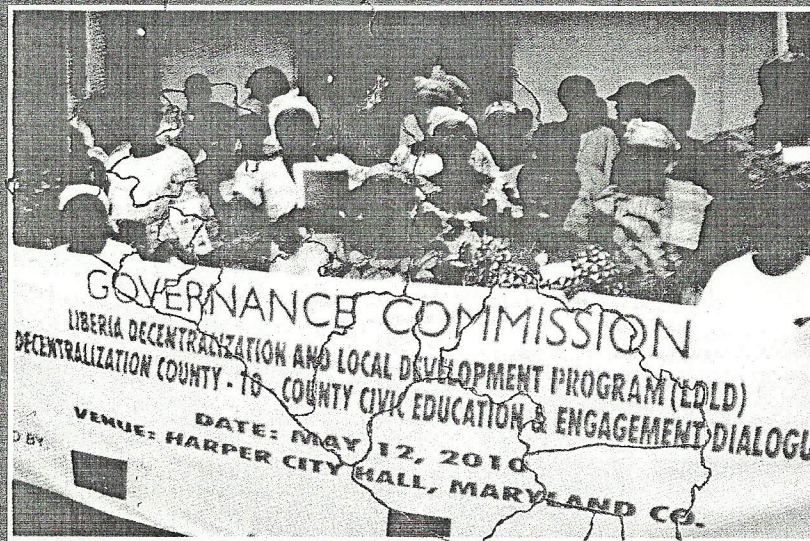




REPUBLIC OF LIBERIA
GOVERNANCE COMMISSION



NATIONAL POLICY ON DECENTRALIZATION AND LOCAL GOVERNANCE



January, 2011

PREAMBLE

WHEREAS, since 1847 and throughout the history of Liberia, governance and public administration have remained highly centralized in Monrovia and controlled mainly by institutions and structures of the central state which have not allowed adequate legal opportunities for the establishment of a system of participatory local governance; and

WHEREAS, the highly centralized system of governance has impeded popular participation and local initiative, especially in the provision of public goods and services, and has contributed to the need for greater accountability and transparency in the management of public affairs and led to the gap in economic growth and development, equal access to social and economic opportunities and human wellbeing between Monrovia and the rest of Liberia; and

WHEREAS, these conditions have slowed down Liberia's overall economic growth and development and democratization processes, leading to underinvestment in human resources and human wellbeing throughout the Republic; and,

WHEREAS, the Government of Liberia, realizes the need to ensure greater participation of the Liberian people in their own developmental processes and for equitable distribution of the nation's resources so as to ensure a more wholesome process of development and democratic governance; and,

WHEREAS, the Government of Liberia, while profoundly cognizant of its constitutional duty to preserve the unitary state system and equally committed to perfecting the unity of the Republic by providing equal opportunity for all of its citizens to engage in the governance of their affairs thereby promoting local self-governance through the sharing of political, fiscal and administrative powers with county authorities through the devolution of certain political, fiscal and administrative powers and institutions from the national government to county governments;

NOW THEREFORE, the Government of Liberia, as the result of consultations conducted with the people throughout the Republic and in response to their will and aspirations, hereby declares:

Section 1.0 Liberia shall remain a unitary state with a system of local government and administration which shall be decentralized with the county as the principal focus of the devolution of power and authority;

1.1 The strategic principles that guide the division of powers, authority, functions and responsibilities between the national government and county governments shall be as follows:

1.1.1 All powers, authority, and functions in the following areas shall be exclusively reserved and exercised by the national government for the protection of national sovereignty:

- Administration of justice
- Auditing
- Elections
- Foreign affairs and international trade
- Immigration
- Industrial licensing and agreements; and intellectual property
- Money, banking and insurance
- National defense and security
- National emergencies and natural calamities
- National health, education, and water policy
- Police and law enforcement
- Posts and telecommunications

1.2 This decentralization policy shall not cover the Judicial Branch of the Government. The rationale for this provision is to enhance the rule of law and the neutrality of the judiciary as the final interpreter of the law in the administration of justice.

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- 1.3 County governments shall be established within the geo-political boundaries of the fifteen political sub-divisions of Liberia with political, fiscal, and administrative devolution of authority granted to them by legislative actions and constitutional amendments. The strategy for decentralized governance shall be to empower the Liberian people to participate in all dimensions of local self-governance and facilitate equal political participation in the process of national democratic governance;
- 1.4 All existing political and administrative institutions in the counties - autonomous and statutory districts, cities, townships and other municipalities - shall be revised, restructured and harmonized to implement a responsible and responsive system of governance and public administration; and to ensure accountable, sound and lawful management of local resources to provide efficient and sustainable delivery of, and access to public goods and services;
- 1.5 The qualifying criteria for the creation of county administrative districts, cities, and municipalities shall be established by the Ministry of Internal Affairs and approved by the national Legislature. Only qualifying cities and municipalities shall be granted charters by the national Legislature based on criteria approved by that body; and
- 1.6 This decentralization policy and framework and its implementation thereof shall be continuously monitored and evaluated to determine achievements and impact to date and to advance further measures for strengthening the process and for ensuring that it is effective, efficient and capable of measurable outputs. Such evaluation shall be consultative, participatory and transparent, and shall involve the local people, including women and youth, government, the media and civil society organizations, and international institutions engaged in playing an advisory role in the governance process.

Section 2.0 County Government Organization:

There shall be established in each county, a local county government comprising (a) county legislative branch, and (b) county executive branch.

- 2.1 **County Legislative Branch:** The county legislative branch shall be called the County Legislative Assembly (CLA). The County Legislative Assembly shall comprise of one (1) representative elected by the citizens of each county administrative district; and the paramount chief of each chiefdom within the county. To ensure gender equity, two positions of members-at-large shall be set aside exclusively for women. Only female candidates shall be elected to fill these positions. They shall exercise the same prerogatives and enjoy the same privileges as other members of the CLA.
- 2.2 **County Executive Branch:** The county executive branch shall comprise of (a) the county chief executive officer, (b) county administrative officer and heads of county administrative departments, and (c) the county district commissioners.
- 2.2.1 The title of the county chief executive officer shall be the **Superintendent**.
- 2.2.2 The title of the principal deputy and assistant chief executive officer to the county superintendent shall be the **County Administrative Officer**.
- 2.2.3 The position of County Administrative Officer shall be an executive level civil service position with employment qualification requirements subjected to the national civil service rules and regulations.
- 2.3 **Sub-county Governance:** Each county shall be divided into sub-county administrative units called **county administrative districts**.

2.3.1 Each county administrative district shall be headed by a district administrator called **District Commissioner** who shall serve as the principal administrative officer of the district and as the representative of the Superintendent.

2.4 Electoral Structure:

The citizens of each county shall have the power to elect the political and executive officers of the county. The following positions shall be elected:

- Superintendent
- Administrative District Commissioners
- Members of the County Legislative Assembly
- Paramount Chiefs
- Clan chiefs
- Mayors of communities granted city charters, and
- Members of city councils or assembly of communities granted city charters

2.5 Tenure: All elected officials of local county government shall serve for a period of four (4) years; they shall be eligible for re-election for an additional term and no more.

