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Artificial Intelligence in West Africa: Ethical Governance, Policy, and Institutional Readiness, A Comparative Legal and Institutional Study with Particular Attention to Liberia and Sierra Leone

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ABSTRACT

Ethical governance is central to public trust, development, human rights protection, and the effective delivery of public services. This paper examines the legal and institutional architecture for ethical governance in Sierra Leone, with a comparative focus on Liberia. It considers constitutional accountability, anti-corruption enforcement, public financial management, procurement and concessions, access to information, public-sector ethics, and institutional capacity. The analysis draws on domestic legislation, regional and international instruments, including the United Nations Convention against Corruption (UNCAC), the African Union Convention on Preventing and Combating Corruption, and the African Charter on Human and Peoples' Rights, and selected judicial developments. Sierra Leone's Anti-Corruption Act 2008, as amended in 2019, Public Financial Management Act 2016, Public Procurement Act 2016, and Right of Access to Information Act 2013 provide a broad statutory framework. Liberia's Constitution of 1986, Anti-Corruption Commission legislation, Public Procurement and Concessions Act, and extractive-industry transparency institutions similarly establish formal accountability mechanisms. The paper argues that the main governance challenge is not simply the absence of laws, but the distance between formal rules and consistent implementation. Institutional independence, adequate resources, open contracting, protected whistleblowing, professional civil services, judicial independence, civic participation, and measurable follow-through are therefore essential. It recommends a practical implementation agenda for both states, while recognising that their constitutional and institutional contexts are distinct.

Keywords: *Ethical Governance, Sierra Leone, Liberia, Anti-Corruption; Rule of Law; Institutional Readiness, Public Procurement, Procurement, Transparency; Accountability, and Public Financial Management.*

1. INTRODUCTION

Ethical governance describes the exercise of public power according to legality, integrity, impartiality, transparency, accountability, participation, and respect for human rights. It is more than a campaign against bribery. It concerns how decisions are made, public resources are allocated, conflicts of interest are managed, services are delivered, and officials are held answerable to the public. Where governance institutions lack capacity or credibility, the effects can include wasted public funds, unequal access to services, weak investor confidence, and diminished trust in the rule of law. Sierra Leone and Liberia provide a useful comparative setting. Both countries have experienced periods of political instability and conflict, and both have pursued post-conflict institutional rebuilding. Their legal systems contain constitutional commitments and statutes intended to regulate corruption, public finance, procurement, and access to public information. Yet a statute's existence does not prove that the state can implement it. Institutional readiness depends on independence, staffing, professional expertise, funding, inter-agency coordination, records management, accessible complaint mechanisms, and public confidence. This paper addresses three questions: (1) what legal standards and institutions frame ethical governance in Sierra Leone; (2) what lessons emerge from Liberia's constitutional and statutory arrangements; and (3) what reforms could strengthen implementation in both jurisdictions? The paper uses a doctrinal and

comparative approach, examining legal instruments and publicly available institutional materials. It is a student research paper and does not claim to be an exhaustive empirical audit of either country.

2. CONCEPTUAL FRAMEWORK: ETHICS, GOVERNANCE, AND READINESS

Ethical governance can be assessed through six connected principles. First, legality requires officials to act within constitutional and statutory authority. Second, integrity requires public office to be used for public purposes rather than private gain. Third, transparency makes decisions, budgets, procurement, and public contracts open to appropriate scrutiny. Fourth, accountability requires explanations, independent review, remedies, and sanctions where misconduct is established. Fifth, participation gives citizens, civil society, journalists, and affected communities meaningful opportunities to influence public decisions. Sixth, effectiveness requires competent institutions capable of translating law and policy into fair and reliable services.

Institutional readiness is the practical capacity to implement these principles. It includes clear mandates; independence from improper political influence; predictable funding; trained personnel; reliable data and audit trails; coordination between investigators, prosecutors, auditors, courts, and procurement regulators; and protection for complainants and witnesses. Readiness also involves institutional legitimacy: citizens must understand how to report misconduct and believe complaints will be handled fairly.

These principles reinforce one another. Access to information is weak if agencies do not keep accurate records. An anti-corruption commission is ineffective if it cannot investigate independently or if cases stall after referral. Procurement rules are insufficient if contract awards and beneficial ownership information remain inaccessible. Ethical governance must therefore be treated as a connected system rather than a collection of isolated laws.

3. INTERNATIONAL AND REGIONAL LEGAL STANDARDS

The United Nations Convention against Corruption (UNCAC) provides a comprehensive framework for prevention, criminalisation, international cooperation, asset recovery, and technical assistance. Its preventive provisions address public-sector integrity, public procurement, public financial management, and participation by society. Its criminalisation provisions cover a range of corruption-related conduct, while its international-cooperation and asset-recovery provisions recognise that proceeds of corruption may cross borders. For Sierra Leone and Liberia, UNCAC is a benchmark for reviewing domestic systems, though the practical effect of any provision depends on treaty status, domestic law, and implementation.

At the regional level, the African Union Convention on Preventing and Combating Corruption calls for preventive measures, criminalisation, cooperation, and public education. The African Charter on Human and Peoples' Rights is also relevant: corruption and opaque administration can impair the practical enjoyment of rights by diverting resources from health, education, housing, and justice. The Charter's protections of equality, dignity, property, health, and education inform a rights-based approach to public administration.

The International Covenant on Civil and Political Rights (ICCPR) supports participation in public affairs, equality before the law, and effective remedies. The United Nations Convention against Corruption, the African Union Convention, the African Charter, and the ICCPR should not be treated as substitutes for domestic enforcement. Instead, they provide standards against which domestic laws, administrative practices, and institutional outcomes can be assessed.

Regional human-rights jurisprudence illustrates the connection between public authority and accountability. In Social and Economic Rights Action Center (SERAC) v. Nigeria, the African Commission on Human and Peoples' Rights considered state duties relating to environmental harm, information, participation, and protection of communities.[5] Although the case was not a conventional corruption prosecution, it demonstrates that governance failures can have concrete human-rights consequences, especially where public institutions fail to regulate powerful actors or protect affected communities. For resource-rich areas in Sierra Leone and Liberia, this rights-based perspective is important when assessing concessions, environmental licensing, and consultation with local communities.

4. SIERRA LEONE: DOMESTIC LEGAL AND INSTITUTIONAL FRAMEWORK

4.1 Constitutional foundations

The Constitution of Sierra Leone, 1991 establishes the basic structure of public authority and contains fundamental-rights and public-service provisions relevant to accountable government. Constitutional institutions can only function effectively where appointments, budgets, investigations, and judicial processes are protected from improper interference. Constitutional text is therefore the foundation, not the entirety, of ethical governance.

4.2 Anti-corruption law and enforcement

The Anti-Corruption Act 2008 established the statutory framework for prevention, investigation, and prosecution of corruption. The Anti-Corruption (Amendment) Act 2019 strengthened the framework by, among other measures, increasing penalties, expanding the scope of corrupt conduct, strengthening witness and whistleblower protections, introducing administrative consequences for certain asset-declaration failures, and permitting the Anti-Corruption Commission to enter specified agreements with suspects. These changes show legislative recognition that prevention and enforcement must work together.

However, formal powers do not guarantee consistent outcomes. An effective system needs transparent case-selection criteria, protection against retaliation, prompt investigations, fair trials, proportionate sanctions, asset recovery, and public reporting that preserves due process and privacy. Alternative dispositions may help recover funds and resolve cases efficiently, but they should be transparent, legally authorised, proportionate, and not create an impression that powerful individuals can purchase immunity.

4.3 Public finance and procurement

The Public Financial Management Act 2016 provides a framework for the management and control of public funds. The Public Procurement Act 2016 governs public procurement and is central to ensuring competition, economy, fairness, and value for money. These laws should be implemented through open procurement plans, competitive bidding, published awards, clear conflict-of-interest declarations, contract-performance monitoring, and accessible complaint procedures.

Procurement is a high-risk area because discretionary decisions can influence large public expenditures and long-term concessions. Controls should cover the full contract cycle: needs assessment, tender design, evaluation, award, contract changes, implementation, payment, and audit. Emergency procurement should remain subject to documented justification and post-award scrutiny. Data should be published in machine-readable formats where feasible, while protecting legitimate confidential information.

4.4 Access to information and public oversight

The Right of Access to Information Act 2013 gives a statutory basis for access to information held by public authorities and certain private bodies where information is necessary to protect or enforce a right. Access-to-information rules support journalism, civil-society monitoring, academic research, and informed participation. Their effectiveness depends on proactive publication, functioning information officers, reasonable response times, clear exemptions, appeal mechanisms, and records preservation.

Public audit, legislative oversight, civil society, the media, and citizen complaints should complement, not replace, formal investigative and judicial processes. Public scrutiny is strongest when agencies release usable information and explain how recommendations, audit findings, and complaints have been resolved.

5. LIBERIA: COMPARATIVE CONSTITUTIONAL AND STATUTORY POSITION

5.1 Constitutional ethics and public office

Liberia's Constitution of 1986 provides a constitutional basis for ethical conduct in public office. Article 90 addresses conflicts of interest and directs legislative action concerning prohibitions and penalties for certain public officials. The provision reflects the principle that public office carries duties of loyalty and impartiality. The Office of the Ombudsman identifies Article 90 as a constitutional foundation for Liberia's public-sector code-of-conduct framework. Liberia's Constitution also establishes the judiciary and the Supreme Court's authority over the legal profession; Article 75 is relevant to professional discipline and ethical regulation of lawyers.

A constitutional ethics provision requires supporting legislation, workable declarations and disclosure systems, credible investigation, and enforcement that is not selective. Codes of conduct should be accessible, training should be routine, and officials should receive clear guidance on gifts, outside employment, procurement interests, asset declarations, recusal, and post-public employment restrictions.

5.2 Anti-corruption institutions

Liberia's anti-corruption framework includes the Liberia Anti-Corruption Commission (LACC), whose statutory basis has been addressed through legislation including the Act to Establish the Liberia Anti-Corruption Commission (2018). The LACC's effectiveness depends on the clarity of its investigative and prosecutorial powers, its operational independence, adequate resources, and coordination with the Ministry of Justice, auditors, procurement authorities, and courts.

Institutional design should avoid both political control and unaccountable discretion. Appointment and removal procedures should be rule-bound; annual reports should disclose case-processing data and institutional performance; and investigation decisions should be supported by documented reasons. Allegations should be distinguished from findings, and defendants' fair-trial rights must be protected.

5.3 Procurement, concessions, and extractive-sector transparency

Liberia's Public Procurement and Concessions Act established the Public Procurement and Concessions Commission (PPCC), which oversees procurement and concessions. The Commission's statutory mandate includes monitoring compliance, promoting transparency and competition, reviewing documents, and handling complaints and appeals. The PPCC describes the framework as intended to improve economy, efficiency, transparency, competition, and value for money in the use of public funds. The Liberia Extractive Industries Transparency Initiative (LEITI), established by legislation in 2009, is another relevant mechanism for transparency in natural-resource governance.[17]

Procurement and concessions matter especially where a government grants long-term rights to exploit minerals, forests, land, or other public assets. Publication of contracts, amendments, payments, environmental obligations, and community-benefit commitments can help reduce information asymmetry. Disclosure must be paired with independent verification and consequences for non-compliance. A transparency portal without accurate data, updated records, or accessible remedies can become a symbolic rather than substantive reform.

5.4 Judicial practice and accountability

Liberian judicial developments illustrate both the importance and the limits of criminal enforcement. In the case concerning former National Defence Minister J. Brownie Samukai and others, public reporting records convictions relating to the misuse of Armed Forces of Liberia pension or morale funds and orders for restitution. The case illustrates that accountability may require not only a finding of criminal liability but also recovery of public or entrusted funds. The precise procedural history and operative orders should be checked against the certified judgment before the case is used for litigation or formal legal citation. In August 2026, the Liberia Anti-Corruption Commission reported that the Supreme Court affirmed an economic-sabotage conviction against Enree Bee Neeplo and ordered payment of a US$10,000 fine, with imprisonment specified for failure to pay within the period set by the Court. This official announcement is evidence of a reported enforcement outcome, but the full judgment should be consulted for authoritative case citation and reasoning. In contrast, the Sable Mining-related prosecution ended in acquittals of the defendants

reported by Liberia's civil-society corruption tracker. The acquittals should not be described as proof that the allegations were true; rather, they underscore that ethical governance requires due process, reliable evidence, and respect for judicial outcomes even where public concern is high.

These examples show why a sound governance assessment should consider the entire accountability chain: prevention, detection, investigation, prosecution, adjudication, appeal, recovery, and institutional learning. Counting investigations or arrests alone gives an incomplete picture.

6. COMPARATIVE ANALYSIS: COMMON CHALLENGES AND DIFFERENCES

Sierra Leone and Liberia share a broad legal commitment to integrity, public financial control, and anti-corruption institutions. Both have anti-corruption bodies and procurement frameworks; both rely on constitutional rules, statutes, courts, and civic oversight; and both face the general implementation challenge of translating formal standards into reliable practice.

There are also differences in institutional structure and legal detail. Sierra Leone's framework includes the Anti-Corruption Act 2008 as amended in 2019, the Public Financial Management Act 2016, the Public Procurement Act 2016, and the Right of Access to Information Act 2013. Liberia's architecture includes Article 90 of its Constitution, the LACC's statutory framework, the PPCC and Public Procurement and Concessions Act, and LEITI. These arrangements are not identical and should not be treated as interchangeable. Comparative learning should focus on transferable functions, such as open contracting, conflict-of-interest management, protected reporting, and public performance data, rather than copying institutional labels.

Four recurring implementation risks deserve attention. First, institutional independence can be undermined by appointment practices, budgetary dependence, or informal pressure. Second, fragmented mandates can create gaps between audit findings, investigations, prosecution, and recovery. Third, inadequate digital systems and poor recordkeeping make it difficult to trace decisions or monitor contracts. Fourth, weak public awareness can prevent citizens from using access-to-information laws or complaint channels.

The comparative lesson is that ethical governance is an ecosystem. An anti-corruption commission cannot alone solve poor procurement design; an auditor cannot ensure recovery without follow-up; an information law cannot deliver transparency without records management; and a court cannot restore public trust if enforcement is selective or judgments are not implemented. Institutional readiness requires coordinated systems, predictable resources, and public-facing evidence of results.

7. INSTITUTIONAL READINESS: A PRACTICAL ASSESSMENT FRAMEWORK

A useful readiness assessment should measure both formal compliance and real institutional performance. The following indicators are proposed for Sierra Leone and Liberia:

(a) Legal clarity: Are mandates, jurisdiction, reporting duties, and appeal rights clear and consistent? Are conflicts between laws and regulations identified and resolved?

(b) Independence and safeguards: Are appointments, tenure, removal, and budget allocation protected by transparent rules? Are investigations protected from interference while remaining subject to judicial review?

(c) People and resources: Do institutions have sufficient investigators, prosecutors, auditors, procurement specialists, data analysts, and regional personnel? Is training regular and assessed?

(d) Prevention and disclosure: Are asset declarations, gifts, interests, and recusals properly recorded? Are procurement notices, awards, amendments, and implementation report proactively published?

(e) Complaint and whistleblower protection: Can people report safely and confidentially? Are there clear procedures against retaliation, and are complaints resolved within published service standards?

(f) Enforcement and remedies: Are investigations completed promptly? Are cases referred and adjudicated fairly? Are sanctions proportionate? Are recovered funds and court-ordered restitution actually received and reported?

(g) Public participation: Are citizens, local communities, journalists, civil society, women, young people, and marginalised groups able to engage meaningfully in policy and oversight?

(h) Learning and evaluation: Do institutions publish annual performance data, audit implementation plans, and independent evaluations? Are recommendations tracked until closure?

A scorecard using these indicators should be developed jointly with national institutions and civil society, with baseline data, annual targets, and public reporting. Scores should not become a substitute for context or be used to make unsupported rankings. The purpose is to identify bottlenecks, allocate resources, and make progress verifiable.

8. RECOMMENDATIONS

1. Strengthen institutional independence and accountability. Sierra Leone and Liberia should maintain transparent, merit-based appointments, clearly defined removal grounds, protected operational budgets, and legislative oversight that does not interfere in individual investigations. Independent bodies should publish annual reports with disaggregated data on complaints, investigations, referrals, cases, sanctions, recoveries, and outstanding recommendations.
2. Improve open contracting. Procurement agencies should publish procurement plans, tender notices, evaluation criteria, award decisions, contract text, amendments, implementation milestones, and final payments, subject to lawful and narrowly tailored confidentiality protections. Contract data should be standardised and searchable. Beneficial ownership and conflict-of-interest disclosures should be integrated into risk-based procurement checks where legally authorised.
3. Connect audits to enforcement. A formal referral protocol should define how audit findings are triaged, assigned, investigated, prosecuted, and followed through to recovery. Each recommendation should have a responsible agency,

deadline, status, and reason for delay. Legislative committees should hold public hearings on unresolved high-risk findings while respecting due process.

4. Protect whistleblowers and witnesses. Legal protections should be backed by confidential channels, risk assessment, anti-retaliation procedures, and meaningful sanctions for reprisals. Agencies should communicate clearly about confidentiality limits and avoid promising absolute secrecy where the law does not permit it.
5. Build a professional public service. Ethics training should move beyond one-off seminars to practical scenario-based instruction on gifts, procurement conflicts, use of public assets, recordkeeping, political neutrality, and reporting obligations. Recruitment, promotion, and discipline should rely on transparent standards and documented decisions.
6. Strengthen access to information and records management. Agencies should proactively publish budgets, audit reports, procurement data, policies, and performance results. Information officers need training and authority to obtain records. Exemptions should be interpreted consistently with statutory purpose, and independent review should be available when requests are refused or delayed.
7. Apply a rights-based approach to concessions and natural resources. Communities affected by mining, forestry, infrastructure, and other concessions should receive accessible information, meaningful consultation, and clear channels to challenge unlawful or harmful decisions. Environmental and social commitments should be monitored after contracts are signed, not merely during approval.
8. Deepen regional cooperation. Sierra Leone and Liberia can share training, procurement-risk indicators, asset-recovery experience, and good practices through ECOWAS, the African Union, and UNCAC mechanisms. Cooperation must comply with domestic law, confidentiality obligations, and fair-trial protections.
9. Use measurable implementation plans. Each recommendation should have an institutional owner, budget, deadline, baseline, and indicator. Progress should be reviewed annually with civil society and professional bodies, and findings should be made public in accessible formats.

9. LIMITATIONS

This paper is a doctrinal and comparative study based on legislation and publicly accessible institutional sources. It does not independently verify every prosecution file, administrative dataset, procurement contract, or audit recommendation in either jurisdiction. Legal texts may have been amended after publication, and case summaries may omit procedural details. Before the paper is submitted for publication, formal legal advice, or litigation, the authors should verify the latest consolidated statutes, treaty status, and full judgments against official gazettes and court records. The judicial examples are used cautiously to illustrate accountability and due process, not to infer systemic performance from individual cases.

10. CONCLUSION

Ethical governance in Sierra Leone and Liberia depends on more than adopting anti-corruption laws or establishing oversight institutions. It requires institutions capable of acting independently, preserving records, explaining decisions, protecting reporters, prosecuting fairly, enforcing judgments, and recovering public resources. Sierra Leone's anti-corruption, public-finance, procurement, and access-to-information laws create important tools for this purpose. Liberia's constitutional ethics provisions, anti-corruption framework, procurement and concessions oversight, and extractive-sector transparency institutions offer complementary points for comparison.

The most important reform is to close the implementation gap. This requires coordinated oversight, open contracting, professional public administration, accessible information, protected civic participation, and transparent evidence of follow-through. International and regional instruments provide standards, while domestic institutions must translate those standards into practice. For both countries, institutional readiness should ultimately be measured not by the number of laws or agencies on paper, but by whether public power is exercised lawfully and fairly, public resources serve public needs, and people can obtain effective remedies when governance fails.

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