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# The New Dawn

French Version Inside

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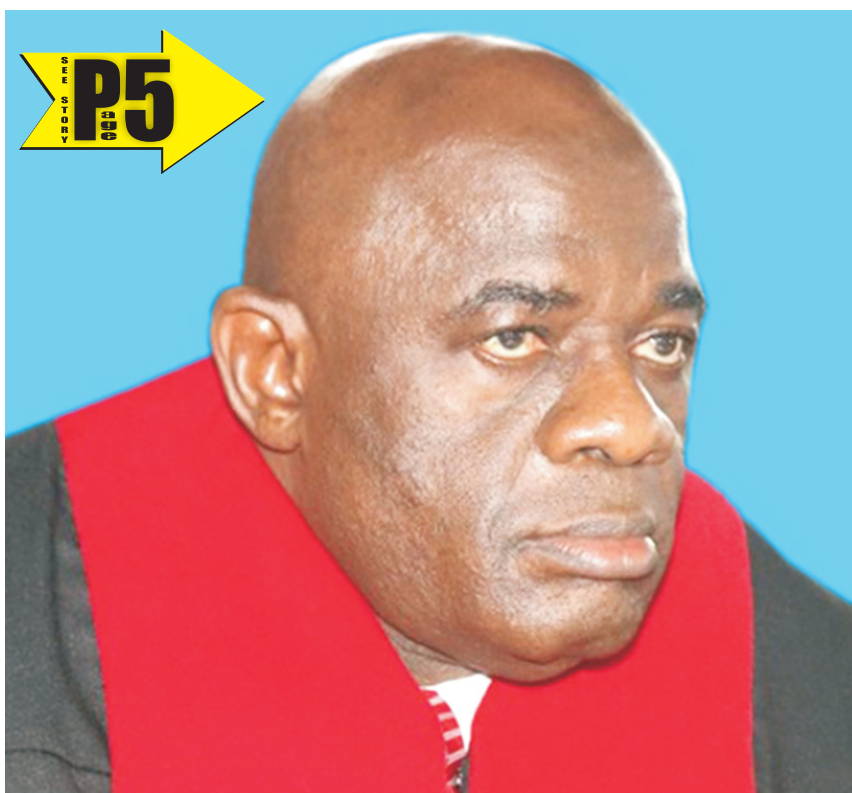
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# Kuwaitis to the rescue

**P11**

**-as top officials arrive for project appraisals and loan deals**



Associate Justice Kabineh Ja'neh

# 'You on your own'

**-S/Court leaves Justice Ja'neh hanging**





# Continental News

## Zimra targets \$4,3bn revenue

The Zimbabwe Revenue Authority (Zimra) is targeting to collect \$4,3 billion in gross revenue by year-end, up 8% compared to what was achieved in 2017, an official has said.

Last year, the actual gross revenue collections totalled \$3,978 billion, which surpassed the target of \$3,4 billion by \$350 million.

Zimra head of corporate communications Francis Chimanda told Standardbusiness that the taxman had collected \$4,146 billion over 10 months ending October 31, 2018.

This was 18% above target. "Our year-end target for gross revenue collection is \$4,3 billion," Chimanda said.

He, however, lamented the current tax compliance levels, which he said were very low at 50% on average.

"The current tax compliance level is a matter of concern as it is barely at 50% on average, while on

sector basis it is now as high as 80% for large corporates," he said.

"While these figures pertain to the formal and tax-registered taxpayers, the case of the informal sector is not measured.

"Undoubtedly, tax compliance levels in the informal sector are the

lowest and worst." Chimanda also said Zimra was owed \$4,5 billion by companies, parastatals and councils, dating back to before 2015.

Private corporates owe the authority \$3,62 billion, including penalties and interest, as at October 31, 2018 while parastatals and councils owe \$604,587 million

and \$275,016 million, respectively.

To strengthen debt recovery efforts, Chimanda said the domestic taxes department had set up a fully-fledged debt recovery section focusing solely on debt recoveries.

The authority is also carrying out voluntary compliance campaigns to motivate and sensitise taxpayers so as to increase voluntary compliance.

"For some taxpayers who are distressed due to the current adverse economic environment, the authority is

negotiating and making softer payment terms," Chamanda said. "The authority continues to use the garnish facility as a last resort where the debt recovery section would have failed having followed all the procedures."

He said some parastatals and city councils who owed the authority were also owed by government. As such, Zimra was putting forward a proposal for debt set-off with the government wherein Treasury evens out the amounts due to parastatals by paying taxes. "Zimra has applied this in order to avoid further deterioration of debt. Suppliers of those parastatals whose tax clearance would have been withheld will withhold 10% tax and pay it directly to Zimra," Chamanda added. Reuters



Members of the National Agency for the Control of AIDS distribute aid on World AIDS Day at the Kuchingoro

## Kenya swamped with settlement

The Office of the Attorney-General has been receiving an average of 1,700 compensation cases annually for the last six years, reports indicate.

This revelation comes as court awards against the government have been on the increase, with information that pending claims lodged at the AG's office stood at

Sh101.3 billion as of May this year.

The compensation consists of awards to victims of torture and for business litigants.

"There is an ongoing exercise to obtain data of pending judgments and awards from State ministries, departments and agencies," the AG's office said in response to questions sent to it by the Sunday Nation. Some 1,293

compensation cases were filed against the Nairobi AG's office in 2013 alone. Some 1,579 cases were filed the following year, 1,667 in 2015, some 1,733 in 2016 and 1,861 in 2017.

**Torture**

When compiling the data this month, the Nairobi office of the AG had received 2,740 cases. "It is evident that the number of cases keeps increasing year after year. This data is only for the Nairobi office. It excludes new cases being received at our regional offices in Mombasa, Malindi, Kisumu, Kisii, Eldoret, Nakuru, Nyeri, Embu and Meru," AG Paul Kariuki Kihara's office said.

Besides survivors of the Nyayo House torture, the other major groups suing the government are victims of torture, violations of fundamental rights, unlawful dismissals by members of the Air Force following the 1982 abortive coup, political detainees, persons arrested and tortured on suspicion of being members of the February Eighteen Revolutionary Army in the late

## Mnangagwa launches construction of China-funded

Zimbabwe's President Emmerson Mnangagwa on Friday launched the construction of a new parliament, which is to be financed by the Chinese.

Officials say the current colonial-era parliamentary building in the city centre is too small to accommodate lawmakers. Reportedly built to accommodate 100 lawmakers, the current structure is used by Zimbabwe's 350 parliamentarians.

The new 650-seater parliament is also part of plans government's plans to establish a new smart city.

"Other facilities like banks, hotels will be built around this place," Mnangagwa said adding that a "modern, smart city" was planned.

**Gift from China**

The imposing circular complex will be built over 32 months by the Shanghai Construction group at Mount Hampden, 18 kilometres (11 miles) north-west of Harare, the Zimbabwe Broadcasting Corporation reported.

Mnangagwa said at the ceremony that China had provided a "grant, not a loan,



to build a new parliament", without giving a figure.

The Chinese have also pledged to construct parliaments for the Republic of Congo and Gabon in Central Africa.

Mnangagwa took over from long-time ruler Robert Mugabe who was ousted by the military in November 2017.

He has vowed to revive Zimbabwe's economy that has been in ruins for nearly two decades. China has funded and provided loans for many infrastructure projects across Africa in recent years, ranging from roads and power plants to sports stadiums and government institutions.

Critics say China's increasing sway over the continent undermines democracy and sovereignty. AFP



wooden judge on graph on table background

1980s and civil servants retrenched during the Structural Adjustment Programmes period.

Members of the latter group say they were dismissed from public service unfairly.

Other claimants are civil servants who left under the voluntary retirement scheme.

**Payment**

The former public officers

say they were duped into signing unfair agreements.

Mwakenya and the 2007/08 post-election violence victims also want to be paid.

The AG's office says most survivors of the Nyayo House torture chambers have had their compensation settled by the Ministry of Interior and Coordination of National Government. Reuters



# EDITORIAL

## The LEC against itself

**SERVICES PROVIDED BY** the Liberia Electricity Corporation (LEC) to the public leave much to be desired despite huge investment in that entity. Current situation at that entity is characterized by managerial in-fighting at the detriment of customers. As the LEC continues to raise fist against itself, business entities, residential homes, ordinary Liberians and the general public are left along with little or no services at all.

**NEWS THAT** ESB International, the private company contracted by the Government of Liberia to manage the LEC is alleging the existence of an rogue element within the corporation that is deliberately, and in many cases bypassing control procedures and necessary organizational changes is a stab in the back of that entity.

**IN CLEAR TERMS,** ESB International has reportedly written an official complaint to the Board of Director against Deputy Managing Director, Joseph Howe for thwarting initiatives aimed at bringing major breakthroughs to LEC.

**ESB INTERNATIONAL IS** a private company hired by the Government of Liberia under the Millennium Challenge Compact Agreement to manage the LEC. In accordance with the agreement, the former is to create an operationally efficient and profitable utility that is financially viable. But nine months into the management of the LEC, ESB International complains the appointment of Mr. Howe as Deputy Managing Director, poses hindrances to the efficient execution of its duties and meeting objectives planned.

**FROM THE ONSET,** the LEC has had serious problem with power distribution to communities across Montserrado County and the rest of Liberia, denying thousands of residents and businesses access to electricity. Meanwhile, elements within the corporation are often in cohort with some unscrupulous members of the public to carry on theft or steal from the entity.

**POWER THEFT HAS** robbed the corporation of badly needed funds, and denied services to the rest of the public, but few individuals at various levels continue to line their pockets with cash that could help in boosting the financial base of the entity to enable it distributes power proportionally.

**“THE FUNDAMENTAL REASON** for the delay in breakthrough is the undermining of those change initiatives that are essential to improve the culture of non-payment for electricity supplied by LEC in Liberia,” ESB International further notes in its complaint.

**WHEN A PUBLIC** corporation such as LEC cries wolf, while self-destroying or stealing from itself, it is nothing but a disservice to the State and its people. We recommend a major shakeup in that public entity to get things right.

**FORMER PRESIDENT ELLEN** Johnson Sirleaf was constrained to change the entire LEC management team in 2016 after she inaugurated the entity due to the lack of accountability.

**IT IS NOT** only a disgrace, but complete disappointment that after partners had spent several millions of their taxpayers' moneys to help restore electricity to Liberia, we Liberians are undermining ourselves. It is too bad.

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Tel: +231-0886484201, +231-0777007529, +231-0886551057

E-mail: info@thenewdawnliberia.com; www.thenewdawnliberia.com

# COMMENTARY

By Joschka Fischer

## Angela Merkel's Long Goodbye

*With the chancellor's announced retirement, Germany, together with the rest of Europe, is heading into a new period of uncertainty. A full-scale reorganization of the post-war German party system is likely, as are fundamental questions about the country's international role.*

**B**ERLIN - With Angela Merkel having announced that she will step down as leader of the Christian Democratic Union (CDU) and not seek reelection as chancellor when her current term ends in 2021, Germany is approaching a watershed moment. Since 1949, the country has had only eight chancellors, which means that Merkel's departure will be anything but an everyday occurrence. Moreover, a change at the top in Germany is usually accompanied by broader political and social change.

Merkel's decision was not entirely unexpected. Having elected her for the fourth time in September 2017, German voters were unlikely to give her a fifth term. People tire of leaders over time. Even without her recent announcement, it thus could have been assumed that Merkel's current term would be her last.

But the ongoing transformation of Germany's domestic and foreign-policy position is more important than a change in leadership. International ruptures are shaking the very foundations of Germany's post-war democracy. Under President Donald Trump, the United States has repudiated the West and everything it stands for. On March 29, 2019, the United Kingdom will leave the European Union. And to the east, China has emerged as a new global power.

More broadly, the world's economic center of gravity is quickly shifting from the North Atlantic to East Asia. The digital revolution, big data, and artificial intelligence are changing the way we work and live. And the EU's internal crises have not just continued but intensified, while chronic turmoil in the Middle East and Africa represents a persistent external risk to Europe's stability.

These and other developments have shaken Germany's once-firm foreign-policy footing. For years, the country's economic model and security strategy have both centered around integration with the West and Germany's role within the EU. But today's challenges require a new strategic outlook. The question for the next chancellor will be: "Quo vadis, Germany?"

Wherever Germany is heading, one thing is already clear: the transition from Merkel to her successor will bring about a far-reaching reorganization of the country's party system. For decades, the center-right CDU (in alliance with the Bavaria-based Christian Social Union) and the center-left Social Democratic Party have served as the two great guarantors of political continuity and stability. But, like mainstream parties across Europe, the CDU/CSU and the SPD are now in crisis. The SPD has lost so much support that it may not survive; and while the CDU/CSU is still the strongest single force in German politics, it is facing a deep structural challenge.

Since 1949, the CDU/CSU's "sister-party" structure has routinely allowed it to secure the chancellorship as the largest party bloc in majority coalitions. But in an enlarged, reunified Germany with seven separate parties

holding seats in the Bundestag, this arrangement no longer works as well as it once did.

In the years preceding Merkel's first election as chancellor in 2005, Germany had been governed by a coalition comprising the SPD and the Greens (in which I served as vice chancellor and foreign minister). During that period, Germany underwent a painful adjustment as the welfare state was brought into line with the post-reunification realities of high unemployment and a new economic geography. At the same time, German foreign policy had to be adjusted to account for the country's new role in the context of the 1990s post-Yugoslav wars, and to address the threat of international terrorism after the attacks of September 11, 2001.

After the fall of the Berlin Wall, reunification, and a period of high unemployment and seemingly endless reforms, Germans had experienced quite enough excitement. Merkel's chancellorship was meant to put an end to all of that. Cool pragmatism became the order of the day. With the economy booming, it seemed as though the sun was always shining and the skies were always blue. Hovering above it all was "Mutti" (Mommy), simply letting things take their course. German voters saw little reason not to elect her three more times.

Now, the sunny days are gone. The emergence of a new global order presents policymakers and politicians with weighty strategic questions that cannot be ignored or deferred. Chief among them is what role Germany - and Europe - should carve out for itself in the years to come. A decade hence, where will we as Europeans stand, and what will we stand for?

Merkel does not offer satisfactory answers to such questions. With her consummate pragmatism, she has become her own worst enemy. Even when she has made great - indeed, historic - decisions, they have been based on narrow, short-term political considerations. Merkel's phasing out of Germany's nuclear power plants, suspension of compulsory military service, and responses to the 2008 financial crisis were merely tactical moves. The one exception came in 2015, when she took a moral stand and opened Germany's doors to one million refugees.

Merkel's approach to the financial crisis would turn out to be her biggest mistake. At the time, she opposed a joint European response, instead advocating national-level measures and mere coordination among eurozone governments. The entire European project has been off track ever since.

Of course, Merkel will be remembered as the chancellor of the "peace dividend" and, possibly, as the last chancellor of the post-war (West) German party system. But Europe's persistent crisis will now form part of her legacy as well, and it will pose a difficult challenge to her successors.

What comes next is anyone's guess. Much will depend on whether Germany, together with France, continues to pursue its European mission.



## O-PED

By Cobus Van Staden

# The G20's Africa Problem

**C**APE TOWN - This has not been an easy year for the G20. The 2018 summit of the leaders of the world's largest economies is being held in Buenos Aires, a city still reeling from a currency collapse. More broadly, the summit is taking place amid a fracturing of the multilateral order. Everything from NATO to the consensus on climate change appears to be coming apart at the seams.

Still, the G20 has long positioned itself as a global problem solver, having been conceived after the 1997 Asian financial crisis and then emerging as the primary global forum for addressing the crash of 2008. A decade later, a global crisis is on the agenda once again, only this time it has assumed the form of a mounting trade war between the United States and China.

Unlike in 2008, however, the world's capacity for multilateral decision-making is deteriorating. The European Union remains preoccupied with its own internal disputes, and the United States, under President Donald Trump, has abandoned multilateralism and weakened the institutions needed to solve complex challenges such as the threat of technological unemployment from automation. And the effects of the Trump administration's protectionism are already being felt. The World Trade Organization recently reported that in response to US tariffs, G20 countries have imposed around 40 new import restrictions, affecting \$481 billion in global trade - a sixfold increase from the year before.

But while the world's economic giants have been withdrawing from multilateralism, Africa has been quietly moving in the opposite direction. Earlier this year, the continent's countries agreed on a new African Continental Free Trade Agreement, and committed to pursuing deeper cross-border economic and infrastructure integration within the framework of the African Union, as outlined in the AU's Agenda 2063.

But, despite its embrace of multilateralism, Africa has struggled to get the G20's attention. South Africa is the only African country in the G20, and it must constantly walk the fine line of speaking for the continent's interests without imposing its voice on its neighbors. True, representatives from the AU and the New Partnership for Africa's Development do attend G20 summits. But the countries occupying each institution's rotating leadership do not always have the capacity to advocate forcefully on the continent's behalf.

Moreover, this problem is compounded by the limited scope of the G20's interactions with Africa. Rather than including Africa in wider discussions about global trade architecture, climate change, and the future of work, the G20 has largely limited its engagement with the continent to addressing narrower development issues.

To be sure, Africa's large infrastructure gap, slow regional integration, and high levels of unemployment all stem from underdevelopment. No one is saying that development should be ignored; but nor should it be the only focus. When international engagement with Africa is confined to the silo of development, the continent is effectively reduced to a set of problems for external actors to solve. This tendency prevents Africa from participating as a legitimate and coequal member of the global community. If one lacks a seat at the table, then one is probably on the menu.

As matters stand, most of the G20's engagement with Africa happens through its Development Working Group, which focuses on the basic building blocks of development, like poverty eradication. This means that Africa has no say in a host of other issues relating to development, including infrastructure, the shape of the digital economy, and the global banking system. As a result, key problems such as Africa's structural exclusion from global markets - which is due in large part to G20 member states' own domestic agricultural subsidies - go unexamined.

This isn't just unfair to Africa; it also poses risks for the G20. Africa represents the world's demographic future, and its development trajectory will increasingly affect the global economy. By 2050, Nigeria will have the world's third-largest population, and by 2100, one-third of all people will be African. Clearly, any plan that the G20 makes for the future will have to put Africa at the forefront. Diminishing the region to a set of development challenges will no longer do.

To its credit, the G20 has started paying more attention to Africa in recent years. Under the Chinese presidency in 2016, the body made industrialization in Africa a high priority. And this was followed by the Compact with Africa under the German presidency in 2017. For its part, Argentina has not launched an Africa initiative of its own; but it has devoted attention to improving cooperation with the continent via people-to-people diplomacy.

The Compact with Africa is designed to facilitate economic reforms across the continent, and to attract investment from pools of private-sector funds in the global North. But though it has been well received among African leaders, the compact nonetheless perpetuates the trend of restricting African engagement to development issues.

Looking ahead, Africa must be afforded a greater role in setting the G20's agenda. The continent will be disproportionately affected by climate change and transnational migration. Yet it will not be able to meet those challenges if its development is being hindered by an unequal global trade system.

These issues are on the agenda in Buenos Aires, but discussion of them will be largely deprived of an African perspective. This must change. It is time for creative solutions to make the G20 more representative and more effective in its engagement with the world. Our collective future depends on it.

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## OPINION

By Jorge G. Castañeda

# Defending Democracy in the Americas

**M**EXICO CITY - The inauguration of Andrés Manuel López Obrador (AMLO) as president of Mexico will soon be followed by Brazilian President-elect Jair Bolsonaro's inauguration, as well as US President Donald Trump's completion of two full years in office. Though each is a unique event, they share some essential features. Most important, each represents a political outcome that could have been avoided.

Since the fall of the Berlin Wall, representative democracy seemed to be on a roll in much of the world. Democratic governments replaced dictatorships across Latin America, Africa, and parts of Asia, and they were supported by a united front of older democracies in the North Atlantic. But this all began to change in just the past few years.

From Hungary and Poland to Italy and even Germany, emerging political forces are challenging democratic governance. Though today's resurgence of populist nationalism may peter out, for now it must be viewed as a serious threat. Much of this was foreseeable, and could have been prevented if those who should have known better had not remained passive.

Nowhere is this truer than in the United States, Mexico, and Brazil. Though AMLO hails from the left, while Bolsonaro and Trump are of the right, all three are indifferent to - if not contemptuous of - democratic processes. Trump, for example, has already undermined the norms of democratic rule in the US, if not through substantive policy, then certainly with his rhetoric.

Between issuing scurrilous charges of non-existent voter fraud, openly encouraging his fellow Republicans to engage in voter suppression, and inviting foreign powers to launch cyber attacks against his opponents, Trump has undermined the credibility of US elections. His attempts to weaken asylum protections, along with his imposition of a religiously motivated travel ban, represent a rejection of core American values. His politicization of the judiciary and attacks on the press are clearly driven by a desire to remove all checks on his power.

For his part, AMLO has spent his transition period introducing pro forma ballot initiatives to reverse major decisions such as the construction of a new airport outside Mexico City. In holding that referendum, he and his party bypassed the official institutions that oversee Mexican elections, not only selecting the polling sites themselves, but also counting the votes. When it was announced that the initiative had indeed passed, no one was surprised, and the Mexican peso plummeted against the dollar.

More recently, legislators from AMLO's party railroaded a measure through Congress that militarizes Mexico's only national civilian police force. Whereas AMLO had previously promised a new strategy in the war on drugs, he has now doubled down on the approach pursued by his predecessor. The military will remain in the streets, but their uniforms will be a different color. Most threatening of all, AMLO has resorted to a Hugo Chávez-like strategy of installing handpicked proconsuls in each of Mexico's 32 states. These loyal factotums will effectively sideline each state's duly elected governor.

Bolsonaro, for his part, has announced that Brazilian police will have "carte blanche" to kill criminals. His goal is to militarize law enforcement throughout the country, and to make weapons widely available to the public. Like Trump, Bolsonaro has practically declared war on several media outlets, especially Folha de S.Paulo, Brazil's largest-circulation newspaper.

Also like Trump, Bolsonaro has unleashed a litany of racist, sexist, homophobic, and nativist comments that should not be dismissed as mere bluster. There is every reason to believe that at least some of his statements will translate into policy once he is in power. With five former generals in Bolsonaro's cabinet, Brazil's government will have more senior officers than at any time since the end of the military dictatorship in 1985.

Though Bolsonaro's justice minister, Sérgio Moro, is a widely admired judge who led the Lava Jato ("Car Wash") anti-corruption drive, he alone cannot compensate for this level of militarization. And besides, his credibility has been called into question by his role in barring former President Luiz Inácio Lula da Silva from running in the election that Bolsonaro just won.

Could all of this have been avoided? In the case of the US, remember that in the summer of 2016, "Never Trump" Republicans called for a rule change that would have allowed delegates at the Republican National Convention to vote their "conscience" instead of in accordance with state primary results. But the party's rules committee rejected the proposal out of fear of angering the Republican base.

As for Brazil, many had warned before the first round of the presidential election on October 7 that only Lula could defeat Bolsonaro in a run-off. But in early September, Brazil's electoral court ruled that Lula's previous conviction on (dubious) corruption charges disqualified him from running. Despite the fact that the court had given Bolsonaro a clear path to victory, Brazil's democrats stayed quiet, rather than rallying behind Lula.

Finally, in Mexico, it was obvious beforehand that AMLO would win by a landslide and secure a congressional super-majority if the other parties did not band together. That would have required the third-place contender, José Antonio Meade of the Institutional Revolutionary Party (PRI), to drop out and endorse the second-place candidate, Ricardo Anaya of the National Action Party. But neither the PRI nor Mexico's business community and intelligentsia could agree to proceed accordingly.

As a result, the US, Brazil, and Mexico find themselves facing the same problem. And democrats in all three countries will not solve it unless they come together in defense of democracy, even if they disagree on basic policy issues. That means standing up to the authoritarian drift through whatever democratic means are available. Caving in on judicial appointments, major public works projects, and proposals to "arm the people" is not a winning strategy. Those who still believe in democracy must take their case everywhere: to voters at home as well as to friends and allies abroad. In these unhappy times, democrats will sink or swim together.

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# 'You on your own'

By Winston W. Parley

Liberia's Supreme Court has denied Associate Justice Kabineh M. Ja'neh's petition to prohibit his impeachment by the House of Representatives, but two dissenting female justices term the court's action as "troublesome precedence."

The court's decision on Friday, 30 November was signed by three justices out five, inclusive of Chief Justice Francis S. Korkpor, Sr., Associate Justice Joseph Nagbe and Ad - Hoc Justice Boima Kontoe, a circuit Judge appointed by President George Manneh Weah to break a tie following previous tied vote.

Following the ruling Friday, most recently retired Associate Justice Philip A.Z. Banks says he is "disappointed" and he would have decided otherwise if he were still on the bench because he disagrees with the ruling. He promises that he would publish an expert opinion this week.

Justice Ja'neh is accused by two sitting Representatives of President Weah's ruling Coalition for Democratic Change (CDC) Mr. Moses Acarus Gray and Thomas Fallah of alleged proved misconduct, fraud, misuse of power and corruption, among others.

With the decision of his majority colleagues, Justice Ja'neh is now set to stand impeachment trial at the Liberian Senate in which his colleague, Chief Justice Korkpor will also preside.

Justice Ja'neh sought the Supreme Court's intervention because he said representatives were violating Article 43 of the Constitution requiring the Legislature to prescribe procedure for impeachment, and also challenged the use of an ad - hoc committee to peruse the petition for impeachment instead of the House Judiciary Committee.

But in the majority Opinion of the Supreme Court, Liberia's final arbiter of justice, Chief Justice Korkpor says "the House of Representatives did "nothing in violation of the Due Process Right" of Justice Ja'neh to warrant the granting of the writ of prohibition as at the time he filed the petition.

"We see no wrong act on the part of the House of Representatives to warrant the issuance of the extraordinary writ of prohibition," Korkpor rules.

He argues that no bill of impeachment or writ of summon were prepared or served against Justice Ja'neh by the House, other than "a

mere proposal" submitted by Reps. Gray and Fallah against Justice Ja'neh.

He argues that Reps. Gray and Fallah's petition was still being perused by an Ad - Hoc Committee of the House when Justice Ja'neh "fled to this court with a writ of prohibition."

Chief Justice Korkpor says "under the circumstance, we hold that the prohibition was prematurely filed and that the alternative writ should not have been ordered issued."

He further disagrees with Justice Ja'neh's argument that the House was in error to have submitted the petition for impeachment to an ad - hoc committee instead of the House Committee on Judiciary because it "was an internal administrative act which cannot be sanctioned by the judiciary."

He says the submission of a

says.

In addressing the House's disrespect for the Supreme Court by its refusal to appear for the case, Chief Justice Korkpor says the House of Representatives is emendable and answerable to judicial process, especially a process initiated by the Supreme Court, citing Article 66 of the 1986 Constitution.

He recalls that the Supreme Court has exercised jurisdiction over the House of Representatives in several matters including the Grace Kpan versus House of Representatives; [Mary] Broh versus House of Representatives, among others.

According to Chief Justice Korkpor, the House was legally obligated to obey when Chambers Justice Sie-A-Nyene G. Yuoh ordered issued the alternative writ of prohibition

all," he adds.

He continues that if the example set by the House is anything to go by, then a party defending in a lawsuit that feels he or she is not in error will no longer file defenses in court or abide by any order of the court.

Addressing the representation of the House of Representatives by the Ministry of Justice in the case, Korkpor argues that in a unanimous opinion, the Supreme Court earlier on February 5, 2016 ruled in Grace Kpan versus House of Representatives case that the Ministry of Justice is "duty - bound to represent them" because members of the Legislature are officers of the Republic of Liberia.

He emphasizes that Ministry of Justice has the right to represent the House of Representatives in this case and it did not require the expressed approval or consent of the House.

"We hold that the writ of prohibition will not lie against the House of Representatives under the facts and circumstances of this case," he rules.

Chief Justice Korkpor, Justice Nagbe and Ad - hoc Justice Kontoe have voted quashing and vacating the alternative writ of prohibition issued by Justice Yuoh in chambers and denied the peremptory writ of prohibition prayed for by Justice Ja'neh.

But Associate Justices Jamesetta Howard - Woloko and Sie-A-Nyene G. Yuoh had fundamental disagreement with the majority's opinion and did not sign up to it.

Reading their dissent, Associate Justice Yuoh recalls how in August, the House, through its Clerk Mildred Siryon, insolently indicated that a "purported writ" issued by chambers Justice Yuoh violated Article 42 and 43 of the Constitution, and advised that in the interest of constitutional democracy and separation of power, that the justice vacate and avoid embarrassment to the Supreme Court.

She says this communication "still remains before the Supreme Court as it has never been withdrawn" by the House.

On Justice Ministry's representation of the House, she notes that the only reason the Ministry was filing a brief in the case was because the Supreme Court had asked it to do so, as provided for by law.

"We must add further that this court by permitting the Ministry of Justice to represent the House of Representatives in the case as the one before us

## FRONT PAGE

will lead to troublesome precedence in our jurisprudence," the dissenters warn.

"It may invariably spring forth the question whether the Ministry of Justice can represent the House of Representatives in a similar suit commenced for impeachment of a president and who appears before this Court, challenging said impeachment," Yuoh cautions further.

The dissenters wonder if in such a case, the Ministry of Justice will represent the House of Representatives or the president.

According to her, the Ministry of Justice was not made a party in the case because it is an institution under the Executive Branch clothed with responsibility to give legal opinion to that branch of government.

In the jurisdiction here, the dissenting Justices argue that the traditional scheme of things have been to have the Ministry of Justice act as legal counsel only for the Executive Branch and not the other two branches.

They insist that it cannot be a subject of any rational debate that part of the primary functions of the Ministry of Justice is to defend all branches of government including the Legislature.

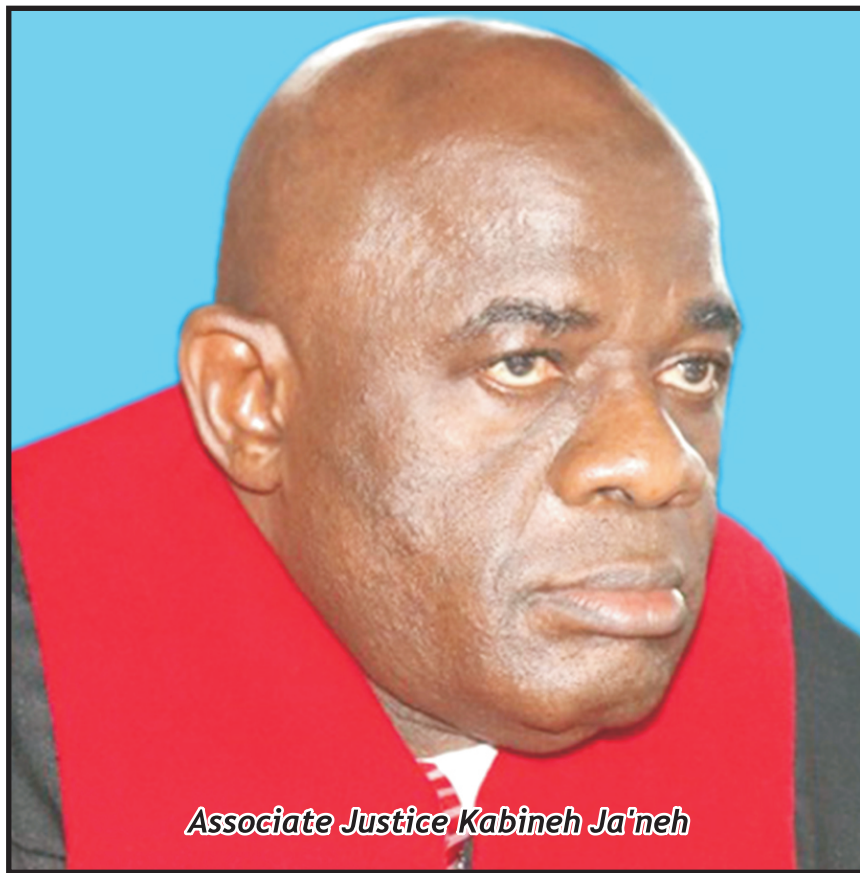
Reading further, Justice Yuoh says the dissenters believe that the Court's support for the Justice Ministry's alleged obligation to represent the House "is erroneous and legally faulty."

She says where an officer of the Republic is in a lawsuit against another officer of the Republic, the Ministry of Justice's representation "is on the side of the law and not to represent one officer of the Republic against another officer."

In reaching this construction, she notes that the Supreme Court firstly defines "officer of the government" as all those of the three branches constituting the government.

In further emphasis, she says the Supreme Court has said that a justice of the Supreme Court, the Speaker and members of the House of Representatives "are all officers of the government."

"We find the position of the majority hilarious," she says, arguing that "it is legally improper for the Ministry of Justice to take sides in representing a party" when sitting Justice Ja'neh of the Supreme Court and officer of the Judiciary Branch of government is contesting the constitutional grounds of his removal by the House, a part of the Legislative Branch of government. -**Edited by Othello B. Garblah**



Associate Justice Kabineh Ja'neh

petition by Reps. Gray and Fallah to impeach Justice Ja'neh was a mere proposal, and an Ad - Hoc committee set up to study the petition could have opted against the petition while perusing it in the committee room.

Besides, he believes that if the Ad - Hoc committee had recommended impeachment, the Plenary of the House could have also voted against carrying out the impeachment.

"This means that until the Plenary of the House of Representatives acted, no official position was taken on the petition. In order words and as we see it, an impeachment proceedings commences at the House of Representatives when the Plenary has voted, endorsing a request or proposal or call it a petition to carry out the process of impeachment," he

in the case and directed the House to refrain from certain specified actions pending the hearing and determination of the petition for writ of prohibition.

He admits that it is respect for the rule of law that balances and strengthens the nation's democracy, creates an enabling environment for peaceful co-existence and provides comfort and assurance for local and foreign investments.

According to him, the insolent content of the letter written by the House of Representatives to the Supreme Court did not show respect for the rule of law, nor showed respect for the Judicial Branch of government.

"This is indeed a bad example set by those who make our laws. The laws they make require compliance by



# MORE HEADLINE NEWS MORE HEADLINE NEWS

## VP Taylor expelled from NPP

*Starts from back page*

Some skeptics think that the process of Madam Taylor and Mr. Gray's expulsion was stage managed by officials of the Biney faction of the NPP, citing the alleged absence of quorum.

The NPP is believed to have proceeded in the absence of quorum and many of the key branded faces of the party were never seen at the day-long extraordinary session during which the decision was taken at Bentol.

According to the NPP Constitution, there should be roll call of executive committee members to establish legality of the event.

But the likes of NPP chairman emeritus Chief Cyril Allen, Senators Sando Johnson, H. Dan Morais and Standard Bearer Jewel Howard Taylor were absent perpetually.

Additionally, no senior member of the ruling Coalition for Democratic Change (CDC) of which the NPP is a part, had shown up for the sitting.

Prior to the decision, embattled Chairman Biney incited partisans to vote for the expulsion on grounds that

Madam Taylor's intention of the NPP is to destroy it.

Program moderator Mr. Eric Kennedy and National Treasurer Mr. Rudolph Cooper were allegedly guiding NPP partisans on how to vote and how to debate the expulsion argument.

Partisans were seen having consultations either with Kennedy or Cooper before being given the microphone to speak.

The delegates also agreed that a communication be sent to President George Manneh Weah, telling him to recall the two expelled persons from their governmental posts.

They also agreed that rivals members to James Biney who are occupying public offices be withdrawn from those offices and expelled.

The delegates called on the party to ensure employment opportunities for members

who are not in government.

Recently, NPP expelled Chairman James Biney for reportedly attempting to take the NPP to a meager with President Weah's Congress for Democratic Change (CDC), a part of the Coalition arrangement that is in charge of government.

It is not yet known whether the National Elections Commission will organize the decision of the fractionized NPP partisans' action as the decision was taken in violation of the NE's guidelines for political parties here.

By the election commission guideline, all key decisions of a political party should be observed by official of the National Elections Commission, but the

extraordinary session did not have observers from the electoral house.

While expelling Madam Taylor and Mr. Gray, the NPP faction says it resolves to accept the renewal of Bomi County Sen. Sando D. Johnson, Mr. Andrew Peters, Mr. Lawrence George and former Sen. Abel Massalley's memberships for the sake of peace and harmony in the party.

The party mandates Biney to request the withdrawal of NPP officials that are serving in the CDC led - government who are bent on undermining the progress of the government, saying it will nominate new partisans to those positions.--

*Edited by Winston W. Parley*



VP Jewel Howard Taylor

## Cllr. Cephus wants female Liberian lawyers on UN tribunal

Liberian lawyer and Deputy Agriculture Minister, Cllr. Sayma Syrenius Cephus is calling on the Government of Liberia to nominate at least two qualified female Liberian lawyers to the UN General Assembly as candidates to be elected as judges of the UN International Residual Mechanism for Tribunals (IRMCT).

international courts and tribunals around the world who have voiced out their opposition to the list of solely male candidates for election as judges of the UN International Residual Mechanism for Criminal Tribunals (IRMCT).

In a press release issued by the ADC-ICT and sent to its members around the world to

## Police kill armed robbery suspect in clashes

The Liberia National Police (LNP) says it has killed one armed robbery suspect when its officers came under serious attack by unknown men armed with deadly Weapons on 1 December.

A press release issued in Monrovia says police officers were responding to an incident in the early morning hours of 1 December to rescue an armed robbery victim on Carey Street in central Monrovia when they came under serious attack by unknown men armed with

deadly weapons.

"In the process, the Arm got discharged and one of the thugs identified as Papa Massally, [aged] 27 got hit and was immediately rushed to the JFK hospital where he was later pronounced dead upon arrival," the press release indicates.

The police authorities in Monrovia disclose that several men armed with cutlasses, knives and other deadly weapons attacked the responding officers.

During the incident, a tussle

ensued between the criminals and the officers and the alleged criminals seriously wounded one officer, the release says in person of Vah Morris.

The officer was wounded on his forehead with an instrument believed to be a cutlass which led him unconscious.

He was subsequently taken to the JFK Hospital by the Police Support Unit back-up Team and currently undergoing treatment.

The release further notes that the alleged criminal gangs made away with the Police mobile Radio and the keys of the Police marked vehicle to an unknown destination.

The LNP urges members of the public to remain calm as investigation continues.

The police say the public will subsequently be informed of the outcomes of the investigation.

"The public can be assured that the LNP will do everything possible to guarantee their safeties," the release says.

Meanwhile, the LNP is warning the public to desist from attacking police officers while discharging their duties as it will not relent to arrest and prosecute anyone engaging in any illegal acts.--

*Press release*



Cllr. Sayma Syrenius Cephus

The Liberian lawyer is a certified counsel of the International Criminal Court in The Hague and a member of the Association of Defence Counsel Practicing Before International Criminal Courts and Tribunals (ADC-ICT), also in The Hague.

Cllr. Cephus is among a group of seasoned international lawyers practicing before

circulate, the group notes that the roster of judges at the IRMCT lacks an appropriate gender representation.

The group says the list is predominantly male judges with only five women of the current 22 judges on the bench.

It expresses serious regret that the current nominations



# MORE HEADLINE NEWS MORE HEADLINE NEWS

## Mercy Corps launches youth employment project

By Lewis S. Teh

**M**ercy Corps-Liberia, one of the major non-governmental organizations (NGO) operating in the social financial services sector, launches youth employment project for young people in the country.

The project, according to Mercy Corps, is being implemented in partnership with the Felix Houphouët-Boigny National Polytechnic Institute (INP-HB) of Yamoussoukro, Ivory Coast thus, giving it an important regional dimension.

Speaking to reporters following the official launching at the Paynesville City Hall in Paynesville over the weekend, Mercy Corps Chief Executive Officer Simon O'Connell explains the first component, the Liberia Employment and Entrepreneurship Program (LEEP), increases the employability and



entrepreneurship of Liberian youths to facilitate their access to employment.

Mr. O'Connell explains further that the second component will experience

regional system of access to higher technical education within the Mano River Union.

Liberian students will continue their studies at the INP-HB, an institution that

provides top-notch training for technicians and engineers; and is already developing ways to welcome international students from Africa (Guineans, Sierra Leoneans and South Africans).

he says with a total cost of 5 million Euros, the Youth Employment Project should ultimately help to support almost 11,000 young people (from 18 to 35 years, 50 percent being girls) in their career, providing funding for 15 companies and grant at least 40 scholarships towards the acquisition of a professional license from the INP-HB.

The Mercy Corps CEO notes that with regards to the implementation, LEEP relies on the involvement of Youth Opportunity Centers that are already supported by Mercy Corps, a partner on this project.

He says the project also foresees creation of a youth investment fund to finance microenterprises of the beneficiaries (after a competitive selection) and the establishment of partnerships with existing incubators to make available a seed fund,

providing start-up capital for innovative initiatives led by the private sector.

For his part, the Chief Executive Officer for Agence Française de Développement or (AFD) Remy Rioux says his organization as part of its effort began working in Liberia from 2012 to 2018, where he says France supported the health sector in Liberia with 3.9 million USD grant to buy medicines and to finance capacity building of the National Drugs Suppliers or service.

According to Mr. Rioux, AFD will support Liberia with two grants: a 5 million euro budget support already fully disbursed and another 5 million euros for the youth employment project.

The AFD boss continues that one of the main focuses of AFD's contribution will be to strengthen job creation. To this end, AFD Group will next year grant a new 10 million euros in the youth employment sector and consider potential projects in other sectors, including private sector financing through its subsidiary Proparco.

## Joseph Nyuma Boakai Foundation launched

By Emmanuel Mondaye

**T**he Joseph Nyuma Boakai (JNB) Foundation, a Liberian Non-Governmental Organization (NGO) named after former Vice President Joseph Nyumah Boakai has been launched here.

The event took place on 29 November at the Millennia Guest House in Oldest Congo Town, suburb of Monrovia.

transformative social change to improve the lives of the Liberian people and to provide needed assistance and service, especially in the rural areas.

According to him, the Foundation seeks to support agricultural production, food security, health care delivery, education, human capacity building and youth and gender development to reduce

conflict resolution, reconciliation and social economic development.

He adds that the Foundation welcomes donors and partners who share a commitment to these core program areas in Liberia.

Earlier, the Executive Director of the JNB Foundation Mr. Sylvester Grisby noted that when former Vice President Boakai announced his decision to establish the foundation, it generated much concerns among Liberians, some of whom had wondered as to when such a foundation would come to light.

He encourages Liberians both at home and abroad who have the country at heart to make meaningful financial, material and human resource contribution to the foundation to ensure it succeeds by implementing its vision and goals.

Meanwhile, Ghanaian President Nana Akufo-Addo's proxy who declared the launch of the Foundation says with the support of national and international entities, the Boakai Foundation's dream of poverty reduction, among others, will be achieved.

The Ghanaian delegate says the suffering of Liberians can be eradicated when Liberians support the efforts of the foundation.

He adds that the soil of Liberia is the best place for anyone to invest because a people that can feed themselves can develop.



Providing the vision and mission of the NGO, former Vice President Boakai stressed that the foundation has six pillars including Agriculture, Education, Health, Water and Sanitation, Youth and Gender Development and Environment.

He says the vision of the foundation is to drive

poverty and help build peaceful and equitable society.

Mr. Boakai discloses that the Foundation will coordinate with relevant agencies and institutions both national and international to organize training programs in agriculture; contribute to sustaining peace through dialogues on mediation,

## Cllr. Cephus wants female

Starts from page 6

before the UN General Assembly comprise 11 male candidates, with no female candidate.

The group therefore calls on the General Assembly to restart the nomination process in order to allow female candidates.

Highlighting the ADC-ICT position, Cllr. Cephus calls on the Liberian government to add its voice to the new debate for gender balance on the court's bench by nominating at least two qualified and experienced female courtroom lawyers to the UN General Assembly to be shortlisted for the positions of judges of the IRMCT in The Hague.

Meanwhile, Cllr. Cephus, as senior member of the ADC-ICT has been officially invited to attend this year's Annual Convention slated for December 8, 2018 in The Hague for the election of its leaders.

Cllr. Cephus' call is contained in a press release issued recently 7 November in Monrovia.

The ADC-ICT is an association of some of the most experienced and brilliant legal counsels practicing before all international courts and tribunals around the world. It is headquartered in The Hague, the Netherlands.--

**Press release**

**#Revoke rock and sand mining licenses from Chinese and Lebanese#**

The occasion was graced by Deputy House Speaker Prince Moye, Grand Cape Mount County Senator Varney G. Sherman, ANC Political Leader Mr. Alexander Cummings, Mr. Clemenceau Urey, former Chief Justice Glorious Musu Scott, and the Chairman of the Governance Commission Dr. Amos C. Sawyer, among

others.

Crusaders for Peace Julee Andee presented to Ambassador Boakai different kinds of African made customs as the organization's own way of identifying with the former vice president, while his wife, also gowned him during the launcher.--**Edited by Winston W. Parley**



# Français

## L'ancienne Présidente Sirleaf parle de l'économie

L'ancienne Présidente, Mme Ellen Johnson - Sirleaf, a exhorté tous les libériens à contribuer au développement de leurs pays.

Le mercredi 28 novembre à Monrovia, sur la chaîne de télévision locale OK FM, Mme Sirleaf a déclaré que pour bâtir une économie forte, il faut des gens qui acceptent de faire preuve d'une certaine intégrité dans la gestion des ressources de leur pays.

« Je ne dis pas que c'était comme ça avant, je ne veux tenir le bœuf pour personne. Je veux tout simplement dire que si nous voulons une économie forte, il faut que nous acceptions tous d'y contribuer », a déclaré Mme Sirleaf.

L'ancienne Présidente partage ses réflexions alors que son successeur, le président George Manneh Weah, continue de faire face à la dure réalité de la dégradation de la situation économique. Les prix des produits de base augmentent chaque jour de manière incontrôlable et la monnaie locale s'est considérablement dévaluée par rapport au dollar américain, au détriment du pouvoir d'achat de la



population qui s'appauvrit sur fond de manque d'emplois dans un pays où le secteur privé laisse à désirer.

Mme Sirleaf a averti ses compatriotes qu'il n'existe pas de solution miracle à l'économie. « Il n'y a pas d'une solution miracle, ni un bouton sur lequel il faut appuyer et permettre à la lumière s'allumer ».

Pour elle, la seule solution envisageable est l'action collective de tous les fils et toutes les filles de la nation. Il faut non seulement les représentants du gouvernement, mais aussi tout le monde, qu'il s'agisse des politiciens, des membres de la société civile ou encore des citoyens ordinaires et des ressortissants étrangers, tous

doivent participer de manière active à la relance économique par le travail.

Elle reconnaît cependant qu'outre le travail de tout un chacun, il faut des gens qui puissent gérer les retombées économiques avec dignité et intégrité pour le bonheur de tous les libériens.

Mme Sirleaf refuse de porter un jugement sur la performance de l'équipe gouvernementale dirigée par le président Weah, affirmant que quand elle voit comment elle-même a été jugée, elle se dit que « quelque chose ne va pas du tout » et que les gens ne cherchent pas à voir la réalité. Elle regrette, après 12 ans de pouvoir, qu'on dise que son administration n'a rien fait en dépit des routes que son gouvernement a construites et

des infrastructures dont bénéficient ceux qui rendent des jugements.

Le véritable problème, selon elle, c'est la mentalité des libériens qui cherchent toujours quelque chose de négatif dans tout ce que l'on fait.

Elle insiste cependant sur la nécessité de changer de stratégie, d'examiner les décisions prises par les plus grandes nations, de s'y adapter et de reconnaître le dynamisme de l'économie mondiale en mutation.

Entre-temps, Mme Sirleaf a affirmé entretenir une relation cordiale avec son successeur, M. Weah, et souhaite que tous les politiciens aient une relation cordiale, car « nous ne sommes pas des ennemis ». « Il faut que nous cessions de nous battre dans ce pays. Il faut que nous apprenions à tolérer nos différences », a-t-elle insisté, tout en exhortant les libériens à plus de tolérance, plus de patience et plus de collaboration, car « c'est le seul moyen de faire avancer le pays ».

Aux dirigeants, elle a demandé de cesser les discussions inutiles et de se concentrer sur leur travail.

Parlant de la Commission de vérité et réconciliation (CVR), Mme Sirleaf a fait savoir que la plupart de ses 179 recommandations ont été mises en œuvre en fonction des moyens disponibles, à l'exception de la création du Tribunal des crimes de guerre. « Sur ce point, je n'ai aucune préoccupation personnelle. Ma position à ce sujet a été clairement énoncée et je la maintiens », a-t-elle conclu.

## Sénégal : la coalition présidentielle investit Macky Sall pour un second mandat

Le chef de l'Etat sénégalais Macky Sall s'est engagé à amener le pays « plus loin et plus haut », lors de son investiture par la coalition présidentielle pour l'élection du 24 février, alors que ses principaux rivaux sont hors course pour raisons judiciaires.

Les présidents ivoirien

Alassane Ouattara, gambien Adama Barrow, libérien George Weah, mauritanien Mohamed Ould Abdel Aziz et le Premier ministre bissau-guinéen Aristide Gomes assistaient à cette conférence à la « Dakar Arena », un complexe sportif dans la ville nouvelle de Diamniadio, à une trentaine de kilomètres de

Dakar.

« Le tour est joué au premier tour », a lancé l'un des maîtres de cérémonie, résumant l'objectif de la coalition au pouvoir.

« J'accepte la charge et je m'engage sans réserve, au lendemain de cette échéance du 24 février 2019, je m'engage à intensifier nos acquis pour amener avec vous notre pays encore plus loin, encore plus haut, dans le concert des nations prospères, libres et démocratiques », a déclaré Macky Sall dans un discours de plus de trois quarts d'heure.

« Notre pays va entrer dans le cercle restreint des grands pays producteurs de gaz et de pétrole, notre économie va ainsi changer d'échelle », a-t-il indiqué, en référence à la production d'hydrocarbures attendue à partir de 2021-2022.

« Ces nouvelles ressources, gérées dans la transparence et l'intérêt national, permettront d'accélérer le développement des autres secteurs productifs », a assuré le président sortant, annonçant « cinq initiatives majeures » pour son second mandat. Il a ainsi cité la



### Articles traduits

Par Valéry G. Guhéna

E-mail: [valeryghn10@yahoo.com](mailto:valeryghn10@yahoo.com)

Tel: 076 589 44 0881483394

jeunesse, « l'économie sociale et solidaire », « l'économie numérique inclusive », la transition agro-écologique pour « sanctuariser l'alimentation des générations futures » et l'industrialisation.

Face à Macky Sall, au pouvoir depuis 2012, les deux principales figures de l'opposition, l'ex-ministre Karim Wade et l'ex-maire de Dakar Khalifa Sall, dissident du Parti socialiste qui soutient la candidature du président sortant, sont dans l'incapacité de se présenter en raison de condamnations judiciaires.

Karim Wade, fils du président Abdoulaye Wade

(2000-2012), investi par le Parti démocratique sénégalais (PDS, opposition), a été radié des listes électorales après sa condamnation en 2015 à six ans de prison pour enrichissement illicite par la Cour de répression de l'enrichissement illicite (CREI), dont les décisions ne peuvent faire l'objet d'un appel. Khalifa Sall, révoqué de son mandat de maire après la confirmation en appel en août de sa condamnation à cinq ans de prison pour escroquerie, qu'il purge actuellement, ne peut miser que sur un hypothétique succès de son pourvoi en Cassation pour espérer se présenter.



# Français

## Éditorial

### Que le gouvernement collabore avec les médias

Le ministre de l'Information, des Affaires culturelles et du Tourisme, Lenn Eugene Nagbe, a souligné le caractère indispensable des médias libériens pour la survie de l'État lui-même.

S'exprimant mardi à Monrovia lors d'un forum intitulé Medias Market Day et parrainé par l'organisation Internews, le ministre Nagbe a fait remarquer que le paysage médiatique du Liberia est un peu différent de celui des autres pays, car au Libéria, le gouvernement est le plus gros annonceur, ce qui complique les reportages des médias.

M. Nagbe a reconnu que, étant donné que le secteur privé n'est pas le principal annonceur au Libéria, la situation des médias est complexe, car les médias indépendants ne survivent que par la publicité.

Nous sommes d'accord avec le ministre à cent pour cent ; C'est une réalité au Libéria, qui ne favorise pas du tout une presse indépendante dynamique. Pourtant, une presse réellement indépendante est un atout majeur pour l'État.

Nous pensons qu'il est grand temps que le gouvernement libérien, en étroite collaboration avec les médias, crée un environnement propice aux investissements privés, car c'est le moteur de la croissance.

Contrairement à la confrontation, nous sommes pleinement conscients que le partenariat favorisera une atmosphère apaisée pour le bien général de tous. Mais c'est avec regret que nous constatons que la réalité actuelle ne semble pas militer en faveur d'une telle coopération. Le gouvernement a tendance à se méfier des médias qui, pour lui, n'inspirent pas confiance.

Le ministre de l'Information reconnaît en outre que la situation au Libéria est telle que chaque agence gouvernementale se donne des critères dans le choix des entités médiatiques pour les publicités. Et cela est si flagrant que le gouvernement est accusé d'user de son pouvoir publicitaire pour influencer le contenu des médias, ce qui est regrettable, selon le ministre de l'information.

Il a ainsi appelé le gouvernement et l'Union de la presse du Libéria (PUL) à travailler ensemble afin de résoudre ce problème pour le bien de tous.

Nous appelons le ministre Nagbe à prendre l'initiative de concilier le gouvernement et les médias afin que les soupçons inutiles et insensés n'aient aucune raison d'être, car l'inimitié à laquelle nous assistons aujourd'hui ne profite ni à l'un ni à l'autre.

Si les médias sont véritablement considérés comme le quatrième pouvoir de l'État, comme le disent volontiers les autorités, ils devraient être associés à chaque étape du processus de gouvernance, tout en maintenant leur statut d'indépendance afin de faire des reportages indépendants, équilibrés et objectifs, sans qu'ils se voient refuser des annonces publicitaires.

## COMMENTAIRE

Par Joschka Fischer

### Les longs adieux d'Angela Merkel

BERLIN - L'Allemagne va se trouver bientôt à la croisée des chemins, car Angela Merkel a annoncé qu'elle allait abandonner la direction de son parti, l'Union chrétienne démocrate (CDU), et son poste de chancelière en 2021, à la fin de son mandat. Depuis 1949, le pays n'a compté que huit chanceliers, autrement dit son départ n'est pas un événement anodin, d'autant qu'en Allemagne, un changement à la tête de l'État s'accompagne généralement de changements de grande ampleur au niveau politique et social.

La décision de la chancelière n'était pas entièrement inattendue. Les Allemands l'ont réélue pour un quatrième mandat en septembre 2017, mais il est peu probable qu'ils lui en accordent un cinquième, car les électeurs finissent par éprouver à la longue un sentiment de lassitude. Même si elle ne l'avait pas annoncé, il était prévisible qu'Angela Merkel accomplisse là son dernier mandat.

Le changement de cap de la politique intérieure et de la politique étrangère allemande qui a lieu actuellement ne se résume pas à un simple changement de dirigeant. Les ruptures internationales d'aujourd'hui ébranlent les fondements même de la démocratie allemande de l'après-guerre : à l'instigation de Trump, la répudiation par les USA des valeurs occidentales, la sortie du Royaume-Uni de l'UE le 29 mars 2019 et l'émergence de la Chine comme nouvelle puissance mondiale.

Plus largement, le centre de gravité de l'économie mondiale bascule de l'Atlantique Nord vers l'Asie de l'Est. La révolution numérique, les "big data" et l'intelligence artificielle modifient notre manière de travailler et de vivre. Quant à l'UE, non seulement ses crises internes se prolongent, mais elles redoublent d'intensité, tandis que les troubles au Moyen-Orient et en Afrique menacent sa stabilité.

Cette situation, ainsi que d'autres facteurs, ébranlent le socle de la politique étrangère allemande. Depuis des années, la stratégie de sécurité et le modèle économique allemands se fondent sur l'intégration au sein de l'Occident et sur son rôle au sein de l'UE. Mais les défis d'aujourd'hui exigent une nouvelle stratégie. La question qui se posera au prochain chancelier sera : Quo vadis, Allemagne ?

Quelle que soit la direction que prendra le pays, une chose est sûre : la transition entre Merkel et son successeur s'accompagnera d'une réorganisation en profondeur du système des partis. Pendant des décennies, la CDU de centre-droit (alliée à l'union sociale chrétienne en Bavière, la CSU) et le SPD, le parti social-démocrate de centre-gauche, ont été les garants de la continuité et de la stabilité politique de l'Allemagne. Mais, à l'image des autres grands partis politiques européens, la CDU/CSU et le SPD sont maintenant en crise. Ce dernier perd son assise au point e voir son existence menacée ; de son côté, bien qu'elle reste encore la principale force politique du pays, la CDU/CSU est confrontée à un profond défi structurel.

Depuis 1949, l'alliance CDU/CSU lui permet de parvenir à la chancellerie en tant que principal bloc des coalitions majoritaires. Mais dans une Allemagne élargie et réunifiée, avec 7 partis différents au Bundestag, cette alliance ne peut plus fonctionner de la même façon.

Dans les années qui ont précédé la première accession d'Angela Merkel à la chancellerie en 2005, l'Allemagne avait à sa tête un gouvernement de coalition (dans lequel j'ai servi comme vice-chancelier et ministre des Affaires étrangères) constitué par le SPD et les Verts. Durant cette période, il a fallu adapter le système de protection social allemand aux réalités de la réunification, avec un chômage important et une nouvelle géographie économique. De même, la politique étrangère allemande a pris en compte le nouveau rôle du pays dans le contexte des guerres qui ont suivi l'éclatement de la Yougoslavie dans les années 1990 et elle a intégré la menace du terrorisme international après le 11 septembre.

Après la chute du mur de Berlin, la réunification, une période de fort chômage et de réformes qui paraissaient ne jamais devoir cesser, les Allemands étaient saturés de changements. L'arrivée au pouvoir de Merkel devait mettre fin à tout cela. L'ordre du jour était alors à un pragmatisme froid. L'économie étant au beau fixe, il semblait que le soleil allait toujours briller et que le ciel resterait toujours bleu. Chapeautant tout cela, Mutti (Maman) laissait simplement les choses suivre leur cours. Les électeurs allemands ne voyaient pas de raison de ne pas la réélire - ce qu'ils ont fait à trois reprises.

Aujourd'hui c'est fini, le soleil ne brille plus. L'émergence d'un nouvel ordre mondial confronte les dirigeants politiques à d'importantes questions stratégiques qu'ils ne peuvent esquiver. La principale d'entre elles concerne le rôle que l'Allemagne - et l'UE - vont s'attribuer dans les années à venir. Dans 10 ans où en sera l'Europe, et quelles valeurs défendra-t-elle ?

Merkel n'offre pas de réponse satisfaisante à ce type de questions. Avec tout son art du pragmatisme, elle est devenue sa propre pire ennemie. Elle s'est basée sur des considérations politiciennes à court terme, même pour des décisions historiques. L'arrêt des centrales nucléaires, la suspension du service militaire obligatoire et la réaction face à la crise financière de 2008 ont été des mesures purement tactiques. Néanmoins il y a eu une exception, en 2015 quand elle a adopté une posture morale et ouvert les portes à un million de réfugiés.

Sa réaction face à la crise financière a sans doute été sa plus grande erreur : elle s'est opposée à une réponse européenne commune, pour se limiter à des mesures nationales et à une simple coordination entre les pays de la zone euro. C'est tout le projet européen qui a alors déraillé, et il ne s'en est pas encore relevé.

On se souviendra sûrement d'Angela Merkel comme de la chancelière des "dividendes de la paix" et peut-être même comme de la dernière dirigeante du système des partis de l'après-guerre de l'Allemagne de l'Ouest. Mais elle laissera aussi à son successeur un problème épineux : la crise européenne persistante.

Il est difficile de prévoir ce qui se passera. Beaucoup dépendra de la décision de l'Allemagne de poursuivre, de concert avec la France, sa mission européenne.

Traduit de l'anglais par Patrice Horovitz

Joschka Fischer a été ministre des Affaires étrangères et vice-chancelier de l'Allemagne entre 1998 et 2005. Il a également été un important responsable des Verts pendant près de 20 ans.



## PERSPECTIVES

With Bai M. Gbala, Sr.  
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Public Policy . Economics . Democratic Politics . Political/Economic Decentralization . Public Dishonesty . Dual Citizenship

SOURCES OF LIBERIA'S MAJOR POLITICAL CALAMITIES:  
ETHNIC TRIBAL BIGOTRY AND DUAL CITIZENSHIP

Since the founding of the Republic of Liberia some 171 years ago in 1847, the country has been involved in social, cultural, economic and political activities of Ethnic Tribal Bigotry and Dual Citizenship or Nationality because these conditions or statuses offer excellent, attractive privileges - political-economic advantages and opportunities. But they these are, also, the sources of Liberia's most damaging, major problems of socio-economic and political difficulties which effect the majority of the population, the poor and under-privileged of the society. What, then, are (1), Ethnic Tribal Bigotry and (2), Dual Citizenship?

- 1) Ethnic Tribal Bigotry of the African-Liberian Tradition is *African Racism, segregation-discrimination, tribal rivalry, jealousy, fear and antagonism bordering on hate, deeply-rooted in myths, superstitions that, often, leads to tribal wars*. Examples of the impact are:

- a) Historical denial of basic civil-political liberties with unwritten but diligently-enforced rules of ethnic-tribal and gender Exclusion; also denial of the benefits of education, healthcare, employment, housing, etc.;
- b) In yesterday's Liberia, there was the NPFL/INPFL insurgents of the ACDL-Civil war machine that exploited the Liberian tradition, exacerbated inter-tribal differences and inflamed tribal passions such that it gave rise to the historic nightmare of the 15-year, ethnically-driven, deeply-divisive conflict of plunder, destruction and death of a quarter of a million Liberians, with hundreds of millions in self-imposed exiles and in refugee camps in foreign lands.
- c) This condition rendered the Nation calamities of today Liberia, the resulting impact of the Conflict "deeply-rooted in superstitions, segregation and discrimination" that is alive and well in 21<sup>st</sup> century Liberia!!

- 2) Dual Citizenship or nationality is the relationship of an individual and two sovereign states in which the individual is citizen of the two states, simultaneously, with loyalty, allegiance and patriotism, supposedly, to the two states and, in return, is entitled to the states' protection, with freedom and full political rights, including the rights to vote and hold public office, among others, *although* citizenship is a Social Contract between the Citizen and the Social State based on mutually-binding commitments and responsibilities of the state to the citizen and of the citizen to the state, particularly, including loyalty, allegiance, and patriotism to one state at a time. In the Liberian Context, in terms of Liberian Law (the Constitution) on Citizenship, there is no such thing as Dual Citizenship; in that, the Liberian Constitution provides that:

- a) "... only persons who are Negroes or of Negro descent shall qualify by birth or by naturalization to be citizens of Liberia" [Art. 27(b)];
- b) "... every Liberian citizen not less than 18 years of age shall have the right to vote ..." [Art. 77(b)];
- c) "... only Liberian citizens shall have the right to own real property within the Republic" [Art. 22(a)];
- d) "Persons, ... one of whose parents was a citizen of Liberia at the time of the person's birth, shall be a citizen of Liberia; provided that ... such person, upon reaching maturity, renounces any other citizenship acquired by virtue of one parent being a citizen of another country ..." (Art. 28);
- e) "... only citizens of Liberia ... are eligible to become members of the (national) legislature" (Art. 30); and
- f) "No person shall be eligible to hold the office of president or vice president (of the Republic) unless that person is a natural born, Liberian citizen ..." [Art. 52(a)].

Given the foregoing constitutional requirements, it is important that we, in Liberia, seek to amend and/or repeal the relevant provisions of the Constitution with the *proviso* that laws are made to be amended and/or repealed *in the event* that the socio-economic and political conditions that gave rise to the enactment/passage of such laws are not, any longer, valid, *because of emergence of socio-economic changes and needs of the country in 21<sup>st</sup> century, world economy*.

In this respect, let us recall that Laws made by individuals in society are designed to define and regulate, equitably, human interactions and relationships in order to protect and preserve society's vital interests, and that as these interactions, relationships and vital interests change over time, law must, inevitably, change correspondingly.

Ethnic Tribal Bigotry and Dual Citizenship, however, are imposed constraints that are, also, violations of law combined into a single condition in the interest of a very few and the single source of Liberia's major political difficulties - socio-economic and political problems.

## Observations and Comments

The most, profound impacts of (1), Ethnic Tribal Bigotry and (2), Dual Citizenship are felt in Liberia in the following areas of Liberian society:

- 1) Ethnic Tribal Bigotry.

- a) **Administration of Social, Economic Entitlements.** This is found mostly in the administration of lawful entitlements such as training, education, employment, housing, choice of location, etc.
- b) The right to stand for election to some state offices are denied by unwritten but effectively-enforced rules of exclusion.

- 2) Dual Citizenship.

- a) **National Security.** Regarding National Security, the word "*allegiance*" means that we promise *Loyalty, exclusive and unrestrained, with lawful, binding obligation*. Because citizenship carries with it, also, the responsibility and obligation to be exclusively loyal to one country at a time, the concept of **Dual citizenship** raises questions about which of the dual citizenships have priority. This is extremely important when and where the two countries have opposing interests. In the case of a declared war or real threat of a conflict, for example, our loyalty, allegiance and patriotism to the Republic preclude, *should and must preclude* any other interest, be it another country or political ideology.

It can be a deadly problem when and where a dual citizen occupies a high position in our Liberian Government. Can one imagine a dual citizen of an opposing foreign country serving in the Ministry of National Defense during a conflict with that country? Today's conflicts are at Liberia's door-steps. Liberia is surrounded by nations with governments dominated by militant Muslim-Islamist BOKO Haran, with "*weapons of Mass Destruction*" which Liberia does not possess. But Liberia is sinking in the Cesspool of Ethnic Tribal Bigotry & Dual Citizenship.

- b) **Political/Economic.** Historically, Dual Citizens dominated and controlled Liberia's Political Economy and political decision-making power through absolute control/domination of Liberia's Politics and Economics during the 171 years of Country's political independence and continuing. Fabulous salaries and related incomes generated in Liberia by *Dual Citizens* have been and, are being transferred, regularly, out of Liberia and purchased homes, maintain families and educate children in foreign countries, the simultaneous, second home-countries of these Liberian, dual citizens. They travel, very often, to and from these countries to which they owe *exclusive loyalty, allegiance and patriotism*, and in which they hold and maintain fabulous bank accounts.

## Cllr. Korkoya as NEC Chairman

The most recent case, in point, of dual citizenship is the example of Cllr. Jerome Korkoya who was appointed Chairman of the National Elections Commission (NEC) by former President Sirleaf, although she (President Sirleaf) knew, very well, that Cllr. Korkoya was, and is, ineligible to hold the position because he (Cllr. Korkoya) is citizen of a foreign country, a violation of Liberian statutory and constitutional law. But she did so, apparently, because of her desire and plan to control and manipulate the functions of the NEC through malleable Cllr. Korkoya.

Moreover all, almost, registered, recognized Political Parties, Leaders and practicing politicians and attorneys, including the Nation's Supreme Court, supported and continue to support the illegal appointment of Cllr. Korkoya as Chairman of the NEC, for obvious reasons.

In fact, our recent research information of the declared/approved candidates for President of Liberia and the sitting, retiring President showed the following, for obvious reasons:

Retiring President Ellen Johnson-Sirleaf, UNITY Party (?), Doubtful

- 1) Vice President Joseph Boakai, UNITY Party, Liberian Citizen
- 2) Cllr. Charles Brumskine, LIBERTY Party, Doubtful
- 3) Senator George Weah, CDC COALITION, US Citizen
- 4) Mr. Benoni Urey, ALP Party, Doubtful
- 5) Dr. Mills Jones, MOVEE Party, US Citizen
- 6) Mr. Alexander Cummings, ANC Party, US Citizen
- 7) Dr. Henry Fahnbulleh, Jr., LPP Party, Doubtful
- 8) Senator Prince Johnson, MDR Party, Liberian Citizen
- 9) Ms. Macdella Cooper, LRP Party, US Citizen
- 10) Jeremiah Whapoe, VOLT Party, US Citizen
- 11) McDonald Wentto, UPP Party, US Citizen

Of the 11 politicians seeking the presidency of Liberia and the retiring, sitting President, 6 or 50% are US citizens, 4 or 33% are in doubt, while 2 or 17% are Liberian citizens. Thus, the reason that "*politicians*" were, and are, in support of the illegal appointment of Cllr. Jerome Korkoya as Chairman of the NEC. To protect and secure the self-interests of the very few!!

## Dual Citizenship versus the Masonic Craft

In the Liberia of today, Dual Citizenship has replaced the Masonic Craft as the symbol of preferred social standing, economic and political success within the socio-political Class for



# Kuwaitis to the rescue

By Othello B. Garblah

**T**op officials from the oil rich Middle East nation of Kuwait arrived in the country on Sunday December 2, 2018 to hold several meetings with officials of the George Weah's government aimed at reinforcing their involvement with Liberia's reconstruction process in the areas of roads and ports rehabilitation.

The delegation comes at the time the Weah administration is seeking loans and assistance here and there for the construction of a coastal highway and other road and bridge projects in central Monrovia.

The Kuwaitis through the Kuwait Fund for Arab Economic Development signed several loan agreements with the government of Liberia for the construction of roads and the rehabilitation of the Port of Greenville, as part of efforts to strengthen the bilateral ties between both nations following the opening of the Liberian Embassy in Kuwait City by former President Ellen Johnson-Sirleaf during a two day state visit on June 15, 2010.

Most of these projects have



been ongoing, while other agreements remained uncompleted with both nations finalizing negotiations to put pen to paper.

The Kuwaiti delegation which comprises of five top officials will be in the country for 13- days and are expected to meet with the Ministers of Finance Development Planning Mr. Samuel Tweah, Public Works, Mabutu Nypan and the Minister of State Mr. Nathaniel

McGill.

The delegation will hold a technical discussion with the Infrastructure Implementation Unit (IIU) at the Ministry of Public Works on projects and review available projects.

The Kuwaiti delegation will visit project sites, and are expected to sign an agreement which will lead to the implementation of the Phase II of the Konia-Voinjama road. The delegation will also hold

discussion on the loan agreement for the development and rehabilitation of the Port of Greenville in Sinoe County.

Brief backgrounds

On March 21, 2016, a Loan Agreement was signed in Monrovia between the Government of Liberia and Kuwait Fund for Arab Economic Development. As part of the deal the Fund was expected to extend a loan of Kuwaiti Dinars five million (KD.5, 000,000/-) (i.e. equivalent to about 17 million US\$) to help finance the Gbarnga - Salayea Road Project.

The Loan Agreement was signed on behalf of the Government of Liberia by then Finance and Development Planning Minister Amara Konneh and on behalf of the Fund by Mr. Ghanem Sulaiman Al-Ghenaiman, Deputy Director-General of the Kuwait Fund for Arab Economic Development in attendance was Mr. Thamer Al-Failakawi, Regional Manager for West African countries at the Fund.

The Project consists of construction works to attain an all-weather asphalted road of an approximate length of about 81 km and a width of 7.5 m. (with 1.5 m. shoulders on each side) between Gbarnga and Salayea. The Project also includes construction works of drainage facilities, reconstruction or rehabilitation of bridges, protection, safety and environmental protection facilities, as well as the consultancy services to review the detailed design and supervision of construction, and institutional support, and land acquisition. The Project is expected to be completed by the end of 2019.

The total cost of the Project is estimated at about 9,095.51 billion Liberian Dollars, the equivalent of about KD. 28.921 million, of which the foreign exchange is equivalent to about KD. 24.821 million,

which represents about 85.8% of the total cost of the Project. The Fund's Loan will cover about 17% of the total cost of the Project, or of about 20% of the foreign exchange component of the costs of the Project.

The Project is also being financed, together with the Fund, by the Saudi Fund for Development with loan in the amount of about 5.88 million Kuwaiti Dinars representing 20% of the total cost of the Project, the OPEC Fund for International Development with loan in the amount of about 5.88 million Kuwaiti Dinars representing 20% of the total cost of the Project, the Abu Dhabi Fund for Development with loan in the amount of about 4.41 million Kuwaiti Dinars representing 16.8% of the total cost of the Project, and the Arab Bank for Economic Development in Africa with loan in the amount of about 2.61 million Kuwaiti Dinars representing 10% of the total cost of the Project, while the government will provide for the financing of the rest of the project costs.

On December 10, 2012, a Loan Agreement was signed between Kuwait Fund for Arab Economic Development and the National Port Authority. The Kuwait Fund was to make a loan of Kuwaiti Dinars (K.D.) 4 million (equivalent to about U.S. \$ 14 million) to assist in financing the rehabilitation project of the Port of Greenville. A Guarantee Agreement relating to the Loan was also signed between the Government of Liberia and Kuwait Fund.

The Project aims at supporting economic activities in the south eastern regions of Liberia through meeting the increasing demand on shipping and exporting products of the regions' natural resources, particularly lumber, palm oil and iron ore, through the Port of Greenville, and by improving the quality of service, efficiency and security of the Port.

## Publishers denounce

Starts from back page

as witch hunt.

The PAL sees this scheme by the House as an attempt to impress the international community while the real state actors remain untouched in the alleged missing billions scandal.

Journalist Browne who runs local daily Hot Pepper was invited to provide evidence following his comment on OK FM last month that about 15 lawmakers were allegedly bribed to authorized the printing of 10.5 billion Liberian

Dollars.

But the PAL says it believes that any investigation in such a grave national crisis should be a holistic process that would improve credibility of the country's governance system instead of singling out few individuals to impress the international community.

The PAL strongly believes that other prominent individuals, who also made informed comments about the alleged missing money should rightfully form part of this investigation.

"It can be recalled that the National Chairman of the Coalition for Democratic Change (CDC) Mulbah Morlu is on record to have stated that he saw two pick-up loads of money leaving the compound of the Central Bank of Liberia, money he claims were some of the alleged missing 16 billions," the PAL reminds the House of Representatives.

"While it is true that we cannot question the motive of the [Legislature's] parallel investigation into this money scandal, PAL thinks it's just fair to include everyone particularly key state actors," the PAL release says.

It wants former and current officials along with those who have made public comments about their knowledge concerning the money scandal to be included in the probe rather than just going after journalist Browne simply because he mentioned the names of some members of 53rd Legislature who are within the 54th Legislature.

PAL also believes that in order to restore public confidence in these investigations, investigative reports such as the findings of the Special Presidential Investigative Team (PIT) set up by President George Manneh Weah to investigate the same case should be published.--

Press release



The Publisher of the Hot Pepper Newspaper,  
Mr. Philbert Browne

**#To empower  
Liberians, enforce  
the exclusive  
Liberians business  
act. #**



## VP Taylor expelled from NPP



By Bridgett Milton

A faction of the National Patriotic Party (NPP) loyal to embattled Chairman James Biney has expelled party Standard Bearer and Vice President of the Republic of Liberia Madam Jewel Howard Taylor.

"That partisans Jewel

Howard Taylor and John Gray are hereby expelled from the Party for willfully, grossly and knowingly violating several provisions of the party's constitution in keeping with section 6.1 of the by-laws and constitution of the party," the NPP's resolution dated 1 December says.

The Biney faction of the

NPP expelled Madam Taylor and Mr. Gray, also a former Vice President of Liberia, from the party on allegations of taking the NPP to court, grossly violating the party's constitution and bringing it to public disrepute.

Madam Taylor's estranged husband, now imprisoned former President Charles Ghankay Taylor led the NPP to victory in a 1997 election at the end of Liberia's brutal civil war in which Mr. Taylor controlled rebel faction National Patriotic Front of Liberia (NPFL) in the 90s.

She has been the NPP's standard bearer without contesting the presidency in past elections before she was picked as President George Manneh Weah's running mate in 2017 on a coalition ticket comprising the NPP, Weah's Congress for Democratic Change (CDC) and former House Speaker Alex Tyler's Liberian People Democratic Party (LPDP) and won.



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## Publishers denounce selective justice

The Publishers Association of Liberia (PAL) is denouncing the House of Representatives' act of selective justice by singling out few individuals for inquiry into the alleged missing LRD\$16 billion, while other key state actors including ruling party Coalition for Democratic Change (CDC) chair Mulbah Morlu remains untouched.

In a press release issued over the weekend, the PAL says the decision of the House to invite one of its member, Hot Pepper newspaper Publisher Philipbert Browne and certain individuals and leaving out major state actors that have also made straggling public revelations on the missing billions raise eyebrow.

The PAL says it is especially baffled and deeply troubled by the manner and form the

House of Representatives is proceeding "by selectively inviting individuals" to appear to provide explanation and evidence concerning the missing billions.

It warns that the House's action is counterproductive to tenets of transparency and accountability, which is now sending negative signal to the outside world,



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