

**REPUBLIC OF LIBERIA  
GOVERNMENT OF LIBERIA**

**EXECUTIVE ORDER N<sup>o</sup> 20  
ESTABLISHING A LAW REFORM COMMISSION**

**WHEREAS**, under the Comprehensive Peace Agreement (CPA) on Liberia and Liberia's governance, concluded and executed in Accra, Ghana on August 18, 2003, and which paved the way for the return of Liberia to constitutional democracy and the election of a constitutional government, the need for a comprehensive reform to the Liberian governance framework was recognized and mandated; and

**WHEREAS** for the purpose of correcting the governance framework and process, the CPA established a Governance Reform Commission to promote good governance and initiate a process of initiating the necessary reform measures for the more efficient governance of the nation; and

**WHEREAS**, upon assumption of office, the constitutional government, being aware of the governance ills that confronted the nation and which were seriously negatively affecting the State and impairing the economic, legal and social development of the Liberian nation, further mandated the Governance Reform Commission to design reform measures for the establishment of a new governance framework for good and effective governance of the State; and

**WHEREAS**, the Governance Commission, acting on the mandate from the Government, identified flawed, outdated, inconsistent and underdeveloped laws as a major component of the impediments to the good governance pursuits of the Government, and recommended as a part of the corrective process the establishment of a Law Reform Commission to direct and superintendent the law reform process; and

**WHEREAS** the Government recognizes that a Law reform Commission is critical and urgent to the reform process, and for that institution to undertake reform and development of the laws of Liberia, generate harmony and consistency within the law, and to propose a law reform direction and framework for the nation.

**NOW THEREFORE**, I, Ellen Johnson Sirleaf, President of the Republic of Liberia, by the power vested in me, doth hereby, by this Executive Order, and for the purpose of the foregoing, set out below the establishment of a Law Reform Commission of Liberia.

## **ESTABLISHMENT**

There is hereby established by this Executive Order an independent Body by the name and style of Law Reform Commission of Liberia, and with the mandate and functions as set out below. The Existence of the Commission shall be for an initial period of one year, and shall be subject to future legislative enactment.

## **MANDATE AND FUNCTIONS**

- a) Supervise the law reform process of the country and serve as the coordinating arm of the Government for various law reforms desired or being undertaking by various ministries, agencies, political sub-divisions, authorities, public corporations and other institutions of the Government;
- b) Provide advice, information and opinion on any legislation proposed by any branch of the Government or any groups, persons, organizations, institutions or the like, with regard to reform or amendment of any branch of the law;
- c) Receive, consider, review, and advance on its own initiative, proposals for the reform and modernization of the laws of Liberia relating to all of the branches of the Government and all branches of the law---civil, criminal, business and commercial, procedure, and the like;
- d) Compile, research, and undertake the examination of particular branches of the law, and the formulation of proposals for their reform, including conducting workshops, seminars, conferences, and public meetings for the purpose of formulating and advancing reform of the laws of Liberia;
- e) Undertake the drafting of bills pursuant to any proposed program of reform, with the purpose of ensuring consistency in the law, eliminating contradictions, and promoting the orderly development of the law to acceptable modern standard;
- f) Issue and publish any and all materials associated with and growing our of its works, including proposed laws, analysis of existing and past laws, court decisions as relate to particular studies, reports from seminars, workshops, research, studies, conferences, interactions, dialogues, and like activities;
- g) Keep under review the laws of Liberia to ensure their systematic development and reform, including, in particular, the unification and codification of the laws, the

elimination of anomalies and the generation of consistency and harmony in the law, the repeal of obsolete and unnecessary enactments, and generating the stimulus for constitutional reform.

### **COMPOSITION, APPOINTMENT AND TENURE OF THE COMMISSION**

*a) Composition of the Commission.* The Commission shall consist of three Commissioners, all of whom shall serve full time with the Commission.

*b) Appointment of Commissioners.* The members of the Commission, one of whom shall be the Chairperson, and another the Vice Chairperson, shall be appointed by the President of Liberia with the advice and consent of the Senate, giving due consideration to gender balance.

*c) Qualification for Appointment to the Commission.* A nominee for membership of the Commission shall be a citizen of Liberia, a Counsellor-At-Law of the Supreme Court for not less than three years prior to his nomination, with demonstrated evidence of practice of law or substantial knowledge of the law, or a professor of law who has demonstrated scholarship or has published one or more scholarly works, locally or internationally, with a recognized publisher and/or in a recognized journal, and of good moral and legal standing.

*d) Term of Office of Members of the Commission.* Members of the Commission shall hold office for a term of one year, subject to good behavior, and the enactment of legislation fixing a more permanent term of office.

### **ADMINISTRATION OF THE COMMISSION**

*a) Role of the Chairperson.* The Chairperson shall be the principal representative of the Commission and shall serve as the Chief Executive Officer of the Commission, represent the Commission before any bodies and persons, sign contracts for and on behalf of the Commission, preside over meetings of the Commission; and in that capacity shall have authority:

*b) Delegation of Powers of the Chairperson.* The Vice-Chairperson of the Commission shall act for the Chairperson in his or her absent or for any other reasons.

*c) Appointment of Executive Director to the Commission.* There shall be an Executive Director to the Commission, who shall be appointed by the President, based on the nomination of the Commission. The Executive Director shall be engaged on such terms and conditions of service and perform such functions as the Commission shall determine.

*d) Staff.* The Commission shall, upon such terms and conditions as it shall determine, appoint such other officers and staff as are necessary for the proper discharge of its functions, under appropriate policy of recruitment and work, and subject to budgetary allocations.

*e) Engagement of Consultants and Experts.* The Commission shall also, in furtherance of its functions and the mandate provided herein, engage consultants and experts in any area or branch of the law and/or may have seconded to it such consultants and experts to assist it with its work.

### **OPERATIONS OF THE COMMISSION**

*a) Meetings of the Commission.* The Commission shall meet as a Body as frequently as required but not less than once a week, at its office or such other places as the Commission may determine. For purposes of the functioning of the Commission, each Commissioner shall be assigned specific task and functions by the Commission, which shall be attended to by him or her daily relative to particular identified sectors for reform.

*b) Quorum.* The quorum for a meeting of the Commission shall be not less than two Commissioners.

*c) Majority for Decision.* A decision of the Commission on any question shall be by a majority of the commissioners present and voting at the meeting. In the event of an equality of votes, the Chairperson or the person presiding in the absence of the Chairperson shall have a tie-breaking vote in addition to his deliberative vote.

### **MISCELLANEOUS**

*a) Grants.* The Commission is authorized to receive grants, gifts, donations or endowments and make legitimate disbursements thereof in the performance of the functions mandated to it by this Executive Order; provided that gifts (of whatever kind or nature), grants, donations and endowments shall be strictly of an official nature and shall be deemed the assets of the Commission.

*b) Rules and Regulations.* The Commission shall have the power and authority to make regulations relative to its internal operations and interaction with the external community or persons, to interact with the international community and partners in furtherance of its work, and to solicit such funding as may be needed for enhancement of its work and the accomplishment of its goals.

*c) Budget.* The Commission shall prepare a budget which shall form part of the National Budget and which shall be subject to approval by the Legislature.

*d) Reports.* The Commission shall make periodic (quarterly) reports to the President and to the National Legislature on progress made by it on the mandates given to it until statute is passed to place it within the statutory framework.

*e) Effective date.* This Executive Order shall take effect on the 11 day of June, A. D. 2009.

**GIVEN UNDER MY HAND AND SEAL OF THE  
REPUBLIC OF LIBERIA THIS 11 DAY OF  
June, A. D. 2009.**

**SIGNED:**

---

**ELLEN JOHNSON SIRLEAF  
PRESIDENT  
REPUBLIC OF LIBERIA**