.
- Multiple interpretations of provisions of the Revenue Code.

Priority Actions

- Strengthen revenue services—structures and methods of payment or payment processes--across the country, making tax payment attractive and convenient for taxpayers
- Motivate taxpayers to pay their taxes through effective tax education and a combination of enforcement, voluntary tax compliance, and rewards for compliant taxpayers.
- Ensure full enforcement and compliance with the revenue code and other pertinent policies and regulations on revenue collection and utilization; punish tax evasion as a deterrence factor.
- Provide continuous professional development training for revenue collectors.
- Invest more resources in the tax collection system to boost revenue.
- Enforce regulations on tax payment by property owners and create awareness among this category of taxpayers to increase their compliance and cooperation.
- Review tariffs on imports and other duties to ensure that they are not prohibitive, especially in ways that discourage enterprise and drive down revenue, as a result.
- Simplify the revenue and ensure a consistent interpretation and dissemination of the Revenue Code.

Public Administration

Status and Challenges

- Corruption and a culture of impunity continue to affect development. Liberia ranked 91 of 183 countries, with a score of 3.2 on Transparency International’s Corruption Perception Index (CPI) in 2011 and 90 of 176 countries/territories in 2016, with a score of 37. *The CPI ranks countries/territories based on how corrupt their public sector is perceived to be by their citizens.* Not much can be pointed to in terms of prosecutions and sanctions for government officials accused of corruption.
- Citizens generally have a poor perception of the effectiveness of public services; satisfaction with public services is generally very low.
- Limited application of merit-based recruitment

Priority Actions

- Develop and vigorously implement a zero-tolerance policy on corruption; show strong political will and empower anti-graft agencies to investigate cases of corruption and take the appropriate actions, according to law.
- Work to improve public service delivery that improves the experience of the public as they access such services. Focus on issues of access, responsiveness, delivery time, and the attitude of the service providers, among others.
- Vigorously implement the merit-based recruitment and selection system already developed within the

practices within the public service.

- Limited training opportunities for civil servants.
- Under-resourced public services, which lack basic tools, including modern equipment and applications.
- Government is still not able to meet international requirements for budgetary allocation to health, education, and other essential services and areas of priority.
- Poor management of public resources, including weak tracking system for public assets and utilities

public service and track and reward performance through the existing performance management system.

- Continuously build the capacity of public servants to more effective and efficient, and build strong and effective system for tracking revenue collection and utilization as well as other government assets and resources.
- Continuously assess the public service delivery capacity of public institutions and constantly seek improvements that move toward basic technological and international standards.
- The government should make a deliberate effort to annually meet international benchmarks for budgetary allocations to health and education.
- Improve the tracking and management of government's assets through simple and efficient systems.

Service Delivery

Status and Challenges	Priority Actions
<ul style="list-style-type: none"> • Around 80% of the budget is committed to paying salaries and purchasing goods and services (government operations), limiting the capacity of the government to adequately provide basic service that the public demand and infrastructure that will support economic development. • No public service delivery standards have been developed to guide the delivery of public services and ensure the consistent experience of the public in accessing these services. • There is limited or no access to basic public services (education, healthcare, etc.). For example, far less than 10% of the population have access to the public electricity grid, while most of the population, especially those in rural areas, also lack access to safe drinking water and proper sanitary facilities and services. • There is also a huge overall urban bias in the delivery of basic public services. • The delivery of public services is also affected by poor attitude and corrupt practices of service providers. • Public service providers lack motivation, due to lack of training, poor working conditions, including poor pay and benefits such as retirement benefits. 	<ul style="list-style-type: none"> • The government should urgently undertake a review of its operations and create a more efficient system that will drastically reduce the proportion of the budget spent on compensations and operations and allocate more resources to increasing access to and improving the quality of basic social services like education, healthcare, electricity, and transportation; increase investments and budgetary support to these sectors and scrupulously monitor activities within them. • Develop service delivery standards and targets to limit the use of discretionary power and approaches to the provision of services to the public. • Invest in the expansion of public infrastructure and services—roads (connect all counties by primary roads), electricity, and quality health and educational services, especially to rural areas throughout the country, where most of the people reside. • Increase deconcentration of public services across the country • Monitor public service delivery and impartially sanction alleged corrupt individuals as well as prepare and implement effective deterrence mechanisms. • Continuously build the capacity of public servants to perform their duties and improve their condition of service that increases their motivation, provide job security, and attract quality individuals to the public service.

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Annex A

FRAGILITY ASSESSMENT

Working Group Exercise

Legitimate or Inclusive Politics

- A) Reflection on root causes of conflict and fragility, and of opportunities for resilience (specifically in relation to INCLUSIVE POLITICS)

Root causes of fragility:

What has caused conflict to occur and spread?
What issues need to be dealt to stop conflict?

Current risks:

What specific issues risk or sustain conflict now?
What grievances need to be addressed now?
What would signal that things are changing now?

Opportunities for resilience:

What is good about the way things work in Liberia now?
How can these things be strengthened or be used more effectively in the reconstruction of the country?
What sustained people during crisis?

- B) Reflection on challenges and priority actions (3 years), specifically in relation to the following dimensions of PSG 1 - INCLUSIVE POLITICS:

- Political settlements
- Political processes and institutions
- Societal relationships

Please see below some questions which may help guide your reflection:

DIMENSION 1: Political settlements

- To what extent is there political dialogue (amongst stakeholder groups and political parties) to resolve political differences?
- Is there marginalization of certain groups?
- Are elections held, in a transparent manner, through a democratic, non-violent political process?
- Is there a Constitution in place? Is it enforced?
- Is there a clear separation of powers (executive, legislative and judiciary)?

DIMENSION 2: Political processes and institutions

- Do people feel free to participate in politics?
- Is the Parliament functional?
- Are elected officials accountable to the electorate?
- Are there credible national electoral institutions?
- Is the government responsive in fighting corruption and building strong merit-based institutions?
- Are there regulatory structures and independent oversight bodies in place? Are they effective?
- Are strong actions carried out towards affirmative action for women and marginalized groups?

DIMENSION 3: Societal relationships

- To what extent are there major political divisions and conflict amongst communities?
- To what extent are there:
 - incidences of inter-tribal or political conflict?
 - militias based along tribal or political lines?
- To what extent is there:
 - a safe environment for free speech? press freedom?
 - absence of law and order?
 - mistrust and fear in the population?
- Are there reconciliation processes in place? Are they being successful?
- Are civil society organizations organized and active? Do they have clear roles?

	Challenges	Priority actions (next 3 years)	Scoring (Fragility Spectrum) <i>Crisis (1), Rebuild & Reform (2), Transition (3), Transformation (4), Resilience (5)</i>
PSG 1 - Legitimate Politics			
Political settlement			
Political processes and institutions			
Societal relationships			

FRAGILITY ASSESSMENT

PSG 1 – Legitimate Politics

CHALLENGES AND PRIORITIES BY DIMENSION

	Crisis	Rebuild & reform	Transition	Transformation	Resilience
Political Settlement					
Political Processes and Institutions					
Societal Relations					

ANNEX B

Fragility Indicators

DIMENSION	INDICATOR	DATA SOURCE	RESPONSIBLE INSTITUTION
PSG 1: Legitimate Politics			
Political Settlement	Frequency of dialogue between GoL, opposition political parties, and civil society	Ministry of States Reports	Ministry of State
Political Processes and Institutions	Share of elections held in a timely, free and fair manner	NEC Reports	National Elections Commission
	National Key Indicator - Share of women (%) in leadership, elected or appointed (in legislative)	MGCSP Reports	Ministry of Gender, Children and Social Protection
Societal Relationships	Level of freedom of speech	Freedom house/MICAT Reports	Ministry of Information Culture and Tourism
	Development of capacity and growth of civil society organizations and engagement with citizens	National Civil Society Council of Liberia (NCSCCL) & MFDP	NCSCCL & MFDP
	Number of local conflicts mediated by County Peace Committees (CPC)	Ministry of Internal Affairs (MIA) & Peacebuilding Office (PBO)	MIA, PBO
	Number of looming conflicts identified and monitored by Conflict Early Warning System; number of early warning incident reports	Ministry of Internal Affairs (MIA) & Peacebuilding Office (PBO)	MIA, PBO
	Implementation of TRC recommendations, particularly the National Palava Hut program and Memorialization of victims of massacres	Independent National Commission on Human Rights (INCHR)	INCHR
PSG 2: SECURITY			
Security Conditions	National Key Indicator 09 - Crime Rate	LNP Crime Statistics	Liberia National Police (LNP)

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Capacity and Accountability of Security Sector Institutions	Number of security institutions adhering to budgetary and procurement standards Frequency and number of security personnel trained and equipped	PPCC Reports	PPCC
Performance of Security Sector Institutions	National Key Indicator 08 - Share of people that are satisfied with their protection against crime/ their safety	HIES Report	LISGIS
PSG 3 – Justice			
Capacity and Accountability of Justice Sector Institutions	National Key Indicator 12 . Ratio of judicial sector personnel per 100,000 population (disaggregated by qualified, fully-trained judges, magistrates, prosecutors, public defendants, police, by county)	Temple of Justice, Courts' Administrator's Office; the Liberian National Police Annual Report and the Ministry of Justice report	Ministry of Justice
Performance of Justice Sector Institutions	National Key Indicator 11 - Share of people that are satisfied with the quality of judicial system or rule of law available to their Household	HIES Report	LISGIS
PSG 4 – Economic Foundations			
Economic Conditions	National Key Indicator 01 - Human Development Index (HDI)	UNDP HDI Report	Ministry of Finance and Development Planning
Jobs, Livelihoods, and Private Sector Development	National Key Indicator 06 - Unemployment and informal employment	Liberia Labor Survey Report, and HIES Report	LISGIS
Exploitation of Natural Resources	Number of Liberians and expatriates employed	Liberia Labor Force Survey Report	LISGIS
	Number of institutions that are compliant with LEITI regulations	LEITI Reports	LEITI
PSG 5 – Revenue and Services			
Revenue Generation	National Key Indicator 18 - Government domestic revenue collection as share of GDP (%) revenue pooled from state agencies, public corporations and concessions	Ministry of Finance and Development Planning Fiscal Out-turn Report	Ministry of Finance and Development Planning

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Public Administration	Level of progress toward Civil Service Payroll Management across Ministries/Agencies	Civil Service Agency Periodic Report	Civil Service Agency
Public Services	<p>National Key Indicator 20 - Electrification rate (Number of urban and rural households with electricity installations (disaggregated by low-income households, other residential households; national grid and off-grid solutions; by county)</p>	LEC Annual Report	LEC
	<p>National Key Indicator 46 - Share of rural/urban population (%) with access to protected (improved) drinking water collection points</p>	LWSC Annual Report	LWSC