

Final Report

Liberia 2017 Presidential and Legislative Elections



National Democratic Institute
International Election Observation Mission



Table of Contents

ABOUT NDI.....	3
ACKNOWLEDGMENTS.....	4
ACRONYMS.....	5
POLITICAL PARTY ACRONYMS.....	6
EXECUTIVE SUMMARY.....	7
MISSION OVERVIEW.....	14
1. POLITICAL CONTEXT AND LEGAL FRAMEWORK.....	16
1.1 POLITICAL CONTEXT.....	16
1.2 LEGAL FRAMEWORK AND ELECTORAL SYSTEM.....	17
1.2.1 ELECTORAL SYSTEM.....	19
1.2.2 LEGAL FRAMEWORK FOR CANDIDATE REGISTRATION.....	20
1.2.3 LEGAL FRAMEWORK OF ELECTION CAMPAIGN AND CAMPAIGN FINANCE.....	21
PART TWO: PRE-ELECTION PERIOD.....	22
2.1 ELECTION ADMINISTRATION.....	22
2.1.1 NEC STRUCTURE AND OPERATION.....	22
2.1.2 ELECTORAL STRUCTURE.....	23
2.1.3 LOGISTICS.....	24
2.1.4 RECRUITMENT AND TRAINING OF POLLING STAFF.....	24
2.2 VOTER REGISTRATION.....	25
2.2.1 LEGAL FRAMEWORK.....	25
2.2.2 VOTER REGISTRATION EXERCISE.....	26
2.2.3 PREPARATION OF THE PROVISIONAL REGISTRATION ROLL (PRR) AND EXHIBITION.....	27
2.2.4 REPLACEMENT OF LOST OR DAMAGED VOTER CARDS.....	29
2.2.5 FINAL REGISTRATION ROLL (FRR).....	30
2.3 CANDIDATE REGISTRATION.....	31
2.4 CIVIC AND VOTER EDUCATION.....	33
2.5 POLITICAL PARTIES AND THE IPCC.....	34
2.6 CAMPAIGN ENVIRONMENT.....	35
2.7 CAMPAIGN FINANCE AND MISUSE OF STATE RESOURCES.....	37
2.8 CIVIL SOCIETY ENGAGEMENT AND ELECTION OBSERVATION.....	37
2.8.1 CIVIL SOCIETY ENGAGEMENT.....	37
2.8.2 CITIZEN AND INTERNATIONAL ELECTION OBSERVATION.....	38
2.9 MEDIA.....	39
2.9.1 MEDIA CONSUMPTION.....	40
2.9.2 PRESS FREEDOM AND VIOLENCE AGAINST JOURNALISTS.....	41
2.9.3 EDITORIAL STANDARDS AND MEDIA BIAS.....	41
2.9.4 DISINFORMATION AND HATE SPEECH.....	42
2.9.5 MEDIA-SPONSORED DEBATES.....	43
2.10 SECURITY AND ELECTORAL VIOLENCE.....	44
2.10.1 SECURITY SECTOR.....	44
2.10.2 CIVIL SOCIETY'S ROLE IN PEACEFUL ELECTIONS.....	45
2.11 VIOLENCE AGAINST WOMEN IN ELECTIONS.....	47
2.12 WOMEN'S POLITICAL PARTICIPATION.....	48
2.12.1 HOUSE OF REPRESENTATIVES ELECTIONS.....	49
2.12.2 PRESIDENTIAL ELECTION.....	51

2.12.3 PARTICIPATION OF WOMEN AS VOTERS.....	52
2.12.4 PARTICIPATION OF WOMEN IN ELECTION ADMINISTRATION.....	53
2.12.5 PARTICIPATION OF WOMEN AS OBSERVERS AND PARTY AGENTS.....	53
2.13 ROLE OF YOUTH IN THE ELECTIONS	54
2.14 ELECTORAL PARTICIPATION OF OTHER UNDERREPRESENTED AND MARGINALIZED GROUPS	55
2.14.1 PERSONS WITH DISABILITIES	55
2.14.2 MUSLIMS AND MANDINGO COMMUNITIES	56
2.14.3 ECONOMICALLY MARGINALIZED AND REMOTE RURAL COMMUNITIES	57
2.14.4 PRE-TRIAL DETAINEES	57
PART THREE: OCTOBER 10 ELECTION DAY	58
3.1 ELECTION DAY FINDINGS.....	58
3.1.1 OPENING AND VOTING.....	58
3.1.2 CLOSING, COUNTING, AND TABULATION.....	60
3.2 RESULTS ANALYSIS.....	61
3.2.1 VOTER TURNOUT.....	62
3.2.2 HOUSE OF REPRESENTATIVES RESULTS.....	63
3.2.3 FIRST ROUND PRESIDENTIAL ELECTION RESULTS	63
PART FOUR: ELECTION DISPUTE RESOLUTION AND DELAYED RUNOFF	65
4.1 PRE-ELECTION COMPLAINTS	66
4.2 HOUSE OF REPRESENTATIVES RACES	66
4.3 PRESIDENTIAL RACE AND DELAYED RUNOFF	67
PART FIVE: DECEMBER 26 RUNOFF ELECTION.....	69
5.1 PRE-ELECTION PERIOD	69
5.1.1 NEC'S RESPONSE TO ISSUES IN OCTOBER 10 POLLS.....	69
5.1.2 IMPLEMENTATION OF THE SUPREME COURT ORDER	70
5.2 CAMPAIGN PERIOD.....	71
5.3 ELECTION DAY.....	72
5.4 RESULTS.....	73
5.4.1 INVALID BALLOT RATES.....	73
5.4.2 VOTER TURNOUT.....	74
5.4.3 ANALYSIS OF PRESIDENTIAL ELECTION RESULTS	74
PART SIX: RECOMMENDATIONS.....	75
ANNEXES	80
ANNEX 1: ELECTRONIC LINKS TO PUBLIC REPORTS AND STATEMENTS.....	80
ANNEX 2: LIST OF NDI OBSERVERS	81
ANNEX 3: JULY 2017 FRR FIGURES COMPARED TO SEPTEMBER 2017 FIGURES BY ELECTORAL DISTRICT	86
ANNEX 4: 2011 HOUSE OF REPRESENTATIVE RESULTS BY POLITICAL PARTY COMPARED TO 2017 RESULTS	88

Cover Photo: Voters in line at a polling place in Bong County during the October 10, 2017 elections.

About NDI

The National Democratic Institute for International Affairs (NDI or the Institute) is a nonprofit, nonpartisan, nongovernmental organization that has supported democratic institutions and practices in every region of the world for more than three decades.

Since its founding in 1983, NDI and its local partners have worked to establish and strengthen political and civic organizations, safeguard elections, and promote citizen participation, openness and accountability in government.

With staff members and volunteer political practitioners from more than 100 nations, NDI brings together individuals and groups to share ideas, knowledge, experiences, and expertise. Partners receive broad exposure to best practices in international democratic development that can be adapted to the needs of their own countries. NDI's multinational approach reinforces the message that while there is no single democratic model, certain core principles are shared by all democracies.

The Institute's work upholds the principles enshrined in the Universal Declaration of Human Rights. It also promotes the development of institutionalized channels of communications among citizens, political institutions, and elected officials, and strengthens their ability to improve the quality of life for all citizens. For more information about NDI, please [visit www.ndi.org](http://www.ndi.org).

Acknowledgments

To enhance the credibility of the 2017 polls in Liberia, NDI conducted long-term observation and analyses of election preparations, fielded two pre-election missions, and deployed two election day missions to monitor the electoral process. The Liberia program was executed in partnership with the West Africa Election Observers Network (WAEON).

NDI expresses deep appreciation to Liberian political and civic leaders with whom it met, including government officials, candidates, election commissioners, and poll workers for their insights that facilitated the work of its observers and staff. Most importantly, NDI is grateful to the Liberian people for their cooperation and hospitality during the above-referenced activities.

The Institute would also like to thank the National Elections Commission of Liberia for the timely accreditation of NDI's observers and for its cooperation through all phases of the electoral process.

NDI extends its gratitude to the short and long-term observers and analysts and pre-election assessment mission delegates for their time, expertise, and leadership on the various missions.

The Institute thanks the United States Agency for International Development (USAID) for funding the mission and supporting NDI's democracy assistance programs in Liberia.

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Acronyms

AU	African Union
BVR	Biometric voter register
CBO	Community-based organizations
CVE	Civic and voter education
CSO	Civil society organization
ECC	Elections Coordinating Committee
ECONEC	ECOWAS Network of Electoral Commissions
ECOWAS	Economic Community of West African States
EISA	Electoral Institute for Sustainable Democracy in Africa
EU	European Union
FEJAL	Female Journalists Association of Liberia
FRR	Final registration roll
GDP	Gross domestic product
HoR	House of Representatives
IPCC	Inter-Party Consultative Committee
KMTV	Kreative Minds Television
LBS	Liberia Broadcasting System
LEON	Liberia Election Observers Network
LEEWARG	Liberia Election Early Warning and Response Group
LMDI	Liberia Media Development Initiative
LNP	Liberia National Police
LTO	Long-term observer
NEC	National Electoral Commission
NESTF	National Election Security Task Force
NIR	National Identification Registry
OMR	Optical mark recognition
OSIWA	Open Society Initiative for West Africa
PRR	Provisional Registration Roll
PWD	Persons with disabilities
SMS	Short message service
TCC	The Carter Center
UNMIL	United Nations Mission in Liberia
USAID	United States Agency for International Development
USD	United States Dollar
VAW-E	Violence against Women in Elections
VRC	Voter registration center
WAEON	West Africa Election Observers Network
WANEP	West Africa Network for Peacebuilding
WIPNET	Women in Peacebuilding Network
WONGOSOL	Women's NGO Secretariat of Liberia
WSR	Women's Situation Room

Political Party Acronyms

ALCOP	All Liberia Coalition Party
ALP	All Liberians Party
ANC	Alternative National Congress
APD	Alliance for Peace and Democracy
CDA	Change Democratic Action
CDC	Coalition for Democratic Change
CDC	Congress for Democratic Change*
CLP	Coalition for Liberia’s Progress
DJP	Democratic Justice Party
GDPL	Grassroot Democratic Party of Liberia
LINU	Liberia National Union
LFPP	Liberia for Prosperity Party
LP	Liberty Party
LPDP	Liberia People Democratic Party*
LPP	Liberia People’s Party**
LRP	Liberian Restoration Party
LTP	Liberia Transformation Party
MDR	Movement for Democracy and Reconstruction
MOVEE	Movement for Economic Empowerment
MPC	Movement for Progressive Change
NDC	National Democratic Coalition
NLP	New Liberty Party
NPP	New Patriotic Party*
PUP	People's Unification Party
TWP	True Whig Party
ULD	Union of Liberian Democrats
UP	Unity Party
UPP	United People’s Party**
VCP	Victory for Change Party
VOLT	Vision for Liberia Transformation (VOLT)

**Members of the Coalition for Democratic Change (CDC)*
***Members of the Alliance for Peace and Democracy (APD)*

EXECUTIVE SUMMARY

Liberia's 2017 presidential and legislative elections represented an historic achievement for the country and its citizens. The third polls conducted since the end of the 14-year civil war, they resulted in the first peaceful transfer of power from one president to another since 1944, and the first time ever that one democratically elected president succeeds another. Voter turnout was high, as many Liberians viewed peaceful dialogue and political action as important steps in the consolidation of the country's democratic progress.

In partnership with the West Africa Election Observers Network (WAEON), NDI observed Liberia's electoral process from February 2017 to January 2018. The Institute conducted two pre-election assessment missions in February and September 2017; and deployed four long-term thematic analysts in Monrovia; six long-term observers across the country; and election day delegations for the October 10 legislative and presidential polls and the December 26 presidential runoff. NDI conducted its activities in accordance with Liberian law and the *Declaration of Principles for International Election Observation*.¹

The 2017 polls involved 74 different electoral contests: the presidential election and 73 House of Representative races. Twenty candidates competed for the presidency, while 983 candidates contested for the House of Representative seats. Seventy-three percent more women ran for legislative seats in 2017 than in 2011, though the number elected (nine) remained the same. Six major political parties competed in the presidential election, including the ruling Unity Party (UP) and the Congress for Democratic Change (CDC), which had both dominated the two previous elections.

As none of the presidential candidates obtained an absolute majority in the presidential poll on October 10 as required by the election law, a runoff was planned for November 7, 2017 between the two leading candidates. However, a legal challenge to the conduct of the first round election resulted in the postponement of the runoff election until December 26, 2017. On December 29, the NEC announced the final results, showing that the CDC Presidential/Vice-Presidential candidates Senator George Weah/Senator Jewel Howard-Taylor won the presidential election with 61.5 percent of the vote.

Preparations for the 2017 elections were completed in accordance with the election calendar, though the registration process, in particular, presented several challenges. The NEC, despite receiving significantly less operational and security support from the United Nations Mission in Liberia (UNMIL) than in previous years, overcame logistical challenges to distribute voting materials on time. During the voter registration period, logistical and technical glitches in some locations slowed or delayed the registration process and inefficient data collection and monitoring of registration rates hampered the ability of the NEC, civil society groups, and parties to target voter education efforts in areas with lower registration rates. The combination of errors, duplications and omissions, along with the NEC's lack of clarity and transparency in communication about these issues, impeded discussions about the Final Registration Roll (FRR) and undermined confidence in its accuracy. Lingering concerns about the FRR and the NEC's

¹ The Declaration is available at www.ndi.org/DoP.

performance, which were then compounded by problems on election day, set the stage for post-election complaints.

Liberians experienced active, open, and largely peaceful campaigns. With the exception of a few sporadic incidents of violence between supporters of competing parties, campaign events were carried out peacefully. Candidates did not report restrictions on their ability to campaign in various parts of the country. Despite a detailed legal and regulatory framework on campaign finance, the NEC did not have the capacity or technical resources to enforce the provisions of the law and to accurately track the flow of money. Parties and candidates also largely did not abide by these requirements.

National civic and voter education initiatives led by the NEC, civil society organizations and the media raised citizen's awareness of the electoral process and improved understanding of voting procedures. Voter education, however, often focused more on encouraging people to turn out to vote than on the process of voting itself and ultimately, the invalid ballot rate exceeded the NEC's ambitious target of 3 percent by 2.4 percent. For the December 26 runoff, the invalid ballot rate dropped significantly to 2.3 percent, an improvement due in part to a simpler ballot (only two candidates) and voters' recent experience in the first round.

Women faced many obstacles to being nominated as candidates and running for office. These included cultural barriers, strong resistance by male party members and traditional leaders to women in politics and bias in media coverage. The election law includes a provision that political parties "should endeavor" to include no less than 30 percent women on their candidate lists, a standard that is difficult to enforce. Only one of the 24 competing parties, the Liberia Restoration Party (LRP), surpassed the 30 percent benchmark and only one of the 20 presidential candidates was a woman. Violence against women in elections (VAW-E) continues to be a significant deterrent and included smear campaigns and insults against women candidates on social media and in public places as well as physical intimidation and threats against them.

Youth played a prominent role in the election process, serving as election workers, party agents, and energetic partisans. In contrast to the 2005 and 2011 general elections, when parties and candidates used young supporters to cause disturbances and engage in violent protests, the 2017 elections saw a limited number of such instances. During the campaign period preceding the October 10 elections, young men in particular participated actively in rallies and debates, and marched in candidates' parades. Young people not only refrained from becoming involved in violence, they actively engaged in maintaining a peaceful process.

The media operated without serious constraints on their freedom, and played an important role in covering the elections and the dispute resolution process. Many media houses made a genuine effort to disseminate fair information, though frequent use of sensational headlines and disproportionate coverage of alleged scandals negatively affected the information environment. Several factors put voters at risk of obtaining partial or biased information. A significant amount of content is paid for by those with commercial or political aims, and paid content is often not clearly identified as such. Many media outlets are also owned by or affiliated with individuals associated with political parties.

Election day on October 10 was generally well-conducted and peaceful. Voters were enthusiastic, dedicated, and patient, and polling officials worked diligently and professionally. Liberian political parties recruited, trained, and deployed tens of thousands of pollwatchers and civil society

organizations mobilized more than 5,000 citizen observers. Some aspects of the process presented challenges on election day, and cumulatively led to slow-moving lines in many polling places. These challenges included: confusion about which queue to join; voters with cards but who were not on the voter roll; and polling officials who did not apply procedures consistently. The issue of “missing voters” brought to the fore complaints that had been expressed during the pre-election period by political parties, civil society representatives, and the media, to which the NEC did not provide an adequate explanation.

Several of these challenges were addressed prior to the presidential runoff, and overall the December 26 voting and counting processes showed marked improvements. Queue controllers were deployed at all polling sites visited by NDI observers, and signs were posted with serial numbers to assist voters to their appropriate polling places. In contrast to the October 10 elections, NDI saw orderly queuing in the voting precincts and efficient processing of voters. The two competing parties fielded party agents in all polling sites visited by members of the delegation. During the intake and tabulation processes, the general environment was calm, transparent, and orderly, with no security issues. Copies of Record of the Count Forms were made available to party agents and posted publicly at the tally centers. When the NEC announced the final results declaring George Weah the winner, the candidates and parties accepted the results, and no complaints were filed.

The NEC received two complaints regarding the credibility of the presidential election, and 96 regarding the House of Representative elections, following the October 10 polls. During the seven-week legal proceedings between November 6 and December 7 ahead of the presidential runoff, the political and security situation remained calm and peaceful, and no incidents of violence were reported. NEC county magistrate hearings were largely processed expeditiously, although several cases experienced delays. The role of the NEC as both defendant and judge under the framework for dispute adjudication creates a potential conflict of interest, but in practice, provided a fair process for complaints filed around the legislative elections.

Recommendations

In the spirit of international cooperation, NDI respectfully offers the following recommendations for reform of the electoral process for review and adoption by the NEC, the executive and legislative branches of government, political parties, civil society and other stakeholders. While the 2017 elections represented a step forward, they also highlighted the need for further improvements and reforms.

National Elections Commission

- Conduct a comprehensive review of its performance during the 2017 elections that seeks input from both internal and external stakeholders in order to identify best practices and areas for improvement.

Voter Registration and Voter Roll

- Intensify communication with the National Identification Registry to facilitate the creation of a civil registry that can also be used as a national voter registry, and adapt the NEC’s

regulation and procedures accordingly.

- Consider conducting voter registration in the year preceding the election year to allow sufficient time for other electoral preparation activities.
- Allow voters who turn 18 years old by election day (not by the date on which they register) to register to vote, which would ensure their constitutional right to vote.²
- Consider extending the working hours of voter registration centers and providing transportation means and/or mobile offices to facilitate the registration of voters based in remote communities, persons with disabilities, and persons with no access to means of transportation.
- Release registration center-level preliminary data to the public on the number of individuals registered, disaggregated by gender. This should be provided in advance of the end of the registration period, while there is still time for civil society and the media to use the data to better target voter education efforts.
- Once completed, provide the preliminary voters list in machine-readable format to political parties and accredited international and citizen election observers.
- Once completed, provide copies of the Final Registration Roll in machine-readable format to political parties and accredited international and citizen election observers.

Voter Education

- Conduct civic and voter education well in advance of election day in order to maximize possibility of effectiveness and impact. Distribute materials to civil society groups early to facilitate each exercise.
- Prioritize targeted, tailored outreach to communities and groups with relatively less access to information, including rural communities, women, youth, and illiterate persons.
- Ensure voter education is provided in major local dialects.
- Prioritize educating voters on how to fill out ballots properly to reduce the number of invalid ballots.

Election Administration

- Decentralize candidate registration for House of Representatives to the magistrate office level and reduce candidate nomination fees for candidates to lower barriers for nomination.
- Obtain and publish political party and candidate financial reports on contributions and expenses, and hold accountable parties and candidates that do not comply with the constitutional mandate to submit these reports.
- Clarify procedures on how polling officials should manage voters with registration cards but whose names do not appear on the roll, and ensure voter identification officers receive clear, written instructions on those procedures.
- Institute measures for polling officials to record the number of voters who voted at each polling place on the Record of the Count Forms, and to reconcile that number with the number of ballots cast at each polling place during the counting process.

² Article 77 (b) of the Constitution states that “Every Liberian citizen not less than 18 years of age shall have the right to be registered as a voter and to vote...”

- To reduce overcrowding at polling sites, create additional voting precincts and reduce the maximum number of polling places within a precinct. In addition, consider reducing the maximum number of voters per polling place.

Communication

- Engage in more proactive, timely, and accurate public communication about the NEC's work, and strengthen the NEC's capacity to anticipate and rapidly respond to incidents that may arise during the elections.
- Continue to convene the IPCC during the period in-between elections. During the next general elections, hold more frequent and regularly scheduled IPCC meetings, and foster an environment for substantive, respectful, two-way dialogue between the NEC political parties.

Gender Inclusion

- Develop and disseminate clear, precise guidelines on the 30 percent gender provision in the 2014 election law. Monitor parties' efforts to meet this provision.
- Prioritize the recruitment of more female poll workers, including as presiding officers, to ensure gender balance in each polling place, as well as the recruitment of young adults and members of marginalized groups.
- Specifically train poll workers on filling out and processing the Gender Data Capturing Sheet.
- Compile and publish in a timely manner all available data from the Gender Data Capturing Sheet on rates of women and men's voter participation. Consider recording summary figures from the Gender Data Capturing Sheet on the Record of the Count sheet.
- Systematically collect data on the participation of men and women in the election process. Make available to the public sex-disaggregated data concerning women and men's participation as voters, candidates, poll workers, observers, and party agents.

Complaint and Dispute Resolution

- Strengthen the NEC's capacity to adjudicate complaints and disputes in an expeditious, transparent, and impartial manner.
- Define a more clear calendar of NEC hearings, and publicize these hearings in a more transparent and proactive manner.
- Publish on the NEC's website rulings and decisions by hearing officers and the Board of Commissioners in a timely fashion, and disseminate statistics on the complaints and their resolution.

Elections Results Management

- Provide access to all stages of the tabulation process for observers and party agents, including at the national tally center.
- Verify provisional results as they come in and release them in a timely fashion to enhance transparency and public confidence in the transmission and tabulation process. Provide polling place-level results in an easily analyzable (machine readable) format on the NEC website.

- Provide clear, frequent updates to the public as a means of enhancing transparency in the transmission and tabulation of final results.

Legislature

- Integrate a review of the legal framework for elections into the ongoing constitutional review process, and avoid any gaps or inconsistencies between the elections law, the constitution, and Supreme Court legal precedents.
- Enforce the rules in the election law by prosecuting offenses such as bribery, trucking of voters, registration of non-Liberian voters, and domicile rules.
- Review electoral dispute resolution mechanisms to avoid potential conflicts of interest and ensure that timelines for each stage of the process are reasonable and clear.
- In redrawing legislative boundaries, adhere to the constitutional requirement that constituencies have an *approximately equal population* size.
- Explore the possibility of legally moving election day to a time frame that is not during rainy season. This would greatly reduce logistical challenges and risks, as well as facilitate voter participation.
- To enhance opportunities for voter participation, increase the voting hours at polling places so they open at 7 am and close at 5pm instead of the current 8am to 4pm timeframe.
- Clarify and strengthen the legal requirement that political parties should field no less than 30 percent of its candidates from each gender.
- Explore the possibility of introducing a mandatory quota for women candidates for municipal and other local elections.
- Consider public funding for the campaign of first-time women candidates to be allocated to female candidates of parties meeting the 30 percent threshold.

Security Services

- Prior to the next elections, improve planning and bolster resources for safeguarding materials during the transfer between voting precincts and magistrate offices.
- Build on the successes of the community-based policing approach adopted during the electoral period to foster security sector reforms.

Political Parties

- Proactively engage in consultative mechanisms with the NEC, such as the IPCC.
- Raise awareness of and express zero tolerance for, violence against women in the electoral process, especially towards female candidates.
- Throughout the electoral cycle, actively recruit, train and provide leadership opportunities for women to, at least, meet the threshold of 30 percent.
- Submit and publish detailed financial reports on contributions and expenses.
- Draw on experiences and lessons learned from the 2017 election cycle to consult on and advance recommendations for electoral reform.

Supreme Court

- Resolve election-related disputes expeditiously in a manner that engenders public confidence in the Supreme Court and the judicial process.

- Publish election-related opinions on the Supreme Court website and in a timely fashion.

Civil Society

- Jointly discuss and compile lessons learned for more effectively reaching women, youth, rural, and first-time voters with voter education campaigns in future elections.
- Coordinate closely among civil society organizations and networks to prioritize electoral reform recommendations and advocate for these reforms.
- Track the implementation of electoral reform recommendations and issue periodic public statements on progress made or lack thereof.

Media

- Dedicate resources to strengthening professional standards that distinguish between editorials, content written by journalists, and content that is published for a fee.
- For future elections, ensure that all journalists covering the election process undergo gender-sensitive training in order to follow the campaign of female candidates, issues of interest for women in the campaign, and issues pertaining to women's political participation.

International Community

- Continue to stand in solidarity with the Liberian democratic process through support to democracy activists; electoral reform initiatives; and sharing of lessons learned and best practices for peaceful political transitions.

Violence against Women in Elections

Government, legislature, and NEC

- Address the issue of violence against women in elections in the body of the electoral law, and in other relevant documents such as the Code of Conduct of the parties and the commitments signed by the candidates to maintain violence-free elections by explicitly addressing the phenomenon of VAW-E, including with concrete examples.
- Establish within the NEC, in cooperation with the LNP and CSOs, a unit and/or mechanism to ensure that incidents of VAW-E and hate speech are monitored, reported and addressed throughout the election period. Such a unit should include a means for prompt enforcement during the election period, an avenue for complaints, and the possibility of sanctions against the perpetrators.

MISSION OVERVIEW

NDI observed Liberia's electoral process from February 2017 to January 2018. In partnership with WAEON, the international election observation mission aimed to support Liberia's efforts to conduct peaceful, credible polls; impartially and accurately assess the electoral process; and offer recommendations to improve future elections. NDI's comprehensive mission included two pre-election assessment missions in February and September 2017; four long-term thematic analysts; six long-term observers deployed in three teams across the country; and election day delegations for the October 10, 2017 legislative and presidential elections and the December 26, 2017 presidential runoff election.

The Institute conducted its international election observation mission activities in accordance with the Liberian law and the *Declaration of Principles for International Election Observation*, endorsed by 55 intergovernmental and international organizations, several of whom NDI coordinated with throughout the Liberia international observation mission. NDI has conducted international election observation missions for over 125 elections in more than 60 countries over the past 32 years. NDI is grateful for the cooperation the mission received from voters, election officials, candidates, political party leaders and supporters, government officials, and representatives of civil society and media. The NDI mission also cooperated with other international observer missions and Liberian non-partisan citizen observation groups.

A summary of the NDI mission's main components is included below. Links to all public reports and statements issued by the mission are included in Annex 1,³ and the full list of delegates and observers for each aspect of the mission is in Annex 2.

- **Pre-election assessment mission from February 20 - 24, 2017:** This delegation focused on early electoral preparations, particularly voter registration, as well as the broader political and security environment. The five-person delegation was led by Ms. Robin Carnahan, Former Secretary of State of Missouri and Member of the NDI Board of Directors, and Commissioner Terry Tselane, Vice Chairperson of the South African Electoral Commission of South Africa.
- **A core team** of mission director; mission coordinator; and four long-term analysts focused on election administration, legal framework, gender, and media; supported by two local staff.
- **Six long-term observers (LTOs)** deployed from July 2017 through January 2018 in three teams to designated regions. The LTOs observed pre- and post-election processes across all 15 counties.
- **Pre-election assessment mission from September 4 - 8, 2017:** This delegation focused on electoral preparations and the campaign period. The six-person delegation was led by Ambassador Johnnie Carson, Former Assistant Secretary of State for African Affairs and Member of the NDI Board of Directors.

³ Also available at www.ndi.org/international-election-mission-chronological.

- **Election day delegation for the October 10, 2017 polls:** This 35-person delegation included observers from 18 countries and was led by Senator Gary Peters of Michigan; Senator Ken Nnamani, Former President of the Nigerian Senate; and Dr. Christopher Fomunyoh, Regional Director for Central and West Africa at NDI. The delegation observed more than 150 polling places across 15 counties. NDI observers also monitored tabulation processes at the magistrate level.
- **Election day delegation for the December 26, 2017 second round of the presidential election:** NDI's 36-person delegation included observers from 18 countries and was co-led by former President Goodluck Jonathan of the Federal Republic of Nigeria; former President Atifete Jahjaga of Kosovo; former Foreign Minister Hanna Tetteh of Ghana; and Dr. Christopher Fomunyoh. The delegation observed more than 140 polling places across 11 counties. NDI observers also monitored tabulation processes at the magistrate level.

While the mission concluded its work in early 2018, NDI continues to implement programming and has had a continued presence in Liberia since 2003. Its ongoing programs focus on political party development, electoral reform, executive transitions and women's political participation.



Photo 1: Former President of the Nigerian Senate, Honorable Ken Nnamani, observes a polling place in Monrovia during the October 10 elections.

1. POLITICAL CONTEXT AND LEGAL FRAMEWORK



Photo 2: NEC civic educators launch civic and voter education campaign in Bong County ahead of the October 10 elections.

1.1 Political Context

The 2017 elections in Liberia were largely seen as an historic opportunity to consolidate Liberia's democratic progress and to continue a positive trend towards democratic elections and peaceful transitions of power in West Africa. The UNMIL handed over security responsibilities to the government of Liberia on June 30, 2016, and as a result, the 2017 elections were the country's first post-war elections without a nationwide UN presence.

Peaceful and credible elections since the end of Liberia's conflict and political transition in 2003 helped bolster the country's democratic progress and recovery after many years of civil war and conflict and provided a strong foundation for holding the 2017 elections. The presidential and legislative elections of 2005 saw high voter turnout of 75 percent in the first round, leading to a second round contest between Ellen Johnson Sirleaf of the Unity Party and former soccer star George Weah of the Congress for Democratic Change (CDC). After Sirleaf won the second round, Weah alleged election fraud but ultimately accepted the results after the NEC's adjudication process confirmed the outcome, and international and domestic observer groups affirmed the credibility of the process.

In 2011, Liberians went to the polls three times: in August for a constitutional referendum, in October for the general elections, and in November for the presidential runoff. President Sirleaf ran for re-election against primary challenger Winston Tubman of the CDC, with George Weah as the CDC vice presidential candidate. Although domestic and international monitoring groups endorsed the elections as transparent and credible, the CDC once more claimed fraud, and Tubman called upon his supporters to boycott the runoff poll. Three days after the CDC announced its boycott, a rally at its party headquarters turned violent. Protesters clashed with police, who responded with tear gas and live ammunition, killing at least one person. Voter turnout in the second round dropped to 39 percent, and Sirleaf won with 90 percent of the vote. In 2014, the Senate elections, originally scheduled to take place in October, were postponed to December due to the Ebola crisis. Turnout was low (25 percent), as many people feared contracting the virus. Of the 12 incumbent senators who ran, only two were re-elected, highlighting citizens' growing disillusionment with elected officials.

In the months preceding the 2017 elections, Liberians were enthusiastic about the polls and had faith in their ability to determine the outcome.⁴ Despite frustration with a lack of progress in improving public services, they expressed high hopes for progress on their priority issues, such as infrastructure and education. This raised the stakes for candidates and parties to make specific and realistic policy proposals. Election preparations took place as the country faced acute development challenges, including: poor infrastructure, the lack of a national identification system, allegations of corruption, and unfavorable macroeconomic trends. Moreover, lingering grievances persisted from previous election-related disputes, which focused the attention of domestic and international actors on promoting peaceful elections and bolstering security measures.

For the 2017 polls, six major political parties competed in the presidential election, including the ruling Unity Party and the Congress for Democratic Change, which had both dominated the two previous elections. The ruling party's nominee, Joseph Boakai, had served the last twelve years as President Johnson Sirleaf's vice president, and sought to strike a balance between the advantages of incumbency and his independence from the president. In December 2016, the Congress for Democratic Change, the National Patriotic Party (NPP) and the Liberian People Democratic Party (LPDP) formed an electoral coalition and registered with the NEC as the Coalition for Democratic Change (CDC).⁵ The CDC chose Senator George Weah as its standard-bearer. His running mate, Senator Jewel Howard-Taylor, is the ex-wife of former president Charles Taylor.

Nine hundred eighty three candidates contested 73 House of Representatives seats elected in single-member districts, with some races including as many as 28 candidates. No single political party fielded candidates in all 73 constituencies. The three political parties with the highest number of candidates were the Alternative National Congress (ANC), Liberty Party (LP) and CDC (respectively with 69, 68 and 67 candidates). The NEC also certified 90 independent candidates.

1.2 Legal Framework and Electoral System

Liberia's legal framework for the 2017 elections consisted of the Constitution, the New Elections Law as revised in 2014, the 2017 General Election Writ, eight regulations adopted between May

⁴ NDI's July 2017 focus group research.

⁵ For the remainder of the report, the acronym CDC refers to the Coalition for Democratic Change.

and August 2016,⁶ Regulations and Guidelines for Political Parties and Independent Candidates, and Codes of Conduct for electoral stakeholders.⁷ Liberia has ratified or signed most of the international and regional instruments related to elections,⁸ and its electoral legal framework is largely in line with these instruments. The legal framework establishes a sufficient foundation for conducting democratic elections, although some areas for improvement are noted in this section and in NDI's recommendations.

The 1986 Constitution recognizes fundamental human rights and freedoms, such as the freedom of movement, the freedom of expression and opinion, and the right of association and assembly. The Constitution, however, contains some provisions that are no longer applicable.⁹ Constitutional reforms are still a work in progress; a constitutional referendum in 2011 passed one of four amendments on the ballot and further constitutional review stalled prior to the 2017 election.

The New Elections Law, initially approved in 1986, was amended in 2003, 2004 and 2014. The most recent amendment¹⁰ added provisions concerning the composition and duties of the NEC and the right to stand as a candidate, among other matters. Provisions on several issues, such as the campaign and voter registration, are scattered among different texts, which contributes to the potential for legal uncertainty. The Liberian system does not provide a mechanism for absentee voting or out-of-country voting.

The Constitution establishes the NEC as an autonomous agency with the authority to manage the electoral system. It gives the NEC the prerogative to adopt acts and conduct all necessary technical and material electoral operations. In addition, the NEC also functions as the arbiter for the first and second instance in election dispute resolution. Moreover, the NEC is also in charge of the registration and dissolution of political parties. Registration requirements for political parties are numerous and demanding, and the law requires parties to hold primaries to select candidates.

The Supreme Court is the highest judicial body in Liberia and the final arbiter of constitutional issues. It is comprised of a chief justice and four associate justices. Justices are appointed by the president, with confirmation by the Senate. In the Court's current composition, two of the associate justices are women. The Supreme Court is the only judicial body that deals directly with election complaints and disputes.

⁶ Voter Registration Regulations; Regulations on Establishing Electoral Districts; Candidate Nomination Regulations; Campaign Finance regulations; Regulations on Polling and Counting; Regulations on Complaints and Appeals; Elections Hearing Procedures; and Referendum Regulations.

⁷ Codes of conduct are addressed to political parties, NEC personnel, observers, media and NGOs involved in civic and voter educations. However, only the codes of conduct for political parties, media and observers have been updated for this election. The codes of conduct for NEC personnel and NGOs involved in civic and voter education date back to 2010.

⁸ Universal Declaration of Human Rights (UDHR); International Covenant on Civil and Political Rights (ICCPR); International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Convention on the Rights of Persons with Disabilities (CRPD); African Charter on Democracy, Election and Governance; and ECOWAS Protocol on Democracy and Good Governance, among others.

⁹ For example, the mention of absentee ballots (art. 80 (c)), which are no longer used.

¹⁰“An act to amend certain provision of the 1986 Elections Law”, enacted by the Senate and the House of Representatives and approved on September 17, 2014.

1.2.1 Electoral System

For Liberia's 2017 elections, 74 different electoral contests were held: the presidential election and 73 House of Representatives races. For the presidential election, Liberia is considered a single constituency and the president and vice president are elected on a single ticket for a six-year term by an absolute majority (more than 50 percent) of voters. If no presidential ticket obtains an absolute majority in the first round, a runoff election is held. Presidents cannot serve more than two terms. The House of Representatives (HoR), the lower chamber of the country's bicameral legislature, has 73 members elected through a first past the post system in single-member constituencies, or electoral districts. HoR members serve six-year terms. There were no elections for the Senate (upper house) in 2017, as these are held on a staggered schedule.¹¹

The delineation of Liberia's HoR electoral districts has been a source of controversy for several years. In 2011, the legislature passed a joint resolution that required the NEC to increase the number of HoR electoral districts from 64 to 73. However, rather than re-apportioning or adding districts based on the most recent census, as is stipulated in the Constitution, the legislature voted to allocate the nine new seats proportionally to the counties with the highest population growth. Critics argued that this resolution created imbalances in the relative voting power of electoral districts and was not in line with Article 80 (d) and (e) of the Constitution,¹² as well as Article 4.3 of the NEC regulations on establishing electoral districts, which states that "*as much as is practicable, electoral districts should have relatively equal number of registered voters.*"

Although the number of registered voters increased by 21.3 percent from 2011 to 2017, and population growth was uneven across districts, the legislature declined to change the electoral districts prior to the 2017 elections. This exacerbated the imbalance in relative voting power. As a result, electoral districts with higher population growth had relatively less voting power, while districts with less population growth had greater voting power. For example, the electoral district with the highest number of registered voters (Montserrado District 4 with 63,786 voters) has six times more voters than the district with the lowest number (River Gee District 3 with 10,604 voters). Consequently, the international principle of equal suffrage¹³ is not guaranteed. In 2016, the Elections Coordinating Committee (ECC), a leading citizen election observer coalition, expressed its concern about the decision not to set a new threshold to reapportion districts for the 2017 elections.¹⁴

¹¹ Senators are elected to nine year terms. As part of the transitional measures included in the Constitution, during the first post-transition election in 2005, voters elected two senators from each county. The senator with the lower number of voters in each county stood for re-election in 2011, while the remaining 15 senate seats were contested in 2014. The next senate contests will be held in 2020 and 2023.

¹² 80 (d): "*Each constituency shall have an approximately equal population of 20,000, or such number of citizens as the legislature shall prescribe in keeping with population growth and movements as revealed by a national census; provided that the total number of electoral constituencies in the Republic shall not exceed one hundred*". 80 (e): "*Immediately following a national census and before the next election, the Elections Commission shall reapportion the constituencies in accordance with the new population figures so that every constituency shall have as close to the same population as possible; provided, however, that a constituency must be solely within a county*".

¹³ International Covenant on Civil and Political Rights (ICCPR) at article 25, General Comment 25, para 21.

¹⁴ ECC Calls on Legislature to Set New Thresholds for 2017 Elections - October 24, 2016
<http://eccliberia.com/2016/10/24/ecc-cautions-national-elections-commission-nec-to-compel-political-parties-to-publish-their-financial-statements-and-calls-on-liberian-legislature-to-set-new-threshold-for-2017-elections-in-liberia/>.

The legal framework outlining the timeline to organize the presidential runoff election became a point of contention during the period between the first and second rounds. For the two past presidential elections, the NEC's interpretation of Article 83(b) of the Constitution (“...if no candidate obtains an absolute majority in the first ballot, a second ballot shall be conducted on the second Tuesday following”) led to runoffs held on the second Tuesday after the announcement of results, regardless of any pending dispute resolution processes. Following the 2011 Constitutional Referendum, this article was amended to provide time for disputes to be resolved, stating that “...if no presidential ticket obtains an absolute majority in the first ballot, a second ballot shall be conducted on the second Tuesday following expiry of the time provided in Article 83 (c)¹⁵.” However, in 2017, the NEC maintained the same interpretation as before the 2011 referendum and announced the date of the runoff for November 7, 2017. On November 6, the Supreme Court, in its opinion on the Writ of Prohibition filed by the LP (see section 4.3), stated that Article 83 (b) that should be read in conjunction with Article 83 (c).

This was the first time the Supreme Court ruled on Article 83 of the Constitution. Although this interpretation of the runoff timeline pushed back the date of the runoff and led to a period of uncertainty, it represents positive progress with respect to the rule of law in Liberia, as it guarantees the right to due process for the complainant. It also provides a clearer timeline for the organization of any future presidential runoff elections.

1.2.2 Legal Framework for Candidate Registration

The right to stand as a candidate is guaranteed by the Liberian legal framework for political parties and independent candidates. Various articles of the Constitution and the election law establish the age, domicile, residency, and property requirements to be a candidate.¹⁶ Along with these requirements, some additional provisions imposed by the election law and NEC regulations place several burdens on the right to stand as a candidate and - when taken as a whole - are inconsistent with international standards.¹⁷ These requirements include collecting signatures from a number of counties, acquiring an indemnity insurance policy, and paying a non-refundable fee,¹⁸ among others. Along with other expenses that candidates face, these requirements present significant barriers in a country where gross domestic product (GDP) per capita is USD 455.¹⁹ This is

¹⁵ Article 83(c) states “*The Elections Commission shall, within thirty days of receipt of the complaint, conduct an impartial investigation and render a decision which may involve a dismissal of the complaint or a nullification of the election of a candidate. Any political party or independent candidate affected by such decision shall not later than seven days appeal against it to the Supreme Court.*”

¹⁶ Article 30 a) for the House of Representatives, citizens should have attained 25 years old; Article 30 b) they should be domiciled in the county or constituency not less than one year prior to the time of the election and be a taxpayer. For presidential and vice-presidential candidates, Article 52 states that the candidate should be “*a) a natural born Liberian citizen of not less 35 years of age; b) the owner of unencumbered real property valued at not less than twenty-five thousand dollars; and c) resident in the republic ten years prior to his election, provided that the president and the Vice President shall not come from the same county.*” This last provision was temporarily suspended in 2005 and 2011. For this election, it is not clear whether this provision has been applied or not. A complaint was filed to the NEC in July 2017 against presidential candidate Alexander Cummings, standard bearer of the Alternative National Congress (ANC). In this case, the complainant alleged that Cummings has not resided in Liberia 10 years prior to the election. The NEC dismissed the case on technical flaws in August and did not pronounce on the merit.

¹⁷ International Covenant on Civil and Political Rights (ICCPR) at article 25, General Comment 25, paragraphs 15, 16, and 17.

¹⁸ The non-refundable fee is 2,500 USD for presidential candidates, 1,500 USD for vice-presidential candidates, and 500 USD for House of Representative candidates.

¹⁹ World Bank, 2016

particularly challenging for women and youth candidates, who typically have less access to financial resources.

Another provision cited by some stakeholders as restrictive is the threshold that parties and independent candidates must obtain at least two percent of the total valid votes cast in the constituency or constituencies in which the party or the candidate contested in order to run in the next two elections. In addition, if none of a political party's candidates are elected, the party cannot compete in the next two elections. This provision will be applied for the first time starting from the next Senatorial by-elections. If applied, this prohibition would affect 15 former presidential and vice-presidential candidates and former representative candidates who did not reach the two percent threshold, as well as 14 presently registered political parties that did not win a seat in the House of Representatives.

For the House of Representatives elections, Section 4.5.1 (a) of the election law states that party lists should include candidates in at least half (37) of the 73 constituencies. Only 13 political parties out of 24 achieved this threshold. In addition, the lists should “endeavor to ensure” no less than 30 percent of candidates of each gender, a threshold met by only one political party.

1.2.3 Legal Framework of Election Campaign and Campaign Finance

The Liberian Constitution and the election law guarantee the right to freely conduct electoral campaigns. However, the electoral campaign is not defined in the law, and a NEC regulation loosely defines the campaign as “*any activity for the purpose of electing or promoting an aspirant or candidate for elective public office.*” While campaign activities are forbidden outside of the campaign period, some activities, such as party meetings and collecting signatures, are permitted before the campaign period begins.

Compared to the conduct of the campaign, campaign finance is more highly regulated in the legal framework. The Constitution, election law, and NEC campaign finance regulations set spending limits, disclosure requirements, an auditing mechanism, and punishment by fines for violations. The NEC is empowered to inspect the bank balances of political parties and candidates. Campaign expense limits, particularly for presidential and vice presidential candidates, are high relative to Liberia's economy. These high campaign expense limits, combined with a lack of public financing for political parties or candidates, can contribute to significant differences in spending among candidates. This can negatively affect the potential for a level playing field, particularly for women and youth candidates.

PART TWO: PRE-ELECTION PERIOD



Photo 3: Civic and voter education launch in Bong County.

Preparations for the 2017 elections featured the creation of a new voter roll and significantly less operational and security support from UNMIL than in previous years. Though the NEC completed preparation activities in line with the election calendar, there were concerns over the completeness of the voter list. Difficult road conditions during the rainy season affected campaigning and the NEC’s logistics plans, especially when ballots arrived in the country later than planned. Ultimately, the NEC was able to overcome the logistical challenges. In the months leading up to the October 10 polls, Liberians saw active, open, and largely peaceful campaigns. Twenty candidates vied for the presidency, while 973 candidates contested for the 73 House of Representative seats.

2.1 Election Administration

2.1.1 NEC Structure and Operation

The National Elections Commission (NEC) is an independent body constitutionally mandated to conduct elections in Liberia. The legal framework gives the NEC a number of responsibilities and powers, including preparing and updating the voter list, registering political parties and candidates,

setting the election date and campaign period, and conducting civic and voter education (CVE), among others. The NEC Board of Commissioners is the policy-making body and appoints an executive director to run the secretariat. The Board, composed of four men and three women at the time of the 2017 elections, is led by a chair and a co-chair. Commissioners are appointed by the president with the consent of the Senate. All members have a seven-year term period and can be re-appointed.

The NEC was generally assessed to be credible and capable of managing and administering electoral processes, though highly centralized. All information and decisions emanated from the Commission's headquarters in Monrovia and were transmitted to magistrates in the field. NDI noted that the information flow on operational issues and communication between headquarters and the magistrate offices was often inconsistent or late.

Outside of Monrovia, NDI observers assessed the work of most of the election magistrates as professional and competent. With the exception of Maryland County, magistrates engaged stakeholders regularly and developed cordial relations with political parties and observers. Most magistrates had been in their positions over past election cycles, allowing them to develop a high level of experience and understanding of election operations.

Though some political interlocutors questioned the neutrality of the NEC, NDI did not observe instances of partiality or bias toward or against any political party. However, NEC communication with stakeholders, including political parties, was infrequent and sporadic in the early stages of the electoral cycle. As election day approached, the NEC started to hold weekly press conferences and somewhat more frequent meetings of the Inter-Party Consultative Committee (IPCC), a forum to facilitate communication between the NEC and political parties. Still, this engagement with stakeholders was generally one-way and not substantive, which led several parties, including the UP, to express a lack of trust in the transparency of election preparations.

2.1.2 Electoral Structure

In accordance with the election law, the NEC appoints one election magistrate per county to manage subnational electoral operations. To account for population and geographic differences among the counties, the biggest and most populated counties (Montserrado, Bong, Nimba and Lofa) contain two magisterial offices. In these four counties, the boundaries of electoral districts do not always coincide with the boundaries of one magisterial office's authority, meaning that some electoral districts are divided under the authority of two different magisterial offices. According to the NEC, this division allows for a more equal separation of workload among magistrates. However, this division creates the potential for confusion during the deployment of ballots for legislative elections and the tabulation of results.

Voting is conducted at 2,080 voting precincts, in which 5,390 polling places are allocated. Voting precincts are set in various public and private buildings with a single location for each precinct containing several areas or rooms for each polling place. Based on the number of registered voters, a precinct may include between one and nine polling places. The NEC caps the number of voters assigned to each polling place at 500, though NDI found that 42 of the 5,390 polling places included more than 500 voters.

2.1.3 Logistics

The NEC drafted a comprehensive logistics plan and timeline for the 2017 elections. However, a lack of sufficient time for the procurement process led to delays with ordering and deploying election materials, including ballot papers. Since elections are held during Liberia's rainy season, where many roads become impassable, the NEC required air support to deliver ballot papers and materials to remote areas. UNMIL donated more than its budgeted 100 hours of flight time, and the NEC rented a private plane, a boat, 73 trucks, 435 4x4 vehicles, 117 canoes, and 276 motorbikes. The Commission hired 2055 porters to move election materials from Monrovia to magisterial offices and voting precincts. For the October 10 elections, NDI LTOs noted that most election materials arrived on time for further deployment to voting precincts. ECC observers found that -- at the time of opening on election day -- voting materials were available in 98 percent of polling places observed.²⁰

The NEC allotted 550 ballot papers per polling place, regardless of the number of registered voters.²¹ The NEC then added an additional contingency of three percent and five percent to the actual quantity of ballot papers for presidential and HoR elections, respectively. This meant that the NEC printed 900,000 more ballot papers for the presidential elections and one million more ballot papers for the HoR elections than the actual number of registered voters.²² Some political parties expressed concern that what they considered to be a high number of excess ballots could lead to fraud.

2.1.4 Recruitment and Training of Polling Staff

To administer the 2017 elections, the NEC hired over 400 electoral supervisors, who were responsible for recruiting and training polling place staff on election procedures and their roles and responsibilities, distributing and retrieving election materials, and then transmitting election materials to magisterial offices. Each of the country's 5,390 polling places was staffed by five polling officials, one of whom was a presiding officer.

Overall, recruitment of polling officials was transparent. The NEC advertised for polling official positions across the nation and received over 60,000 applications, from which over 27,000 temporary staff were selected through a test and interview process. A list of selected officials was posted at magisterial offices, allowing citizens to raise objections over any official deemed partisan. Presiding officers were required to have a minimum of a high school certificate to qualify for the position. The NEC used a cascade method of training polling officials. NDI observed several of these trainings at each level and assessed them as effective and well-conducted, albeit not very interactive. Most facilitators exhibited a high level of understanding of the electoral process.

²⁰ ECC Election Day Mid-day statement – October 10, 2017 https://eccliberiacom.files.wordpress.com/2017/10/ecc-e-day-mid-day-statement_final.pdf

²¹ The NEC allocated 550 ballot papers to each polling place based on the maximum number of registered voters (500 per polling place) plus 10 percent.

²² The NEC printed 3,053,435 presidential ballots and 3,112,725 HoR ballots. There were 2,183,683 registered voters for the 2017 elections.

2.2 Voter Registration

2.2.1 Legal Framework

The Constitution, the New Election Law, and the NEC Voter Registration Regulation provide the legal framework for the registration of voters. Every citizen of Liberia 18 years or older has the right to be registered. The law imposes some restrictions for cases based on judicial decisions such as those who have been “declared incompetent or of unsound mind” or who have been “convicted of infamous crime.”

A 2014 amendment to the New Electoral Law requires voters to register where they “ordinarily reside,” a provision intended to prevent “trucking,” the practice of transporting voters from outside a constituency or the country to register and vote in a place they do not ordinarily reside. However, neither the legal texts nor the NEC’s *Trainer Manual for Voter Registration* provide a definition of ordinary residence or indicate how registration officials should determine where a voter ordinarily resides.

The law prescribes that the principal documents to prove eligibility are a passport, a birth certificate, or a certificate of naturalization. In addition, the NEC allowed eligible voters to produce an old voter identification card issued for previous elections as proof. Other forms of identification allowed include the in-person sworn testimony of two registered voters or confirmation by a traditional leader.

Per the election law, the Ministry of Health and Social Welfare should, in December of each year, provide the names of deceased persons over 18 years of age to the NEC in order for the names to be removed from the voter registry (S.3.21). The Ministry of Justice, along with the clerk of the Probate Court in each county, have the obligation to provide the names and addresses of all persons judicially convicted and sentenced for a disenfranchised offense (S.3.23) and/or declared incompetent or of unsound mind (S.3.22).

According to S. 3.19 of the Election Law, the last possible date to alter the voter list is thirty days prior to an election; the only exception is by a Supreme Court decision, on the determination of a manifest error.

The NEC interpreted Article 77(b) of the Constitution²³ to mean that voters must be 18 years old on the date on which they register. As a result, the NEC registered eligible voters who had turned 18 years old by the date of their registration, not by the date of the election. Civil society groups expressed concern that young people who turned 18 years old during the seven months between the registration deadline and election day were disenfranchised by this interpretation.

Liberia does not have a national identification system. The overwhelming majority of the population does not own identity documentation other than their voter identification card, making it challenging to determine the eligibility of some groups of prospective voters. According to

²³ “All elections shall be by secret ballot as may be determined by the Elections Commission, and every Liberian citizen not less than 18 years of age, shall have the right to be registered as a voter and to vote in public elections and referenda under this Constitution. The Legislature shall enact laws indicating the category of Liberians who shall not form or become members of political parties.”

several interlocutors, registration officials inconsistently applied eligibility verification, primarily checking eligibility when they suspected individuals were underage or not Liberian citizens.

To help address this for future election cycles, the Government of Liberia in October 2017 launched a project to issue biometric identification cards, through the recently established National Identification Registry (NIR) agency. Each identification card will have a unique identification number and include a barcode that contains several pieces of information, including the polling place and the electoral district where the citizens were registered for the 2017 election. The NIR aims to register the entire population by the end of 2019 through 70 enrollment stations. However, as of January 2018, only two stations were operational. To cover the administrative cost, citizens must pay 5 USD for their identification card.

The NIR database requires only one registration in a lifetime and could be more economical and sustainable than creating a separate voter registry. The Government of Liberia, the NIR, and the NEC are exploring how to use this database to establish the voter list.

2.2.2 Voter Registration Exercise

Voter registration was conducted from February 1 to March 14, 2017.²⁴ To register, a voter had to appear in person at the nearest voter registration center (VRC). Newly registered voters received a laminated voter registration card containing his or her name, photograph, unique voter identification code, and location of his/her voting precinct. To prevent fraud, official voter cards contained a hologram as their main security feature.

To make registration more accessible to voters, the NEC added 300 new registration centers, raising the total from 1,780 in 2011/2014 to 2,080. This helped improve access for rural voters in particular, though some still had to walk for several hours to the nearest registration center. This presented a challenge for elderly voters, women, and persons with physical disabilities.

The 300 new registration centers resulted in new codes for some centers,²⁵ while the codes for other centers were realigned. These code changes created confusion that affected later stages of the process. Prior to commencement of the voter registration, the NEC released the list of voter registration centers. The ECC reviewed the list and discovered that of the 1,759 centers with the same code as in 2011/2014, 1,048 registration centers (almost 60 percent) had a location that did not exactly match their 2011/2014 location, and 1,118 (63.6 percent) had a name that did not exactly match with the 2011/2014 name.²⁶ Moreover, 21 registration centers appeared to have been removed from the list. These errors were later corrected by the NEC, which released a revised list of registration centers just four days prior to the start of registration.

In the early stages of election preparations, the NEC proposed a budget to produce a biometric voter register (BVR), with some political parties calling upon the government to fund it. The government, however, determined that the BVR process was too expensive.²⁷ As in previous voter

²⁴ The registration period was originally scheduled to end on March 7. However, due to technical challenges and registration numbers that were far short of the NEC's goal of 2.5 million, the process was extended for one week until March 14.

²⁵ Each registration center has a unique code.

²⁶ ECC Voter Registration Update #1 - February 17, 2017 <https://eccliberiacom.files.wordpress.com/2017/02/ecc-voter-registration-update-1-final-20170201-pdf-2.pdf>

²⁷ FrontPage Africa (October 11, 2016) 'No Biometric Registration' - NEC Executive Director Discloses <http://allafrica.com/stories/201610120446.html>

registration processes, the NEC used Optical Mark Recognition (OMR) forms to collect voters' personal information. These forms were then read through scanners at the NEC's data center. The NEC encountered many challenges with the OMR forms. Due to procurement delays, the printer was unable to fulfill the order in time, and printing was subcontracted to two other companies. This resulted in discrepancies in the size, paper and ink quality of the forms used, which in turn caused many forms to be rejected when scanned.

The NEC also encountered challenges in distributing forms to registration centers. Due to procurement delays, the first batch of forms arrived on January 24, just one week before the commencement of the registration exercise on February 1, and the last batch arrived on February 21. Since many of the ordered forms had not arrived by the start of voter registration, the NEC distributed forms in small quantities in order to supply each center with a limited number. As a consequence of this decision, the NEC lost track of the form identification numbers and where they were distributed. Moreover, the NEC during data processing discovered that some of the OMR forms had common (rather than unique) identification numbers. Other forms were missing photographs, which were appended during the registration process and could have become detached.

A number of other factors hampered voter registration. New cameras were used to photograph voters. While several malfunctioned in the beginning of the process, they were promptly replaced. Delays in the recruitment and training of voter registration staff led to insufficient training, resulting in errors in filling out OMR forms and to mistakes in packaging and archiving scanned forms. The NEC initially capped registration at 3,000 voters per center and closed some centers when they reached that figure, creating confusion among people wishing to register. The NEC ultimately increased the threshold to 4,500.

Inefficient data collection and monitoring of registration rates hampered the ability of the NEC, civil society groups, and parties to target voter education efforts in areas with lower registration rates. The NEC collected registration forms from centers each week and deployed monitoring teams to collect summarized information from some centers. These methods, however, did not provide the NEC nor the public with timely, detailed information about registration rates as the process unfolded.

2.2.3 Preparation of the Provisional Registration Roll (PRR) and Exhibition

The compilation of the Provisional Registration Roll (PRR) took almost three months. This involved scanning the registration forms collected in the field and data cleaning. This phase was supposed to include the removal of duplicate entries and a system of double-blind data entry for manually entered data. Neither citizen nor international election observers observed this process, and the NEC never released final statistics or figures on the PRR, preventing a detailed analysis.

The NEC organized an exhibition of the PRR from June 12 to 17. The exhibition period allowed Liberians to review the provisional listing of registered voters, to correct mistakes, to include



Photo 4: Woman checks the Provisional Registration Roll (PRR) during the exhibition period in Zwedru, Grand Gedeh County.

individuals who registered but were not on the list, or to exclude individuals who had been unduly included (such as deceased voters). This exercise was organized in all 2,080 VRCs. The law does not prescribe a minimum duration for the exhibition period; however, several stakeholders raised concerns that, given the challenges that occurred during the registration exercise, one week for exhibition was inadequate.

ECC observers reported that all centers it observed had the PRR either posted on the wall or available to voters in a booklet. NDI observed this process at several exhibition centers in Bong and Nimba counties, noting low turnout and some names missing from the roll at these locations. The ECC also reported that “in some instances, potentially significant number of names appeared to be missing from the PRR.”²⁸

During this phase, the NEC was not transparent in the management or communication of procedures. It did not release any figures on the number of voters included in the PRR, nor provide a copy of the PRR to civil society organizations or citizen and international observers. On June 14, the NEC chairman announced during a press conference that anyone who possessed a voter identification card would be allowed to vote. His statement was not in line with the legal framework, which states that only voters whose names are listed on the Final Registration Roll (FRR) *and* in possession of a voter card will be permitted to vote. Several political parties in

²⁸ ECC Voter List Exhibition Report - June 21, 2017 <http://eccliberia.com/ecc-voter-registration-update-4/voter-registration-exhibition-reports/ecc-voters-list-exhibition-update-report-june-28-2017/>

attendance expressed their opposition, and Chairman Korkoya's statement was criticized by the ECC in a public statement.²⁹

After the exhibition period ended, the NEC chairman testified before the Senate on June 22 that roughly 13,000 names were missing from the PRR,³⁰ representing the number of complaints filed at magisterial offices for inclusion. However, this figure did not necessarily reflect the actual number of missing names, given the low level of participation in the exhibition exercise. To help deal with these concerns, the NEC invited Ghanaian data management company Super Tech Limited to conduct an audit of the PRR and offer solutions. The company provided a report that suggested that the NEC manually double-check all submitted forms against figures provided by magisterial offices.

The NEC board asked all magistrates to come to Monrovia and participate in this correction exercise. As part of the registration process, supervisors at each registration center were supposed to record every voter registered into a journal, and keep a counterfoil of the registration forms. Under the guidance of each magistrate, NEC personnel manually double-checked and counted all registration forms submitted for scanning against the actual figures recorded in the VRC journal as well as the counterfoils in their possession. The forms were then tagged, re-packed, and divided by VRC.

These measures resolved some of the issues surrounding the missing names from the PRR, but also further delayed the subsequent steps: the replacement of lost and damaged voter cards, and the publication of the FRR. On July 28, the NEC announced that the FRR had been completed and included 2,183,163 voters.

2.2.4 Replacement of Lost or Damaged Voter Cards

From August 7 to 12, the NEC organized a process to enable duly registered voters who had lost or damaged their voter cards to obtain a new card. The exercise also sought to correct any errors that were made during the registration phase, such as misspelling of names or missing photographs.

Section 3.5 (2) of the election law defines the possibility of replacing cards, while Article 16 of the NEC regulation on voter registration outlines the conditions for card replacement. It specifies that only voters whose records appear on the FRR may apply for replacement by appearing in person at the replacement centers. Notably, Article 16.4 states that "all replacement of voter registration cards shall be done not later than 90 days before an ensuing election." For the purposes of the 2017 election, this would be July 11. Due to delays during the voter roll cleanup, the NEC did not meet this legal deadline; however, no stakeholders raised this as an issue or filed a complaint.

Due to financial constraints, the NEC performed the replacement exercise in only 99 registration centers: one in each of the 73 electoral districts, one in each of the 19 NEC magisterial offices, and an additional seven in high-population or hard to access districts.

NDI observed the process in 34 of the 99 replacement centers across 10 counties and 27 electoral districts. The mission positively assessed the general atmosphere in the registration centers,

²⁹FrontPage Africa (June 16, 2017) *Civil Group Cautions NEC to Fully Probe Voters Registration Irregularities* <https://frontpageafricaonline.com/index.php/news/4464-civil-group-cautions-nec-to-fully-probe-voters-registration-irregularities>

³⁰New Dawn (June 23, 2017) *NEC Concedes* <http://allafrica.com/stories/201706230623.html>



Photo 5: NEC staff issuing voter cards during the replacement exercise in Nimba County.

defining it as peaceful and calm, except in one case. Observers also noted that the turnout was generally low, but that the process functioned smoothly. At most of the centers visited, the officials indicated that they had worked with the NEC before, including during registration and exhibition exercises. Observed replacement centers were easy to locate, and had adequate signage directing applicants to the centers. No shortages of replacement materials were reported. The only issues reported regarded delays in printing photographs. Photos of applicants could only be printed in sets of four, causing some applicants to wait for long periods, sometimes days, before photos could be printed and new voter cards processed.

According to the NEC, 14,681 voters participated in the exercise. The NEC's data indicated a disparity in the numbers of women and men participating, with men seeking replacement cards at a rate of more than double that of women. Numerous interlocutors highlighted long travel distances and associated costs as prohibitive factors to voter participation in the replacement process. Others cited a lack of publicity and outreach about the exercise, along with the fact that the informational material arrived late in the field, especially in the most remote locations. For example, promotional radio jingles started in Maryland on August 10, two days before the exercise ended.

2.2.5 Final Registration Roll (FRR)

After the end of the lost and damaged voter cards replacement exercise, the NEC removed duplicate entries from the list and included voters from the replacement exercise. The NEC then announced a second version of the FRR on September 13. It included 2,183,629 voters (a decrease of 54 voters from the first version of the FRR released in July), of which 49 percent were women

and 51 percent men. The 2017 FRR represents a nearly 15 percent increase in the number of voters compared to the 2014 voter roll and an increase of nearly 21 percent compared to the 2011 roll. The county with the highest number of registered voters is Montserrado (with roughly 35 percent of all registered voters), while the county with the lowest number is River Gee (with 1.6 percent of registered voters). On September 18, seven political parties were provided with the electronic copy of the FRR; 17 additional parties were given a copy on September 20.

NDI's analysis revealed some differences between the two versions of the FRR (see Annex 3). The number of registered voters in each electoral district differed between the two versions, although the percentage of registered voters per county did not generally vary. The NEC explained that the inaccurate coding of registration centers during registration period caused the difference and it corrected the registration codes after the audit conducted in August.

During the pre-election period, several stakeholders raised concerns regarding some citizens missing from the FRR, duplication of names and voter ID numbers, and omissions of voters' photographs. The NEC made two tools available for citizens to confirm their names on the list: a short message service (SMS) platform and the NEC's website. However, the SMS platform only worked on one telecom network, and areas without access to the network were unable to use the system.

These errors, duplications and omissions, along with the NEC not publicly disclosing these challenges, impeded discussions about the FRR, undermined confidence in its accuracy, and generated concerns about large-scale disenfranchisement. Lingering concerns about the FRR, which were then compounded by problems on election day, set the stage for post-election complaints.

2.3 Candidate Registration

The NEC conducted candidate registration centrally in Monrovia from June 19 to July 21, including a 10-day extension, negotiated between the NEC and political parties reached. Overall, despite delays in the adjudication of some cases, the NEC provided a fair, unbiased process to all complainants, allowing all parties enough time to prepare their legal filings.

The NEC initially rejected three candidates for failing to meet the eligibility requirements mentioned in the National Code of Conduct for all Public Officials and Employees of the Government of the Republic of Liberia of 2014. The Code of Conduct requires presidential appointees aiming to be candidates to resign two or three years prior to the election.³¹ In March 2017, the Supreme Court ruled that the Code of Conduct is binding and in line with the Constitution. The three candidates rejected by the NEC appealed to the Supreme Court, which reversed the NEC's decision in two cases (Harrison Karnweah, vice presidential candidate for the LP, and Jeremiah Sulunteh, vice presidential candidate for the ANC). The Supreme Court stated that the Code of Conduct violation was not egregious enough to reject the candidates and mandated

³¹ For the scope of the election, the main provision is 5.2. It reads: "*a) any Minister, Deputy Minister, Director-General, Managing Director and Superintendent appointed by the President pursuant to article 56 (a) of the Constitution and a Managing Director appointed by a Board of Directors, who desires to contest for public elective office shall resign said post at least two years prior to the date of such public election. b) any other official appointed by the President who holds a tenured position and desires to contest for public elective office shall resign said post three (3) years prior to the date of such public elections*".

the NEC to fine them instead. These Supreme Court opinions resulted in several presidential appointees resigning from their post after the opinion, paying the fine, and then filing for candidacy just before the deadline.³²

The NEC released the final candidates' list the day before the launch of the electoral campaign. The list included 1,024 qualified candidates, including 20 presidential and 20 vice presidential candidates, and 984 representative aspirants, among whom 163 were women and 96 were independent candidates.

Candidates, parties, coalitions, and voters have the right to challenge the eligibility of provisional candidates within three days of the list's publication, and several additional days to appeal decisions. Due to delays in holding hearings, the challenge process for the provisional candidates' list overlapped with the challenge process for the final candidates' list and, at the same time, with the beginning of the electoral campaign. From the publication of the provisional candidates' list on July 14, the challenge process took a total of 71 days,³³ of which more than two-thirds overlapped with the electoral campaign period. This led to uncertainty in the political landscape during the electoral campaign and hindered the ability of some candidates to compete on a level playing field. Some 250 candidates had to initially campaign while their eligibility was still pending, and the NEC removed one candidate³⁴ from the final candidates' list 22 days after the beginning of the electoral campaign.

In total, the NEC received 40 complaints against candidates. More than 60 percent of these referred to violations of the Code of Conduct. Other challenges concerned issues such as residency requirements, citizenship, and violation of Section 4.5.1 (a) of the election law requiring that party lists should include candidates in at least half (37) of the 73 constituencies. Regarding this issue, 11 political parties, with a total of 216 candidates, presented lists with less than 37 candidates. A complaint filed at the NEC requested the enforcement of this requirement, but the Supreme Court dismissed the case for technical reasons, as the appeal was submitted after the deadline. However, the Supreme Court decided voluntarily to pronounce on the merit. Considering that the law is silent on the punishment for violating this provision, the Supreme Court ruled that the parties should be permitted to run and that the NEC has no authority to disqualify them.

The inconsistency between the rulings of the NEC and the opinions of the Supreme Court in the cases of the Code of Conduct, along with the lack of enforcement of the Section 4.5.1a of the elections law, generated divergent interpretations among stakeholders. These rulings mitigated tensions in the short-term and allowed a more inclusive electoral process; however, they raised doubts among several political parties and candidates about whether they would receive fair and equal treatment under the law.

³² In the third case, the Supreme Court denied the request of the rejected aspirant because he had not resigned from his post before the application, *Abu Kamara vs NEC*, July 17, 2017. The NEC rejected a fourth aspirant for printing false voter cards during voter registration.

³³ The NEC Board of Commissioners issued its last ruling on September 4, while the Supreme Court issued its last opinion on September 23.

³⁴ Michael Slawon, candidate of Liberty Party in Nimba ED#9, was removed from the final candidature listing on September 12 after the Supreme Court ruled he had violated of the Code of Conduct.

2.4 Civic and Voter Education

The NEC, civil society organizations (CSOs), international partners and the media led initiatives to raise citizen's awareness of the electoral process and improve their understanding of the voting procedures. Civic and voter education efforts focused not only on raising awareness of when and where to vote, but also on reducing Liberia's high rate of invalid ballots. The NEC set an ambitious goal of reducing the invalid ballot rate by more than half from the previous election (6.4 percent in 2011) to three percent.

The NEC launched its national CVE campaign on August 18, with simultaneous events across all 15 counties. The main focus of the voter education campaign was to mobilize citizens to vote. The NEC hired 438 civic and voter educators and 219 gender mobilizers. These efforts were primarily concentrated in towns and cities. NDI observers received numerous reports that CVE and gender mobilizers did not reach remote villages, reportedly due to lack of means of transport or the difficult terrain.

The NEC also partnered with more than 100 local CSOs to educate and mobilize voters. NDI observed CVE activities in towns, markets, and some rural areas. Educators used theater and direct person-to-person approaches in local languages, which often targeted women and first-time voters. NDI observers noted that awareness messages mostly involved voting procedures, the importance of participation by women and disabled persons, and the promotion of peaceful transitions. Religious bodies and community based organizations (CBOs) played active roles in educating voters in rural communities.



Photo 6: NEC civic educators launch civic and voter education campaign in Montserrado County ahead of the October 10 elections.

Political parties and legislative candidates also played crucial roles in educating their supporters on how to mark the ballot as part of their campaign activities. They also included messages on when, where, and how to vote.

CVE efforts were hindered in the initial stages of the campaign by the lack of sample ballots for teaching voters how to mark their ballots. “Know Your Candidate” posters that included an image of a district’s actual ballot were not distributed until mid-September, weeks after most civil society groups had begun voter education efforts. In parallel, the NEC organized regional consultations with traditional leaders, professional associations, local authorities, and other local stakeholders to educate them on the electoral process. NDI observed that these consultations were participatory and a positive means of engaging local stakeholders, although they occurred late in the election cycle (late September).

2.5 Political Parties and the IPCC

Political parties in Liberia are generally fluid in their structure and operations. Rather than being organized by ideology or platform, they tend to be organized around figureheads, and switching between parties is commonplace. NDI’s mid-2017 focus groups found that voters identify with specific political leaders, and not with political parties. Party operations are highly centralized in Monrovia, and most parties are not active between elections. As detailed in the campaign section below, NDI LTOs found most county-level party headquarters empty until the few weeks before the election.

Twenty six political parties registered with the NEC to participate in the 2017 elections, with 24 of those parties ultimately presenting candidates for either HoR races or for the presidential race. The six presidential candidates who were widely considered to be the top contenders represented the following parties:

- Joseph Boakai, Unity Party (UP);
- George Weah, Coalition for Democratic Change (CDC);
- Walter Brumskine, Liberty Party (LP);
- Benoni Urey, All Liberians Party (ALP);
- Joseph Mills Jones, Movement for Economic Empowerment (MOVEE); and
- Alexander Cummings, Alternative National Congress (ANC).

Most registered parties and all major presidential candidates signed and committed to the June 2017 Farmington River Declaration, as well as the September 2016 Ganta Declaration. These documents outlined specific commitments to peaceful elections, including, among other things, resolving disputes through mediation and/or judicial means; preventing electoral violence; conducting a peaceful campaign; and working with law enforcement to mitigate the potential for violence.

The NEC established the IPCC as a forum to facilitate communication between the NEC and political parties. The NEC periodically called IPCC meetings to share important information with parties. While the IPCC provided an important mechanism for engaging parties, some stakeholders expressed frustration that meetings were called irregularly, infrequently, and at the last minute. The NEC also seemed to use these meetings as a one-way means of information-sharing, rather than making them truly consultative. When parties did raise concerns or objections, they were

often dismissed. For their part, political parties sometimes failed to attend meetings, including follow-up meetings to discuss critical issues such as the voter list, and they sometimes delegated attendance to representatives who were not in decision-making positions.

In the weeks leading up to the October 10 polls, the NEC used IPCC meetings to attempt to reassure parties about the validity of the FRR, to explain their plans to use an addendum sheet to allow voters not found on the printed roll to vote, and to debut their SMS system for verifying voter information. Several parties expressed concerns about the FRR and the proposed use of the addendum at these meetings. When the NEC responded that they intended to move forward with their plans, one party leader responded that the NEC could move forward if they believed their plans were within the law, but that the party would complain to the courts if they saw a problem on election day.

After the first round, the NEC generally only invited the two parties still contesting to attend meetings, although at times representatives of other parties also attended.³⁵ During this period, one of the political parties called an IPCC meeting, a notable development indicating parties' willingness to take more ownership of the forum.

2.6 Campaign Environment

The presidential race was open, largely peaceful, and highly competitive, with 20 registered candidates, including one woman. Six women ran for vice president. For the House of Representatives, 983 candidates, of which 156 were women, contested 73 seats. Twenty-four of the 26 registered parties fielded candidates in the elections, yet no single political party fielded candidates in all 73 constituencies.

The campaign period began quietly, with posters and signs appearing in more populated centers, but with few large events, with the exception of a major CDC rally in August. Political activity increased in the three weeks leading up to the October 10 elections, as candidates made their final pushes. Major parties' presidential candidates rallied supporters in efforts to display their prominence, especially in Monrovia and other urban centers. Tens of thousands of people gathered on the streets of the capital, at football stadiums, or at party headquarters. All parties' rallies were characterized by a festive atmosphere fueled by young people, colorful paraphernalia, vehicle convoys, and music.

All major party's presidential candidates also visited outlying counties to build support for their candidacies as well as their parties' local legislative candidates. However, enthusiastic attendance at rallies provided a stark contrast to quiet, sometimes empty, local party offices evidence that most parties lacked a robust infrastructure outside of their central headquarters. Legislative race campaigns relied more on direct outreach than mass rallies, with emphasis on smaller local gatherings, including community meetings, market visits, and door-to-door messaging.

The vast majority of campaign events were peaceful and violence-free, with some sporadic incidents of violence between supporters of competing parties. On September 20, CDC and LP supporters clashed in northeastern Nimba County when a CDC convoy reportedly attempted to drive through a gathering of supporters blocking the main road in front of the local LP

³⁵ Technically these were not official IPCC meetings because an IPCC meeting can only be held with a quorum of 15 parties present.

headquarters. Two days later, an altercation occurred between supporters of CDC and UP legislative candidates in Montserrado County. Repeated clashes also occurred between partisans in Margibi County's second legislative district.

Candidates did not report significant restrictions during their campaigns. While some opposition parties complained about limited access to certain public facilities, only one party filed an official complaint with the NEC. There were several reports of buying voter cards, a tactic for suppressing an opponent's turnout. Other than the arrest in Nimba County of one individual charged with buying cards, such reports were unverified.

Money plays a central role in campaigning. Across Liberia, interlocutors reported religious and other community facilities receiving gifts such as electricity upgrades, furniture, and cash from political aspirants. Candidates visiting market areas frequently distributed cash to potential supporters, a practice observed directly by NDI.

During the campaign, NDI observers were informed by numerous political parties and candidates of a number of official and unofficial complaints regarding destruction of billboards and posters in Bong, Grand Gedeh, Grand Kru, Maryland, Montserrado, Nimba, and Sinoe counties. The law sets fines for destruction of campaign material, but perpetrators were never fined.



Photo 7: Women celebrate at a rally for Vice President and UP presidential candidate, Joseph Boakai.

2.7 Campaign Finance and Misuse of State Resources

Despite a detailed legal and regulatory framework on campaign finance, the NEC lacks the capacity and technical resources to enforce the provisions of the law and to accurately track the flow of money. For their part, parties and candidates largely did not abide by legal requirements. Only 15 out of 26 parties³⁶ disclosed their assets in September 2017 in compliance with Article 83 (d) of the Constitution, which requires them to submit detailed financial statements 30 days prior to election day. All parties and candidates are required to send their campaign finance reports 15 days after the announcement of election results. As of January 10, 2018, only 13 House of Representatives candidates and one presidential candidate (Prince Johnson) had submitted campaign finance reports. The NEC has the authority to impose a fine or to file a request to the Supreme Court for the revocation of their registration of parties that do not comply. However, at the time of drafting, the NEC had not taken any action.

Some electoral contestants and observers raised concerns about the misuse of state resources during the last weeks of the campaign, particularly regarding the campaign of the ruling UP. For example, NDI's LTOs reported some instances of the use of government vehicles for campaign purposes. Some analysts and civil society representatives raised concern that while the national state-owned radio and TV station, Liberia Broadcasting System (LBS), offers space for a variety of political views, it is widely perceived as pro-government.

2.8 Civil Society Engagement and Election Observation

2.8.1 Civil Society Engagement

Liberia's robust civil society sector played many significant roles in the 2017 elections, including educating voters, monitoring the process, and training candidates and conducting debates. One of their most notable accomplishments was helping to ensure a peaceful election environment. These groups' efforts are covered more thoroughly in the sections on Civic and Voter Education, Gender and the Elections, Security, Media, and Election Observation.

Over a hundred Liberian CSOs played formal roles in conducting civic and voter education activities. Many of these groups were local or regional organizations who tailored activities to their specific constituencies. Civil society worked to train candidates, especially women candidates, and to engage political parties and other entities to promote the inclusion of women candidates. Liberian media NGOs, in collaboration with Internews, organized and conducted debates in every legislative district in the country. A plethora of organizations, mostly women's and youth groups, spearheaded different efforts to promote messages of peace and engage citizens in activities designed to reduce or mitigate conflict. When the Supreme Court ruling delayed the run-off

³⁶ As of January 10, 2018 the following parties had disclosed their assets: ALCOP, ALP, ANC, CDC, GDPL, LINU, MDR, MPC, PUP, RDC, TWP, UP, UPP, VCP, and VOLT.

election, these groups also worked to inform citizens about the complaint process and encouraged peace.

2.8.2 Citizen and International Election Observation

Two main coalitions of Liberian nonpartisan citizen election observation coalitions, a number of international observation missions, and other local civil society organizations observed the 2017 election process. No citizen or international observer groups reported being denied accreditation by the NEC.

Citizen Election Observation

Two citizen election observation coalitions deployed a large number of observers throughout the electoral process. These observers conducted nonpartisan and impartial observation of both elections, helping to provide evidence-based findings on the integrity of electoral processes and promote confidence in the elections. Both coalitions openly collaborated with the NDI mission throughout the process.

The ECC, a platform of 30 prominent civil society organizations and networks, is the largest and oldest citizen observer coalition. In the pre-election period, the ECC deployed 16 county coordinators (one per county with an additional one for Montserrado County) and 73 electoral district observers (one per electoral district) to serve as long-term observers. The ECC observed all phases of the pre-election process, including voter registration, PRR exhibition, party primaries, candidate nomination, and the election campaign. For the October 10 elections, the ECC deployed 2,170 observers, of which 498 were rapid response observers deployed across the country based



Photo 8: ECC national coordinator, Barwudu Williams, encourages data clerks at the ECC's data hub on October 10.

on the proportion of polling places in each county.³⁷ This proportional deployment enabled the ECC to provide a more nationally representative picture of the conduct of election day processes. The ECC also used the same deployment methodology for the runoff election and also monitored intake and tallying processes in magisterial offices for both rounds.

Throughout the election process, the ECC issued statements, provided evidence-based recommendations, and held press conferences at key points. In recognition of the group's impact, the Liberian newspaper *The Daily Observer* named the ECC as one of the four Personalities of the Year 2017.³⁸

The Liberia Election Observers Network (LEON) formed in May 2017 as a coalition of four Liberian CSOs. LEON observed the pre-election period and issued reports on the PRR exhibition, voter card replacement process and the election campaign. The network deployed approximately 1,000 observers for each of the two polling days. LEON also released a citizen opinion survey, conducted in the period between the two rounds, concerning the citizens' perception of the runoff delay. LEON's observation focused on inclusion of marginalized groups, including women, youth, persons with disabilities and minorities.

International Election Observation

The international community closely followed the 2017 Liberia elections, as evidenced by the number of international observation missions deployed to observe the process. In addition to NDI, the Carter Center, the European Union (EU), and the African Union deployed LTOs across the country, as well as STOs on both polling days. The Economic Community of West African States (ECOWAS) Network of Electoral Commissions (ECONEC) and Electoral Institute for Sustainable Democracy in Africa (EISA) deployed pre-election assessment missions and STOs for the October 10 elections.³⁹ ECOWAS, which also conducted mediation work, also deployed STOs for October 10. All missions issued preliminary statements on their findings and provided constructive recommendations for Liberian stakeholders.

Prior to election day, citizen and international observers regularly met in coordination meetings, under the ECC's leadership, to share plans and information about electoral activities. The NEC occasionally attended to brief members on preparations and to provide clarity on some pertinent issues. Pre- and post-election meetings of heads of observer missions from the AU, ECOWAS, EU, TCC, NDI, EISA and other stakeholders took place during both elections.

2.9 Media

Liberian media played an important role in covering the elections and the dispute resolution process. Despite severe resource challenges, the press operated without serious constraints on their freedom, and many media houses made a genuine effort to disseminate fair information. On the whole, the Liberian press corps is respected by voters as trying to advance the cause of democracy. However, there was clear bias on the part of some newspaper and radio stations in favor of particular candidates. These elections brought an important new initiative to the Liberian political

³⁷ For example, nine percent of overall polling places are in Bong County and nine percent of the 498 Rapid Response Observers were deployed in Bong County.

³⁸ Liberian Observer (January 5, 2018) *Personalities of the Year 2017*
<https://www.liberianobserver.com/news/personalities-of-the-year-2017/4/>

³⁹ EISA did not deploy short-term observers for the December 26 runoff election.

process – the organization of public political debates between candidates – aiming to foster a more participatory system where voters and candidates discuss practical policy issues.

2.9.1 Media Consumption

A 2015 study found that radio is by far the most important medium of news dissemination in Liberia.⁴⁰ Seventy-one percent of survey respondents said they “sometimes or often” listened to the radio. This compared with just 26 percent of respondents who said they sometimes or often watched TV; 21 percent who said they sometimes or often read a newspaper; and 15 percent who said they sometimes or often consulted the internet. Radio’s role is particularly vital in a society where illiteracy rates are high.

There are at least 100 radio stations in Liberia, ranging from national broadcasters to local community radio stations. LBS, the state broadcaster, has the largest listenership and geographic reach in the country, and is the most important political player in the Liberian media. LBS is also the only Liberian station with a network of correspondents in every county. It showcases telephone interviews from around the nation on diverse topics including politics, crime, and sports. LBS also broadcasts in Liberian national languages and in French for border communities. LBS programs are often the only way people outside Monrovia can learn about what is happening at the center of national power and in other parts of the country beyond their immediate environs. LBS’s main rival in terms of the geographical reach of its radio signal is UNMIL Radio, a station established and operated by United Nations peacekeeping mission that reaches approximately 75 percent of the population.⁴¹ Commercial private radio stations owned by business and political interests also operate in Monrovia and other urban centers. In more rural areas, community radio stations serve as notice boards and debating centers.

There are approximately a dozen regularly printed daily newspapers in Liberia with circulations that range from a few hundred to a few thousand. Due to the high level of illiteracy in Liberia and the cost of newspapers, readership is small and almost exclusively limited to Monrovia. However, precisely because the readership of the newspapers is concentrated among the Monrovia elite where most power lies, the written press has a disproportionate influence on public opinion compared with its small circulation. In addition, radio stations often review newspapers, reading newspaper headlines and stories on air, expanding the newspapers’ reach and influence.

Television penetration outside Monrovia is very limited due to nationwide lack of electricity. The main private TV stations, Sky TV and Power TV, supply a very small, urban audience that pays to receive satellite television. These stations mostly air music videos or feature films, and do not broadcast regularly scheduled news bulletins. However, there is a growing overlap between TV and social media with many of the broadcasters – such as Kreative Minds Television (KMTV) and Sky – use Facebook Live to stream coverage of press conferences and other events. Notably, KMTV played a vital role during the election delay period. The station streamed hearings on the LP/UP complaint live from the NEC and the Supreme Court, allowing citizens to observe the process first-hand. KMTV, run by a group of young Liberian journalists, saw its viewership rise dramatically during the election, demonstrating an appetite among Liberians to follow the democratic process closely, as well as for unfiltered information.

⁴⁰ 2015 USAID Liberia Electoral Access and Participation (LEAP) Survey

⁴¹ <https://unmil.unmissions.org/unmil-radio>

Particularly in Monrovia, a growing number of people own relatively cheap smartphones, which they are using to access social media. In Liberia, social media is dominated by Facebook which allows users to chat for free using the platform. While some journalists use Twitter, they primarily rely on Facebook to reach a wider Liberian audience. All of the major political parties have Facebook pages and many party leaders and candidates have private pages.

2.9.2 Press Freedom and Violence against Journalists

Since the first democratic elections in 2005, press freedom improved considerably. However, the government and commercial interests have a variety of ways of subverting the press that range from regularly withholding advertising revenues to bribing unscrupulous journalists – thereby making life more difficult for honest ones.

In keeping with the overall peaceful election environment, journalists were not generally the targets of political violence. However, there were isolated incidents of violence against journalists. Notable incidents included:

- The *OK FM* radio station editor Smith Toby was attacked by arsonists on October 18. The Press Union of Liberia and the West African Journalists Association condemned the attack.
- Popular radio host Henry Costa, who had been very critical on air of George Weah, said he was attacked on October 24 by a group of alleged CDC supporters after he left a radio studio in downtown Monrovia.
- *Front Page Africa* reported in July that its reporter Bettie Johnson-Mbayo received threats while covering potential rape allegations against a Representative from Grand Gedeh County, Morias Waylee.
- *The Daily Observer* reported on October 5 that supporters of the ANC allegedly attacked two Nimba County *Radio Gompa* reporters, Karnay Zeanbo and Raily Guanbeh,

2.9.3 Editorial Standards and Media Bias

Editorial standards in the Liberian media are generally low. Some newspapers – such as *Front Page Africa*, *Insight*, *Women Voices*, and *The Daily Observer* – make genuine efforts to report a variety of news and analyze information rationally, and a number of radio stations have strong presenters. However, on the whole, newspapers are confusingly written and poorly edited. The radio stations also have many presenters who cannot read scripts fluently and broadcast barely audible contributions on phone-in programs. Liberian media outlets are constrained by low incomes, which make it difficult to employ qualified staff or make long-term investments. Journalists lack the resources to conduct investigative reporting and often face poor working conditions including unreliable electricity. As a result, even well-intentioned journalists and media houses often air political advertising or paid for “advertorials” in order to fund their operations.

The election period is a relative boom time for the media, as advertising spending increases. This spending includes press releases, requests for logistics bids from the NEC, party jingles on the radio and speeches republished as paid-for adverts in newspapers. Government advertising dominates the media market and manipulating this position is a powerful way of buying influence. Most newspapers and radio stations rely on government or quasi-government advertising such as contract-bidding ads or Central Bank and NEC announcements for their income.

Paid-for spots or jingles are signaled to readers and listeners as party political broadcasts. However, it is widespread among newspapers and radio stations to publish paid-for “advertorials” – that is, advertisements or political propaganda masquerading as journalism. For example, a candidate will pay for an article favorable to him or her but have it bylined by a journalist. This makes it almost impossible for readers or listeners to know what is real journalism and what is slanted information. One editor explained the practice thusly: *“If the parties do something newsworthy, we will put it briefly in the news bulletins for free, but if they want a long version of their story or press conference to be played then they have to pay for it”*.

Some radio stations and newspapers are the direct tools of political parties or their financial backers. A number of local and national candidates were connected with media outlets whose coverage of their campaigns is invariably favorable. The state-run LBS primarily answers to the government, specifically to the Minister of Information. In the pre-election period, LBS gave a large majority of airtime to the activities of the government and the ruling party, although it did run some interviews with opposition figures. The European Union election observation mission’s October 12 preliminary statement noted that the largest percentage of time in *LBS* bulletins was allocated to the ruling UP campaign (22 percent), followed by government activities (20 percent) and activities of the President (11 percent). The opposition parties got considerably less time, the report said: CDC (8 percent), LP (6 percent), ANC (5 percent), MOVEE (5 percent) and ALP (2 percent).⁴² On October 18, 2017, the Director General of the LBS issued a press statement, stating that following “issues raised” by some political parties, international observers, and concerned citizens, his station would make political “jingles, spot messages or announcements” free of charge and equally shared between parties. Following the announcement, opposition interviewees had considerably more broadcast time, and the ruling party’s jingles also suddenly stopped.

2.9.4 Disinformation and Hate Speech

Newspapers and other media outlets commonly used sensational headlines or provided disproportionate coverage of alleged scandals. One newspaper, *The New Republic*, reported on a “press conference” held by the CDC in which three men said they had been contracted by the ruling UP to kill George Weah. The front page of the newspaper had a banner headline saying “UP WANTS WEAH DEAD?” The alleged assassins later admitted the story was a hoax. When headlines like this appear they poison the atmosphere whether they are based in fact or not – the perception of a dangerous atmosphere can sometimes create one.

The media also consistently covered women candidates unfairly. For example, several outlets routinely featured discussions about whether the CDC vice presidential candidate Jewel Howard Taylor has remarried or her living arrangements, while marital and home status were never discussions about men candidates. In one particularly stark example, on October 26 the *Corruption Watch* newspaper accused Ms. Howard-Taylor of having “unstable relationships” with a number of men. In an editorial the paper openly urged people not to vote for her because *“we feel she has not lived a good moral life to set an example for the younger generation of girls.”* The editorial went on to say: *“We are therefore of the opinion that when she is (sic) elected, female prostitution may be on the rise.”*

⁴² Available at https://eeas.europa.eu/sites/eeas/files/final_preliminary_statement_1_liberia.pdf

According to Siatta Johnson, head of the Association of Female Journalists (FEJAL), women are not seen as equals in the newsroom and the vast majority of journalists are sexist; even female journalists are not gender-sensitive. Radio talk-shows are usually run by men and feature all men panels, even when dealing with issues of interest for women. The portrayal of women candidates in radio talk-shows is usually shallow and often derogatory, so women candidates are sometimes afraid to participate. The association briefed and accompanied women candidates to radio talk shows, to help them handle aggressive or derogatory treatment. Women candidates, who often have access to fewer resources, also have less access to the media as many radio stations cover candidates in exchange for payment, and because many of the local radios are owned by male politicians.

2.9.5 Media-sponsored Debates

Liberian politics had traditionally not offered voters ideological or policy differences between the main political parties, focusing instead on personalities and ethnic appeals. For the 2017 elections, donors and Liberian journalists partnered to attempt to change this dynamic and encourage a more issue-driven and participatory politics through holding a series of public candidate debates at the presidential and legislative levels. The backers of the debates felt that concentrating attention on concrete matters – for example roads, hospitals or power supply – would nurture more accountable politicians, discourage corruption, and raise civic awareness. Debates organizers also said the debates were a capacity-building exercise for the Liberian media and a consciousness-raising process for Liberian voters and politicians themselves.



Photo 9: House of Representatives candidates participate in one of the many debates held in electoral districts across the country.

Over 120 debates in total were held. The Presidential debates were widely covered and well-attended. While George Weah declined to attend any of the four presidential debates, other presidential candidates used the forums to stake out ground on issues ranging from corruption to economic development. Internews, through the USAID-funded Liberia Media Development Initiative (LMDI), trained and supported journalists to hold legislative candidate debates in each of the 73 electoral districts. NDI observed these debates to be spirited forums for candidates to lay out their positions on issues and for citizens to raise questions about local issues, especially management of county development funds.

2.10 Security and Electoral Violence

Unlike the 2005 and 2011 elections, the 2017 electoral process saw very few incidents of violence and no fatalities. The LNP, civil society, political parties, the NEC, media (particularly radio stations), citizens, women’s organizations, peacebuilding groups, religious and traditional leaders, international community representatives, and other government institutions all played important roles in encouraging peaceful elections. Most notably, political parties adhered to the Ganta and Farmington Declarations and put their trust in legal dispute resolution rather than provoking unrest in the streets.

Youth leaders reported to NDI observers that, unlike in 2011, communities did not view the police as partisan and protecting the ruling party. This was the result of several confidence-building activities, dialogue mechanisms, and meetings between youth groups, youth wings of political parties and the LNP.

2.10.1 Security Sector

The LNP was charged with security for the election process. UNMIL had provided security for the 2005 and 2011 elections, but their mandate in 2017 included only limited training support for the LNP. Viewing its role as a partnership with voters, parties, and other electoral stakeholders, the LNP positioned electoral security within a conflict prevention and mitigation framework and adopted a community policing approach. In partnership with youth civil society groups, the LNP organized a national “Yes to Peace, No to Violence” campaign months before the election. The adoption of a “don’t use force, show force” stance in dealing with potentially dangerous confrontations between party supporters helped mitigate escalation of such confrontations.

The LNP convened the National Election Security Task Force (NESTF)⁴³ to bring together the heads of security agencies, the NEC, and other partners. The Task Force served as the main security coordination framework and facilitated cooperation among the agencies. This included joint training exercises and deployment of the approximately 7,000 security officers needed to cover all precincts. Going into the election, security concerns included the fluid and sometimes volatile nature of the Liberian borders,⁴⁴ the presence of ex-combatants, and scattered reports of arms. The LNP and its partners in the Task Force regularly assessed threat levels, and used detailed scenario planning in their preparations. On the county level, district security councils served as

⁴³ The NSETF is composed of the LNP, National Security Agency, Drug Enforcement Agency, Liberia Immigration Services, and the National Fire Service.

⁴⁴ Liberia is bordered by Côte d’Ivoire, Guinea, and Sierra Leone.

platforms for communication among stakeholders. NDI observers noted that some councils were active and high-functioning, while others rarely convened.

Three police officers embedded in the campaigns of every presidential candidate in order to provide security and facilitate communication and coordination. The LNP credits this measure with developing trust between the campaigns, and also with providing communication channels that helped prevent clashes between campaigns. Although most political parties failed to regularly provide their campaign schedules to the NEC as required, the LNP remained apprised of campaign events and candidate movements.

Funding was a challenge for the LNP during the election period. The LNP collaborated with other security-related agencies to muster the manpower to staff all voting precincts for election day. Given the LNP is primarily based in Monrovia, deploying forces for election day was a complicated and expensive undertaking. The Japanese government in particular contributed funds to underwrite the cost of deployment rations.

The LNP provided election day security at voting precincts, escorted election materials, and provided security to the NEC and its magisterial offices. The Escort Security Unit (ESU) provided security during the transportation of election materials and secured NEC warehouses and magisterial offices. The Police Special Unit (PSU) handled difficult situations and locations identified as hotspots. In addition, the LNP stationed mobile patrol teams in key areas on election day to reinforce the officers stationed at voting precincts.

2.10.2 Civil Society's Role in Peaceful Elections

Civil society's robust efforts to secure a peaceful election -- including a range of violence monitoring, mitigation, and prevention activities -- complemented those of the security sector. In addition to the NEC's campaigning and awareness effort to foster violence-free elections, the LNP through its Women and Children Unit and a myriad of women's organizations and networks involved in peacebuilding played a key role in promoting of a peaceful process. Youth were the highest priority target group for these efforts, as all the stakeholders identified them as the group most vulnerable to political manipulation and involvement in violence.

The UN Peace Huts network operated in more than 20 communities to mobilize female peace leaders to promote violence free elections and engaged in mediation to resolve tensions. The Peace Hut established by Women in Peacebuilding Network (WIPNET)-West Africa Network for Peacebuilding (WANEP) in Monrovia was particularly attentive to reports of violence against women in elections, including election-related domestic violence.

Two notable civil society-led, electoral violence mitigation mechanisms were the Liberia Election Early Warning and Response Group (LEEWARG) and the Women's Situation Room (WSR). LEEWARG convened Liberian CSOs, the police, the interreligious council, the Women's Situation Room, Peace Huts' women leaders, UNMIL, the AU, and other interlocutors to function as an early warning system and violence mitigation mechanism, producing situation reports and interventions toward the political actors involved in incidents.



Photo 10: Women from the Peace Hut call for peaceful elections.

The Women’s Situation Room (WSR)⁴⁵ draws on a group of eminent women providing guidance and advice to mitigate violence during elections. For the October 10 elections, the WSR set up a hotline and two call centers - one in Monrovia and one in Suakoko - to help coordinate interventions by the LNP, the Liberia Immigration Services and NEC’s responses to election-related incidents, including violence against women. The WSR deployed 322 women observers to monitor elections and electoral violence. Only one incident involved physical violence and required the intervention of the LNP. The WSR also operated a call center for the December 26 runoff and held mediations with youth gangs in the as the October 10th results were being announced, and during the run-off.

During the tense periods between the first round and runoff presidential elections - particularly after the runoff was postponed - a large set of Liberian CSOs, networks, and institutions played a key role in promoting respect for rule of law and mitigating potential violence. Several organizations issued calls for calm addressing youth, and youth community leaders engaged youth gangs with information about the legal proceedings and the need to wait peacefully for the process to be finalized with a Supreme Court decision. The Angie Brooks International Center “Talking Bus” organized a mobile awareness campaign to explain the situation to communities, the role of the Supreme Court and how the legal proceeding worked, while highlighting the need for respecting the legal process. Several groups called for political dialogue among the parties to the litigation (LP, UP, NEC), while a range of Liberian actors, including the interreligious council, WRG, and the LEEWARG, held dialogues with the political parties at stake, the NEC and the Supreme Court.

⁴⁵ Originally established by the Angie Brooks International Center for the 2011 Liberian elections.

2.11 Violence against Women in Elections

Violence against women in elections (VAW-E) is defined as “any act of gender-based election violence that is directed primarily at women because of their aspirations to seek political office, their link to political activities (for example, working as election officials or attending campaign rallies) or simply their commitment to vote; as well as any use or threat of force to harm persons or property with the intention of influencing the electoral process that has a disproportionate or different impact on women because of their marginalized and vulnerable status in society.”⁴⁶ VAW-E can manifest in five main forms: physical violence, sexual violence, psychological violence, threats and coercion, and economic violence. All five of these categories of violence occurred during Liberia’s 2017 elections and have affected to varying degrees women voters, election workers, activists, and aspirants.

VAW-E is a longstanding challenge in Liberia that presents significant barriers to women’s participation and affects electoral integrity more broadly. The country’s legal framework fails to address specifically gender-based violence in the context of elections. Liberia is party to the Istanbul Convention on the elimination of all forms of violence against women and girls, and has a set of laws against various instances of sexual and gender-based violence, focused on rape and domestic violence. However, the election law does not address the question of violence, and neither do the Ganta and Farmington River Declarations address violence against women in their commitment for violence-free elections.

For 2017, a number of women’s networks and civil society groups monitored electoral violence, focused specifically on VAW-E. The Liberia Women’s National Political Forum, Women’s NGO Secretariat of Liberia (WONGOSOL), and New Narratives monitored the campaigns of all 156 female candidates for the HoR, with the support of UN Women. In several counties (Grand Gedeh, Montserrado, Lofa) women’s peace networks and grassroots organizations monitored VAW-E, with a special focus on hate speech directed against female candidates and verbal intimidation against activists and voters because of their participation. Gender coordinators from the Ministry of Gender, rural women’s networks, and other women’s organizations tracked incidents of VAW-E, with a focus on voters. WIPNET/Peace Huts women in Monrovia identified an increase in cases of election-related domestic violence and conducted awareness raising campaigns to reduce their incidence in some communities.

Several women candidates experienced threats and intimidation. The Liberian Women National Political Forum documented more than a dozen incidents against women, including a direct physical threat. NDI was informed of an instance of where a candidate was physically forced off the stage at her campaign event, and her billboards were destroyed. Presidential candidate MacDella Cooper was the victim of threats, some from the leadership of her own party. Some candidates also experienced theft and destruction of their campaign material. Others reported being victims of intimidation and threats based on traditional rituals barring women from certain areas. During the election dispute process between the two rounds, the house of a woman associate justice of the Supreme Court had rocks thrown at it.

The mission received direct testimonies of instances of psychological violence against women candidates such as smear campaigns and insults on social media and in public places. These

⁴⁶ “Votes Without Violence: A Citizen Observer’s Guide to Addressing Violence against Women in Elections.” NDI, 2016.

affected first time aspirants, incumbents, and the presidential candidate. NDI also observed derogatory comments and accusations in traditional media referring to women candidates' personal lives, questioning their morality, and focusing on their marital status to disavow their capacity to govern. As mentioned above, in the period prior to the runoff, CDC vice presidential candidate Jewel Howard-Taylor was targeted by this type of negative media coverage. The monitoring efforts of UN Women, WONGOSOL, and Liberia New Narratives confirmed that social media platforms were the most common site of reported incidents of VAW-E, including the dissemination of naked images of an aspirant. In addition to candidates interviewed by the mission, a number of trainees from NDI's *Getting Ready to Lead* program reported that they faced fundraising challenges because of the persistent rumor spread in their constituencies that all female candidates had received campaign funds from international organizations.

Instances of psychological violence are underreported, as they are not necessarily identified by the victims themselves as incidents of violence. Women incumbents pointed out that, while the number of incidents may have been similar in 2011 and 2017, their impact in today's context is far more significant and long-lasting, given the increasing role of social media in spreading such incidents. In addition, there are no mechanisms to deal with these attacks since the electoral legal framework does not effectively address violence against women, and both the Ganta and Farmington River Declarations are silent on violence against women. The only reference to psychological violence against women in elections is made in a general provision of the 2011 and 2017 Codes of Conduct for political parties, which explicitly prohibit the use of abusive, profane or inflammatory language or incitement, on the basis of gender, ethnicity and religion. The female candidates who suffered from psychological violence did not turn to the NEC or the LNP to file a complaint and seek redress. However, an incumbent who was a victim of public accusations alleging her involvement in child trafficking submitted a complaint to the criminal court.

2.12 Women's Political Participation

Despite the country's leadership in voting in Africa's first elected woman president, Liberian women remain largely under-represented in elected positions, in public administration at decision-making levels,⁴⁷ and in political party structures. Various legal, institutional and socio-cultural factors contribute to this reality. For example, women in Liberia have less access to education and face literacy rates two times lower than men's.⁴⁸ This, and their resulting lack of qualifications, contributed to women's marginalization and unequal participation in public and electoral affairs as voters and candidates, poll workers, presiding officers, observers, party agents and activists.

Cultural factors also weigh heavily as barriers to political participation, as women who try to enter politics in visible and active roles face discriminatory attitudes. It is commonly believed in Liberia that the public sphere is not a woman's place and that women are not fit for decision-making. Traditional and religious views confine women to household roles, and the potential reactions of their husbands, families and communities deter them from entering in politics.

⁴⁷ 92 percent of the paramount chiefs and town chiefs are men. Out of 15 superintendents, only 4 are women. 5 out of 21 members of President Sirleaf's last cabinet were women. 6 percent of local government positions are held by women, among them a handful of city mayors, like Paynesville head of the municipality.

⁴⁸ According to UNICEF, 62.4 percent of men and 32.8 percent of women are literate; in rural settings 74 percent of the women are illiterate.

2.12.1 House of Representatives Elections

Despite a 2014 amendment to the election law stipulating that political parties and coalitions “should endeavor to ensure” that at least 30 percent of their candidates represent each gender, Liberia does not have a functioning quota mechanism to ensure gender balance in public and state institutions. During the 2017 legislative elections, women represented just shy of 16 percent of the total number of candidates. Only one of the 24 competing parties, the Liberian Restoration Party (LRP), surpassed the 30 percent benchmark.⁴⁹ The LRP was also the only party to nominate a female presidential candidate.

Political parties offered women limited opportunities to run in the primary process in 2017. Many women faced unfair practices in candidate selection that compromised their ability to secure their party’s nomination. For example, some women candidates received assurances from party leaders that they would run unopposed, only to find last-minute that a man backed by party leaders entered the race. Additionally, some women were told they needed to bribe party leadership to be selected.⁵⁰ Of the 16 women legislative candidates nominated in the primaries within the six leading political parties, 15 won, with all of the winners running uncontested.



Photo 11: Woman receives her voter identification card during the replacement exercise in Lofa County.

⁴⁹ The LRP fulfilled both requirements the electoral law, by fielding candidates in at least half of the 73 constituencies, among whom 12 were women. The Liberia New Party (LNP) had one female among its 3 candidates, so it only partly met the electoral law requirements.

⁵⁰ Some male candidates similarly have to give out bribes, but their presence in leadership positions gives them additional leverage to get nominated. Some women aspirants were asked to give sexual favors in exchange for their nomination, as reported by a party’s women’s league chairlady.

Several women who were unsuccessful in party primaries instead ran as independents or under the banner of newly-formed parties. Thirty eight new female aspirants also entered races following the Supreme Court's resolution allowing candidates in public positions to run after they resigned and paid a fee. By the end of the nomination period, the 2017 polls saw a 73 percent increase in the number of women candidates running for the House of Representatives, as compared to the 2011 elections. Women as a percentage of the candidates also increased from 11 to 16 percent.

Legislative Campaign

Women contested in races in each of Liberia's 15 counties and in nearly all 73 electoral districts. While only 16 percent of legislative candidates were women, their campaign posters were visible in all districts NDI observed.

The vast majority of the 156 women running for legislative seats were first-time candidates. Several Liberian and international organizations⁵¹ provided women candidates with technical assistance and training focused on campaign organization, fundraising, presentation skills and working with the media. The NEC also briefed first time women aspirants on their rights and responsibilities as candidates, and President Ellen Johnson-Sirleaf convened them at an event to express her support for women running.

Despite these efforts, women faced several barriers throughout the campaign period. The majority of female candidates interviewed by the mission indicated the lack of access to funding for campaign activities as the primary obstacle for their campaigns. None of the women candidates and activists interviewed by the mission considered there to be a level playing field for women regarding access to finances.⁵² Aside from the nine women incumbents and a handful of independently wealthy women candidates, the vast majority of women were competing at a disadvantage against established, prominent and incumbent men who had financial and material advantages. Women candidates also cited logistical challenges, especially the lack of transportation, as limiting their ability to reach voters or arrange for their transportation on election day. Women also struggled to obtain the endorsements of traditional leaders, many of whom did not think it appropriate for women to hold office or take part in public affairs.

Women candidates also received less media coverage in elections than their male counterparts. During the nomination period, several women candidates faced biased, negative reporting and derogatory comments on talk show programs, though the nature of the coverage improved as the campaign period progressed. Women candidates in the southeast region commended the support they received from local media. NDI's LTOs in the region observed a significant number of local radio stations holding regular talk shows and programs for elections specifically focused on women and featuring women candidates that addressed issues of interest to women such as girls' education, women's health, and women's participation in public affairs and decision-making.

Legislative Election Results

Liberia remains under the regional and global averages of 23.5 percent women representation. Nine women won legislative seats in the 2017 election, or roughly 12 percent of House of

⁵¹ These included NDI, Women's NGO Secretariat of Liberia (WONGOSOL), Association of Female Lawyers of Liberia (AFELL), Female Journalists Association of Liberia (FEJAL), and UNWOMEN.

⁵² Despite the fact that the Liberian law provides for the equal right of women and men to credit and bank loans, in practice women have less access to these financial services due to lower literacy rates, and due to their poorer economic status. As women do not have full enjoyment of property rights and land ownership owing to customary laws and practices, they often do not meet the requirements to take out a loan.

Representatives seats, the same number of seats won by women in the 2011 elections. Six parties⁵³ have women legislators, while two women are independents. The wide range of party affiliations is at odds with the overall election result of CDC and UP winning the lion's share (56 percent) of seats, but is explained in part by the relatively limited number of women each party fielded as candidates (12 percent by the CDC and 17 percent by the UP). Although party strength and incumbency generally have a positive influence on women's chances of reelection, these factors did not benefit the UP's women incumbents in 2017.

2.12.2 Presidential Election

Only one party (LRP) of the 20 competing in the presidential election nominated a woman as its presidential candidate. This was fewer than in 2005 and 2011 polls, which saw two and three women run, respectively.

Presidential Campaign

First-time candidate MacDella Cooper entered the race at the end of the nomination period. She was initially nominated as the Union of Liberian Democrats (ULD) candidate. However, a court later nullified the nomination based on the finding that the convention did not adhere to the party's constitution. She ultimately co-founded, funded, and ran for president on the ticket of the Liberian Restoration Party (LPR). Cooper's campaign activities were most visible in Montserrado County, but she sought to cover all counties and focused most of her attention on building support among women and youth. Although she was not endorsed by women's networks at large, some women's organizations involved in peace building⁵⁴ did support her when she faced a vote of no confidence by members of her party's board and attacks from its secretary general during the campaign period. They also facilitated her participation in presidential debates, in the name of affirmative action.

Six women ran as vice presidential candidates, including Senator Jewel Howard-Taylor, ex-wife of the former Liberian President Charles Taylor, who ran with George Weah of the CDC. Only one other female vice presidential candidate had previous political experience. Most of the remaining women also ran on independent tickets or with smaller parties. While Jewel Howard Taylor was both visible and vocal in the CDC's campaign, the other vice presidential female candidates were hardly present on visual materials of their presidential running mates and their public interventions were very limited.⁵⁵

Issues of interest to women were slightly more prominent in national presidential debates than in those for legislative races. In a handful of presidential debates, gender quotas, affirmative action, sexual harassment and rape were discussed, and one debate also raised more sensitive issues, including early marriage and female genital mutilation.

For the second round of the presidential election, George Weah's co-runner Jewel Howard Taylor was the only woman candidate in the race. She remained active in holding public events, several of them on her own. Since the beginning of the campaign period, unlike most vice presidential candidates, she adamantly advocated for an active partnership role for the vice president, as a member of cabinet and as head of the Senate. Her campaign activity did not particularly appeal to

⁵³ UP, CDC, LP, LTP, LPP, and PUP

⁵⁴ WIPNET Peace Huts, ECOWAS Women in Liberia, Angie Brooks Women's Situation Room

⁵⁵ This walk-on role held by vice-presidential female candidates was evidenced when candidate Kennedy Sandy announced his withdrawal. Neither he or nor the media mentioned his running mate or sought her opinion in the decision.

the women's vote or focus on issues of interest to women, although her candidacy as a woman was presented by the CDC as a stand for equality.

Presidential Elections Results

MacDella Cooper was eliminated from the presidential race after the first round, garnering only 0.7 percent of the vote. Although she was a newcomer to politics and ran under a new party, Cooper obtained better results than some men who had previously run in 2005 and/or 2011. The Weah/Howard-Taylor ticket won the December 26 runoff election with 61.5 percent of the votes, making Senator Howard-Taylor the second elected female vice president in Africa's history.

2.12.3 Participation of Women as Voters

ECC observers identified a significant gender gap in the initial phase of the voter registration process, with women representing only 43 percent of registrants in registration centers they observed. Following an extension of the deadline and enhanced outreach efforts, particularly by women in civil society, women ultimately constituted 49 percent of registered voters, halting the downward trend observed in women's registration since 2005.⁵⁶

The voter card replacement period showed additional barriers to women's participation. Men participated in significantly higher numbers than women, with 4,246 women participating to 10,435 men. While the distance needed to travel to registration centers affects communities as a whole, rural women have less access to transportation and more responsibilities limiting their participation, including household duties. Women also faced security concerns related to walking long distances after dark.

The NEC's civic and voter education efforts toward women focused on mobilization to participate rather than how to properly complete a ballot. The Commission also faced funding and transportation challenges that inhibited their ability to reach illiterate women in rural areas. While some civil society groups, like the Liberia Women's Policy Platform (LWPP), sought to fill in the gaps by training rural women on how to mark their ballots or candidate information, the scope of these efforts, too, was limited.

Despite these challenges, women demonstrated a clear interest in the election. Although national debates generally drew audiences largely of men, women's attendance in political rallies was significantly higher and women participated actively by asking questions. NDI observers found that women were well represented among voters in all 15 counties during the October 10 elections, demonstrating their commitment to engaging in the electoral process. On December 26, NDI observers noted that women's turnout was visibly lower than men's in most polling places observed. The final breakdown figure for turnout among women and men has not been published yet by the NEC and is pending the processing of the gender data capturing sheets.⁵⁷ CSOs noted

⁵⁶ In 2005, women were 50 percent of the registered voters, in 2011, 49 percent.

⁵⁷ Gender data capturing sheets were supposed to be filled out in each polling place for the October 10 polls; however, as there was no specific instruction nor training regarding the use and packaging of the sheets, they were frequently misplaced in ballot boxes at the end of election day. During the 26 December runoff, NDI and ECC observers monitored the use of the gender data capturing sheets in all the polling places visited, and were placed correctly together with the sensitive material after the count. The NEC reports that they intend to process the gender data capturing sheets used during both rounds of the election at an unspecified date in order to obtain turnout data by gender.

that there was no mobilization campaign held to encourage women to vote before the run-off, which may have contributed to the gender gap.

2.12.4 Participation of Women in Election Administration

Women are underrepresented in election administration. According to the NEC, only 22 percent of the permanent and management staff are women. While the Board of Commissioners is nearly balanced with three women and four men, including a male chairman and a female co-chair, women are not well represented at other leadership levels. In all categories of election workers, there are more men than women, and the gap is greater among more senior positions: There is only one female magistrate and only four female assistant magistrates out of 19. There are also only three female logistics officers out of 19. Women represent around one third of the 417 electoral supervisors, with significant differences across the counties (12 percent in Maryland to 47 percent in Grand Cape Mount).

In June 2017, the NEC officially adopted a gender policy aimed to increase the number of women at all levels of election administration. One of the immediate objectives of the policy was to reach a 50 percent gender balance in the temporary staff hired for the 2017 elections, including voter registration and election gender mobilizers, civic educators, and poll workers. According to the NEC, as a result of a proactive recruitment policy, in all counties, women were a majority of the 219 gender mobilizers, and in Grand Gedeh and Grand Kru, all of them were women. According to the data from magisterial offices, women were also well-represented among the civic educators, although they reached 50 percent in only one county.

The NEC published announcements encouraging women to apply for poll worker positions. According to the NEC gender section's preliminary estimates, on average, the NEC did not achieve its gender balance goal in during the first round, but significantly improvement the number of women hired compared to 2011. The data collected from magistrate offices by NDI observers from the October 10 polls indicated that around 30 percent of poll workers and 10 to 15 percent of presiding officers were women in the southeastern counties, while in central counties, such as Bomi, they reached 50 percent in both positions. For the runoff, a small percentage of polling staff was replaced according to the NEC, though they did not release any figures. However, ECC reports pointed to the presence of at least two women among the five polling officials in 69 percent polling places observed. The gathering of data on the gender breakdown of temporary staff hired during the whole electoral process (including the voter registration period, the campaign and the two polling periods) has not been given a high priority, judging by the delay in compiling statistics at the central level. However, it is worth noting these elections are the first polls for which the NEC will draw the complete gender breakdown of the election staff, and the NEC says that this figure shall be included in its election report.

2.12.5 Participation of Women as Observers and Party Agents

NDI observers noted that during both the first and second round, in all polling places visited, there were women present as observers and/or party agents. LTOs noted that parties recruited a number of women as party agents although with more difficulty in the southeast because of the literacy requirements and the reluctance of some women to take on responsibility in the public sphere. The main citizen election observer groups also recruited women as LTOs and STOs. Among the ECC observers deployed during voter registration, the campaign period and the election days, women were well-represented and constituted 44 percent of rapid response observers for both the first

round and second round. LEON's LTO teams were gender-balanced in most districts, as observed by NDI observers.

Many CSOs and women's organizations accredited observers for the first round, including a significant number of women. The WSR deployed a contingent of 322 all-female election monitors. The use of female observers to monitor the election process was meant to encourage women's turnout and to act as a deterrent to electoral violence, including violence against women. It was also considered a meaningful way for women to actively participate in politics, less likely to be opposed by their family than running for office. According to NDI's *Getting Ready to Lead* program and the Liberia Women's National Political Forum, women also increasingly engaged as campaign managers and staff for men and women candidates during these elections.

2.13 Role of Youth in the Elections

Although youth constitute a major part of the Liberian population (61.2 percent of the population is under 24), they are scarcely represented in public office and elected positions. For the 2017 elections, 52 percent of registered voters were between the ages of 18 to 32. Young voters were a target constituency for candidates, particularly among the parties with youth wings, such as the LP, UP and CDC. In contrast to the 2005 and 2011 general elections, when parties and candidate used young supporters to cause disturbances and engage in violent protests, the 2017 elections saw a limited number of instances of youths disrupting campaign events or being hired to spread insults and demeaning comments against candidates. During the campaign period preceding the October 10 elections, young men participated actively in rallies, debates, and candidates' parades.



Photo 12: Youth campaign for a Liberty Party House of Representatives candidate in Montserrado County.

Youth, especially those most disadvantaged and in big cities, were the first target of the LNP's "Say no to violence" campaign and the NEC's awareness campaign for violence-free elections. Women's organizations involved in peacebuilding engaged youth to warn against politically-sponsored disturbances. According to youth leaders interviewed, young people not only refrained from becoming involved in violence, they also actively engaged in maintaining a peaceful process. The LNP also engaged party youth wings in roundtable discussions and meetings to encourage them to maintain their commitment to peace. During the extended period prior to the presidential runoff, the CDC consistently communicated a "peace and patience" message to young supporters, encouraging them to wait for the proceedings to end and for the Supreme Court's decision instead of resorting to violence.

On both election days, NDI observers noted that -- in polling places observed -- young voters turned out in higher numbers than adults and older people and were well-represented among pollworkers, and in some cases, as presiding officers. Due to the literacy requirements for the pollworkers, the NEC stated that its recruitment drew on young and literate people from the first post-war cohort that had the opportunity to graduate from high school with uninterrupted studies. In addition, the vast majority of election observers deployed by the WSR, LEON, and the ECC were young people.

2.14 Electoral Participation of Other Underrepresented and Marginalized Groups

2.14.1 Persons with Disabilities

Associations defending the rights of persons with disabilities (PWDs) consider their participation in the election process as far from satisfactory, and believe it reflects the general neglect they suffer. The affirmative action bill that foresees the introduction of reserved seats in the House for youth, women and disabled has been shelved indefinitely since December 2016. The National Union of the Disabled (NUOD) points out that civic and voter education messages are not produced to reach out to the visually or the hearing impaired persons, and that long walking distances to VRCs and voting precincts have a severe impact on physically impaired voters' inclusion as they were not provided transportation by the state during the voter registration nor during election days.

While the electoral law requires the NEC to ensure that registration centers and voting precincts are accessible to persons with disabilities, most polling places are not accessible by wheelchair. NDI's election observers noted for the October 10 and December 26 polls, while some polling places were accessible to the physically challenged, this was not the case everywhere and varied by county. On October 10, NDI observers noted that physically challenged persons were provided assistance in polling places to access the process and navigate the crowded environment and long queues. On December 26 the rapid flow of voters observed in most polling places allowed them better access. During these elections the NEC introduced of tactile ballots guides for the visually impaired. The NEC gender section conducted several cascade trainings in half of the counties to prepare the pollworkers on the use of the guides.

No candidate for the presidency or the vice presidency was a person with disability. Among the House of Representatives candidates, Rosanna Schaack (LP) ran for a seat in River Cess. During

her campaign, she was insulted by a rival candidate due to her disability. She ultimately won the election in her district and was the only person with disability elected.

2.14.2 Muslims and Mandingo Communities

The Liberian Constitution prohibits any form of discrimination based on ethnic or religious background. The electoral law includes specific provisions addressing parties' use of language or slogans reflecting a particular ethnic group in the campaign, and considers these acts as election offences (S.10.22). NEC regulations also address this issue.

In the pre-election period, NDI observers in Montserrado County and the interreligious council noted some instances of derogatory and hate speech against Muslim candidates by supporters of candidates and candidates themselves.⁵⁸ The Interreligious Council noted that before the nomination period, a group of "radical" Christians engaged in a campaign to avoid the nomination of any Muslim vice presidential candidates. During the campaign period, the mission observed derogatory comments about the Muslim community from radical Christian pastors. The Council of Churches urged voters not to vote for Muslims candidates in the House, raising the specter of the "Islamization" of Liberia and marginalization of Christians. One presidential candidate, United People's Party MacDonald Wento, evoked the "Muslim threat" and pledged to declare Liberia a Christian state if elected.

Muslim groups and citizens participated actively in the electoral process. However, they faced several barriers. For example, during the voter registration process, the mission noted that voter registration officials did not apply a consistent approach in taking the voter card picture of veiled Muslim women. In some districts, they were asked to remove their headscarf; in others, they were allowed to keep it on; while in others, they were asked to show their ears. Muslim representatives of the Interreligious Council and citizen observers noted that, in cases where women refused to remove their headscarf, they were not allowed to register. The Interreligious Council intervened, conducting outreach to both the NEC and to Muslim communities, resulting in some of the affected women returning to register.

NDI received direct testimonies of instances of discrimination against Mandingo voters. According to these reports, in several instances in Montserrado and Lofa counties, Mandingos faced discriminatory treatment based on their distinct names and had to undergo a more thorough process to prove their Liberian nationality with documents. In Lofa County, registration officials denied registration to some Mandingo women and accused them of not being Liberian citizens.

The National Mandingo Caucus Youth Council raised concerns to the NDI mission about the disenfranchisement of high numbers of Mandingo voters on election day in several districts of Montserrado Counties where Mandingo candidates were running and the community forms a majority of voters or a substantial part of the voter list.⁵⁹ According to the complaint filed with the NEC by the defeated incumbent Sekou Kanneh in Montserrado District 2, hundreds of Mandingo

⁵⁸ According to the Interreligious Council of Liberia, Montserrado 8 candidate Moses Acarous Gray used the slogan "Even if you don't vote for me, don't vote for a Muslim." In Montserrado 2, messages such as "Don't vote for a Mandingo, we'll take our district back from the Mandingo" were spread against the Mandingo incumbent Sekou Kanneh by his main rival candidate's supporters as monitored by the interreligious council and reported by NDI observers.

⁵⁹ Montserrado Districts 2, 17, 14, 12, and 15

voters with voter cards were denied the right to cast their votes or their names were not found on the voter roll in the polling places.

Muslims and Mandingos are underrepresented in state institutions⁶⁰ and elected positions. There are no Muslim or Mandingo senators, and in the House of Representatives elected in 2011, there were five Muslim (three Mandingos, among whom two are women and one a man). In 2017, all the presidential candidates were Christians, and only one Muslim ran for vice president. There were an estimated 15 Muslim candidates for the House of Representatives,⁶¹ which represented only 1.3 percent of the total candidates. As a result of the October 10 elections, the number of Muslim representatives in the House has decreased - out of the three incumbents who ran for reelection (two Muslim incumbents did not run), only the two Mandingo women were re-elected.

2.14.3 Economically Marginalized and Remote Rural Communities

Rural remote communities with poor road access and urban slum communities face particular challenges to electoral participation. Observers noted that the NEC and civil society's civic and voter education efforts did not comprehensively reach these communities, and information was not given in vernacular language. Voters in remote communities of the southeast received less voter education information than others. Similarly, according to community members, information about candidates and their platforms, particularly presidential candidates, was more limited in Westpoint, Monrovia's largest slum, compared to other parts of the city.

The distance to voter registration centers and voting precincts, difficult road conditions, and lack of affordable transportation posed challenges to registration and voting for underprivileged voters in rural communities. Youth leaders in Westpoint also noted that the number of voting precincts should be increased to facilitate access to voting.⁶² Various community initiatives helped facilitate the participation of the Westpoint citizens in 2017 elections. The community's own observers were accredited by the NEC to monitor the process in all of the community's voting precincts for both election days. During the runoff, based on voter demands, the counting process at one polling place was made public and open to all the community residents.

2.14.4 Pre-trial Detainees

Pre-trial detainees in Liberia are disenfranchised because there is no mechanism to guarantee their ability to register or to vote on election day. According to recent statistics, pre-trial detainees represents around 77 percent of the total prison population (estimated at more than 2,000 people).⁶³ The Independent National Commission on Human Rights (INCHR) raised this issue with the NEC several months before the beginning of the registration process. However, the NEC did not adopt procedures to address this challenge in the 2017 elections.

⁶⁰ One Justice of the Supreme Court is a Muslim, there is one Muslim out of 15 superintendents. There is no Muslim senior minister among the members of the cabinet.

⁶¹ Estimates of the Interreligious Council and the National Mandingo Caucus.

⁶² 12,000 voters are registered in seven polling precincts.

⁶³ Figures provided by the section of Human Rights, UNMIL.

PART THREE: OCTOBER 10 ELECTION DAY



Photo 13: Woman casts ballot during October 10 election in Bong County.

3.1 Election Day Findings

Voting in the presidential and House of Representatives elections took place on October 10, 2017. NDI deployed 35 observers who visited more than 150 polling places to witness the opening, voting, closing and counting processes.

3.1.1 Opening and Voting

Voters were enthusiastic, dedicated, and patient. Tens of thousands of citizens participated actively in the elections as party agents and election observers. Observers found that despite long lines and minor violations, the opening and voting processes were largely peaceful and generally well-conducted. In polling places NDI observed, voting largely began on time. ECC observers also found that polling places generally opened on time, with 80 percent of observed polling places opening by 8:30 am and another 19 percent by 10:00 am. Presiding officers were present before 8:00 am for set up and to begin processing voters upon the opening of voting. In most polling places, all five necessary polling officials were present. Polling officials largely followed the stipulated opening procedures and the secrecy of the ballot was guaranteed to voters. Observers also noted the presence of party agents from several major political parties and security officials in polling places visited.

NDI's observers noted several issues as voting began. Long queues formed in many places and polling officials were, in some cases, slow in processing voters upon entering. This was due in part to the time it took polling staff to search for voter names, and then write on the addendum the voter information of those whose names were not found on the roll. Multiple polling places observed lacked clear signs to direct voters to the correct queues. This led to confusion about which line to join. Where there were precinct queue controllers, some were not effective in directing voters to the correct queue. These caused minor tensions and frustrations among voters. Despite these challenges, observers noted that in most cases voters waited patiently in queues to vote.

NDI's mission noted the professionalism and dedication of poll workers. Voting procedures were generally followed at the majority of polling places NDI observed. Observers did note some inconsistency in the application of procedures, particularly with regard to the FRR. Observers also noted that in some polling places a number of voters with valid registration cards were not found on the voter roll. Some voters who had valid voter registration cards were not allowed to vote because they were not on the FRR, despite the NEC's instruction that such persons should be included in an addendum list and permitted to vote. Some teams noted that voters' thumbs were not always checked for traces of indelible ink, and that the ballot paper issuer did not always explain to voters how to fold the ballot paper. In addition, NDI and ECC observers noted inconsistencies in the use of the gender data capturing sheets. According to NEC procedures, the VIO would use the sheet to keep a tally of male and female voters throughout the day; however, this was not completed consistently from polling place to polling place.



Photo 14: NEC staff check a voter's details on the FRR during the October 10 election in Bong County.

3.1.2 Closing, Counting, and Tabulation

Generally, closing, and counting processes were conducted in a transparent and orderly manner. Reports from NDI observers indicated a calm environment with only minor incidents and procedural violations. In all polling places observed there was either no queue or voters in the queue by 6:00 pm were permitted to vote. UP, CDC, and LP had party agents present in all polling places observed for closing and counting. Results were also displayed publicly in all polling places. However, some teams reported that the counting process was slow, with counting and packaging of materials not completed until 1:00 am or later.

The transportation and intake of materials was mostly completed late night on October 10 and the early morning of October 11 at the warehouse of each magisterial office. Given the late hour of completion of counting, the chain of custody for material between voting precincts and magistrate offices was often not monitored by observers and party agents. In cases where it was monitored, some observers noted that the transfer of materials was not conducted according to procedures or in a secure manner.⁶⁴

On October 11, NDI observed intake and tally processes in six magisterial offices (Lower Bong, Grand Gedeh, Upper Lofa, Upper Nimba and Upper and Lower Montserrado; the results from the latter two magisterial offices were both tabulated at the Samuel Kanyon Doe sports complex in Paynesville). On October 12, NDI observed in Lower Bong, Montserrado, Grand Gedeh and Margibi. During the following days, LTOs followed the tally process until its completion in Lower Bong, Montserrado and Grand Gedeh. NDI observers generally reported that, although intake and tally processes were slow, the overall process remained transparent and peaceful. While most tally centers were scheduled to open from 9:00 am to 5:00 pm every day following the election until the tally was complete, NDI found that some centers opened late, while others extended their hours of operation. Observers noted the presence of other citizen and international observers, security officials and party agents in each tally center observed.

Observers reported that tally procedures were largely followed and were transparent. The Record of the Count forms were always copied and distributed to party agents, and the Count Reading Officer read the results loudly. However, one of the central and most frequently observed issues by NDI observers during the tally process involved a large number of mistakes on the Record of the Count forms. Observers reported that in most cases where these errors were found, they were either slight mathematical calculation errors or mistakes in properly completing the form; in no cases observed were the vote totals for any candidate altered. Nonetheless, the NDI mission also noted that there was inconsistency in determining when to quarantine results from a voting precinct, and instances where the correction made involved adjusting the number of unused ballot papers⁶⁵ or invalid ballots⁶⁶ on the forms. Despite a slow process at times, party agents remained

⁶⁴ Some STOs reported to have seen presiding officers in Gbarpolu carrying the ballot boxes and waiting for transport without any escort. This anecdote is not necessarily representative, but it provides an example of procedures for escorting sensitive materials not being followed.

⁶⁵ The number of unused ballots is based on a hard count and not a calculation, and represents the basis for the reconciliation of ballots at the polling place, which is the only safeguard in the system to avoid fraud or manipulation. Thus, the correction of this figure at the tally center invalidates the reconciliation process.

⁶⁶ As the number of invalid ballots was in some cases adjusted to account for discrepancies or calculation errors on the forms at the tally center, it is therefore no longer possible to evaluate whether the announced rate of invalid ballots is correct.

patient and calm as tally staff verified or corrected the math on the forms. However, the errors on forms raised several concerns about presiding officers' understanding of the process and potential shortcomings in their training of completing the forms.

NDI noted that the tally process did not account for the gender data capturing sheets used at polling places to tally men and women voters. The polling staff manual was not clear in mandating the sheets be delivered to the tally centers and, in some cases, were sealed in the ballot boxes, preventing the compilation of comprehensive gender-disaggregated data.

The NEC did not grant observers nor agents access to the national NEC data center, and results received were not announced to the public as they arrived, in a timely and more granular manner. They were instead only communicated in bulk during the NEC's press conferences.



Photo 15: NEC staff count the ballots during the October 10 election in Grand Gedeh County.

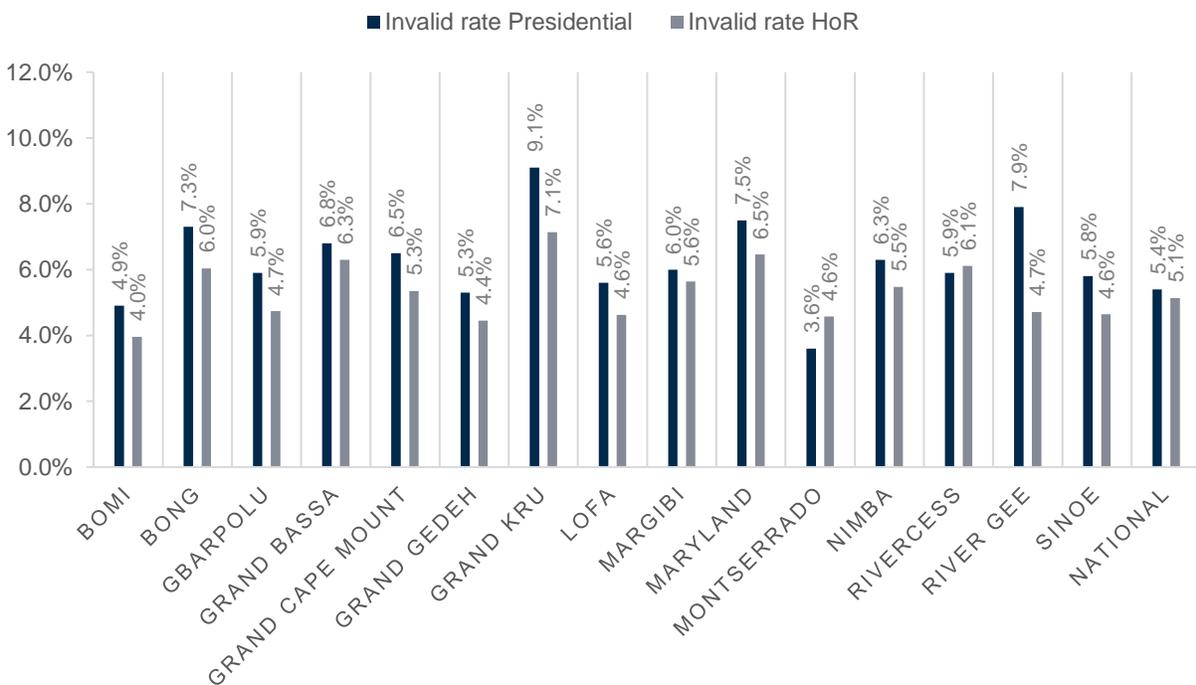
3.2 Results Analysis

While the NEC set an ambitious goal of reducing the invalid ballot rate to 3 percent for the 2017 elections, the official rate for the October 10 presidential election was 5.4 percent. This is a decrease from the 2011 general elections (6.4 percent), but it is still higher than the 2005 rate of 3.8 percent. The reasons behind the high invalid ballot rate could include insufficient voter education focused on how to mark the ballot, inconsistent training and performance of poll workers

in determining ballot validity, or technical issues such as insufficient lighting during the count or ink stains.

Figure 1 shows the range in the rate of invalid ballots across counties for the presidential elections, from Montserrado (3.6 percent) at one end of the spectrum to Grand Kru (9.1 percent) at the other. As is usually the case, the capital area has the lowest invalid rate. The highest rates are not concentrated in a specific area of the country. For example, Grand Kru had the highest rate (9.1 percent), but neighboring counties in the Southeast, like Sinoe (5.8 percent) or Grand Gedeh (5.3 percent), had rates similar to the national average. As shown in Figure 1, with the exception of Montserrado and River Cess counties, the invalid ballot rate for the presidential election was higher than for the legislative elections.

Figure 1: Invalid Ballot Rates in the Presidential and House of Representative (HoR) Elections by County



3.2.1 Voter Turnout

Turnout for the October 10 elections (75.2 percent) was the highest in the past 12 years, surpassing 2005's 74.9 percent and 2011's 71.6 percent. However, it is important to note that the NEC's Record of the Count form did not record the number of voters who cast their ballots. At the closing of polling, the poll workers were not required to count the ticks on the FRR to check how many voters cast their ballot and then reconcile them with the number of used ballots. The turnout communicated by the NEC is essentially the number of used ballots and not the actual number of voters participating in the election. Therefore, it is not possible to discern whether the number of ballots cast exceeded the number of voters. NDI observers, however, did not report incidents of ballot stuffing at polling places observed.

3.2.2 House of Representatives Results

The House of Representatives elections on October 10 led to significant turnover, with only 33 incumbents re-elected out of the 61 running. This is a higher number of successful incumbents than 2011, when only 24 of 64 incumbents running won re-election. Most of the re-elected lawmakers were well-rated for their consistent attendance,⁶⁷ while the vast majority of the defeated incumbents were poorly rated. With 43 new representatives, newcomers make up the majority (55 percent) of the House. Moreover, in 50 districts, the new representative has a different political affiliation. In 14 of these cases, the incumbent was re-elected under a different party banner.

The new House of Representatives is now dominated by two parties, the UP and the CDC, which hold a combined 41 seats (56 percent). The power balance shifted from the UP to the CDC, with the CDC holding the most seats with 21, followed by the UP with 20 seats. The UP saw the defeat of nine of its 17 incumbents on the ballot. There are now 13 independents representing 18 percent of the seats, an increase of four seats compared to 2011.

Thirteen parties are now represented in the House of Representatives compared to 12 in 2011. Party composition changed substantially. Six parties lost their representation,⁶⁸ while seven parties new parties gained seats. The ANC did not win a single seat in the House, despite presenting the highest number of candidates and covering 71 of 73 the districts. A summary of the changes in seat allocations as a result of the 2017 elections is in Annex 5.

3.2.3 First Round Presidential Election Results

The NEC released the final results from 100 percent of polling places for the October 10 presidential election on October 19, 2017. George Weah of the CDC received the highest number of votes, garnering 38.4 percent of the vote, or 596,037 votes. The UP's Joseph Boakai received the second highest number of votes, with 446,716 votes or 28.8 percent of the vote. Charles Brumskine of the LP received 9.6 percent of the vote, followed by Prince Johnson of the MDR with 8.2 percent of the vote, Alexander Cummings of the ANC with 7.2 percent of the vote, and Benoni Urey of the ALP with 1.6 percent of the vote. All other candidates received less than 1 percent of the vote.

George Weah (CDC) won 11 out of Liberia's 15 counties. He performed particularly well in the southeast, garnering over 50 percent in four counties (Grand Gedeh, Grand Kru, River Gee and Sinoe). Joseph Boakai (UP) won two counties, Gbarpolu County and his home county of Lofa by a large margin. Charles Brumskine (LP) of Grand Bassa County and Prince Johnson (MDR) of Nimba County each won their respective strongholds handily, taking over 50 percent of the vote. Out of the 20 presidential candidates, seven did not gain above one percent of the vote in any county, while an additional four candidates did not gain enough votes to place in the top five candidates in any county. Figure 2 shows the top three candidates per county based on the percentage of votes received.

⁶⁷ Institute for Research for Democracy and Development (IREDD) Final Legislative Report Card and Rating, 2016.

⁶⁸ Five if NPP is excluded, since it is now part of the CDC coalition.

Figure 2: Top Three Candidates by County during First Round Presidential Election

COUNTY	1ST PLACE	2ND PLACE	3RD PLACE
BOMI	WEAH (CDC) - 41.1%	BOAKAI (UP) - 36.2%	CUMMINGS (ANC) - 7.5%
BONG	WEAH (CDC) - 40.6%	BOAKAI (UP) - 34%	CUMMINGS (ANC) - 5.5%
GBARPOLU	BOAKAI (UP) - 41.5%	WEAH (CDC) - 37.7%	BRUMSKINE (LP) - 4.3%
GRAND BASSA	BRUMSKINE (LP) - 50.2%	WEAH (CDC) - 27.1%	BOAKAI (UP) - 9.2%
GRAND CAPE MOUNT	WEAH (CDC) - 39.3%	BOAKAI (UP) - 36%	BRUMSKINE (LP) - 5.5%
GRAND GEDEH	WEAH (CDC) - 75%	BOAKAI (UP) - 9.7%	BRUMSKINE (LP) - 3.7%
GRAND KRU	WEAH (CDC) - 63.5%	BOAKAI (UP) - 13.7%	BRUMSKINE (LP) - 5%
LOFA	BOAKAI (UP) - 78.5%	WEAH (CDC) - 7%	BRUMSKINE (LP) - 5.2%
MARGIBI	WEAH (CDC) - 43.6%	BOAKAI (UP) - 26.9%	BRUMSKINE (LP) - 13.7%
MARYLAND	WEAH (CDC) - 47.8%	CUMMINGS (ANC) - 21.6%	BOAKAI (UP) - 12.5%
MONTSERRADO	WEAH (CDC) - 48.6%	BOAKAI (UP) - 27.3%	CUMMINGS (ANC) - 10.4%
NIMBA	JOHNSON (MDR) - 53.5%	BOAKAI (UP) - 19.9%	WEAH (CDC) - 8%
RIVER GEE	WEAH (CDC) - 59.8%	BOAKAI (UP) - 16%	CUMMINGS (ANC) - 5.2%
RIVER CESS	WEAH (CDC) - 39.6%	BRUMSKINE (LP) - 35.7%	BOAKAI (UP) - 10.7%
SINOE	WEAH (CDC) - 71.5%	BOAKAI (UP) - 12.9%	JONES (MOVEE) - 2.6%

PART FOUR: ELECTION DISPUTE RESOLUTION AND DELAYED RUNOFF



Photo 16: Political party pollwatchers monitor the voting process during the December 26 runoff election in Monsterrado County

Under the legal framework governing elections, NEC magistrates are responsible for adjudicating first instance disputes related to election offenses and violations, while the NEC Dispute Hearing Office adjudicates matters related to election results, intra-party disputes, violations of campaign finance requirements, or offenses. All magistrates and hearing officer decisions can be appealed to the NEC Board of Commissioners and then to the Supreme Court, which has seven days to adjudicate the matter.

NEC magistrates are not lawyers or judges, and, although trained on dispute resolution procedures, magistrates' lack of legal background sometimes led to delays and inconsistencies in judgment between them and the Board of Commissioners during the 2017 electoral process. Furthermore, the NEC legal department and NEC hearing office are understaffed, contributing to delays. Only one hearing officer and two legal counselors work permanently for the NEC, while the other legal staff are temporary. NDI was informed of numerous concerns about the NEC and Supreme Court's ability to adjudicate complaints and resolve disputes in a timely and impartial manner.

4.1 Pre-election Complaints

The NEC received 50 pre-election complaints, related largely to voter and candidate registration, and the conduct of party primaries. As detailed previously, among the concerns were perceived and actual conflicts between the election law and the NEC regulations⁶⁹ and the concepts of domicile and residency.⁷⁰ Unfamiliarity with and skepticism of the credibility of dispute resolution mechanisms limited the number of individuals and parties that lodged formal pre-election complaints, particularly outside Monrovia. When disputes were lodged, they were often hampered by lack of awareness of the electoral framework, limited preparedness by lawyers, and general misunderstandings of the complaints process. This delayed the complaints process overall, with the NEC and courts addressing some cases only just before the election.

4.2 House of Representatives Races

The legal deadline to file a complaint against the presidential and House of Representatives results of the October 10 election was October 26. The NEC received 98 complaints, all but two of which related to legislative elections. The magisterial offices in the most populous counties (Nimba, Bong, Montserrado, and Margibi) received the highest number of complaints. No complaints were filed in Bomi, River Gee or Sinoe counties. Hearings generally proceeded smoothly, and cases were largely processed expeditiously, although the hearings and resolution of some cases at times were delayed beyond the constitutional timeline.⁷¹ In some instances, candidates appeared unprepared to argue cases or provide evidence; in others, the process was slowed by a lack of uniform procedures for notifying parties of the hearing schedule. Candidates who lacked party support for their legal complaints often withdrew complaints or decided not to appeal magisterial decisions.

Though in practice NEC hearing officers and commissioners worked to provide a fair and equitable dispute resolution process for all complaints around the legislative polls, the NEC's role as both defendant and judge created the potential for conflicts of interest. In at least two cases, the NEC Board of Commissioners sent the cases back to the magisterial office and ordered the magistrate to re-hear the case to guarantee a fair process to the complainant.

The Board of Commissioners ordered recounts and reruns of several polling places in Nimba, Grand Gedeh, and Grand Kru counties following the complaints process. Though the NEC never disclosed the final figures from the reruns, recounts, or quarantined ballots, NDI observed rerun elections in six polling places in Nimba and Grand Gedeh counties. In all the reruns observed, procedures were generally followed and no incidents were reported. Management of the queues for the polling places was well organized, though observers noted that a number of voters were added to the addendum to the FRR, as happened during the October 10 polls. Security officers, citizen observers from ECC and LEON, and party agents were also present during the rerun.

⁶⁹ Abu Kamara vs NEC, Supreme Court opinion, July 17, 2017.

⁷⁰ Sando Johnson vs Unity Party and Edwin Snowe, Supreme Court opinion, September 5, 2017

⁷¹ On the first day of the session of the new House, January 15, 2018, three cases were still pending at the level of the Supreme Court and one under the jurisdiction of the NEC.

NDI also observed recounts in nine polling places in District 4 of Bong County.⁷² The process conducted by NEC HQ staff, including the tally of the new results, lasted three days. A number of stakeholders observed the process, including party agents, CSOs, citizen observers and members of the press. LNP officers were also present throughout the process. The observers evaluated the recounting process as transparent and in line with NEC procedures. However, the process only dealt with counting used ballots, rather than reconciling all ballots including unused and spoiled ballots. The UPP party agents refused to sign the record of the count and left the magistrate office for this reason.

4.3 Presidential Race and Delayed Runoff

The NEC received two complaints pertaining to the credibility of the presidential election: one filed by the ALP and the other by the LP. On October 13, the ALP filed a complaint asking for a rerun of the election “under the leadership of a new NEC,” based on evidence and witnesses from only a few counties (Bong, Margibi, Montserrado and Nimba). The NEC hearing officer and Board of Commissioners dismissed the complaint, citing insufficient evidence. The ALP did not appeal its case to the Supreme Court.

On October 23, the LP filed a complaint with the NEC alleging massive irregularities, widespread fraud, and violation of Liberians’ constitutional rights. The complaint also requested a rerun of the October 10 election. The LP presented evidence of irregularities such as late opening of polling places, absence of queue controllers, and absence of registered voters’ names on the FRR. On October 28, the UP filed a motion to intervene in the proceedings in support of the LP. The hearing officer denied UP’s motion on the grounds that the party had missed the deadline to file an election complaint, but the NEC Board of Commissioners later overturned the ruling and granted the motion on appeal. These procedural steps froze the hearing process for one week.

While their case was being heard, the LP also filed a petition to the Supreme Court for a Writ of Prohibition, asking it to halt all preparations for the runoff until the full adjudication of its main case. On October 31, the justice in chambers, accepted the LP’s request, issuing a stay order and referring the writ to the full bench. On November 6, the day before the scheduled runoff, the Court granted the Writ of Prohibition and confirmed the stay order. With this order, the Court ordered the NEC to halt all election preparation activities as the LP/UP complaint was heard.

The UP focused its argument on the lack of integrity of the FRR, problems faced during the registration period, and improper use of the addendum to the FRR on election day. The NEC’s defense presented two witnesses whose testimonies highlighted that the FRR had been shared with political parties and other stakeholders before the election and that the addendum only included voters whose names were not found on the FRR by poll workers on election day. The NEC hearing officer ruled against the complainants, but said that the NEC should “*take the necessary steps to correct all what they alluded to as difficulties and challenges before any future elections.*” The LP and UP appealed the case to the Board of Commissioners while also filing a motion to require the NEC chairman to recuse himself because of comments he made during a press conference saying

⁷² 06102-01, 06102-02, 06102-03, 06088-01, 06088-02, 06092-02, 06064-02, 06018-01, and 06008-03. The recount was a result of a complaint filed by UPP candidate Hon. Susannah L. Mator.

the complaint was politically motivated. The board denied the recusal motion and upheld the hearing officer's ruling on November 24.

The parties then appealed to the Supreme Court, which heard the case on December 1. The case was highly publicized by the news media and attracted a large following among Liberians throughout the country and in the diaspora. Less than a week later, the Court issued its opinion, which critically examined the evidence presented. The 133-page opinion concluded that the appeal presented insufficient evidence of electoral fraud to nullify the election and lifted the stay on runoff preparations. One justice dissented. The majority opinion stated that the "*violations were not of such high magnitude that it altered or could have altered the results of election.*"⁷³ Moreover, the Court affirmed that the NEC chairman, as administrative head of the commission and at the same time head of the legal appeal body (the Board of Commissioners), should have recused himself from the appeal filed by the LP and UP to guarantee the impartiality of the hearing. Finally, the Supreme Court mandated that the NEC: (1) conduct a "full clean-up" of the FRR to remove instances where multiple voters possessed the same voter identification number; (2) publish physical copies of the FRR at all magistrate offices and polling places; (3) prohibit those not found on the FRR from voting; (4) prohibit poll watchers from voting unless they are at their assigned polling place and on the FRR; and (5) prevent NEC staff from making any statements that could be viewed as biased.

During the seven-week legal proceedings, the political and security situation remained calm and peaceful, and no incidents of violence were reported. In the days following the Supreme Court's stay order, President Faure Gnassingbé of Togo in his capacity as president of ECOWAS and President Alpha Condé in his capacity as president of the AU met with political leaders to urge calm. The leaders held a closed door discussion that included President Ellen Johnson Sirleaf and the flag bears and party leaders from the UP, CDC, LP, ALP, and ANC to help resolve the political impasse. Both parties and their supporters urged patience as the cases proceeded through the appropriate legal channels. George Weah and the leadership of the CDC consistently called for peace and calm and encouraged their supporters to "let the court do its work." They expressed confidence in their prospects and capitalized on the delay to showcase Weah's leadership abilities. Ultimately, all parties also peacefully accepted the Court's opinion.

However, even after the Supreme Court's decree and the subsequent resumption of election preparations, the UP continued to express concerns about the NEC's impartiality, its capacity to organize elections, and the credibility of the FRR. On December 13, the UP filed another Bill of Information with the Supreme Court, proposing an election delay to allow for extensive work on the FRR. In the December 21 opinion, the Court dismissed the UP's request but mandated the strictest compliance with every element of its December 7 opinion and mandate. In the same opinion, the Supreme Court levied a USD 500 fine on the NEC Communications Director and ordered his incarceration for two days for contempt of the Supreme Court, after a statement he made during a radio interview indicating that the FRR did not require additional cleaning.

⁷³ LP & UP vs NEC, Supreme Court Opinion, December 7, 2017

PART FIVE: DECEMBER 26 RUNOFF ELECTION



Photo 17: A voting precinct near Gbamga, Bong County on October 10.

5.1 Pre-election Period

5.1.1 NEC’s Response to Issues in October 10 Polls

Following the October 10 polls, the NEC announced plans for corrective measures designed to address issues around long, slow-moving queues caused by voters unable to find the correct polling place and polling officials’ difficulties locating voters’ names in the FRR. This included hiring 385 additional queue controllers, posting a large index of voter ID numbers for each polling place, and more visibly marking the locations of individual polling places.

NEC officials reported that they conducted an assessment test for all 417 electoral supervisors and replaced those who did not perform well. The NEC also announced efforts to retrain polling staff, which included exercises for polling officials in identifying voter ID numbers in the proper sequence. To address issues of overcrowding and confusion experienced during the first round, the NEC also prioritized queue control in their preparations for the second round. While refresher trainings for regional coordinators and magisterial and assistant magisterial officers began on October 24 in anticipation of the original November 7 runoff date, the Writ of Prohibition order truncated the training and all electoral activities towards the scheduled November 7 election.

The Writ of Prohibition did not, however, prevent the NEC from conducting consultations with experts about the FRR. The NEC chairman requested technical support from ECOWAS to assist in resolving issues on the FRR that political parties raised. The ECOWAS Technical Support Team, led by the former Chair of the Electoral Commission of Ghana Dr. Kwadwo Afari-Gyan, deployed to Liberia from November 26 to December 6, 2017 and issued a report detailing their observations and recommendations. The report addressed issues including the late procurement of optical mark recognition (OMR) voter registration forms and the erratic field distribution of the forms, which affected the uniqueness of voter identification numbers and data processing of voter details. The team identified 488 duplicate ID numbers, 4,567 voters with multiple records, and 1,328 voters in the database without photographs. They further indicated that voter education and stakeholder engagement on the NEC's efforts to correct the list were not sufficient.

The ECOWAS team stated that no registered voter had been disenfranchised by not having their name in the FRR, as they concluded that every OMR form scanned during voter registration can be found in the NEC's database. The team recommended the posting of the FRR at polling places for public scrutiny and discontinuing the use of the addendum list as short-term measures for the runoff.⁷⁴ The team concluded that despite some issues in need of correction, the FRR was credible.

5.1.2 Implementation of the Supreme Court Order

After the Supreme Court lifted the Writ of Prohibition on December 7, the NEC immediately resumed preparations for the runoff election, including the delivery of election materials, retraining polling staff, and complying with the mandates within the Supreme Court ruling. However, the Court mandate generated some concerns among CSOs and political parties as to the meaning and understanding of the order and its implications. For example, the ECC called for more clarity in the Court's instruction to "clean the FRR," and expressed concerns that voters who had voted in October via the addendum might be disenfranchised in the runoff.

The ECOWAS technical team returned to Liberia and assisted the NEC in complying with the Court's order to "clean the FRR." At a joint press conference with NEC officials, the technical team announced a roadmap for cleaning the roll, with steps to remove duplicate records and resolve the issue of duplicate voter identification numbers. For these cases, the NEC proposed to retain existing voter identification number for the first voter and issue a new number for the remaining voter(s). According to the NEC, 998 voters had shared voter identification numbers, 488 of whom would retain their existing number. For the remaining 510 voters, the NEC filled out and scanned an inclusion form, created a new voter identification number, and marked those records on the FRR to alert polling staff. Voters affected were to receive a new voter card on election day. The NEC also conducted an additional round of manual checks and re-checks to create a list of duplicate registrations. Lists of names removed and retained were shared with political parties.

NDI was unable to observe this process, since these operations were carried out at the data center and announced after their completion. At an IPCC meeting held to announce completion of the project, UP representatives objected to not having been permitted to observe the NEC and ECOWAS' work to clean the FRR. The UP then publicly called for several changes before the runoff could be held, including the removal of the NEC executive director and chair, an exhibition of the FRR, and a vote by the legislature to set the election date. On December 13, 2017, the UP filed a Bill of Information with the Supreme Court requesting a delay for the runoff election until

⁷⁴ The Supreme Court later ordered these steps as well in its ruling on the LP/UP case.

further work could be completed on the FRR. The Supreme Court denied their request on December 21, 2017 and the December 26 runoff election date proceeded. Despite the denial, the UP continued to advocate for changes.

Per the Supreme Court order, the NEC printed the FRR and delivered a copy to each magisterial office and posted it publicly at each polling place in advance of the runoff election. The NEC instructed polling officials to only use the addendum page on election day for categories of voters listed in the polling and counting manual.⁷⁵ The NEC conducted trainings from December 14 to 22 for all polling officials. The refresher trainings for the runoff concentrated on implementing the Court mandate and correcting mistakes identified during the first round. The NEC placed particular attention on the training of precinct queue controllers, including how to identify voters using the index list,⁷⁶ the first three digits of the voter ID ranges, and, in some high-density polling place, a smartphone-based offline application used to search the FRR.⁷⁷ The NEC instructed precinct queue controllers to identify voters at the entrances of voting precincts before directing them to their polling places. The NEC also issued an updated polling and counting manual for officials, outlining these enhanced roles, as well as other updated procedures. However, this manual was not released until December 21, after most polling officials had completed their training.

NDI LTOs monitored these pollworker trainings, reporting that voter identification officers were trained on how to identify voters on the FRR using the index list and how to handle voters who previously had duplicate voter identification numbers but had been issued new voter identification cards for the run-off. Ballot paper issuers were instructed to ensure that all ballot papers were stamped to prevent invalid votes, and inkers were instructed to apply indelible ink on the little left-hand finger. Presiding officers were trained to place a dash before and after each figure on the Record of Count forms to prevent any additions after counting. The NEC also used its team of civic educators to post the FRR outside each polling place. Due to the legal proceedings and the abbreviated campaign period, the NEC conducted limited civic and voter education prior to the runoff. The campaign included limited efforts by CSOs and radio placements.

5.2 Campaign Period

During the period following the announcement of the first round results George Weah and Joseph Boakai began vying for endorsements from the other presidential candidates and party leaders. A number of candidates issued endorsements ahead of the runoff election, largely supporting Weah's candidacy. Prince Johnson of the MDR endorsed Weah, seemingly helping Weah and the CDC to secure votes in Liberia's second most populous county, Nimba, which Johnson won with over 50 percent of the vote. Several prominent LP leaders, including their vice presidential candidate, Harrison Karnwea, also from Nimba County, endorsed Weah; however, the LP's standard bearer, Charles Brumskine, declined to endorse either candidate. Benoni Urey and the ALP endorsed Boakai, calling him, "the best alternative that can lead Liberia in the right trajectory." Alexander Cummings of the ANC did not endorse either candidate for the runoff.

⁷⁵ This includes voters who are permitted to vote on election day but may not be at their correct polling place, which were security officials, drivers for international observation missions and polling staff.

⁷⁶ The index list was the last page of the FRR. It contained a list of the voter ID numbers registered at the polling place in chronological order.

⁷⁷The application was not used during the first round.

The campaign period commenced on December 12 and closed on December 24. Coming after the prolonged delay and with only two contesting parties and no legislative races, the abbreviated campaign period was relatively quiet, with less activity both in the capital and in the counties. CDC's standard-bearer and vice standard-bearer toured the coalition's priority counties, and the campaign held events in Nimba, Bong, Margibi, Grand Bassa, River Cess, Grand Cape Mount and Bomi counties, as well as a swing through Sinoe, Grand Gedeh and River Gee counties in the southeast. CDC capped their campaign activities with a large rally on December 23, with supporters mobilizing at four different locations in Montserrado County and gathering at SKD stadium. The UP conducted fewer campaign events, visiting Grand Bassa, Bong, and Nimba counties. Vice President Boakai's major policy speech during the campaign period included a surprise pledge to serve only one term if elected. The UP finished their campaign with a Sunday service and rally at party headquarters in Congotown in Monrovia. Both parties recruited and trained large numbers of party agents to observe at polling places on election day and in the tally centers. The CDC organized a large, sophisticated operation to gather results from their party agents and cross-check them with the figures announced by data clerks at tally centers.

5.3 Election Day

NDI's 36-person delegation assessed the December 26 run-off as peaceful, well-conducted, and showing marked improvements compared to the October 10 polls. This was at least in part due to voters' knowledge of their polling place from the first round; the single, short ballot; and measures taken by the NEC to address shortcomings in the first round election.

Polling places observed by the NDI delegation largely opened on time with all five polling officials and essential and sensitive materials present. Nearly half of polling officials observed were women. NDI's findings aligned with those of the ECC, which reported that by 8:30 am, 96 percent of polling places where their observers were stationed had opened and 99 percent of polling places with ECC observers had all essential materials.⁷⁸ The FRR was properly posted in nearly all polling places observed. At all polling sites visited, NDI observers noted the presence of queue controllers and signs posted with serial numbers to assist voters to their appropriate polling places. NDI observers saw orderly queuing in the voting precincts visited and the efficient processing of voters. Though some STO teams noted minor procedural violations, such as inconsistent checking of voters' fingers for ink in some polling places, the observers described the opening and voting processes as calm and orderly.

NEC officials counted ballots in a transparent manner in the presence of party agents and observers. In response to requests from party leaders, the NEC amended their policy to permit two agents from each party in each polling place. NDI observed party agents for CDC and UP in all polling places visited. Observers saw no instances of a party agent filing a complaint at polling places. The counting process moved more quickly compared to the October 10 polls, since the run-off only involved one ballot. Election day was free of violence, with no major incidents reported. NDI observers noted that adequate security was provided at most precincts. In general, security officials adhered to their mandated roles, though on some occasions, observers witnessed them supporting the precinct queue controllers to locate voters on the index list.

⁷⁸ ECC Runoff Election Mid-Day Statement - December 26, 2017 <http://eccliberia.com/2017/12/26/ecc-runoff-election-day-mid-day-statement/>

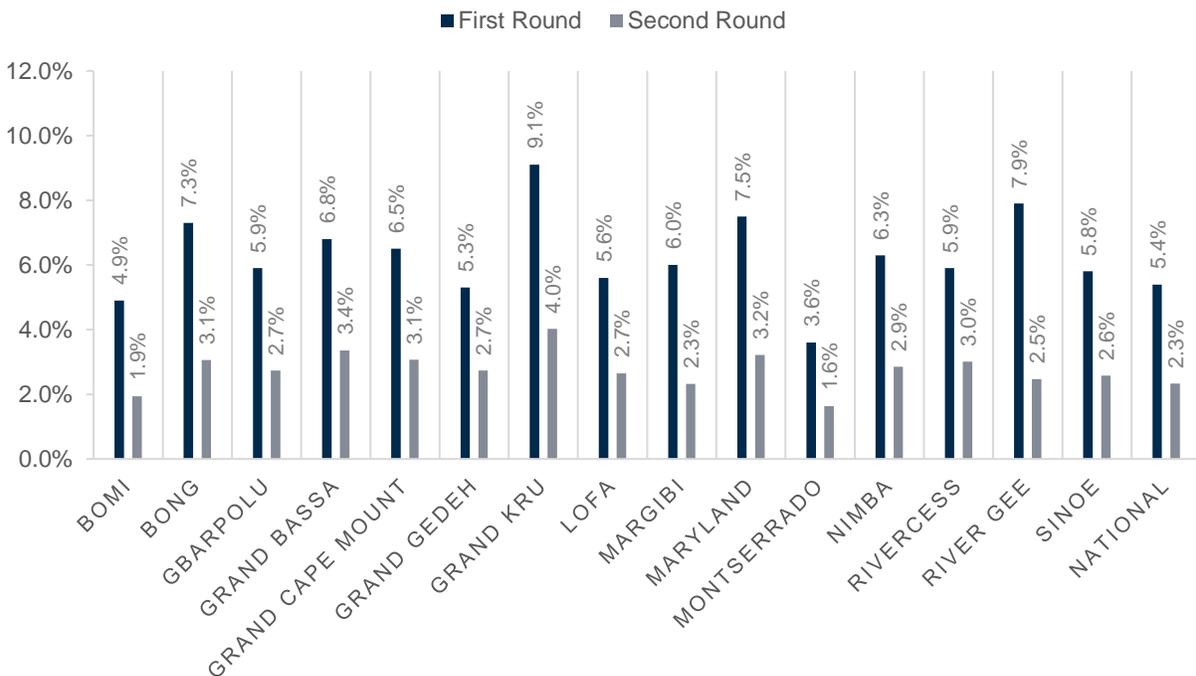
Tabulation of the election results took place at 18 magisterial offices and at SKD stadium for Montserrado County. NDI observed the intake and tally processes in 13 tally centers and noted the process was faster than the first round and was completed in two days. All teams reported that the general environment was calm and orderly. No security issues or incidents of violence were reported, and party agents were present. Teams reported that all intake and tally centers were set up to allow for transparency, that official made copies of the Record of the Count forms made to party agents, and that results were always posted publicly. However, NDI observers noted that, similar to the tabulation process during the first round, tally officials did not always follow or consistently apply quarantine procedures. In some cases, the results were not put into quarantine when discrepancies could not be rectified, as called for by the procedures. The NEC declared provisional results for 98.1 percent polling places on December 28 and final results on December 29. The candidates and parties accepted the results and no complaints were filed.

5.4 Results

5.4.1 Invalid Ballot Rates

The invalid ballot rate for the December 26 runoff was 2.3 percent, a significant improvement from the 5.4 percent rate on October 10. A reduction in invalid ballot rates between first rounds and runoff is a common phenomenon globally, and could result from several factors, including the simpler ballot (just two candidates) and the recent voting experience in the first round. Figure 3 compares invalid ballot rates from the first and second round in each county.

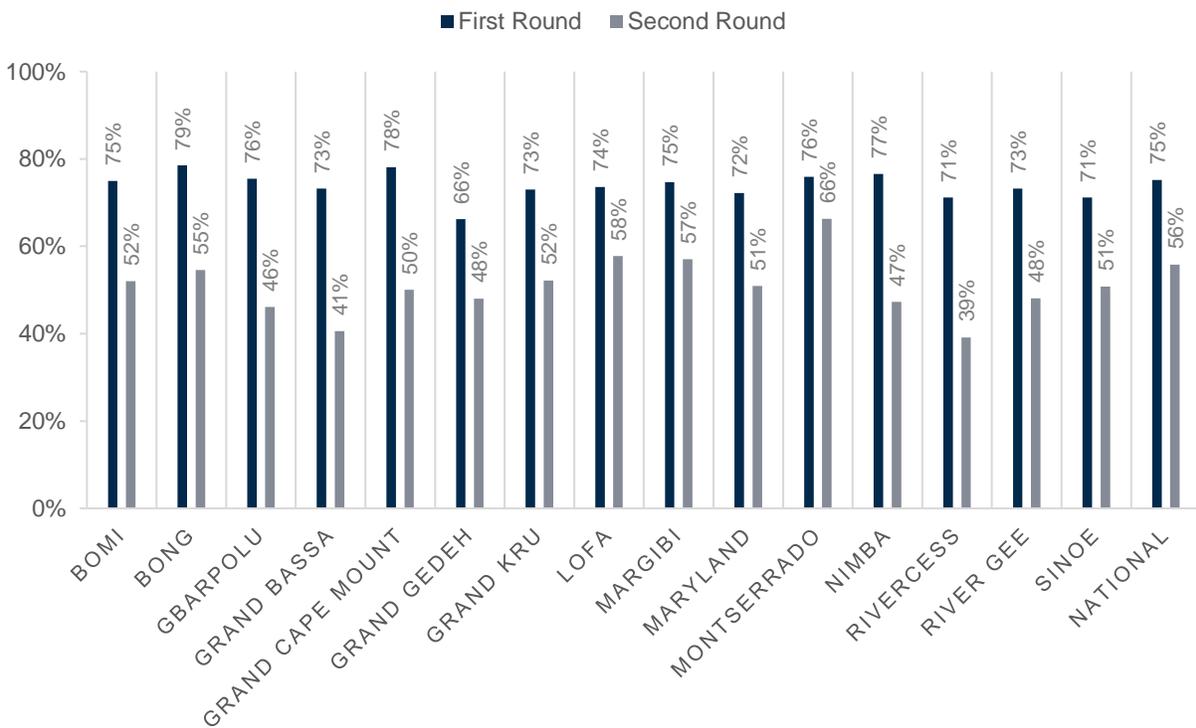
Figure 3: Invalid Ballot Rate in the First and Second Round Elections by County



5.4.2 Voter Turnout

Turnout in the runoff was 55.7 percent, a decrease from the first round’s 75.2 percent. This is also a common phenomenon in two-round electoral systems. In addition, the runoff’s date immediately after the Christmas holiday, the abbreviated and relatively quiet campaign period, and the absence of the interest generated by competitive House of Representative campaigns during the October polls, likely also played a role. The decrease in turnout is generally uniform across the counties. However, this trend is particularly visible in Grand Bassa, Charles Brumskine’s (LP) stronghold, where turnout in the runoff was the lowest nationwide.

Figure 4: Voter Turnout in the First and Second Round Elections by County



5.4.3 Analysis of Presidential Election Results

The final presidential election results from the runoff, published by the NEC on December 29, 2017, showed that the CDC ticket of Weah/Howard-Taylor ticket won with 61.5 percent of the vote, while the UP ticket of Boakai/Nuquay garnered 38.5 percent. Weah won in 14 out of 15 counties, with the exception of Boakai’s stronghold of Lofa County. Continuing a trend from the first round, Weah received more than 80 percent of the vote in southeast counties (Grand Gedeh, Maryland, River Gee, River Cess and Sinoe). In Grand Bassa, which Brumskine had won with 50.2 percent of the vote in the first round, Weah won in the runoff with 74.7 percent of the vote. Comparatively, Weah did not perform as well in Nimba, where Johnson won in the first round; though he still won the county with 57.1 percent of the vote.

PART SIX: RECOMMENDATIONS

In the spirit of international cooperation, NDI respectfully offers the following recommendations for reform of the electoral process for review and adoption by the NEC, the executive and legislative branches of government, political parties, civil society and other stakeholders.

National Elections Commission

- Conduct a comprehensive review of its performance during the 2017 elections that seeks input from both internal and external stakeholders in order to identify best practices and areas for improvement.

Voter Registration and Voter Roll

- Intensify communication with the National Identification Registry to facilitate the creation of a civil registry that can also be used as a national voter registry, and adapt the NEC's regulation and procedures accordingly.
- Consider conducting voter registration in the year preceding the election year to allow sufficient time for other electoral preparation activities.
- Allow voters who turn 18 years old by election day (not by the date on which they register) to register to vote, which would ensure their constitutional right to vote.⁷⁹
- Consider extending the working hours of voter registration centers and providing transportation means and/or mobile offices to facilitate the registration of voters based in remote communities, persons with disabilities, and persons with no access to means of transportation.
- Release registration center-level preliminary data to the public on the number of individuals registered, disaggregated by gender. This should be provided in advance of the end of the registration period, while there is still time for civil society and the media to use the data to better target voter education efforts.
- Once completed, provide the preliminary voters list in machine-readable format to political parties and accredited international and citizen election observers.
- Once completed, provide copies of the Final Registration Roll in machine-readable format to political parties and accredited international and citizen election observers.

Voter Education

- Conduct civic and voter education well in advance of election day in order to maximize possibility of effectiveness and impact. Distribute materials to civil society groups early to facilitate each exercise.
- Prioritize targeted, tailored outreach to communities and groups with relatively less access to information, including rural communities, women, youth, and illiterate persons.
- Ensure voter education is provided in major local dialects.
- Prioritize educating voters on how to fill out ballots properly to reduce the number of invalid ballots.

⁷⁹ Article 77 (b) of the Constitution states that “Every Liberian citizen not less than 18 years of age shall have the right to be registered as a voter and to vote...”

Election Administration

- Decentralize candidate registration for House of Representatives to the magistrate office level and reduce candidate nomination fees for candidates to lower barriers for nomination.
- Obtain and publish political party and candidate financial reports on contributions and expenses, and hold accountable parties and candidates that do not comply with the constitutional mandate to submit these reports.
- Clarify procedures on how polling officials should manage voters with registration cards but whose names do not appear on the roll, and ensure voter identification officers receive clear, written instructions on those procedures.
- Institute measures for polling officials to record the number of voters who voted at each polling place on the Record of the Count Forms, and to reconcile that number with the number of ballots cast at each polling place during the counting process.
- To reduce overcrowding at polling sites, create additional voting precincts and reduce the maximum number of polling places within a precinct. In addition, consider reducing the maximum number of voters per polling place.

Communication

- Engage in more proactive, timely, and accurate public communication about the NEC's work, and strengthen the NEC's capacity to anticipate and rapidly respond to incidents that may arise during the elections.
- Continue to convene the IPCC during the period in-between elections. During the next general elections, hold more frequent and regularly scheduled IPCC meetings, and foster an environment for substantive, respectful, two-way dialogue between the NEC political parties.

Gender Inclusion

- Develop and disseminate clear, precise guidelines on the 30 percent gender provision in the 2014 election law. Monitor parties' efforts to meet this provision.
- Prioritize the recruitment of more female poll workers, including as presiding officers, to ensure gender balance in each polling place, as well as the recruitment of young adults and members of marginalized groups.
- Specifically train poll workers on filling out and processing the Gender Data Capturing Sheet.
- Compile and publish in a timely manner all available data from the Gender Data Capturing Sheet on rates of women and men's voter participation. Consider recording summary figures from the Gender Data Capturing Sheet on the Record of the Count sheet.
- Systematically collect data on the participation of men and women in the election process. Make available to the public sex-disaggregated data concerning women and men's participation as voters, candidates, poll workers, observers, and party agents.

Complaint and Dispute Resolution

- Strengthen the NEC's capacity to adjudicate complaints and disputes in an expeditious, transparent, and impartial manner.
- Define a more clear calendar of NEC hearings, and publicize these hearings in a more transparent and proactive manner.

- Publish on the NEC's website rulings and decisions by hearing officers and the Board of Commissioners in a timely fashion, and disseminate statistics on the complaints and their resolution.

Elections Results Management

- Provide access to all stages of the tabulation process for observers and party agents, including at the national tally center.
- Verify provisional results as they come in and release them in a timely fashion to enhance transparency and public confidence in the transmission and tabulation process. Provide polling place-level results in an easily analyzable (machine readable) format on the NEC website.
- Provide clear, frequent updates to the public as a means of enhancing transparency in the transmission and tabulation of final results.

Legislature

- Integrate a review of the legal framework for elections into the ongoing constitutional review process, and avoid any gaps or inconsistencies between the elections law, the constitution, and Supreme Court legal precedents.
- Enforce the rules in the election law by prosecuting offenses such as bribery, trucking of voters, registration of non-Liberian voters, and domicile rules.
- Review electoral dispute resolution mechanisms to avoid potential conflicts of interest and ensure that timelines for each stage of the process are reasonable and clear.
- In redrawing legislative boundaries, adhere to the constitutional requirement that constituencies have an *approximately equal population size*.
- Explore the possibility of legally moving election day to a time frame that is not during rainy season. This would greatly reduce logistical challenges and risks, as well as facilitate voter participation.
- To enhance opportunities for voter participation, increase the voting hours at polling places so they open at 7 am and close at 5pm instead of the current 8am to 4pm timeframe.
- Clarify and strengthen the legal requirement that political parties should field no less than 30 percent of its candidates from each gender.
- Explore the possibility of introducing a mandatory quota for women candidates for municipal and other local elections.
- Consider public funding for the campaign of first-time women candidates to be allocated to female candidates of parties meeting the 30 percent threshold.

Security Services

- Prior to the next elections, improve planning and bolster resources for safeguarding materials during the transfer between voting precincts and magistrate offices.
- Build on the successes of the community-based policing approach adopted during the electoral period to foster security sector reforms.

Political Parties

- Proactively engage in consultative mechanisms with the NEC, such as the IPCC.
- Raise awareness of and express zero tolerance for, violence against women in the electoral process, especially towards female candidates.
- Throughout the electoral cycle, actively recruit, train and provide leadership opportunities for women to, at least, meet the threshold of 30 percent.
- Submit and publish detailed financial reports on contributions and expenses.
- Draw on experiences and lessons learned from the 2017 election cycle to consult on and advance recommendations for electoral reform.

Supreme Court

- Resolve election-related disputes expeditiously in a manner that engenders public confidence in the Supreme Court and the judicial process.
- Publish election-related opinions on the Supreme Court website and in a timely fashion.

Civil Society

- Jointly discuss and compile lessons learned for more effectively reaching women, youth, rural, and first-time voters with voter education campaigns in future elections.
- Coordinate closely among civil society organizations and networks to prioritize electoral reform recommendations and advocate for these reforms.
- Track the implementation of electoral reform recommendations and issue periodic public statements on progress made or lack thereof.

Media

- Dedicate resources to strengthening professional standards that distinguish between editorials, content written by journalists, and content that is published for a fee.
- For future elections, ensure that all journalists covering the election process undergo gender-sensitive training in order to follow the campaign of female candidates, issues of interest for women in the campaign, and issues pertaining to women's political participation.

International Community

- Continue to stand in solidarity with the Liberian democratic process through support to democracy activists; electoral reform initiatives; and sharing of lessons learned and best practices for peaceful political transitions.

Violence against Women in Elections

Government, legislature, and NEC

- Address the issue of violence against women in elections in the body of the electoral law, and in other relevant documents such as the Code of Conduct of the parties and the commitments signed by the candidates to maintain violence-free elections by explicitly addressing the phenomenon of VAW-E, including with concrete examples.
- Establish within the NEC, in cooperation with the LNP and CSOs, a unit and/or mechanism to ensure that incidents of VAW-E and hate speech are monitored, reported and addressed throughout the election period. Such a unit should include a means for prompt enforcement during the election period, an avenue for complaints, and the possibility of sanctions against the perpetrators.

ANNEXES

Annex 1: Electronic Links to Public Reports and Statements

Statement of the NDI Pre-Election Assessment Mission to Liberia's 2017 Presidential and Legislative Elections, February 20-24, 2017

(<https://www.ndi.org/publications/statement-ndi-pre-election-assessment-mission-liberias-2017-presidential-and>)

Statement of the NDI Pre-Election Assessment Mission to Liberia's 2017 Presidential and Legislative Elections, September 4-8, 2017

(<https://www.ndi.org/publications/ndi-delegation-releases-statement-pre-election-environment-liberia>)

Spotlight on Liberia - 42 Days to Election Day in Liberia, August 29, 2017

(<https://new.ndi.org/publications/newsletter-42-days-election-day-liberia>)

Spotlight on Liberia - 7 Days to Election Day in Liberia, October 3, 2017

(<https://www.ndi.org/publications/newsletter-7-days-election-day-liberia>)

Preliminary Statement of the NDI International Observation Mission to Liberia's October 10, 2017 Elections, October 12, 2017

(<https://www.ndi.org/publications/preliminary-statement-ndi-international-observation-mission-liberias-october-10-2017>)

Preliminary Statement of the NDI International Observation Mission to Liberia's 2017 Presidential Run-off Election, December 28, 2017

(<https://www.ndi.org/publications/ndi-liberia-observer-delegation-issues-post-election-preliminary-statement>)

Annex 2: List of NDI Observers

Pre-Election Assessment Mission - February 2017

Robin Carnahan

Former Secretary of State of Missouri
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Regional Director - NDI
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Alessandro Parziale

Former NDI Liberia Observation Mission Director
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Michael McNulty

Senior Program Manager - NDI
United States

Pre-Election Assessment Mission - September 2017

Ambassador Johnnie Carson

Former Assistant Secretary of State for African Affairs
United States

Honorable Hanna Tetteh

Former Minister of Foreign Affairs and Member of Parliament
Ghana

Dr. Tadjoudine Ali-Diabacte

Former Deputy Director of the Electoral Assistance Division, United Nations
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Dr. Christopher Fomunyoh

Regional Director - NDI
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Samantha Smoot

NDI Liberia Observation Mission Director
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Senior Program Manager - NDI
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October 10, 2017 Election Day Delegation

* Indicates delegation leader ** Indicates core team member

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United States Senate
United States

Senator Ken Nnamani*

Former President of the Nigerian Senate
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Beatrice Bianchi

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Jennifer Cooke

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Elizabeth Donnelly

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Chatham House
United Kingdom

Kate Dooley

Country Head for Sierra Leone/The Gambia, Tony
Blair Institute for Global Change
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Clemens Drössler

Electoral Expert
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NDI Liberia Long-term Observer
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Peter Mac Manu

Vice Chairman, International Democratic Union
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Michael McNulty

Senior Program Manager, NDI
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Emmanuel Oluka

Information and Communication Technology
Manager, Citizens WatchIT
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Dr. Geraldine O'Mahony

Central Washington University
Ireland

Rt. Hon. Onofiok Luke

Speaker of the State House Assembly, Akwa Ibom
State
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December 26, 2017 Election Day Delegation

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Former President of the Federal Republic of
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Nigeria

President Atifete Jahjaga*

Former President of Kosovo
Kosovo

Honorable Hanna Tetteh*

Former Minister of Foreign Affairs and Member
of Parliament
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Dr. Christopher Fomunyoh*

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Annex 3: July 2017 FRR Figures Compared to September 2017 Figures by Electoral District

Electoral District	FRR July 2017		FRR September 2017		Difference
	# of registered voters	% of registered voters	# of registered voters	% of registered voters	
Bomi 1	23570	1.08%	23026	1.05%	-544
Bomi 2	16937	0.78%	16889	0.77%	-48
Bomi 3	20664	0.95%	21107	0.97%	443
Bong 1	31642	1.45%	31604	1.45%	-38
Bong 2	26889	1.23%	26855	1.23%	-34
Bong 3	34137	1.56%	34100	1.56%	-37
Bong 4	28250	1.29%	28323	1.30%	73
Bong 5	30649	1.40%	30678	1.40%	29
Bong 6	26216	1.20%	26186	1.20%	-30
Bong 7	30367	1.39%	30377	1.39%	10
Gbarpolu 1	15268	0.70%	15257	0.70%	-11
Gbarpolu 2	17239	0.79%	17226	0.79%	-13
Gbarpolu 3	16162	0.74%	16167	0.74%	5
Grand Bassa 1	27000	1.24%	26959	1.23%	-41
Grand Bassa 2	27738	1.27%	27694	1.27%	-44
Grand Bassa 3	34410	1.58%	34313	1.57%	-97
Grand Bassa 4	29500	1.35%	29468	1.35%	-32
Grand Bassa 5	27150	1.24%	27089	1.24%	-61
Grand Cape Mount 1	19385	0.89%	19364	0.89%	-21
Grand Cape Mount 2	22648	1.04%	23027	1.05%	379
Grand Cape Mount 3	23767	1.09%	23998	1.10%	231
Grand Gedeh 1	23456	1.07%	23355	1.07%	-101
Grand Gedeh 2	20503	0.94%	20370	0.93%	-133
Grand Gedeh 3	19536	0.89%	19477	0.89%	-59
Grand Kru 1	15233	0.70%	15807	0.72%	574
Grand Kru 2	20273	0.93%	19724	0.90%	-549
Lofa 1	28370	1.30%	27348	1.25%	-1022
Lofa 2	35312	1.62%	36319	1.66%	1007
Lofa 3	28383	1.30%	28356	1.30%	-27
Lofa 4	41943	1.92%	41605	1.91%	-338
Lofa 5	33547	1.54%	33799	1.55%	252
Margibi 1	34672	1.59%	39615	1.81%	4943
Margibi 2	32563	1.49%	32514	1.49%	-49
Margibi 3	25917	1.19%	27377	1.25%	1460
Margibi 4	31316	1.43%	29356	1.34%	-1960
Margibi 5	29860	1.37%	25246	1.16%	-4614
Maryland 1	18389	0.84%	18320	0.84%	-69
Maryland 2	20914	0.96%	20827	0.95%	-87
Maryland 3	18041	0.83%	17993	0.82%	-48
Montserrado 1	41745	1.91%	41769	1.91%	24
Montserrado 2	50076	2.29%	50143	2.30%	67
Montserrado 3	45188	2.07%	45323	2.08%	135
Montserrado 4	63290	2.90%	63786	2.92%	496

Electoral District	FRR July 2017		FRR September 2017		Difference
	# of registered voters	% of registered voters	# of registered voters	% of registered voters	
Montserrado 5	46819	2.14%	46580	2.13%	-239
Montserrado 6	53907	2.47%	53882	2.47%	-25
Montserrado 7	43556	1.99%	43429	1.99%	-127
Montserrado 8	36695	1.68%	36826	1.69%	131
Montserrado 9	41476	1.90%	41516	1.90%	40
Montserrado 10	42840	1.96%	42861	1.96%	21
Montserrado 11	44426	2.03%	44589	2.04%	163
Montserrado 12	46205	2.12%	46313	2.12%	108
Montserrado 13	42543	1.95%	38950	1.78%	-3593
Montserrado 14	42181	1.93%	45617	2.09%	3436
Montserrado 15	39060	1.79%	39005	1.79%	-55
Montserrado 16	41934	1.92%	41898	1.92%	-36
Montserrado 17	55562	2.54%	55804	2.56%	242
Nimba 1	33646	1.54%	33583	1.54%	-63
Nimba 2	32533	1.49%	32601	1.49%	68
Nimba 3	34518	1.58%	32927	1.51%	-1591
Nimba 4	35369	1.62%	35453	1.62%	84
Nimba 5	26230	1.20%	26190	1.20%	-40
Nimba 6	27848	1.28%	27866	1.28%	18
Nimba 7	31692	1.45%	33251	1.52%	1559
Nimba 8	31029	1.42%	31024	1.42%	-5
Nimba 9	26707	1.22%	26706	1.22%	-1
River Gee 1	12217	0.56%	12210	0.56%	-7
River Gee 2	12408	0.57%	12377	0.57%	-31
River Gee 3	10615	0.49%	10604	0.49%	-11
River Cess 1	17746	0.81%	17712	0.81%	-34
River Cess 2	17854	0.82%	17828	0.82%	-26
Sinoe 1	18927	0.87%	18919	0.87%	-8
Sinoe 2	14839	0.68%	14820	0.68%	-19
Sinoe 3	14186	0.65%	14152	0.65%	-34
Total	2183683	100.00%	2183629	100.00%	-54

Annex 4: 2011 House of Representative Results by Political Party Compared to 2017 Results

Political Party	53rd Legislature (2011)	54th Legislature (2018)	Change in seats (+/-)
All Liberian Party (ALP)	0	3	+3
Alliance for Peace and Democracy (APD)	3	0	-3
Coalition for Democratic Change (CDC) <ul style="list-style-type: none"> • Congress for Democratic Change (CDC) • New Patriotic Party (NPP) • Liberia People's Democratic Party (LDPD) 	14 (11) (3) (0)	21	+7
Independent	9	13	+4
Liberian Destiny Party (LDP)	1	0	-1
Liberian People's Party (LPP)	0	1	+1
Liberty Party (LP)	7	3	-4
Liberia National Union (LNU)	0	1	+1
Liberia Transformation party (LTP)	1	1	0
Movement for Economic Empowerment (MOVEE)	0	1	+1
Movement for Democracy and Reconstruction (MDR)	0	2	+2
Movement for Progress and Change (MPC)	2	0	-2
National Democratic Coalition (NDC)	5	0	-5
National Reform Party (NRP)	1	0	-1
National Union for Democratic Progress (NUDP)	6	0	-6
People's Unification Party (PUP)	0	5	+5
United People's Party (UPP)	0	1	+1
Unity Party (UP)	24	20	-4
Victory for Change Party	0	1	+1



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