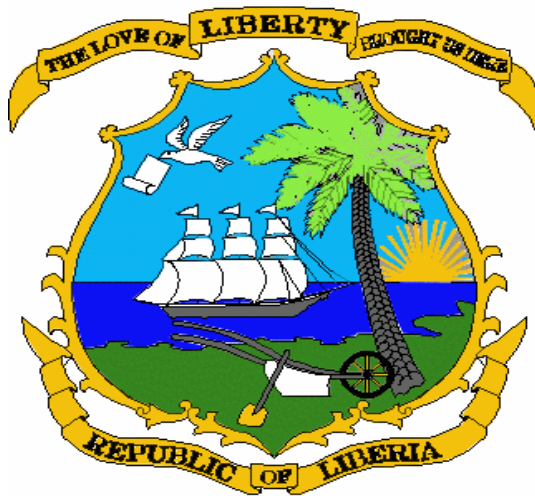


**AN ACT ADOPTING A NEW TITLE 17(a) OF THE
LIBERIAN CODE OF LAWS REVISED TO ESTABLISH
A NATIONAL ANTI-CORRUPTION COURT, DEFINE
AND PUNISH CORRUPTION AND RELATED
ECONOMIC AND FINANCIAL CRIMES, AND CREATED
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AND WHISTLEBLOWER PROTECTION, AND PROVIDE
PENALTIES FOR THE COMMISSION THEREFOR.**



REPUBLIC OF LIBERIA

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REPUBLIC OF LIBERIA

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AN ACT ADOPTING A NEW TITLE 17(a) OF THE LIBERIAN CODE OF LAWS REVISED TO ESTABLISH A NATIONAL ANTI-CORRUPTION COURT, DEFINE AND PUNISH CORRUPTION AND RELATED ECONOMIC AND FINANCIAL CRIMES, AND CREATE SPECIALIZED PROSECUTION, ASSET RECOVERY, VICTIM AND WHISTLEBLOWER PROTECTION, AND PROVIDE PENALTIES FOR THE COMMISSION THEREFOR.

PREAMBLE

WHEREAS, Articles 29 and 34 of Chapter V of the Constitution vest the legislative power of the Republic in the two separate houses of the Legislature to enact all legislation and resolutions for the Republic, provide various categories of criminal offenses and provide for the punishment thereof, create specialized courts, as well as to make any and all other laws which shall be necessary and proper for carrying into execution all such powers and those vested in the Government of the Republic, or in any department or office thereof; and,

WHEREAS, Article 34 of the Constitution enumerates said legislative power to include, inter alia, to constitute courts inferior to the Supreme Court, with prescribed jurisdictional powers as may be deemed necessary for the proper administration of justice throughout the Republic; and,

WHEREAS, the Legislature, in the exercise of said power, passed Joint Resolution 001/'24 (**JR001/24**) in April 2024, authorizing the establishment of specialized accountability mechanisms addressing corruption and economic crimes; and,

WHEREAS, the President approved the said JR#001/'24 in April and on May 2, 2025, issued Executive Order No. 131, creating the Office for the Establishment of War and Economic Crimes Court with mandate to develop mechanisms and lead the establishment of a Special War and Economic Crimes Court and a National Anti-Corruption Court for Liberia; and,

WHEREAS, the actions of the Government are consistent with and in furtherance of the implementation of the recommendations of the Truth and Reconciliation Commission of Liberia contained in its Report of 2007; and,

WHEREAS, the Legislature has determined that corruption, economic crimes, illicit enrichment, abuse of public office, diversion of public resources and related offenses deprive citizens of health, education, justice and other essential services that amount to violation of socio-economic and human rights and therefore require specialized accountability mechanisms addressing corruption and economic crimes; and,

WHEREAS, the Office for the Establishment of War and Economic Crimes Court for Liberia has developed a proposal for a National Anti-Corruption Court as a part of Liberia's broader accountability and institutional reform framework; and,

WHEREAS, Liberia is a State Party to the United Nations Convention against Corruption and the African Union Convention on Preventing and Combating Corruption and is therefore obligated to maintain effective for preventing and combating corruption; and,

WHEREAS, in meeting the aforesaid obligations Liberia has enacted legislation establishing the Liberia Anti-Corruption Commission and other institutions in addition to the constitutional General Auditing Commission, responsible for preventing, investigating, detecting and combating corruption;

WHEREAS, the establishment of a specialized National Anti-Corruption Court must be consistent with the Constitution, including the fundamental rights of accused persons, judicial independence, separation of powers, equality before the law, due process and the right to free and fair trial.

NOW, THEREFORE, It is enacted by the Senate and the House of Representatives of the Republic of Liberia in Legislature assembled:

Part I: Preliminary Provisions

Chapter 1. General Application

§1. Creation of Title 17(A), Anti-Corruption Court Act

That immediately after the passage of this Act, approval by the President, and publication in Handbill, a new Title 17(A) shall become a part of the Liberian Code of Laws Revised, for the purpose of establishing a National Anti-Corruption Court and combating and eliminating corruption throughout the Republic.

§2. Effect of the creation of Title 17(a):

The creation of this separate title as an integral part of the Liberian Code of Laws Revised removes any direct or incidental relationship as to conflict of law or references or reliance of this Title to any other title in the Liberian Code of Laws Revised for any reason of substitution or parallel application, thereby making this Title a stand-alone statute making it the sole law controlling the National Anti-Corruption Court for Liberia, save the Constitution.

§3. Title and Short Title

This Act shall be known as “An Act Adopting a New Title 17(A) of The Liberian Code of Laws Revised, To Establish a National Anti-Corruption Court, Define Acts Constituting Corruption, And Provide Penalties for The Commission Therefor.” It may be cited as the “National Anti-Corruption Act.”

§4. Purposes

The general purposes of this title are to establish an independent and specialized National Anti-Corruption Court and provide an effective judicial mechanism for adjudicating corruption and related economic and financial crimes.

The specific purposes are to:

- a. Strengthen accountability for abuse of public and private entrusted power;
- b. Protect public resources;
- c. Promote transparency and integrity in public administration;
- d. Facilitate the recovery and restitution of proceeds of corruption;
- e. Protect victims, witnesses, whistleblowers and cooperating persons;
- f. Strengthen Liberia's implementation of its international anti-corruption obligations; and,
- g. Ensure that all proceedings comply with the Constitution and applicable international human-rights standards.

§5. Applicability

This Act shall apply to all claims, allegations and proceedings within the definitions and categories of corruption herein provided, and shall apply to all persons except as textually provided in the Constitution or opinions of the Supreme Court after the effective date of this Act.

§6. Primacy / Conflict of Laws

This Act shall have primacy over any other statute in relation to any issue of criminal or civil corruption, and where any other law conflicts with any of its provisions, the provisions of this Act shall supersede.

The Court shall have primacy over any other court within the Republic in relation to corruption.

Part II: Constitutional and Interpretive Principles

§7. Constitutional Supremacy

Nothing in this Act shall be interpreted or applied in a manner inconsistent with the Constitution of Liberia.

§8. Fair Trial and Presumption of Innocence

Every person accused of an offense under this Act shall:

- a. Be presumed innocent until proven guilty according to law;
- b. Bear no burden of proving his or her innocence;
- c. Be entitled to a fair and public hearing before an independent and impartial court;
- d. Be informed promptly and in detail of the charges;
- e. Have adequate time and facilities to prepare a defense;
- f. Have the right to counsel;
- g. Have the right to examine witnesses against him or her; and,
- h. Have the right to present evidence and witnesses in accordance with law.

§9. Standard of Proof

In every criminal proceeding under this Act, the prosecution shall prove every essential element of the offense beyond a reasonable doubt. No provision of this Act shall reverse the burden of proof of the prosecution beyond what is constitutionally permissible.

§10. Strict Construction of Penal Provisions

Criminal offenses and penalties established under this Act shall be sufficiently clear and shall be construed consistently with the principle of legality.

Part III: General Definitions

§11 Limitation: In this title, unless a different meaning is plainly required or given, the following definitions shall control:

- (a) “Act” means this title or the Act establishing the National Anti-Corruption Court.
- (b) “Actor” means any natural person and, where relevant, an organization or association.

- (c) “Administrator” means the head of administration appointed by the President to oversee the day-to-day administration of the court.
- (d) “Affirmative defense” means evidence presented by the defendant that conclusively negates the claim of commission of the alleged act of corruption.
- (e) “Application” means any request made to the court for a decision in a case or subsequent to a case but within the authority of the court to grant under any circumstance.
- (f) “Bail” means the temporary release of a person accused of a crime, granted by the court, upon the provision of security (such as money, bond and/or a guarantee), to ensure that the accuse appears in court while awaiting trial or further proceedings
- (g) “Bias” means an unfair preference for or prejudice against a person, group, idea or outcome, often without objective reasoning or evidence
- (h) “Bribery” means offering, giving, receiving, or soliciting of anything of value to influence action as official or in discharge of legal or public duty
- (i) “Civil corruption” means a dishonest act involving an abuse of entrusted power for personal gain, whether the gain is directly accrued or for a third person, the result of which is compensation for damages and/or return of assets.
- (j) “Civil servant” means person (s) employed in the public service holding positions in Government ministries, agencies, or public institutions, who appointments are made in accordance with the civil service laws and regulations and who are paid from public funds
- (k) “Corruption” means the abuse of entrusted power, involvement in dishonest or illegal behavior, especially by a person in power or authority, or impairment of moral principal, for personal or private gain.
- (l) “Code of Conduct” means the code of conduct as promulgated by the Government of Liberia applicable to all Public Officials and Employees of the Government of Liberia.
- (m) “Corrupt” means morally dishonest or unethical behavior, especially involving the abuse of power for personal or other gain...
- (n) “Criminal corruption” means the dishonest and unlawful use of entrusted power or authority for personal gain, involving crimes like bribery, embezzlement, illicit enrichment, misapplication of entrusted property, trading in influences, abuse of office or functions, illicit acquisition of wealth, illicit prosecution and false acquisition, unlawful compensation and criminal concealment and/or retention, fraud, or misrepresentation, whether in government or in private sector, irrespective of the gain.
- (o) “Cronyism” means where a person in authority makes a decision for the benefit of another without regard to qualification for appointment to a position, the grant of contract or other benefit or uses his or her influence to achieve that result “Conspiracy” means where two or more persons agree to carry on illegal acts for dishonest gains or benefits.
- (p) “Economic crime” means a criminal act committed to obtain financial or economic benefits illegally, often at the expense of individuals, businesses, or the state.
- (q) “Element of corruption or unethical conduct” means (i) the act as defined herein; (ii) a forbidden conduct within the realm of acts of corruption; (i) the required culpability or any required result as specified herein; (iv) the non-existence of a substantial defense as to which there is reasonable basis to establish a belief of commission of the act alleged.
- (r) “Embezzlement” means the misappropriation or theft of money that is entrusted to a person or which belongs to his or her employer, whether for his or her own or another person’s gain.

- (s) “Extortion” means the act of taking or obtaining something through force, intimidation, threat irrespective of the value of the thing so taken or obtained.
- (t) “False statement: means deliberate provision of untrue information to mislead the public or authorities
- (u) “Financial crime” means fraud, money laundering, embezzlement and tax crimes
- (v) “Fraud’ means deliberate misrepresentation for unlawful gain, including mail and wire fraud
- (w) “Fraudulent claim” means submission of false documents of any kind or oral statement to obtain benefits
- (x) “Government” means the Government of Liberia inclusive of the three branches
- (y) “Illicit gain” means unlawful enrichment through corruption or manipulation of contracts
- (z) the improper use of one’s position, authority, relationship, or perceived power to affect the decisions or actions of a public official or institution for private or undue benefit.
- (aa) “Insider trading” means abuse of privileged information for personal gain.
- (bb) Intentional” means acts of corruption carried out deliberately, not accidentally. “Judiciary” means the Judicial Branch of the Government comprising all courts and its structures.
- (cc) “Knowingly” means when one or more persons are aware of wrongdoing yet proceed to commit the wrongdoing.
- (dd) “Misrepresentation” means distortion of facts for corrupt advantage.
- (ee) Money laundering” means an act of concealing the origins of illegally acquiring money, typically by transferring it through complex banking transaction or foreign accounts or business(es), to make it appear lawful.
- (ff) “Offender” means a person who has been tried by court consistent with its trial procedure and found guilty or liable of the commission of the act alleged.
- (gg) “Peddling” means using political or social influence to secure favor or contracts.
- (hh) “Person” means any individual or human being, or a legal person, with rights or obligations, or both.
- (ii) “Police” means any state security officer empowered under the laws of Liberia to arrest suspects, investigate crimes, maintain public order, enforce court orders and laws, and protect citizens and property.
- (jj) “Presumption of innocence” means there exists no reasonable evidence to presume that the accused committed or could have committed the act alleged.
- (kk) “Public property” means property or assets owned by Government.
- (ll) “Public authority” means a statutory institution that is funded by public of government money or other resources because of its statutory status.
- (mm) “Public servant” means an officer or senior employee of the Government; a person authorized to act for or on behalf of the Government; or serving the Government as an advisor or consultant.
- (nn) “Purposely or with purpose” means to engage consciously in the conduct alleged or for the purpose of accruing the result of such a conduct. It is sufficient for a determination of negligence, recklessness, willfulness, and culpability.
- (oo) “Tax avoidance” means legal but aggressive strategies to minimize tax liability.
- (pp) Tax evasion” means illegal non-payment or concealment of taxes.

- (qq) “Transparency” means the right of the public to examine the process of decision-making in government and politics, or even in business, or the obligation of the government or other authority to make public the information on such process.
- (rr) “Unethical conduct” means action violating moral standards of governance even if not strictly illegal.

Part IV: Establishment of the National Anti-Corruption Court

§12. Establishment

There is hereby established within the Judiciary of the Republic of Liberia a specialized court known as the **National Anti-Corruption Court of Liberia**, abbreviated **NACC**.

§13. Status

The NACC shall be:

- a. A court of record;
- b. An inferior to the Supreme Court;
- c. An independent in the exercise of its judicial functions; and,
- d. Subject to the Constitution and the supervisory and appellate authority of the Supreme Court.

§14. Seat and Regional Divisions

The principal seat of the NACC shall be in Monrovia, Montserrado County. Notwithstanding, the Legislature may establish regional divisions or additional locations as necessary to provide reasonable access to justice throughout Liberia.

§15. Jurisdiction

The NACC shall have exclusive original jurisdiction over:

- a. Offenses expressly designated as corruption offenses under this Act;
- b. Grand corruption;
- c. Bribery;
- d. Embezzlement involving public resources;
- e. Illicit enrichment;
- f. Abuse of office;
- g. Economic and financial crimes expressly assigned to the Court;
- h. Procurement-related corruption;
- i. Fraud against the Government;
- j. Misappropriation of public assets;
- k. Money laundering insofar as it constitutes proceeds of an offense within the jurisdiction of the Court;
- l. Obstruction of corruption investigations or proceedings;
- m. Conspiracy to commit an offense within its jurisdiction;
- n. Aiding, abetting or facilitating such offenses; and,
- o. Other offenses specifically assigned to the NACC by law.

§16. Mixed Offenses

Where an offense contains elements of corruption together with another criminal offense, the NACC shall have jurisdiction where the corruption offense is a substantial or integral element of the prosecution.

§17. Transfer from Ordinary Courts

Where a criminal proceeding pending before another court subsequently becomes subject to the exclusive jurisdiction of the NACC, the matter shall be transferred upon application and order of the appropriate court.

No transfer shall prejudice the constitutional rights of the accused.

Part V: Composition of the Court

§18. Concurrent jurisdiction

The separate courts of the NACC, as a national court and the judges in each court, shall have concurrent jurisdiction irrespective of location; all appeals therefrom shall be to the Supreme Court. The composition of the judges shall be as follows:

§19. Judges and other Personnel: Number and Qualification

A. Judges:

- i. **Number of Judges:** Each court shall comprise of a panel of three judges, including a Chief Judge who shall exercise administrative powers assigned by this Act and applicable judicial law.
- ii. **Appointment of Judges:** All judges shall be appointed by the President consistent with the Constitution, after a process of vetting of applicants by a vetting committee represented only by a senior officer of the Liberian National Bar Association (LNBA), Ministry of Justice, Judicial Inquiry Committee, Louis Arthur Grimes School of Law, and Liberia Anti-Corruption Commission. They shall have tenure and immunity as provided for all judges in Liberia.
- iii. **Qualification of judges:** A candidate for appointment as a NACC judge shall:
 - a. Be qualified under the Constitution and laws of Liberia to serve as a judge;
 - b. Be a member in good standing of the Liberian National Bar Association;
 - c. A Counsellor-At-Law for at least five years and has argued at least five cases before the full bench of the Supreme Court of Liberia.
 - d. Possess substantial experience in criminal law, commercial law, financial crimes, public law or related fields;
 - e. Must not have been convicted of any criminal act;
 - f. Demonstrate professional integrity and independence; and
 - g. Successfully complete specialized anti-corruption judicial training.
- iv. **Judicial independence:** No person or institution, including the Executive, Legislature, LACC, Ministry of Justice, private party or donor, shall interfere with the judicial functions of a NACC judge.

B. Other personnel

- i. **Court Administrator:** The Administrator of the NACC and all other staff below the rank of administrator, shall be civil servants. The administrator shall be a member in good standing of the LNBA and a counsellor-at-law, with proven active law practice for at least five years before the courts of Liberia. He/she must have been certified after successfully completing the Special anti-corruption training program for court administrators at the James A.A. Pierre Judicial Institute. She or he shall be appointed for a period of five years and may be reappointed for a second term only.
- ii. **Ministerial officers:** The NACC shall have a sheriff appointed by the President as a member of the Ministry of Justice with the rank of Captain, and a corps of bailiffs as shall be determined and appointed by the Chief Justice.
- iii. **Clerical Staff:** The clerical staff shall comprise a clerk of court, assistant clerk of court, a recorder, two assistant recorders, three filing clerks and other staff as the Chief Justice shall determine.
- iv. **Law Clerks / Research Assistants:** The Chief Justice shall appoint highly trained law clerks and legal researchers in the research office of the court, with each judge assigned one from the pool.

Part VI: National Anti-Corruption Prosecutor

§20. Office Established

There is hereby established an Office of the National Anti-Corruption Prosecutor (ONAP).

§21. Funding: The NACC shall be funded through a dedicated budget line in the national budget as follows:

- a. Funding shall be mandatory and non-discriminatory to ensure the court's independence from political or executive interference.
- b. The Legislature shall appropriate sufficient resources annually to cover salary, operations, and infrastructure among others, consistent with the court's specialized nature.
- c. Funds allocated to the NACC shall not be reduced or withheld except by an act of the Legislature and only for reasons of national fiscal emergency.
- d. The NACC shall have full administrative autonomy over its internal operations to include staffing, procurement and case management systems.
- e. The Chief Judge of the National Anti-Corruption Court shall serve as the Administrative Head of the Court with authority to appoint the Administrator, who will supervise the administrative staff.
- f. Salaries and benefits of judges, prosecutors and staff of the NACC shall be commensurate with those of the equivalent position in the Judiciary.
- g. Adequate resources shall be provided for:
 - i. Modern Case Management and digital record system;
 - ii. Training program for judges, prosecutors and staff in anti-corruption law and financial crimes;
 - iii. Security measures for judges, prosecutors, and witnesses; and

- iv. Public outreach and transparency initiative to include publication of judgments and reports.

§22. Reporting and Verification:

The NACC shall submit an annual financial report to the Chief Justice through the Supreme Court Administrator detailing expenditure and resource utilization.

The General Auditing Commission (GAC) shall conduct independent audits of the NACC finances and reports made public.

No external body shall interfere with the internal allocation within the NACC, except as provided by law.

§23. Independence

The National Anti-Corruption Prosecutor (NACP) shall exercise prosecutorial functions independently and impartially, subject only to:

- a. The Constitution;
- b. This Act;
- c. Applicable criminal law;
- d. Professional ethics; and,
- e. Judicial review as provided by law.

§24. Appointment

The National Anti-Corruption Prosecutor shall be appointed by the President with the consent of the Senate.

§25. Qualification

The Prosecutor shall:

- a. Be a Liberian citizen;
- b. Be a Counsellor-At-Law and a Good Standing member of the LNBA;
- c. Possess not less than ten years of professional legal experience, five of which must be at the level of the Supreme Court, including substantial experience in criminal, anti-corruption, financial or economic crime matters;
- d. Must not have been convicted of any criminal act; and,
- e. Demonstrate proven integrity and independence.

§26. Term of Service and Removal

The National Anti-Corruption Prosecutor shall serve a fixed term of **five years**, renewable once. She or he may however be removed only for cause, including

§27. Removal

The Prosecutor may be removed only for cause after adequate notice, an opportunity to be heard and appropriate judicial review, including:

- a. Gross misconduct as provided by the Code of Conduct or ethical requirements;
- b. Corruption, including abuse of office;
- c. Incapacity;
- d. Serious violation of professional ethics; or,
- e. Other substantial grounds established by law.

Part VII: Relationship with the LACC and Other Integrity Institutions

§28. The Liberia Anti-Corruption Commission

Nothing in this Act shall abolish or diminish the statutory mandate of the Liberia Anti-Corruption Commission unless expressly provided by subsequent legislation.

§29. Investigations

The LACC and other legally authorized investigative institutions shall continue to exercise the authority to investigate corruption offenses within their respective statutory mandates.

§30. Referral for Prosecution

Where an investigation establishes a reasonable evidentiary basis for prosecution, the investigating institution shall refer the matter to the NACP for prosecution.

§31. Direct Prosecution

The NACP shall have authority to institute criminal proceedings before the NACC without requiring prior prosecutorial authorization from the Minister of Justice.

§32. Coordination

The NACC, ONAP, LACC, General Auditing Commission, Liberia Revenue Authority, Financial Intelligence Agency, Public Procurement and Concessions Commission and other competent institutions shall establish mechanisms for lawful information sharing and coordinated investigation. Each such institution shall be bound by this provision.

Part VIII: Offenses, Grading and Sentencing

§33. Superseders: The offenses provided in this Part shall, for definitional purposes, supersede any definition in Part III of this Act where there is conflict in definition.

§34. Offenses:

- a. **Corruption:** A person commits corruption where, intentionally and unlawfully, that person abuses entrusted public or private power for an improper benefit.
- b. **Bribery:** A person commits bribery where she or he directly, or indirectly: offers, promises, gives, solicits, or receives an undue advantage in exchange for an act or omission in the exercise of public or entrusted functions.
- c. **Embezzlement:** A person commits embezzlement where that person dishonestly converts property or funds entrusted to him or her for personal or another person's benefit.
- d. **Misappropriation of Public Property:** A public official commits an offense where the official knowingly or recklessly diverts public property or funds from their lawful purpose.

- e. **Abuse of Office:** A public official commits an offense where, intentionally, the official uses public authority to obtain an unlawful benefit for himself, herself or another person.
- f. **Illicit Enrichment:** A person exercising public functions commits illicit enrichment where there is a significant and unexplained increase in assets that cannot reasonably be reconciled with lawful income and other legitimate sources, subject to constitutional safeguards and applicable evidentiary rules.
- g. **Procurement Corruption:** It shall be an offense to manipulate public procurement; collude in bidding; provide confidential procurement information for improper advantage; falsify procurement documents; improperly influence contract awards; or receive unlawful benefit in connection with public procurement.
- h. **Conflict of Interest:** A public official who knowingly participates in an official decision in which she or he has a prohibited private financial interest commits an offense where the conduct satisfies the elements established by law.
- i. **Fraud Against Government:** A person who knowingly obtains public funds or benefits through false representations, fraudulent documentation or concealment commits an offense.
- j. **Money Laundering:** The concealment, transfer, conversion or possession of proceeds derived from corruption or another offense within NACC jurisdiction shall constitute an offense subject to applicable law.
- k. **Conspiracy:** Two or more persons who intentionally agree to commit an offense under this Act commit conspiracy.
- l. **Aiding and Abetting:** A person who intentionally aids, assists, facilitates or encourages commission of an offense under this Act shall be liable as provided by law.
- m. **Obstruction:** It shall be an offense to knowingly:
 - i. Destroy evidence;
 - ii. Intimidate a witness;
 - iii. Interfere with an investigation;
 - iv. Obstruct a prosecution;
 - v. Conceal proceeds; or,
 - vi. Otherwise unlawfully frustrate proceedings under this Act.

§35. Categories or Specifics of Corruption Offenses

Corruption shall be categorized into and graded as:

- a. **Petty Corruption:** A person has committed petty corruption if, as a junior or mid-level official of the government, she or he engages in conduct which is more of an annoyance, such as the taking of a small gift which in the eyes of a reasonable person, is or could be improper; or as a person with personal connection, uses such connection to influence or manipulate government procedures.
- b. **Grand Corruption:** A person has committed grand corruption if, as a senior-level official of an institution, she or he engages in conduct by commission or omission, which makes her or him responsible for significant diversion or control over a political, or economic system, irrespective of whether she or he benefits directly or indirectly.

- c. **Judicial Corruption:** A judge has committed judicial corruption if she or he engages in conduct of dishonesty or misuse of power, including latent visible bias in a hearing or judgment, in which her or his decision clearly favors one party over the other, provided however that an administrative inquiry is first exhausted and a determination is made to forward her or him to court for a judicial determination.
- d. **Police Corruption:** A police officer, especially a senior or commanding officer, has committed police corruption if she or he receives a bribe, or selectively pursues, or fails to pursue, a criminal investigation or arrest, for the purpose of financial or other gain, including career advancement, or defies the procedures or set code of conduct in order to ensure that a suspect is convicted, such as falsifying evidence, lying about a procedure to obtain evidence, or other unethical conduct.

§36. Grading and Sentencing

- a. **Petty corruption:** A person who has committed a petty corruption is guilty of the commission of a misdemeanor of the first degree, punishable by fine, restitution, or restitution and imprisonment in the public jail for a period of not less than three months if restitution is imposed, or if only imprisonment, consistent with the value of the item involved or gravity of the offense.

b. Grand Corruption

- i. **Felony of the first degree:** A person who has committed grand corruption is guilty of the commission of a felony of the first degree; if the crime does not result in the deprivation of the rights of the public to the subject matter, in which case he or she shall be imprisoned for a period not exceeding ten years, and thereafter, barred forever from holding any public office. Until a determination of any appeal by the Supreme Court is made in her or his favor, she or he shall be entitled to enjoy the right to bail. If the person convicted is a senior-level government official, her or his conduct rises to the level of political corruption.
- ii. **Judicial corruption:** A judge who has been found to have committed judicial corruption is guilty of felony of the first degree and he or she shall be imprisoned for a period not exceeding fifteen years but not less than ten years, without the right to any impeachment proceedings, and thereafter, barred forever from holding any public office. Until a determination of any appeal by the Supreme Court is made in her or his favor, she or he shall be entitled to enjoy the right to bail.
- iii. **Police corruption:** A police officer as described above, who has been found to have committed police corruption is guilty of felony of the first degree and she or he shall be imprisoned for a period not exceeding thirteen years but not less than ten years, and thereafter, barred forever from holding any public office. Until a determination of any appeal by the Supreme Court is made in her or his favor, she or he shall be entitled to enjoy the right to bail.

Part IX: Corporate and Private Sector Liability

§37. Private Persons

This Act shall apply to natural and legal persons where the elements of the relevant offense are established.

§38. Corporate Liability

A corporation or other legal entity may be held liable where an offense is committed by its officers, agents or representatives for its benefit in circumstances established by law.

§39. Corporate Sanctions

The Court may impose:

- a. fines;
- b. Restitution;
- c. Confiscation;
- d. Disqualification from public contracts;
- e. Compliance orders; and
- f. Other lawful remedies.

Part X: Asset Tracing, Freezing and Confiscation

§40. Asset Recovery

The Court may order tracing, freezing, seizure, forfeiture and confiscation of proceeds or instrumentalities of corruption in accordance with law.

§41. Preservation Orders

Upon application by the Prosecutor and a showing of the statutory grounds, the Court may issue temporary orders preserving assets pending determination of the proceedings.

§42. Confiscation After Conviction

Upon conviction, the Court may order confiscation of assets proven to constitute proceeds or instrumentalities of the offense.

§43. Third-Party Rights

A person claiming a legitimate interest in property subject to confiscation shall have an opportunity to establish that interest before the Court.

§44. International Cooperation

The Republic may cooperate with foreign jurisdictions concerning tracing; freezing; seizure; confiscation; extradition; mutual legal assistance; and recovery of assets located outside Liberia.

Part XI: Victims of Corruption

§45. Recognition of Victims

Persons or communities suffering direct and legally cognizable harm from corruption may be recognized as victims in accordance with rules established by the Court.

§46. Compensation and Restitution

The Court may order compensation or restitution where legally established harm has resulted from an offense.

§47. Collective Harm

Where corruption causes substantial collective harm, including deprivation of essential public services, the Court may order lawful remedies directed toward restoration or public benefit.

§48. Corruption as a Violation of Human Rights

- a. The provisions of the UNCAC, as ratified by the Republic of Liberia in 2005 are applicable to the extent of the ratification.
- b. Pursuant to Article 13 of UNCAC, this court shall recognize the role of Civil Society Organizations in promoting transparency, accountability and public interest in corruption related proceedings, and may be granted standing to participate in proceedings where the alleged acts of corruption have caused or are likely to cause harm to the public interest or collective rights. Civil Society may participate:
- c. The court may, upon application or invitation permit CSO with relevant expertise to appear as amicus curiae to provide legal, technical or contextual insight that may assist the court in determining matters of public interest.
- d. A registered CSO may initiate or join proceedings before the court in matters of public interest involving corruption, provided that:
 - i. The CSO demonstrates a legitimate interest in the subject matter;
 - ii. The action is not frivolous or vexatious;
 - iii. The CSO has demonstrated record of engagement in anti-corruption or public accountability work.
- e. CSOs may be invited to participate in hearings related to restitution or repurposing of recovered assets, particularly where such assets are to be returned to affected communities or use for public benefit. Accredited CSOs shall have the right to observe and report on proceedings of the court subject to rules or procedure and confidentiality. The court shall facilitate access to non-confidential records and decision to promote public oversight.
- f. The participation of CSO shall not interfere with the rights of the accused, the independence of the judiciary, or the integrity of the proceedings. The court may limit or revoke participation where it is abused or prejudicial to justice.
- g. Pursuant to Article 31 and 57 of UNCAC, victims of corruption may be entitled to compensation for damages suffered including economic loss and denial of access to public goods. The court shall have authority to order restitution, assets recovery, and reparation for collective harm caused by systemic corruption.

Part XII: Whistleblowers and Witnesses

§49. Protection

Whistleblowers and witnesses shall be protected in accordance with the Witness Protection Act, Whistleblower Act and other applicable legislation. A person who intimidates, threatens, harms or attempts to improperly influence a witness commits an offense.

§50. Non-Retaliation

No person shall unlawfully retaliate against a person who, in good faith, reports suspected corruption or assists an investigation or prosecution.

§51. Confidentiality

The identity and confidential information of protected persons shall be safeguarded subject to the rights of the accused and requirements of a fair trial.

Part XII: Special Procedures

§52. Specialized Case Management

The NACC shall adopt procedures designed to ensure the efficient adjudication of corruption cases while preserving constitutional safeguards.

§53. No Jury Where Constitutionally Permitted

Cases before the NACC shall be tried by judges sitting without a jury to the extent permitted by the Constitution and applicable Liberian law.

§54. Bail

Bail shall be governed by the Constitution and applicable criminal procedure law.

The seriousness of an alleged corruption offense shall not, by itself, eliminate a constitutional right to bail.

§55. Speedy Trial

The NACC shall establish case-management mechanisms to avoid unnecessary delay.

§56. Disclosure

The prosecution shall provide disclosure required by the Constitution and applicable criminal procedure law.

§57. Plea and Cooperation Agreements

The Prosecutor may enter into lawful cooperation or plea agreements subject to judicial approval and applicable law.

Part XII: Civil Society and Public Participation

§58. Amicus Curiae

The Court may permit qualified civil society organizations, professional bodies, academic institutions or other organizations with relevant expertise to appear as **amicus curiae** where their participation would assist the Court.

§59. Public Access

Proceedings shall generally be public except where restrictions are necessary to:

- a. Protect witnesses;
- b. Protect confidential information;
- c. Safeguard national security;
- d. Protect victims; or
- e. Preserve the integrity of proceedings.

§60. Publication of Judgments

Final judgments shall be published subject to lawful restrictions concerning protected information.

Part XIII: Administration and Financing

§61. Administrative Autonomy

The NACC shall have administrative authority over all case management; court records; staffing; procurement; information technology; research; training; and other internal judicial functions.

§62. Court Administrator

The Chief Judge shall supervise the administrative structure of the Court including the Court Administrator appointed by the President.

Part XIV: Relationship With Existing Laws

§63. Criminal Code

Provisions of the Liberian Penal Code may apply to the extent that this Act is silent on any question of law.

§64. Criminal Procedure

The Criminal Procedure Law shall apply to NACC proceedings except where this Act establishes a specific procedure consistent with the Constitution.

§65. LACC Act

The Liberia Anti-Corruption Commission Act shall remain applicable to the extent it is not inconsistent with this Act.

§66. Other Integrity Institutions

Nothing in this Act shall be interpreted to abolish or diminish the statutory mandates of other integrity institutions unless expressly provided by law.

Part XV: Transitional Provisions

§67. Existing Cases

Upon commencement of this Act, corruption cases within the exclusive jurisdiction of the NACC may be transferred in accordance with procedures established by the Supreme Court.

§68. Existing Investigations

Investigations commenced before establishment of the NACC may continue under the authority of the institution legally responsible for the investigation.

§69. Personnel Transition

Existing personnel of competent anti-corruption institutions may apply for positions within the NACC or ONAP subject to established qualifications and competitive procedures.

§70. Regulations

The Supreme Court, in consultation with relevant institutions, shall promulgate rules necessary to implement this Act.

Part XVI: Oversight, Reporting and Accountability

§71. Annual Report

The NACC shall submit to the Chief Justice through the Supreme Court Administrator, quarterly reports containing:

- a. Number of cases filed;
- b. Cases disposed of;
- c. Convictions and acquittals;
- d. Pending cases;
- e. Asset-recovery outcomes;
- f. Institutional performance indicators; and
- g. Audited financial information.

§72. Prosecutorial Report

The National Anti-Corruption Prosecutor shall submit an annual public report consistent with prosecutorial independence and confidentiality requirements.

§73. Legislative Oversight

The Legislature may exercise lawful oversight concerning administration, financing and implementation of this Act, but shall not interfere with individual judicial or prosecutorial decisions.

Part XVII: International Cooperation

§74. UNCAC

This Act shall be interpreted consistently with Liberia's obligations under the United Nations Convention against Corruption to the extent incorporated into Liberian law.

§75. Mutual Legal Assistance

The competent authorities may cooperate with foreign States and international organizations in accordance with Liberian law and applicable treaties.

§76. Asset Recovery

The Republic shall establish mechanisms for international recovery and repatriation of assets proven to be proceeds of corruption.

Part XVIII: Severability and Effective Date**§77. Severability**

If any provision of this Act is declared unconstitutional or invalid, the remaining provisions shall remain in force to the extent practicable.

§78. Repeal and Amendment

All laws inconsistent with this Act are repealed or amended to the extent of the inconsistency.

§79. Effective Date

This Act shall take effect immediately upon publication into Handbill. Any law to the contrary notwithstanding.