

Statement by Clr. James N. Verdier, Jr. former Executive Chairperson of the LACC on the status of the LACC and the fight against corruption in Liberia during “Turning Over” ceremony on the expiration of his tenure at the offices of the LACC, Friday, March 1, 2019

Commissioners Charles Gibson and Aba Hamilton-Dolo;

Outgoing Vice Chairperson, Clr. J. Augustine Toe;

Mr. Executive Director of the LACC;

Fellow colleagues and staff of the LACC;

Family members, friends;

Members of the media,

Ladies and Gentlemen,

It is to the Arbiter of our faith and destiny that I MUST lift up my voice and praises on this important and historic day. For it is due to His immeasurable blessings, His infinite mercies and His divine purpose for our lives, that we are able to assemble today for this ceremony.

Lest I be brandished as an ingrate, I must pay homage to former President Ellen Johnson-Sirleaf with our unreserved thanks and appreciation, for the confidence she expressed in our abilities when she extended to us, amongst tens of other Liberians, the opportunity to serve our beloved Country in the positions we have held for the past several years.

And to my wife, children and other family members and beloved friends, I remain indebted for their unflinching and unquestionable love, support and solidarity showered on us throughout the period of service;

To the entire staff of LACC – fellow commissioners, the executive Director, Program managers, heads of Units, Program Assistants, Drivers Office Assistants, Assigned security details, security guards and all others who have rendered varying services from day to day to facilitate our work and keep us safe, we say “thank you plenty”. May the Lord our God bless you and strengthen you for more service to our nation.

How can I forget our detractors, our critics, those who doubted and continue to doubt our abilities, those condemned us for actions and inactions and those who accused us of perceived wrong doings for some of the decisions we took which were unfavorable to them. We thank you for criticisms, whether constructive or not. They emboldened us and made us stronger and better.

And to the media - oh how misleading, bias, one-sided, unprofessional and unethical were some of their stories, as some would be again tonight and tomorrow. But then, there were also those media institutions that followed our work religiously and told our stories committedly. To all of you, we express our gratitude. Because, either way, they got our stories out there and the public was able to follow the work of the LACC.

Status of the Commission upon ascendency

We assumed temporary leadership of the LACC in November 2013 pending confirmation by the Liberian Senate and we were subsequently confirmed by t/he Senate and appointed by former President Ellen Johnson-Sirleaf on February 24, 2014.

The Commission was established and became operational in 2008. So by 2014, the LACC had been working and functional for five (5) years.

By May 2014, the Commission was fully constituted with all five Commissioners comprising: Clr. J. Augustine Toe/Vice Chairperson; former Commissioner Ousman Kanneh, Commissioner Charles J.L. Gibson; and Commissioner Aba Hamilton-Dolo. Commissioner D. Sheba Brown, who is also a former Commissioner, later replaced

Former Commissioner Kanneh, upon the expiration of his tenure. This Commission has been conveniently referred to as the Verdier-Commission.

We inherited fifty-seven staff.

By 2014, a total number of seven (7) cases were investigated, and sent to the Ministry of Justice for prosecution ; the Ministry of Justice (MOJ) along with the LACC jointly prosecuted one (1) case, while the LACC on its own prosecuted one (1) case. So only two (2) cases had been prosecuted when we took over.

There were no human resource unit; no asset declaration unit; there were about nine (9) investigators, and there were only two lawyers and a law clerk assigned in the Legal Unit. Logistics especially vehicles for the Investigation division was so inadequate; only two vehicles were available and they were almost non-operational.

There was no established corporate communication service. Official communications were conducted through staffs' private email addresses.

Summary of key achievements during the period 2014 to 2019

Division of Administration

We inherited a Commission understaffed and with very limited capacities and expertise. For the last five years, the Commission has been professionalized and expanded. Some key units and one division were created for the effective execution of the core mandates of the Commission in furtherance of the LACC Act of 2008.

The Human Resource Unit was created and a Human Resource expert recruited who professionalized that Unit and now provides quality services and is now effectively managing and addressing recruitment, competency, and staff evaluation. The LACC has developed and improved policy regarding recruitment among other pertinent human resource tools for effective administration.

A cardinal tool in curbing corruption is asset declaration and verification. Anti-graft agencies the world over have incorporated asset declaration as a major tool and activity in measuring and monitoring the acquisition of assets and wealth by public officials. The LACC prior to our ascendancy lacked the capacity to undertake this very important task. Over the years, with strong determination to build and professionalize the LACC, we were successful in convincing a couple of our international partners to support the establishment of this Unit. By 2017, we established the asset declaration unit and it was operationalized with the recruitment and training of dedicated staff..

Originally, the Division of Enforcement included Legal unit. Prior to our leadership, only seven cases were completed and sent for prosecution, while only two were prosecuted in five years.

- Albert Bropleh et al vs. Republic of Liberia prosecuted by MOJ & LACC.*
- Muna Sie Brown et al vs. Republic of Liberia prosecuted by LACC alone.*

To increase productivity and delineate basic roles of dedicated staff, the BOC under our stewardship separated the Legal Division from the Investigation & Enforcement Division and established a Legal division, creating the fourth division of the Commission.

During our stewardship, several staffs' capacity was built and expertise improved. Training opportunities were accorded staffs to enhance the quality of work and professionalism.

The current staff strength is 79;

Training: During the five years period, about fifty-five (55) training/technical capacity opportunities were provided to staff including two Commissioners. Forty two of these training were foreign, while thirteen were local training.

These training opportunities were mostly sponsored by donor/partners to the Commission under different titles. Under the National Capacity Building Fund Program, four staffs obtained Master

degree at the International Anti-Corruption Academy in Austria. Only one of the three is employ of the Commission.

Several staffs attended the International Anti-Corruption Academy for short time(Two to one month) programs.

The training/ technical capacity building was conducted in several countries including: South Africa, Austria, Switzerland, Kenya, Ghana, Singapore, Senegal, Nigeria, Italy and USA in variety of courses including:

- Advance Investigation Techniques; Anti-Corruption Studies;*
- Effective Method & techniques in managing public and donor fund; etc.*

Prior to our take over, eight investigators were trained by our predecessors in “Advanced Investigation Techniques”, in Basel, Switzerland. Six of them are still in the employ of the Commission.

Creation of Cyber-Crime lab

Following negotiation with the United Nations Development Programme (UNDP), funds were leased under the STAOP project and LACC created the first Cyber-crime lab in Liberia. Following this, three staffs were sent to South Africa for training in the operation of the equipment.

ITC expansion

When we assume the mantle of leadership at LACC, the ICT Unit had only two servers to host all documents of the Commission. This was very inadequate for effective communication and storage of information.

Immediately upon my ascendancy, the usage of Outlook was introduced for effective and controlled communication and management of the Commission’s work. Following this, coupled with the malfunctioning condition of the two old servers, additional three servers were acquired. One of these was purchased with funding from GOL, while UNDP and LPAC providing the other two.

We created the Case management system with the utilization of a software manages organizes and expedites reporting cases, writing reports, organizing and logging reports to enhance investigation and protect information. It is also, use for asset declaration and should accord declarants out of the country to declare on line.

Asset management

This unit was created to increase accountability of all assets especially fix assets. Proper accounting, tracking and assets management is now operational and effective.

The total vehicles of the Commission are seventeen (17); one (1) of those is completely damaged, while five (5) are down and need service/repairs.

Meetings/ MOU/ & OTHERS

The Commission represented the GOL at several key conferences and meetings that foster the Government's image on corruption. The Government was represented at all the conferences on States Parties to the United Nations Convention against Corruption and made presentations relating to the Government's effort to address corruption.

We were elected to the post of Vice President of the Network of Anti-corruption Institutions in West Africa(NACIWA); and we later served as acting President until new elections were held in April 2018.

During our tenure, the LACC, yea Liberia, for the first time in collaboration with UNODC and NACIWA hosted the first international anti-corruption conference on "whistle-Blower and Witness Protection". Heads of anti corruption agencies, members of parliaments and officials from security apparatus of 14 ECOWAS states were in attendance.

Submitted the following bills for passage into law:

To the Legislature: Whistle-blower & Witness Protection bill;

To the office of the President of Liberia: A proposed Bill to amend the New Judiciary law, title 17 of the Liberian Code of Law revised, to add thereto a new chapter to be known as chapter 26 to provide for the establishment of a specialized court for exclusive original jurisdiction over corruption and related economic & financial crime;

And the proposed bill to amend the Act establishing the LACC to grant the LACC direct power to prosecute.

We signed three MOUs that fostered collaboration, enhanced the Commission's work with the GAC on asset declaration; LRA, on corruption in revenue generation through which two arrests were made for alleged revenue fraud, and with the USAID-LPAC to enhance LACC's capacity to investigate and prosecute cases of corruption.

Investigation & Enforcement Division:

Received One Hundred, sixty four (164) cases of corruption during the last five years;

There were fifty-nine (59) cases assessed, investigated, completed for prosecution ;

Forty-seven (47) cases were submitted to MoJ for prosecution;

Twelve (12) cases were investigated, completed and closed due to the lack of evidence

Others:

Over two million Liberian dollars were restituted to the GOL account dues to investigation conducted on several banks including the central Bank of Liberia for wrong payments on GOL account.

In the cases involving the prosecution Aminata & Son, a petroleum company (US\$11,500) and Senator Milton Tejay (US\$50,000), there were restitutions of about sixty one thousand, five hundred United States dollars (US\$61,500.00).

Conversely and unprecedentedly, several top government officials were indicted, arrested, and sent to courts for prosecution following investigation of allegations of corruption and other financial crimes under our stewardship at the LACC:

The former speaker of the House of Representative, including some members of both the House of Representative and Senate who are considered “Untouchables” were investigated and prosecuted under our watch.

Some other notable cases prosecuted for allegation of corruption include:

The Global Witness/Sable Mining;

The case of alleged corruption at the NPA/Matilda Parker case,

The case of alleged corruption in the handling of the Japanese Oil Grant involving former minister Miata Beyslow, former LPRC MD, the Flash Point case involving the Mr. David Kortie and Jesu Morris Keita case,

The case of alleged bribery at NOCAL involving Mr. Clemenceau Urey and other members of the NOCAL Board and some former members of the Legislature.

The case of corruption at LTA, the CCTV case involving former MD Albert Bropleh and two other Liberian contractors

The case of corruption and breach of the PPCC regulations by Senator Milton Teajay . Senator Teajay was convicted during trial and ordered to retribute \$50,000.00 USD back to Government. We have confirm and verified that said payment has been made.

The Commission also obtained indictments in Presidential Appointees alleged payroll padding investigation and several for Presidential appointees who have been accused of receiving salaries while they were dismissed and not in the employ of government have been

indicted and awaiting trial. Mr. Amandu Kerlly of NOCAL has also been criminally indicted for complicity in forgery and theft at NOCAL

Education and Prevention Division:

Asset declaration Unit was created and operationalized:

The Commission developed and published on 6 May, 2017 the Regulations for all public officials in the three branches of the government of Liberia to declare their assets by July 28, 2017. Following the publication of the Regulations several officials of government began declaring their assets.

136 officials of the Executive branch declared their assets prior to the publication of the Assets Declaration Regulations. Four (4) of which are presidential appointees from the Judiciary branch.

338 Officials of the Executive branch declared their assets in time of the deadline;

69 Officials of the Executive branch declared during the extended grace period set by LACC;

30 declared after the extended grace period

MILLENNIUM CHALLENGE COMPACT

The Liberian Anti-Corruption played critical role in helping the Government of Liberia meet eligibility requirement to receive the Millennium Challenge Compact Grant. In 2016, Government of United States released Two Hundred and Fifty-six million (US\$256,000,000) after the government passed several indicators specifically the control of corruption.

The amount is funding the hydro project, roads and the development of a road master plan for Liberia

WASH SECTOR ANTI-CORRUPTION SURVEY

- *Collaborated with the UNDP to conduct a survey in the WATER SECTOR*
- *A report from the Survey was released in 2014*
- *Report findings show huge loss of revenue in the WATER SECTOR as a result of corruption*
- *Report shows about 4 billion gallons of water was lost annually due to inefficiency, corruption and lack of administrative oversight*
- *The LACC developed a risk mitigation plan and submitted to the LWSC management for implementation and to reduce corruption in the supply and distribution of water in Liberia*

EDUCATION SECTOR ANTI-CORRUPTION SURVEY

Collaborated with the UNDP to conduct survey in the Educational Sector of the country in ten (10) schools in Montserrado County, which was released in 2015

Ninety percent (90%) of all students surveyed, said they paid bribes;

They paid bribes in the form of sex, hard labor work for teachers or school administrator and paid money (Cash) to get promotion.

The Survey also noted teachers absenteeism as high among the schools surveyed;

This informed the establishment of students Integrity Clubs in schools:

- *Clubs were established in William V.S. Tubman High School, Marvii Soni, D-Tweh, Newport, Paynesville Community High School, G.W Gibson high School among others*
- *Additional clubs with the support of the UNMIL were established in Bomi(G.J. Yancy, C.H. Dewey), Margibi(Lanco Lippay, Harbel Multilateral High School, Dolo's Town Public School)*

ANTI-CORRUPTION AWARENESS (BILLBOARDS AND SIGNPOSTS)

During our stewardship, with Support from the World Bank the LACC created public awareness on corruption across the country through billboards and signposts.

- *About twenty-one (21) billboards were planted across the country affecting Montserrado, Bong, Nimba, Margibi, Bassa, Bomi and Grand Cape Mount Counties*
- *Additionally, twenty anti- corruption Sign –posts were placed in different government Ministries and Agencies including the Ministries of Commerce, Transport, Health, University of Liberia, and the Ministry of Finance among others.*

Public Expectation of the LACC and the Fight Against Corruption

It is the inherent right of the people to demand of their government what they desire and expect of the government and its public institutions. The LACC and other integrity institutions must not be left alone to demand their relevance and support under our democratic dispensation. Integrity institutions are a sine qua non for good and open governance; for a democratic government that is responsible and accountable to its electorates.

Weak laws, lack of respect for the Constitution and existing statues and institutions are only recipe for political crisis and economic stagnation. The world over has graduated to the establishment of anti corruption agencies due to demands for increase transparency in public process, accountability for the management, usage and/or wastage of public assets and resources.

Responsible governments around the world are undertaking policies to empower integrity agencies in order to build political confidence and ignite economic growth and development. They are adopting laws and policies to strengthen NOT to stifle; to increase NOT decrease funding; to protect NOT threaten; to ensure autonomy and independence Not to control and manipulate them. If these institutions are supported and strengthened, they generally lead to strengthening

democracy and building public confidence in their government and drive stability and economic development in the country.

Towards this end, I call on the government of Liberia review its funding to integrity institutions, particularly the LACC, in the national budget in the next fiscal budget year;

We call on the President of Liberia, to act on draft proposed bills that were sent to the Office of the President during the tenure of the former President, to introduce a bill to the Legislature to grant direct prosecutorial powers to the LACC; to establish a temporary specialized circuit court dedicated to try cases of corruption and economic crimes;

We further advise the President to propose a bill to the legislature to revise our criminal statute to make “Corruption” a stand along crime; and to repeal and outlaw the antiquated “statue of limitations” to exempt acts of corruption and economic crimes;

We also call on the President to take interest in fostering the promulgation of a law against “unjust/illicit enrichment”.

We finally call on the President to reconsider his proposed bill to remove the security of tenure from integrity institutions. We also call on members of the Senate maintain the security of tenure for integrity institutions and advised the President on the efficacy and relevance of maintaining such protection for these institutions.

In the same vain, we want to call on the Honorable House of Representatives, to quickly act on two proposed bills that were presented to them in last June 2018. The bills to protect witnesses in anti corruption cases and to protect “reporting persons/whistle blowers” have been before the lawmakers for about nine months without any reported action on them.

These proposed laws when passed into law, will greatly strengthened the fight against corruption, protect officials of integrity institutions, encourage and protect witnesses and reporting persons; will increase the capacity of the LACC and other government institutions to satisfactorily address high reports of corruption. They will be able to

secure witnesses, receive credible testimonies and speedily try these cases. They will finally result in successful convictions and reduce the culture and suspicion of impunity in our political history.

We must finally also express my thanks and appreciation to the President of the Republic of Liberia, His Excellency, George Manneh Weah, for the courtesy of working with him and his cabinet for the past one year to serve the Liberian people.

We have now come to the end of this journey and we leave it to posterity to judge our work. As on Monday, March 4, 2019 we will once again return to the active practice of law in Liberia. However, we remain available at any time to serve our country where and whenever we are called upon to utilize our experience, training, skills and expertise.

As we now turnover the keys and authority of this high office, we must congratulate our colleague, Commissioner Charles JL Gibson, who has been designated to take over the affairs of the Commission as “officer-In-Charge”. His familiarity with the policy and working of the Commission places him in the position to be effective for the time he is to hold over. We can assure him and Commissioner Aba Hamilton-Dolo and others who are going to be named to the Commission, of our unflinching support in furthering the mandate of the LACC.

May the Good Lord Protect the works of our hands and save the State.

Thank you.

March 1, 2019