

The Carter Center strives to relieve suffering by advancing peace and health worldwide; it seeks to prevent and resolve conflicts, enhance freedom and democracy, and protect and promote human rights worldwide.

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The Carter Center



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Foreword

B John Stremela
Vice President for Peace Programs, The Carter Center
Co-leader of Election Observation Mission to Liberia

Liberia's 2011 national elections were another important step in establishing the foundation for sustainable democratic governance, national integration, and economic development in a country still struggling to overcome the wreckage of war.

The Carter Center was pleased to be invited to observe these elections by Liberia's National Elections Commission (NEC) and to be cordially received by the leaders of all the main political parties, including President Ellen Johnson Sirleaf and her chief opponent, Ambassador Winston Tubman. Throughout the process, our observers benefited from the warm hospitality and help we received from the Liberian people and from the voters and poll workers who patiently and peacefully demonstrated their personal commitment to this most basic democratic right.

Our mission was led by former Nigerian Head of State General Dr. Yakubu Gowon, whose magnanimous policy of "no victors, no vanquished" following his country's terrible civil war is admired in Liberia

as elsewhere in Africa and beyond. We were very fortunate to partner with the Electoral Institute for Sustainable Democracy in Africa (EISA), which is based in South Africa but has become a leader among nongovernmental international election observer organizations across Africa. For each round of the elections, we jointly deployed more than 50 observers from approximately 25 countries, including 16 African countries.

We wish to thank the U.S. government and Humanity United for supporting the Carter Center's work in Liberia financially and U.S. Ambassador Linda Thomas-Greenfield and her staff for their timely assistance to the mission. The United Nations Mission in Liberia (UNMIL) provided valuable logistical support and advice, and we gratefully acknowledge the personal role of the secretary-general's special representative, Ellen Margrethe Løj, in facilitating this assistance. We also benefited from collegial advice and consultation among the other, predominantly African, international observer missions to Liberia, notably the delegations from the Economic Community of West African States (ECOWAS) and the African Union.

In addition to the robust African and international interest in Liberia's election, we also are encouraged by the degree of citizen engagement. More than 60 Liberian civil society organizations were accredited by the NEC and subsequently deployed several thousand observers, with a presence at 75 percent of the polling stations. Carter Center–EISA observers visited on the day of the election. At the pinnacle of this massive domestic effort was the Election Coordinating Committee (ECC), an umbrella organization with a large cohort of trained observers who, in turn, helped ensure that Liberian observers followed the same agreed-upon set of election observation principles that the major international nongovernmental and intergovernmental observer groups affirmed at the United Nations in 2005.

Deborah Hakes

Dr. John Stremela participates in a meeting with the heads of other international observer delegations.



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Democratic governance is new to Liberia.





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the president asked the commission to continue its work.

From a technical perspective, the presidential runoff election that took place on Nov. 8 was well-administered, transparent, and conducted in accordance with Liberia's legal framework and its international obligations for democratic elections. Reg37Ts0.025 Tay, however,



President Carter and The Carter Center have a long history of involvement in Liberia, beginning with President Carter's official visit to Monrovia on April 3, 1978, only the second to sub-Saharan Africa by a U.S. president. The Center opened its first office in Liberia in 1992. Over the past 20 years, The Carter Center has initiated programs in conflict resolution, support to civil society, human rights, access to information, access to justice, mental health, and elections. The 2011 elections were the third in Liberia observed by the Center.

In 1991, ECOWAS invited President Carter to help support ECOWAS' ongoing peace initiatives to end Liberia's civil war. From 1993 to 1996, the Center led a series of Track Two initiatives to facilitate dialogue and build the capacity of civil society organizations in civic education, human rights, and reconciliation. These efforts led to the creation of the Liberian Network for Peace and Development (LNPD) and the Liberian Initiative for Peace-Building and Conflict Resolution (LIPCORE). The Center's presence was disrupted by the resumption of armed conflict in Monrovia in 1996.

Following the Abuja Accord, the Center was invited to observe Liberia's special elections in July 1997. Engagement began with assistance to consultations to establish an electoral code of conduct and initiatives to strengthen civil society and improve communication between political parties and the election commission. On election day, the Center deployed a delegation of 40 international observers to 10 of Liberia's 13 counties. The delegation was led by President Carter, former Benin President Nicephore

Soglo, and former U.S. Sen. Paul Simon. In its preliminary statement, dated July 21, 1997, The Carter Center applauded the high turnout and commended the Economic Community of West African States



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Elizabeth Plachta

Alexander Bick

The Carter Center established a separate election observation mission office in Monrovia from the end of August through mid-December 2011.

Davor Corluka, security and logistics officer; Mariusz Wojtan, observer coordinator; and Alexander Bick, election observation mission director, were part of the Monrovia-based core team that supported the observation mission.

Election Observation Methodology

Since 1989, The Carter Center has observed more than 80 elections in 36 countries. Carter Center election observation missions are conducted in accordance with the Declaration of Principles for International Election Observation, which was adopted at the United Nations in 2005 and has been endorsed by 37 election observation groups. By observing the election, the Center provides an impartial, objective assessment of the quality of the electoral process and the extent to which it meets Liberia's obligations under national and international law. Election observation demonstrates international support for the democratic process, helps to detect and expose fraud, and enhances the transparency and integrity of the electoral process as a whole. In this way, international election observation contributes to elections as

a means of establishing legitimate authority and holding governments accountable to their people.

The Center was formally invited to observe all aspects of Liberia's electoral process by the NEC, the body responsible for organizing and administering national elections, and was welcomed by representatives of the major political parties during consultations in January and June 2011.

The Carter Center's mission in Liberia included both long- and short-term international observers, supported by a core team of professional staff based

in Monrovia. Activities spanned the period from Sept. 1 until Nov. 28, 2011, including observer teams for both the presidential and legislative elections on Oct. 11, 2011, and the presidential runoff on Nov. 8, 2011. During this time, The Carter Center released six public statements and reports on all aspects of Liberia's electoral process.

By observing the election, the Center provides an impartial, objective assessment of the quality of the electoral process and the extent to which it meets Liberia's obligations under national and international law.

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assessed key issues, including electoral preparations, recruitment of election staff, voter and civic education, and the campaign environment. LTOs also prepared briefings and made logistical arrangement for the arrival of Carter Center STOs. During both rounds of the elections, LTOs briefed short-term observers (STOs) and integrated into the larger Carter Center delegation. During the postelectoral period, LTOs remained deployed to observe the tally process at the magisterial level, assess local responses to the announcement of election results, and observe and report on the resolution of election disputes. LTOs submitted weekly reports to the core team in Monrovia.

Deployment of Long-Term International Election Observers

Following three days of briefings in Monrovia, on Sept. 15, 2011, The Carter Center deployed eight long-term observers (LTOs) in four mobile two-person teams. LTOs represented six different countries and had experience in election observation, election administration, and investigative journalism.¹ Three LTOs previously had worked on elections in Liberia. Each team was assigned an area of responsibility that included one or more counties: LTO Team One was based in Monrovia, with responsibility for Montserrado County. LTO Team Two was based in Gbarnga, with responsibility for Bong, Lofa, Margibi, and Nimba counties. LTO Team Three was based in Tubmanburg, with responsibility for Bomi, Gbarpolu, Grand Bassa, Grand Cape Mount, and River Cess counties. LTO Team Four was based in Zwedru, with responsibility for Grand Gedeh, Grand Kru, Maryland, River Gee, and Sinoe counties. This deployment plan allowed the mission to track electoral developments in all 15 Liberian counties.

During the pre-election period, LTOs familiarized themselves with their areas of responsibility and

Deployment of Short-Term International Election Observers and Delegation Leadership

The Carter Center organized two separate delegations of STOs to observe polling and counting on election day during each round of Liberia's elections. Both delegations were led by Gen. Dr. Yakubu Gowon, former

Director of the Carter Center (Carter C) TJ



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smart phones to collect data from observers. This new software provided real-time access to observers' find-



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the pre-electoral violence and to encourage the CDC to accept the results of the election.

Release of Public Statements

The Carter Center contributed to public debate about the results of the election.



Historical and Political Background

Liberia was settled by former slaves and other free blacks in the 1820s, with support from the American Colonization Society, a private organization that supported repatriation rather than emancipation as a solution to the problem of race in the United States. In 1847, the settlers declared their independence and founded the Republic of Liberia, naming the capital Monrovia in honor of U.S. President James Monroe. Politics in the new republic were dominated by the descendants of the original settlers and by the True Whig Party, which controlled the Liberian legislature and presidency for more than 100 years.

This changed dramatically in 1980, when Master Sgt. Samuel Doe organized a bloody coup and established the first government led by the majority indigenous Liberians. In 1985, Doe organized national elections in which he ran as a civilian candidate for the National Democratic Party of Liberia (NDPL), with his main opposition coming from Jackson F. Doe of the Liberian Action Party (LAP). The election was marred by fraud and intimidation, and Samuel Doe is widely believed to have stolen the election during the final tally. This led to an unsuccessful coup attempt by Thomas Quiwonkpa and brutal reprisals against his followers in Nimba County.

In 1989, Charles Taylor led an uprising as the head of the National Patriotic Front for Liberia (NPFL). This marked the beginning of a seven-year civil war in which Liberia's infrastructure and institutions were devastated. After numerous attempts at mediation, the 1996 Abuja Accord finally brought an end to the conflict and made possible the holding of national

elections in July 1997. The agreement set a very rapid time table for disarmament and election preparations, meaning that candidates had little time to organize, and many did not feel secure to campaign outside Monrovia, where Taylor's forces remained in control. Taylor won 75.3 percent of the vote as the head of the National Patriotic Party (NPP), while Ellen Johnson Sirleaf of the Unity Party (UP) finished second with 9.6 percent.

Although Taylor enjoyed enormous resource advantages and there were widespread reports of intimidation, international observers from the European Union, the Economic Community of West African States (ECOWAS), the Friends of Liberia, and The Carter Center determined that voters were able to express their will and that the election was the best means available to end the conflict and legitimize

a return to civilian government.



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The 2005 elections were held under the framework of the CPA, with significant organizational and logistical assistance from the United Nations. Among other things, the CPA suspended a number of constitutional provisions in order for the elections to proceed. These included the requirement that a census be held before constituency demarcation, the 10-year residency requirement for presidential and vice presidential candidates, and the requirement of an absolute majority for both presidential and legislative elections.

In the first round of the presidential elections,



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allegations of corruption. In addition, although the CPA-established Truth and Reconciliation Commission made its recommendations in 2009, these were never implemented, in part due to controversial provisions that precluded full discussion of the document.

The 2011 presidential and legislative elections served as a test of the consolidation of democracy in Liberia. Since elections in 1997 and 2005 were each held under special legal arrangements, they were the first to be held under the country's 1986 constitution, as well as the first since the civil war in which the NEC was responsible for organizing all aspects of the electoral process. These challenges were amplified by the need for constituency demarcation and preparations for

a national referendum held on Aug. 23, 2011. The extensive negotiations required to reach agreement on each of these processes considerably compressed the electoral time table, and the late organization of the referendum in particular meant that crucial aspects of the legal framework — including candidacy requirements, the system



Electoral Institutions and the Framework for the Elections

Effective electoral institutions and a sound legal framework are essential to ensuring that a country upholds its international obligations, including, but not limited to, conducting periodic genuine elections that accurately reflect the will of the people for democratic elections.⁷

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Legal Framework for the Elections

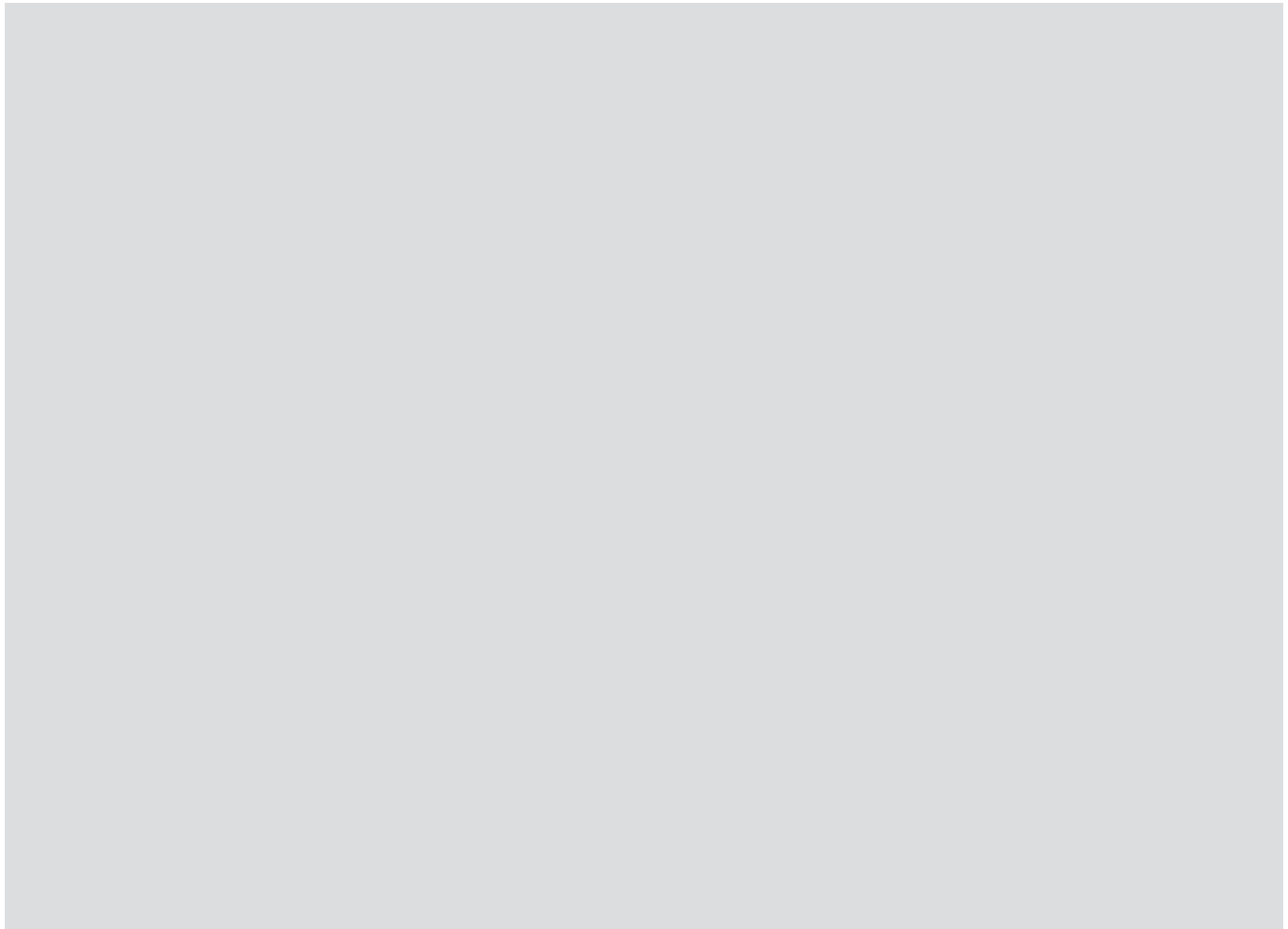
In Liberia, the legal framework for the conduct of the 2011 elections includes the constitution, the elections law as amended by the Electoral Reform Law of 2004, organic laws of the courts, the law on political parties, and regulations and decisions of the NEC.

According to the constitution, Liberia is a unitary sovereign state divided into counties for administrative purposes. The form of government is republican with three separate coordinate branches: the legislative, the executive, and the judicial. Consistent with the principles of separation of powers and checks and balances, no person holding office in one of these branches can hold office in or exercise any of the powers assigned to either of the other two branches except as otherwise provided. The constitution states that Liberia is a state governed by the rule of law, in which human dignity, civil and political rights and freedoms, justice, and political pluralism represent supreme values that are guaranteed.

The constitution provides for all of the fundamental rights common to a democratic state, and it provides an adequate basis for the conduct of democratic elections if implemented in a transparent and



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the rules of the election. It is supplemented by regulations and codes of conduct adopted by the NEC. This has resulted in an overall legal framework that is contained in many different documents with different levels of legal significance.

Although the regulations of the NEC have the force of law, it is questionable whether the various codes of conduct are enforceable through the normal legal channels, as they are voluntary and not considered regulations adopted by the NEC. Importantly,



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The Aug. 23 National Referendum

Portions of the 1986 constitution that were suspended during the 2005 elections were restored following the inauguration of the new government in January 2006. As a result, the entire constitution was in effect throughout the 2011 electoral process. In February and March 2007, the NEC organized two consultative forums with political parties, alliances, coalitions, civil society organizations, and other stakeholders, during which it was agreed that certain provisions of the constitution relating to elections should be amended.

After several years of debate, both the House and Senate agreed to four proposed amendments to the constitution. These four amendments were determined by referendum on Aug. 23, 2011, less than two months before elections scheduled for Oct. 11, 2011. The NEC was required to conduct the referendum in line with Article 91(a) of the constitution that states that any amendment must be ratified by “two-thirds of registered voters, voting in a referendum” held not sooner than one year after the passage of the amendments in the legislature. The ambiguity of the comma following the word “voters” led to questions about whether this meant two-thirds of all registered voters or only two-thirds of those registered voters who had actually voted in the referendum. The NEC took the latter position and was never formally challenged, but the issue was discussed at length in the media and by political parties and may have influenced their subsequent decision concerning how to count ballots cast in the referendum.

Separately, several political parties argued that the referendum was illegal because under Article 92 of the constitution, referendum propositions should have been posted in the official Gazette. Though all four proposed amendments were voted on in the same referendum on Aug. 23, 2011, Article 92 required

that each amendment be individually approved by the voters. The referendum ballot consisted of four propositions:

1. A provision to shorten the residency requirement for the president and vice president. Article 52(c) of the Liberian Constitution requires that in order to be eligible to hold the office of president and vice president, a person must have been resident in Liberia for 10 years prior to their election. This provision would have shortened and clarified the requirement to five consecutive years.
2. A provision to increase the mandatory retirement age for all justediene Tj*EMCsgiti-1.Ficle 91

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total number of votes cast when determining whether or not the referendum questions achieved the necessary approval of two-thirds of voters. The results of the referendum, and particularly the failure to delay the election date or modify the electoral system for legislative elections to a simple majority, created a very tight schedule for the NEC and left open the possibility of potentially dozens of runoff

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Article 4.15 of the elections law interprets the constitution by providing that the second round is to be held “the second Tuesday following the announcement of the results of the first round.” Despite outstanding complaints against the first-round results at the time of the second round, the NEC did not postpone the holding of the second round.

The senatorial candidates receiving the highest number of votes in each of the 15 counties are considered elected and serve a term of nine years. The seats for the House of Representatives are allocated in line with provisions of the Joint Resolution LEG-002 (2010), which increased the number of legislative districts from 64 to 73. Representatives serve a term of six years.

Election Management

The NEC is an autonomous public body nominated by the president with the consent of the Senate. It is responsible for all aspects of organizing and conducting national elections in Liberia. During the 2011 electoral process, NEC received technical assistance from IFES, funded by the United States Agency for International Development (USAID).

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Immigration and Naturalization (BIN), with support from UNMIL.

The current NEC was established in 2004 and is directed by a board of seven commissioners with regional and functional areas of responsibility. The board of commissioners is supported by an executive director and an administrative division. The commission has offices in 19 magisterial areas in 15 counties. Each office is led by a magistrate and assistant magistrate, who oversee the work of electoral supervisors, presiding officers, and other staff. There are 1,780 precincts that also served as voter registration centers during the registration period. Within these precincts, 4,457 polling places were established across the country for voting on election day. Each polling place was limited to a maximum of 500 voters.

With only minor exceptions, electoral preparations undertaken by the NEC demonstrated that it had sufficient logistical and human resources to administer an election consistent with the elections law. In spite of poor infrastructure in some counties, the NEC delivered electoral materials to all polling places in accordance with the established electoral calendar. NEC recruited and trained more than 26,000 poll workers for election day. Many of these poll workers had practical experience gained during the referendum held in August. For the runoff election, the NEC rehired many of the same polling workers who served during the first round. As there was only one election in the second round, the number of polling place staff was reduced from six to five.

In advance of the elections, several political parties questioned the impartiality and competence of the NEC, citing in particular the commission's inconsistent standards with respect to early campaigning by the Unity Party (Pregi) and other terms resues quej T*(NEC Misp thtly o referen)Tj heldbpolot otherd Na rehined mplaceo



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delegated all complaints to the hearing officers.¹⁷ Some local hearing officers also made decisions on complaints without consulting the magistrates, who have the sole authority to decide complaints under their jurisdiction.¹⁸

The delineation of first-instance jurisdiction in the elections law between the magistrate offices and the NEC board of commissioners also was unclear.¹⁹ In practice, complainants and even magistrates did not clearly understand who was responsible for resolving individual complaints. While some magistrates sought advice from the NEC, others decided unilaterally. Conversely, some complaints filed directly with the NEC in Monrovia were later forwarded to the magistrates for resolution. Finally, the legal framework is unclear whether complainants must exhaust the administrative review process at the NEC prior to submitting a complaint to the courts.²⁰

Although the NEC was able to resolve more than 50 election-related disputes, the lack of written regulations and rules of procedure for handling these disputes undermined the clarity, consistency, timeliness, and overall effectiveness of the dispute resolution process.²¹

Constituency Demarcation

Throughout 2010, there was protracted struggle between the legislature and executive over setting the threshold number for constituency demarcation. Inability to reach agreement on a threshold bill caused significant delays in election planning and preparation.

Articles 80(d) and (e) of the constitution state that each constituency shall have an approximately equal population of 20,000 or such number of citizens as





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24 The right to be elected is a universal right requiring that states ensure that their citizens have the opportunity to stand for elected office, free from unreasonable restrictions. All

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candidate qualifications, and the issue of whether several candidates met the residency requirement was ultimately referred to the Supreme Court. Sixteen parties or coalitions registered candidates for president and vice president. There were 99 candidates for the Senate and 810 candidates for the House of Representatives.

Campaigning

The campaign period began on July 5 and ended on Oct. 9, 2011, allowing for a day of silence prior to the election. The Carter Center observed campaign events in all 15 counties and concluded that, although candidates at times employed negative and potentially inflammatory rhetoric, campaigning was vibrant and generally peaceful. Political parties and independent candidates were able to move freely and to convey their message to potential voters, and in general, Liberians showed considerable enthusiasm to participate in the political process.²⁵ However, observers received numerous complaints from opposition political parties that their posters were torn down and replaced by posters for the UP as well as isolated reports of intimidation.²⁶ In addition, observers reported that parties often distributed bags of rice and cash to local residents during the course of campaign events. While this practice appears to be very common, any effort to use money or other resources to influence voters is prohibited under the elections law Section 10.4 and punishable by a fine or imprisonment.

During the campaign period, there were a number of arson attacks, primarily against property in Monrovia, but none of these was definitively linked to any political party. In its Oct. 3, 2011, statement on campaigning, The Carter Center called on all parties "to reconfirm their commitment to nonviolent participation in the electoral process, to refrain from inflammatory rhetoric or other actions that could lead to violence, and to ensure that the message of peaceful participation consistent with the law is clearly and unequivocally communicated to their partisans at all levels."²⁷

A local Liberian newspaper covers the Carter Center's statement on the campaign period.

Access to Public Facilities

Inequitable access to public buildings and public spaces for campaign events undermines the aspiration of a level playing field during the campaign period.²⁸ Access for political parties to public facilities

25 ICCPR, Art. 19 (stating that everyone shall have the right to freedom of expression for information and ideas of all kinds)

26 In one case, the CDC and NPP filed a complaint to the NEC in Grand Kru County alleging that their posters had been torn down and replaced with UP posters. They received a written reply on Sept. 20 from the NEC magistrate promising to investigate. The Center also was informed of a case in which candidates from LTP, MPC, LDP, and OCPOL alleged that several UP candidates threatened them in an attempt to restrict their campaign activities in River Gee. An official complaint was filed with NEC on Sept. 27, 2011.

27 Carter Center Statement, *Carter Center Reports Vibrant and Generally Peaceful Campaigning in Liberia; Urges Steps To Level Playing Field*, Oct. 3, 2011

28 African Charter on Human and People's Rights, Art. 13



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in Liberia is ensured by Article 10.21 of the Liberian election law, which states, "Political parties are also privileged to use, and shall not be denied the right to use any public building or such facilities necessary and appropriate for their purpose," so long as a "timely request" is made.²⁹ Although a number of opposition rallies and other party events were held in public facilities, Carter Center observers received several complaints from political parties that they had been denied access.

Most notably, the LP filed a complaint with the NEC on Aug. 22, 2011, concerning the refusal of the superintendent of



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and especially the governing UP, to desist from placing campaign posters on public buildings.³³ This issue should be addressed explicitly in the elections law.

Political Parties and the NEC

Although observers reported a close working relationship between the political parties and the NEC in the counties, in Monrovia, relations between the political parties and the NEC were strained for much of the electoral process. The Carter Center welcomed the NEC's Code of Conduct for Political Parties³⁴ and its efforts to resolve disputes through the Interparty Coordinating Committee (IPCC), but the latter mechanism was not sufficiently robust to maintain smooth relations between the NEC and the parties. While the parties reportedly failed to send senior representatives or to disseminate important information following meetings, opposition parties in particular complained that the NEC was unresponsive to their concerns.

More generally, most political parties in Liberia remain focused on leading personalities, are institutionally weak, and lack a basic understanding of their rights and responsibilities under the law, even at senior levels of the party leadership. Programming to strengthen political parties and to facilitate communication between parties and the NEC would greatly reduce the likelihood of conflict and should form an important part of democracy assistance in future elections.

Campaign Finance

The state is obligated to take measures to prevent corruption, particularly in the context of campaign financing.³⁵ The campaign finance rules contained in the regulations adopted by the NEC are comprehensive and detailed and largely satisfy Liberia's inter-

national commitments in this area. An important shortcoming, however, is the lack of any requirement that parties submit an interim report before election day, which would allow voters to evaluate contributions and spending by candidates and political parties before casting their votes. In addition, the NEC lacks the capacity to carry out thorough audits of campaign finance documentation submitted by parties and candidates. Both of these measures would help ensure greater transparency of political party financing.

The constitution provides that "[a]ny citizen, political party, association, or organization, being of Liberian nationality or origin, has the right to contribute to the funds and election expenses of any political party or candidate."³⁶ Contributions must be accompanied by a filing with the NEC that includes the source, date of the remittance, and the amount of the

contribution.³⁷ No corporate or business organization or labor union may contribute to the funds or the election expenses of any political party or candidate.³⁸

The campaign finance regulations for political parties and candidates require that in-kind gifts, such as goods and services given to political parties or candidates, constitute contributions and must be calculated at the reasonable market value on the date received.³⁹ Candidates may make expenses on behalf of their campaigns from their personal funds, but

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these must be included within the applicable expense limits and reported to the NEC. Elections expenses are limited to: \$2 million for president; \$1 million for vice president; \$600,000 for senator; and \$400,000 for representatives.⁴⁰

All candidates and political parties were required to submit a form to the NEC with their nomination papers, stating their assets and liabilities as of July 10, 2011. Fifteen days after the announcement of final results of each election, they were required to furnish a report of assets and liabilities and a financial summary of contributions and expenses.⁴¹ Political parties that participated in the runoff election on Nov. 8 were required to submit reports 15 days after the announcement of final results of the runoff election. The NEC, in consultation with the political parties, agreed to postpone the deadline for submission until Dec. 15, 2011. At the time of this writing, several parties still have not submitted the required documentation.

The NEC is required to make all campaign finance reports public and available for public inspection at the NEC office in Monrovia during regular working hours.⁴² In addition, the NEC has an internal audit committee that, within 60 days of an election, may complete a certified audit of the book of accounts of any political party or candidate.⁴³ The NEC is responsible for reviewing the committee's findings and determining whether administrative sanctions should be imposed for "election infractions" or "election offenses."⁴⁴ These can result in fines of up to \$50,000 for political parties or \$25,000 for individuals.

Just before the first round of the election, the legislature passed a law entitled "An Act To Sustain Democracy Through Public Financing of Political Parties, Coalitions, and Alliances." The act would have provided public financing to political parties beginning in 2012, based on parties' performance

in the 2011 elections. The amounts distributed per annum would be \$2 million to the party that wins the presidency, \$1 million to the party that comes in second in the presidential election, \$500,000 to the party that comes in third in the presidential election, \$18,000 for each member of the Senate a party elects, and \$12,000 for each member of the House a party elects. Although President Sirleaf did not sign this bill, it is expected that debate on public financing for political parties will resume in the new legislature.

The Media

International obligations related to the media and elections include freedom of expression and opinion as well as the right to seek, receive, and impart information through a range of media.⁴⁵ Although The Carter Center did not conduct a comprehensive analysis of media coverage during the pre-election period, observers interviewed media representatives in all 15 counties and discussed media coverage of the elections with representatives of political parties, independent candidates, civil society organizations, and UNMIL.

Observers reported that candidates and campaign events received considerable coverage both in the capital and in local media. However, they noted complaints from several opposition political parties that media outlets in the counties used discriminatory pricing to discourage equal access to the media.



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or impartiality in their reporting and often repeated rumors rather than corroborating sources. A number of journalists reported that they had been intimidated by political party officials during campaigning, including a case where a journalist was forced to delete photographs taken at a CDC rally in Nimba County.

In addition, during the pre-election period, attention focused on the indefinite suspension of Ambruss Mneh as managing director of the Liberian Broadcasting Service (LBS) and his replacement by the chairman of the board, Alhaji Kromah. Political parties and civil society raised concerns that this action was linked to the airing of a live press conference in which Ambassador George Weah, vice standard-bearer of the CDC, made comments critical of the president. While Liberia enjoys considerable press freedom, and journalists are, for the most part, free to air their views in print, online, and on the radio and television without fear of harassment, the timing of this decision raised questions about the neutrality and credibility of LBS during a sensitive moment in the campaign period.

Electoral Dispute Resolution

Prior to the elections, several challenges were filed with the Supreme Court on election-related provisions of the constitution. One complaint, discussed above, related to the Aug. 23, 2011, referendum. Lawyers for the NDPL argued that the NEC should not have counted invalid ballots in determining the results of the referendum. On Sept. 20, the Supreme Court ruled in favor of the complainant. This reversed the outcome of provision four of the referen-

dum, with the immediate effect of amending the constitution to remove the absolute majority requirement to determine the winner of legislative elections.

Another constitutional challenge was filed by the Movement for Progressive Change (MPC) on Sept. 21 against the NEC's decision to register six of the candidates for president. The complainant alleged that the candidates—including Winston Tubman (CDC), Charles Brumskine (LP), Prince Johnson (NUDP), Kennedy Sandy (Liberia Transformation Party, LTP), Dew Mayson (National Democratic Coalition, NDC), and Ellen Johnson Sirleaf (UP)—had for significant peri-

Twenty-nine complaints were filed with the NEC before election day.

ods of time lived abroad and therefore did not meet the constitutional 10-year residency requirement. The court ruled that Article 52(c) of the constitution could apply only to a constitutional period and was in effect suspended by the civil crisis. Because Article 52(c) was suspended in 2004 and reinstated in 2006, the 10-year residency requirement would not apply until 2016, by which time a 10-year constitutional period will have passed. It is worth noting that the court did not take this opportunity to provide an unambiguous definition of residency.

Twenty-nine complaints were filed with the NEC before election day. Fourteen of them concerned the domicile of voters. Other complaints concerned citizenship, whether a voter had a criminal record that would prevent them from voting, and denial to use a public building for campaign purposes. With the exception of the last of these, discussed above, the complaints concerned minor issues that did not affect the overall conduct of the campaign.





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well-trained and effective. However, queues at some stations were not managed efficiently and voting proceeded slowly, especially in the morning. In 22 percent of polling places observed, polling staff did not explain to each voter how to properly mark the ballot as outlined in the training manual.

Identification procedures were followed and measures to prevent multiple voting were properly undertaken in the majority of polling stations observed. In 10 percent of polling places, observers reported that polling staff failed to check the index finger for ink before locating the voter's name in the registration roll. However, this was checked by polling staff before applying the ink.

Observers reported that the issue of underage voters, which was raised by several parties as a potential problem, did not appear to be a significant concern on election day.⁴⁹

Carter Center–EISA observers reported that secrecy of the ballot could not be adequately ensured in 8 percent of polling places observed. In most cases,

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Closing and Counting

A transparent and nondiscriminatory vote counting process is an essential means of ensuring that the fun-

damental right to be elected is fulfilled.⁵⁰ In the polling places observed, closing and counting took place in a sometimes tense but peaceful atmosphere. The closing time was respected, and those in line at 6:00 p.m. were allowed to vote. However, the level of understanding of closing and counting procedures among both NEC staff and party agents was significantly lower than it was for polling procedures. In many polling places observed, counting procedures—and especially procedures for reconciliation—were not strictly followed. Nevertheless, Carter Center–EISA observers reported that this did not appear to affect the integrity of the count.

Throughout the counting process, observers reported that the rules for determining whether or not a ballot was invalid were inconsistently applied. In 14 percent of polling stations visited, observers noted

Red presidential ballots are spread on a table to begin the counting process.



Polling staff work by lantern light to finish counting votes.

Deborah Haikes

Deborah Haikes

⁵⁰ U.N. Convention Against Corruption, Art. 13(a); ICCPR, Art. 25(b)



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Deborah Hakes

role in the Liberian peace process, and the country enjoys the distinction of having Africa's first elected female president. At the same time, however, the percentage of female candidates that contested the 2011 elections was low. Of 925 candidates, 105 were women, including 87 candidates for the House of Representatives, 12 candidates for the Senate, and six candidates for the presidency and vice presidency. This represents approximately 11 percent of all candidates.

On election day, Carter Center–EISA observers reported that women were well-represented in polling places as domestic observers, party agents, and poll workers. Of the polling places visited, 39 percent had at least one female domestic observer, 74 percent had at least one female party agent, and 94 percent had at least one female poll worker. Overall, 41 percent of all poll workers were female at the polling places visited.

After marking her ballots, a female voter gets her finger inked by a female poll worker.

that the proper procedure was not adhered to fully. However, observers reported that the intent of the voter remained the guiding principle in determining validity and that procedural lapses did not appear to impact the integrity of the process.

Carter Center–EISA observers reported that the results form had been displayed outside the polling place, as required, in 18 of 22 polling stations observed at closing. The display of results forms immediately after the count is an important element of transparency, and this requirement should be strictly adhered to.

Participation of Women

State obligations to promote equality for women derive, in part, from political obligations regarding absence of discrimination and the right of all citizens to participate in the public affairs of their country regardless of gender.⁵¹ Women played a prominent

Domestic and International Observers

Domestic observation activities help to mobilize support for the electoral process, disseminate important information about the election, and discourage potential fraud. More than 60 organizations sought and received accreditation from the NEC to deploy domestic observers. The accreditation process was transparent and well-administered.

On election day, several thousand domestic observers deployed throughout Liberia to monitor polling and counting. These included 2,000 domestic observers from the Election Coordinating Committee (ECC), an umbrella organization composed of two pre-existing pro-democracy and peacebuilding coalitions, the Civil Society Organizations National Committee for Election Monitoring (CSO–NEC) and the National Coalition for Election Monitors (NACEM). The ECC was chaired by Search for Common Ground/Talking Drum Studio and received financial support and technical assistance from NDI

51 ICCPR, Art. 25(a)



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and the Open Society Institute for West Africa (OSIWA). Large delegations of domestic observers were also fielded by the Liberian Council of Churches (LCC) and the Mano River Women's Peace Network (MARWOPNET).

Carter Center–EISA observers noted the presence of domestic observers at 75 percent of polling places visited on election day. ECC observers were present at 57 percent of polling places visited, while representatives of the LCC were present at 14 percent. Through their presence at polling places and subsequent public statements, domestic observers played an important

role in enhancing the credibility and transparency of the electoral process.

*Carter Center. EISA
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of domestic observers at
75 percent of polling places
visited on election da .*

In addition to The Carter Center and EISA, the significant interest and support of the international community for Liberia's elections were evidenced by delegations of international observers from the African Union and ECOWAS, as well as diplomatic delegations organized by the U.S. Embassy, EU member states, and the Federal Republic of Nigeria.

Among these delegations, ECOWAS was by far the largest, with 150 observers deployed to all 15 counties, with logistical support from UNMIL.



Postelection Developments

Carter Center observers remained deployed in the counties after election day and observed the electoral process and the postelectoral environment, including tallying, the announcement of results, and the resolution of postelection disputes.

The Tally Process

An efficient and transparent tally process is a critical component of a credible election that ensures the will of voters is accurately and comprehensively reflected in the final results.⁵² According to NEC procedures, the tally should be conducted at the magistrate level and the results transmitted to the national tally center in Monrovia. The tally process at the magistrate offices comprises four steps: (1) intake (2) copying and distributing copies of the record of the count (RoC) form (3) entering results in the database (4) storage of processed materials.

Seven teams of Carter Center observers witnessed the tally process for the presidential and legislative elections in 12 of the 19 magisterial areas over the period Oct. 12–17, 2011. Their work included conducting interviews and observation in magistrate offices in Lower and Upper Montserrado, Bomi, Lower and Upper Bong, Grand Bassa, Lower and Upper Nimba, Grand Gedeh, Grand Cape Mount, Margibi, and Maryland counties.

Observers reported a number of key findings. First, no tamper-evident envelopes (TEE3s, containing, among other items, the RoC form) received at the magistrate offices showed any sign of tampering.⁵³ In many cases, TEE1s and TEE2s (containing nonsensitive materials) were enclosed within or affixed to the

ballot boxes rather than delivered to the magistrate office, but in general the intake process was smooth and orderly.

Agents for several parties and candidates were present at all magistrate offices observed. In several cases, domestic observers, representatives of the media, and members of the international community also were present.⁵⁴ A photocopier was available at all magistrate offices in order to provide copies of the RoC form to party and candidate agents and

observers. In at least two cases, however, the copy machine broke down for an extended period of time and copies could not be distributed in line with tally procedures. The layout of the magistrate office for tallying was not always conducive to monitoring by party and

candidate agents and observers, who could not see the data entry screen. In addition, copies of the record of the count from the tally database form were not distributed or posted for viewing in a timely fashion, especially in Lower and Upper Montserrado. This limited the transparency of the tally process.

RoC forms enclosed in the TEE3 contained numerous computational errors, empty fields, and other mistakes. In most cases, the error was easily discovered and corrected, either on sight or by comparing the

Seen in teams of Carter Center observers

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RoC form against the presiding officer's worksheet. In all cases observed, NEC staff followed the tally procedure and did not alter the number of votes received by any party or candidate. However, contrary to the tally procedure, in numerous cases at multiple magistrate offices, discrepancies were removed by adjusting the number of unused ballots or invalid votes, with the consent of the party agents present. Carter Center observers reported only two cases in which errors or corrections on the record of the count form affected the number of votes cast for a party or candidate.⁵⁵ The Carter Center is aware of two other cases nationwide.⁵⁶ In all of these cases, the problem was identified and corrected.

A number of results were placed in quarantine because the discrepancy amounted to more than 2 percent of the total votes cast, consistent with the tally procedures. However, in several instances, including magistrate offices in Montserrado and Upper Nimthe total



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but five counties—Grand Gedeh, Maryland, and Montserrado—where Tubman secured the most votes; Grand Bassa, won by Brumskine; and Nimba, won by Johnson. Because no candidate received an absolute majority of 50 percent plus one vote, the NEC was required to hold a runoff election.

In the House of Representatives, which expanded

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Opposition concerns included, among other things, early campaigning, denial of access to public space, misuse of state resources, vote buying, ballot stuffing, bias in the determination of valid versus invalid ballots, and irregularities during the counting and tallying processes.

Many complaints were submitted beyond the 48-hour deadline. While magistrates did not consider these complaints, the NEC continued to consider late complaints filed at its headquarters in Monrovia. Most complaints were dealt with by the NEC within a few weeks of election day. Many were dismissed for lack of evidence or because complainants did not present themselves at hearing. Others were withdrawn. No NEC decisions were appealed to the Supreme Court between the first and second rounds of the election.

A further concern is that the requirement in Article 4.15 of the elections law that any runoff election be held on the second Tuesday following the announcement of results of the first round is not harmonized with the period in which results may be challenged.⁶²

Allegations of Fraud in the Presidential Election

Three complaints that were filed by opposition parties alleged widespread irregularities and fraud in the first round of the presidential election, including ballot stuffing and tampering with results, and requested recounts or invalidation of the results. These complaints were not adjudicated by the NEC prior to the holding of the runoff.⁶³

The most widely publicized of these cases was a CDC complaint, filed on Oct. 18, alleging systemic fraud and requesting that national results for the presidential election be invalidated.⁶⁴ Carter Center observers attended the complaint hearings and

reviewed relevant documents and the written decision rendered in the case. The CDC requested and was granted five adjournments of hearings for various reasons, including the need to gather witnesses.⁶⁵ Over the course of the hearings, the CDC and NEC presented several witnesses, and final arguments were heard the day before the runoff on Nov. 7. The decision of the NEC hearing officer was issued in writing on Nov. 10, two days after the holding of the second round, dismissing the claim based on lack of evidence.⁶⁶

The NEC's conclusion has a sound legal basis. Testimony and photo evidence submitted by the CDC were not sufficient to prove widespread fraud.

The CDC's main allegation was that one incident, in which three sealed ballots boxes were witnessed being reopened by polling officials after the count,

Opposition concerns included, among other things, early campaigning



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implied ballot stuffing in that case and countrywide. However, its witness testified that she did not actually observe any ballot stuffing.



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District 3—the recount led to a change in a House seat, with a seat that had been given to the UP awarded to the LP.⁷⁹ According to the NEC, in this case the recount revealed a consistent pattern of LP



Runoff Developments

Following the first round of the election, The Carter Center reported that election day had been free from violence, transparent, and well-administered. These findings were supported by similar statements by international observer missions organized by the Economic Community of West African States (ECOWAS), the African Union (AU), and EISA (Electoral Institute for Sustainable Democracy in Southern Africa), along with domestic observers from the Elections Coordinating Committee (ECC), the Liberian Council of Churches (LCC), the Mano River Union Peace Network (MARWOPNET), and others. A subsequent report by The Carter Center found that the tally process, though marked by numerous computational and other minor irregularities, accurately reflected the results of the election and was free from evidence of systematic fraud.

CDC Boycott

Despite the findings of observers, on Oct. 15 nine opposition political parties, including the CDC, rejected the results of the election and withdrew their party agents from observing the tally on account of "massive flaw[s]" in the electoral process. Among their complaints were NEC rigging of the elections, ballot stuffing, and tampering with results. Shortly thereafter, Prince Johnson announced his support for President Sirleaf. Charles Brumskine later announced his and the Liberty Party's support.

One of the CDC's primary demands was effectively met when NEC Chairman James Fromayan resigned on Oct. 30, announcing that he hoped that "there [would] be no further obstacle or precondition for their participation in the Nov. 8 presidential runoff election."⁸⁰ Fromayan's place was taken by Cllr. Elizabeth Nelson, the NEC co-chair, who possessed clear legal authority for the overall administration

of the second round of the election.⁸¹ Tubman said he welcomed the resignation but said that CDC's participation in the upcoming election was still conditional upon the response to a 4

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and to provide additional access to NEC tabulation and ballot storage facilities.

Subsequent efforts to facilitate dialogue as well as discussions in Abuja initiated by Nigerian President Goodluck Jonathan failed to produce any breakthrough. Ambassador Tubman insisted that the second round was unconstitutional because their official complaints had remained unaddressed. President Sirleaf called on all Liberians to vote and suggested that Ambassador Tubman's call for a boycott encouraged Liberians to "violate the constitution." ECOWAS and the U.S. State Department issued statements that dismissed the CDC's complaints and encouraged the party to participate. The Carter Center issued a statement on Nov. 6, indicating that Liberians have "a fundamental right to participate in public affairs, including the right to choose whether or not to cast a vote, in an atmosphere free from fear and intimidation."

The CDC's boycott of the runoff contributed to a muted campaign period. Observers reported no campaign activities to encourage CDC partisans to vote, either in Monrovia or the counties. Instead, CDC partisans in the counties awaited instructions from Monrovia. In the capital, party leadership focused on protest rallies aimed at encouraging its supporters not to participate in the runoff. Unlike in the first round, when the UP held rallies and other large events, in the second round, the UP focused on door-to-door campaigning organized at the county and district level. In several cases, Carter Center observers reported that UP campaign teams were distributing gifts such as bags of rice to voters. They also reported the use of government vehicles in UP campaign convoys. Finally, observers witnessed a large rally in Monrovia on Nov. 6 at which the president was joined by a number of prominent opposition politicians, including Togba Nah Tipoteh and Prince Johnson.

Violence on Nov. 7

On Nov. 7, the CDC organized a march beginning at its party headquarters in Monrovia, despite a provision of the Code of Conduct for Political Parties that prohibits parties from conducting election-related activities within 24 hours of the poll and without the necessary authorization from the authorities.

This decision was followed by a tragic confrontation between police and CDC supporters. The march began peacefully at CDC headquarters, but party supporters subsequently spilled out onto the main thoroughfare of Tubman Boulevard where they came into confrontation with police from the Police Support Unit (PSU) forces and Emergency

Response Unit (ERU). The police had barricaded parts of Tubman Boulevard in order to keep the road clear and to prevent the crowd moving in the direction of the nearby presidential residence.

The police fired tear gas into the crowd and protesters threw rocks and bottles at security forces. Both Reuters and Al Jazeera reported that the police fired live ammunition into the crowd. At various points, UNMIL peacekeepers confronted the police as they attempted to separate CDC supporters from the police. At least two people were reported killed in the clashes,⁸³ and at least two police officers were injured. Video recordings clearly show the escalation of the violence, including a senior police officer brandishing a pistol within the CDC's compound and being restrained by UNMIL forces and being taken away by his own men. The violence on Nov. 7 contributed

The CDC's boycott of the runoff contributed to a muted campaign period.

83 The total number of deaths on Nov. 7, 2011, remains disputed. In several statements, the government of Liberia has maintained that only one person was killed. A credible eyewitness informed The Carter Center that he had seen three bodies at the CDC headquarters, but later was informed that one of the men recovered. In a story dated Nov. 7, 2011, Al Jazeera's Yvonne Ndege, who was at the scene, reported being shown "three dead bodies." In a story dated Nov. 9, 2011, Reuters reported that "at least two" people had died. In a statement dated Nov. 8, the Elections Coordinating Committee, a domestic observer group, cited three deaths.



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to an atmosphere of fear and intimidation that undermined the right to security of person.⁸⁴

Later the same day, The Carter Center learned that at least 84 people, including approximately 20 women, were detained.-



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On Nov. 7, the Liberian government, through court-ordered police action on request of the minis-



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prosecute and revoke licenses, as it does not provide any clear guidance regarding prohibited actions.⁹⁸ It could also lead to self-censorship.

The Carter Center recognizes the Liberian government's generally good track record in upholding freedom of expression and media freedom and urges it to reconsider its recent divergent approach in this respect and to continue to guarantee these constitutionally and internationally protected rights in accordance with the law. It is also imperative that the courts resist pressure by the authorities under all circumstances, act independently and transparently, and deal with all judicial matters in accordance with the rule of law and due process.

The Carter Center also urges the media to undertake responsible and independent journalism, not to allow themselves to be unduly influenced by political actors, and to continue to assert its freedom and obligation to report all news in an accurate, fair, and balanced manner. The establishment of a legal framework on media and an

independent media regulatory body, based on a fully inclusive and participatory process involving all relevant stakeholders in government, media, and civil society, should be considered.

Voter Education

As in the first round of the elections, the NEC trained and deployed 150 civic and voter educators and worked in cooperation with a number of civil society organizations, with support from UNDP, IFES, and NDI. Carter Center observers noted that the intensity of civic education activities varied widely by county and was significantly less than during the first round. In some cases, voter education materials were insufficient and/or arrived late, limiting the time available for raising awareness about the second round of the elections. Observers also reported that political uncertainty concerning the boycott by the CDC had a negative effect on participation in civic education trainings, particularly in rural areas.

The Carter Center also urges the media to undertake responsible and independent journalism, not to allow themselves to be unduly influenced by political actors, and to continue to assert its freedom and obligation to report all news in an accurate, fair, and balanced manner.

⁹⁸ This event should be examined together with the firing of the public broadcaster's director during the first-round campaign period following the airing of a CDC rally, which led to an almost incomplete absence of the broadcaster's coverage of any opposition party for the remainder of the election period. Additionally, the owner of one of the closed media outlets, Paul Mulbah, was fired from his position as special security adviser for the Liberian National Police while the criminal proceedings were ongoing against the media outlets.



In light of the CDC boycott and violence on Nov. 7, the atmosphere on the morning of election day was tense, especially in Monrovia. Many voters remained at home in the morning to assess the situation before casting their votes later in the day.

The Carter Center again partnered with EISA to deploy 22 teams of international observers to all 15 Liberian counties on election day. Separate teams were sent to each of the 19 magisterial areas in order to observe the tally process. Deployment took place on the morning of Nov. 6. Because of security concerns, observers were asked to remain in county capitals until the late morning, when they began visiting polling places in rural areas. As in the first round, on election day teams were required to fill out paper forms at each polling place they visited and also to register their observations electronically using special saa288weas develop anrms Android phones





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party's decision to boycott the election. UP sion h



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ask the commission to continue its work and calls on the government of Liberia to ensure that appropriate disciplinary action is taken to hold those responsible accountable and to help restore public confidence in Liberia's security sector.

Runoff Election Results

As in the first round of the elections, the NEC announced official results for the runoff election at

daily press conferences, beginning on Nov. 10. Final results were announced on Nov. 15. President Sirleaf received 607,618 total votes, or 90.7 percent. This represented an increase of 77,598 votes from the first round, thanks, in large part, to a dramatic increase in support in Nimba County, where Prince Johnson endorsed the president. Winston Tubman received 62,207 votes, or 9.3 percent. This represented a loss of 332,163 votes, a consequence of the CDC's decision to boycott the runoff election. Turnout nationally fell

Alexander Bick

to 38.6 percent. A number of different factors were responsible for this decline, including the CDC boycott, voter fatigue or apathy, and concerns about security, particularly in Montserrado County.

The NEC certified winners of the presidential and legislative elections at a ceremony in Monrovia on Nov. 28, with the exception of a seat that was still under dispute and later resolved by a recount. The president, vice president, and all 88 successful legislative candidates accepted their seats in the new government. Inauguration took place Jan. 16, 2012.

The Carter Center's preliminary statement on the election runoff is covered by local press.



Conclusions and Recommendations

The first round of the elections, held Oct. 11, was peaceful, orderly, and transparent. Despite long lines, observers reported that the polls opened on time and voters turned out in great numbers to cast their ballots. With only a few exceptions, poll workers conducted themselves in an impartial and professional manner, under the watchful eye of numerous party agents and domestic observers. Although Carter Center observers noted a number of minor procedural irregularities, especially during the counting process, none were significant enough to affect the overall integrity of the vote. This conclusion was reinforced by similar findings reported by observers from ECOWAS, the African Union, and the Elections Coordinating Committee.

From a technical perspective, the presidential runoff election that took place on Nov. 8 was well-administered, transparent, and conducted in accordance with Liberia's legal framework and its international obligations for democratic elections. Regrettably, however, it was marred by the CDC boycott, violence, and low voter turnout. These events exposed deep divisions within Liberian society and mounting feelings of exclusion that will need to be addressed as the new government works to unify the country. In addition, the election highlighted the weakness of opposition political parties and the challenges Liberia will face as it seeks to build a vibrant, multiparty democracy. This will be crucial to the country's long-term stability.

The Carter Center's election observation mission was part of a 20-year commitment by the Center to work with the Liberian people to help build peace, support democratic development, and improve health. The Carter Center will remain engaged in Liberia working with the government, civil society organizations, and community leaders to support access to justice, access to information, and mental health.

The Carter Center recommends a number of important steps to improve the conduct of elections in the future. These are directed to the appropriate implementing body within Liberia:

To the Government of Liberia

- 1. Reform the elections law.** The Carter Center noted many gaps in the elections law, some of which were addressed through NEC regulations and codes of conduct. A comprehensive law that incorporates components of these documents should be developed through a consultative process with all electoral stakeholders, led by the NEC. The new legislation should address all fundamental components of the electoral system in a consistent and clear manner to ensure a sound legal basis for democratic elections. The rights of domestic and international observers to observe all aspects of the electoral process, handling of the recount and invalidation process, use of state resources, and campaign finance all should be addressed and included in new legislation. Adoption of any election legislation or amendments should take place at least one year before elections to ensure that all stakeholders have adequate time to conform to the law.
- 2. Improve and harmonize the legal framework for electoral dispute resolution.** Although the NEC took important steps to resolve electoral disputes, the regulatory and procedural framework is not sufficient to ensure a clear and consistent dispute resolution mechanism, with guarantee of due process. The legal framework does not adequately delineate jurisdiction between the NEC hearings officers, magistrates, and the board of commissioners. In some cases, deadlines for adjudication of complaints are not provided or are too short or too



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to sanction parties and candidates who violate the law. The NEC also should take steps to enforce finance reporting deadlines and audit all campaign finance reports, imposing fines on political parties and independent candidates who fail to comply. Though time-consuming and costly, these measures are crucial to ensure the fairness of the electoral process and the perceived legitimacy of election results.

8. Strengthen trainings for polling staff, especially on counting and tallying procedures

Despite logistical and other challenges, and with a few exceptions, polling staff performed their duties in a dedicated, professional, and impartial manner throughout the electoral process. In order to build on this success, and to correct limitations observed during the 2011 elections, especially during counting and tallying, NEC should consider beginning trainings earlier and should focus additional attention on procedures for counting and tallying, especially procedures for determining valid versus invalid ballots.

9. Educate stakeholders on rights and procedures for filing electoral complaints.

The low number of formal complaints filed during the electoral process, especially at the polling place level, indicates that stakeholders were unaware of their rights and the procedures for seeking legal redress. The NEC should incorporate information about dispute resolution in voter education initiatives and provide specialized training to political party and candidate agents on the mechanisms for filing and resolving complaints, as well as the evidentiary standards for substantiating electoral offences. NEC should consider alternative means to distribute polling day complaint forms, for instance to electoral contestants and relevant civil society groups.

10. Ensure voter registration lists are subject to checks on accuracy. Following voter registration, several political parties complained that they were unable to get access to, or copies of, the final registration roll at the magistrate's offices. The Carter Center also received reports of under-age registration and issues with the registration of Mandingo minorities. Despite the NEC's assurance that an electronic copy of the registration list was sent to all political parties, Sections 30 and 31 of the voter registration regulations indicate that the registration list should be available at all magistrates' offices. The availability of hard copies would ensure that all parties had access to the list and it was open to scrutiny.

11. Strengthen civic and voter education programs.

The Carter Center recognizes the NEC's efforts to conduct voter education throughout Liberia, in partnership with civil society organizations and international partners. However, observer reports consistently pointed to the inadequacy of voter education, especially in rural areas and sur-

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rather than the presence of party offices in the counties.

13. **Carry out a fresh boundary delimitation exercise based on the 2008 census.** For the 2011 elections, the NEC used voter registration data to conduct boundary delimitation, based on the threshold bill. Consistent with Article 80(d) of the constitution, delimitation should be based on the national census and must ensure constituencies of approximately equal size. Boundary delimitation should be corrected to adhere to the constitution well in advance of the 2017 presidential and legislative elections.
14. **Investigate evidence of fraud in Grand Gedeh County.** Results from the runoff election showed a number of anomalies at polling places in Grand Gedeh County. While our investigation proved inconclusive, interviews and analysis conducted by Carter Center observers raised serious questions about the transparency and integrity of the process in that county. These anomalies should be promptly and thoroughly investigated by the NEC, and, in the event malfeasance is detected, those responsible should be held accountable. Punishing electoral offenses, especially when committed by polling staff, is essential to ensuring a solid democratic basis for future elections.

To the International Community

15. **Support efforts to reform Liberia's elections law and constitution.** Liberia's 1986 Constitution contains several articles that should be reformed to improve election administration and democratic participation. In order to facilitate reform, international partners should provide technical and legal support to an empowered Constitutional Review Commission. Assistance also should be provided to the elections oversight bodies within the national legislature to assist their efforts to reform the elections law. To be effective, these programs must begin well in advance of the next election cycle.
16. **Provide technical assistance and training to political parties.** A vibrant, multiparty system is a prerequisite for sustainable democracy. In Liberia, the majority of political parties remain fragmented, poorly organized, and reliant on individual personalities. Although programs to build the capacity of political parties during the 2005 elections met only limited success, the absence of similar programs in 2011 reduced opportunities for improving communication between the parties and the NEC and for ensuring that party officials had a minimum understanding of the elections law, administrative procedures, and the formal complaints mechanism. Knowledge of these aspects of the electoral process is critical to reducing the threat of electoral violence. In advance of the next elections, donors should prioritize technical assistance and training programs for political parties, with an emphasis on mid-level leadership, party agents, internal party communications, and the basics of the legal and administrative framework.
17. **Extend UNMIL's mandate beyond December 2012.** During the elections, UNMIL played a crucial role delivering election materials to difficult-to-access locations and ensuring security throughout Liberia. Although the capacity of Liberia's security sector has been greatly enhanced over the past six years, the military and particularly the police have drawn criticism for their inability to act professionally and independently and to exercise effective restraint. This was tragically displayed on the eve of the runoff, when LNP officers fired into a crowd of unarmed citizens (protesters) who were gathered to file complaints with the National Elections Commission. Knowledge of these aspects of the operations of the LNP





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The Center's work in Liberia would not have been possible without the dedication and commitment of its national staff, including Alpha Jalloh, Lincoln Davies, Howard Harris, John Harris, James Jarwolo, Amos Johnson, Mohammed Kamara, Israel Newberry, Mohammed Sherif, Mohammed Trawally, Rita Yarkpah, and Walkin Wongbe.

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The Center's Democracy Program staff in Atlanta had overall responsibility for the mission. The Liberia project was managed by David Carroll with significant assistance from Elizabeth Plachta, Tynesha Green, and Aliya Naim. Additional support was provided by Tom Crick, Larry Frankel, Deborah Hakes, Courtney Mwangura, Catherine Schutz, and Thomas Smyth.

The primary drafters of this report were Alexander Bick and Elizabeth Plachta. Donald Bisson, David Carroll, Tom Crick, Marla Morry, and Mariusz Wojtan made significant contributions and edits to the text.





National Elections in Liberia

Delegation for the Presidential Runoff Election on Nov. 8, 2011

Williams Alabi, Nigeria
Gray Clevenger, United States
Dominique Dieudonne, United States
Komi Ruben Dogbe, Togo
Mona Handeland, Norway
Zikirullahi Ibrahim, Nigeria
Nancy Kariuki, Kenya
Joel Opicho Mabonga, Kenya
Ahna Machan, United States
Catherine Musuva, Kenya
Mark Naftalin, United Kingdom
Steve Nothern, United States
Gerald Ntiwunka, Nigeria
Adebowale Olorunmola, Nigeria
Joseph Oneka, Uganda
Mareatile Polaki, Lesotho
Karen Reinhardt, Canada
Terry Rogers, United States
Shireen Santosham, United States
Joan Mudindi Vwamu, Kenya
Shehu Wahab, Nigeria
Abuid Simiyu Wasike, Kenya
Ethan Watson, United States
Daniel Wright, United States
Khalil Zerargui, France

Long-Term Observers

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Gerri Chester, United States
Hans Dieset, Norway
Moshood Folorunsho, Nigeria
Nicholas D. Jahr, United States
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Appendix C Terms and Abbreviations

APD	Alliance for Peace and Democracy	LURD	Liberians United for Reconciliation and Democracy
AU	African Union		
BIN	Bureau of Immigration and Naturalization	MARWOPNET	Mano River Women's Peace Network
CDC	Congress for Democratic Change	MODEL	Movement for Democracy in Liberia
CPA	Comprehensive Peace Agreement	MPC	Movement for Progressive Change
CSO-NEC	Civil Society Organizations National Committee for Election Monitoring	NACEM	National Coalition for Election Monitors
ECC	Elections Coordinating Committee	NDC	National Democratic Coalition
ECOMOG	Economic Community of West African States Monitoring Group	NDI	National Democratic Institute
ECOWAS	Economic Community of West African States	NDPL	National Democratic Party of Liberia
EISA	Electoral Institute for Sustainable Democracy in Africa	NEC	National Elections Commission
ERIS	Electoral Reform International Services	NPFL	National Patriotic Front for Liberia
IPCC	Interparty Coordinating Committee	NPP	National Patriotic Party
LAP	Liberian Action Party	NUDP	National Union for Democratic Progress
LBS	Liberian Broadcasting Service	OCPOL	Original Congress Party of Liberia
LCC	Liberian Council of Churches	OSIWA	Open Society Institute for West Africa
LDI	Liberia Democratic Institute	PUL	Press Union of Liberia
LDP	Liberal Destiny Party	RoC	Record of the count
LIPCORE	Liberian Initiative for Peace-building and Conflict Resolution	STO	Short-term observer
LNP	Liberian National Police	TEE	Tamper-evident envelope
LNPDP	Liberian Network for Peace and Development	UNDP	United Nations Development Program
LP	Liberty Party	UNMIL	United Nations Mission in Liberia
LTO	Long-term observer	UP	Unity Party
LTP	Liberia Transformation Party	USAID	United States Agency for International Development



FOR IMMEDIATE RELEASE

Oct. 3, 2011

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National Elections in Liberia

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Misuse of State Resources

The use of state resources for party campaigning is a violation of the elections law and of Liberia's international obligations with respect to campaign finance. Political parties and civil society organizations have consistently complained about the misuse of state resources, especially government-owned vehicles for campaigning purposes. At least one civil society organization, the Liberia Democratic Institute (LDI), has catalogued dozens of specific cases, predominantly involving the governing UP, but also the CDC, LP, and the National Union for Democratic Progress (NUDP).⁶ Carter Center observers note that the UP enjoys an overwhelming advantage in terms of campaign resources, and have reported seeing government vehicles being used at UP-sponsored campaign events in Bong and Grand Bassa Counties. While the line between official business and campaigning is not always easy to draw, and while incumbents often enjoy some advantages, these examples represent violations of the law and should cease.

A number of political parties also have expressed concern about campaign posters being put up on public buildings. The NEC has stated publicly that this practice does not violate the Constitution or the election law, and that all parties are therefore free to put up posters as they see fit. While acknowledging that Liberian law is silent on this question, we believe that placing posters on public buildings creates the impression that public property, which belongs to all Liberians, is being used for the advantage of one or another political party.

The voluntary Code of Conduct for Political Parties defines public resources as "all properties held in trust for the collective use of Citizens of Liberia, including but not limited to Government of Liberia property, state owned corporations and all other resources not privately held." Resolution 5 here states that, "Political parties shall not utilize public resources for party activities..." The Carter Center calls on all political parties, and especially the governing UP, which has signed the Code of Conduct, to desist from placing campaign posters on public buildings.

Liberian Broadcasting Service

On Sept. 23, 2011, Managing Director of the Liberian Broadcasting Service (LBS) Ambruss Mneh was suspended indefinitely and replaced by Chairman of the Board Alhaji Kromah. Political parties and civil society have raised concerns that the suspension may be linked to the airing of a press conference in which Ambassador George Weah, vice standard bearer of the UP, made comments critical of the president of Liberia. The right to freedom of expression, including speaking, receiving, and imparting information and ideas is a fundamental principle for a democratic electoral process.⁷ While Liberia enjoys considerable press freedom, and journalists are for the most part free to air their views in print, online, and on the radio and television, without

⁶ States must take measures to prevent corruption. Treaty obligations establish the general requirement and indicate that States shall promote transparency in public decision making as a means of combating corruption. UN Convention Against Corruption, art. 18. and 13; African Union Convention on Corruption, art. 7.

⁷ LDI, "Abuse of Incumbency, Administrative Resources and Political Corruption in the 2011 Presidential and Legislative Elections," separate reports for July and August 2011

⁸ UN, International Covenant on Civil and Political Rights, art. 19(2).



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fear of harassment, we believe the timing of this decision raises questions about the neutrality and credibility of LBS during a sensitive moment in the campaign period.

We call on all parties to respect the freedom of the media, so that journalists can perform their important role without fear of molestation. In addition, we call on the media itself to report responsibly and to maintain complete independence.

Electoral Framework

The 2011 elections are the first elections to be organized and held on the basis of the full text of Liberia's 1986 Constitution. The previous 1997 and 2005 elections were both "special elections" for which specific components of the constitution were suspended as a result of the relevant peace agreements. Because of this, it was expected that a number of definitions within the constitution would need to be clarified through the legal process. The Carter Center welcomes the manner in which the parties have proactively sought clarification on several questions and their acceptance of the court's authority as the highest judicial body in the land.

On Sept. 21, 2011, the Movement for Progress Change (MPC) filed a case at the Supreme Court challenging the decision by the NEC to register six candidates for president on the grounds that they do not meet the ten-year residency requirement laid out in Article 52(c) of the Liberian Constitution. This article states that "no person shall be eligible to hold the office of President or Vice President unless that person is: (c) resident in the Republic ten years prior to his election ..." We applaud the court's decision on this important question and encourage all Liberians to abide by its ruling.

Elections Preparations

Preparations for the elections are ongoing in line with NEC's electoral calendar. The NEC has successfully distributed election materials to the counties, with limited logistical support from UNMIL to reach difficult to access locations in the Southeast and in Lofa and Gbarpolu Counties. Magistrates are packing these materials for distribution to the Districts and polling precincts. The Carter Center commends the professionalism and commitment shown by NEC staff in carrying out these tasks on time, and notes the good working relationship between the NEC headquarters in Monrovia and its county offices. In addition, and with one important exception, our observers report a good working relationship between the political parties

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observers and others that the NEC's training must emphasize the rules for determining valid versus invalid ballots, as spelled out in the elections law, section 4.13. We hope this will help to reduce the potential for conflict amongst polling staff and party agents during the counting process.

In addition, Carter Center observers have encountered persistent concerns about the inclusion of underage voters on the final registration roll. The Carter Center did not observe the registration process, but we were informed by the NEC that no names have been removed from the voters' list and that the list may include as many as 3,000 underage voters. NEC Chairman James F. Foyan, has recommended that the presiding officer request proof of age in any case where a person who is obviously underage attempts to vote. While recognizing the need to take steps to prevent underage voting, requiring proof of age is inconsistent with the NEC's Polling and Counting Manual and affords to presiding officers the power to deny the right to vote to persons with a valid voter registration card whose name is on the registration roll. This could create confusion or open the door to abuse or the perception of abuse. We call on the NEC to immediately clarify the procedures for presiding officers in the case of suspected underage voting.

Finally, we note informal complaints by several parties that NEC training posters depicting a sample ballot were printed with the words "Unity Party," while not identifying any other party by name. The text is quite small and we have been informed that NEC quickly took steps to address what was described as a "printing error" by blacking out the party's name, although only after the distribution of 10,000 posters. This error reinforces concerns raised during the referendum about the NEC's capacity to carefully proofread documents before publication, and does not meet the high standard for professionalism and impartiality that the commission must maintain throughout the electoral process. We urge the NEC to ensure that all copies of the poster that have not been blacked out are removed.



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activities in the counties, particularly in rural areas. Voter education work in the Southeast is almost non-existent. We call on the NEC and its partners to redouble their efforts to educate Liberians about the upcoming elections. This will be especially important with respect to the constitutional amendment, passed as a result of the national referendum and subsequent Supreme Court case on Sept. 20, 2011, that changes the constitution to require only a simple majority to determine the winner in legislative elections.

National and International Observers

Domestic observers from more than 40 organizations have sought and received accreditation from the NEC to monitor the upcoming elections. A number of these groups observed and issued reports on the registration and referendum processes. We commend the efforts of Liberian civil society and their ambitious aim of deploying several thousand observers on election day, including 2,000 domestic observers under the umbrella of the Election Coordinating Committee. In addition, we note the significant attention to Liberia's elections as evidenced by expected international delegations from the African Union, ECOWAS, the Federal Republic of Nigeria, and the Africa Institute for Sustainable Democracy in Africa.

Recommendations

To the Political Parties

- x Reconfirm their commitment to non-violent participation in the electoral process, refrain from inflammatory rhetoric or other actions that could lead to violence, and ensure that the message of peaceful participation consistent with the law is clearly and unequivocally communicated to their partisans at all levels;
- x Abide by Code of Conduct for Political Parties and desist from placing posters on public buildings;
- x Comply with the campaign finance regulations and report expenditures in a timely and transparent manner; and
- x Document and formally submit any complaints to the relevant legal authorities.

To the NEC

- x Redouble civic and voter education efforts particularly in rural areas and in the Southeast of Liberia;
- x Ensure a high standard for training polling personnel and give special emphasis to the rules for determining valid versus invalid ballots. Ensure that polling personnel are paid on time;
- x Clarify the instructions to presiding officers to address underage voters in possession of a valid voter registration card whose names are on the final registration roll; and

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- x Take quick and strong action on formal complaints submitted by political parties, independent candidates, and civil society groups.

To the Government of Liberia

- x Ensure that all government officials, including ministers, superintendants, and mayors, are aware of the portions of the elections law concerning access to public facilities and ensure that anyone found guilty of a violation is swiftly disciplined;
- x Issue a clear public statement calling on all government officials and elected officers to respect the legal division between public and private resources, and take steps to address the use of public vehicles and other public property for campaigning purposes; and
- x Launch an investigation into the indefinite suspension of the managing director of LBS.

To the International Community

- x Continue efforts to provide financial and technical assistance to the NEC; and
- x Closely monitor incidents of election-related violence and remain vigilant in assessing the security situation throughout Liberia and along its borders.

The Carter Center's Election Observation Mission

The Carter Center's election observation mission is working in Liberia by invitation of the NEC, consistent with the NEC's Code of Conduct for Observers and with the Declaration of Principles of International Election Observation and the Code of Conduct, which were adopted at the United Nations in 2005 and have been endorsed by 37 election observation groups. The Center commenced its observation mission at the beginning of September and has deployed four teams of long-term observers who will remain in Liberia for a period of three months, visiting all fifteen of Liberia's counties. They will be joined by a larger, short-term delegation in early October to witness the voting, counting, and tabulation processes.

The objectives of the Carter Center's election observation mission in Liberia are to: a) provide an impartial assessment of the overall quality of the electoral process, b) promote a process that is credible, transparent, and free from violence, and c) to demonstrate international interest in and support for the upcoming elections. The Center assesses the electoral process based on Liberia's national legal framework and its obligations for democratic elections contained in regional and international agreements, including the African Charter on Human and People's Rights and the International Covenant on Civil and Political Rights.¹¹



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Carter Center Reports Open and Transparent Voting Process;
Encourages Liberians to Await Final Results



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September to assess campaigning and election preparations. For the period surrounding election day, The Carter Center partnered with the Electoral Institute for Sustainable Democracy in Africa (EISA) to deploy an integrated Carter Center-EISA observation mission, comprised of 55 observers from 25 countries. Carter Center-EISA observers visited 282 polling places in 15 counties to assess the voting and counting processes. The Carter Center team was led by General Dr. Yakubu Gowon, former head of state of Nigeria, along with Dr. John Stremlau, Carter Center vice president for peace programs.

The Carter Center's assessment of Liberia's elections is based on obligations for democratic elections contained in Liberia's Constitution, Election Law, and other relevant parts of the legal framework, as well as its commitments under international law. The Carter Center conducts its election observation mission in accordance with the Declaration of Principles for International Election Observation, which was adopted at the United Nations in 2005.

This statement is preliminary; a final report, including detailed recommendations, will be published within four months after the end of the electoral process.

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"Waging Peace. Fighting Disease. Building Hope."

A not-for-profit, nongovernmental organization, The Carter Center has helped to improve life for people in more than 70 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers in developing nations to increase crop production. The Carter Center was founded in



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election will be required if no candidate receives an absolute majority in the first round. The runoff is currently scheduled for November 8, although this date may change, depending on possible challenges to the first round result. Elections for the House and Senate seats are by simple majority.

Political Rights. Under the Constitution, Liberia is a state governed by the rule of law, in which human dignity, civil and political rights and freedoms, justice, and political pluralism represent supreme values that are guaranteed. These constitutionally protected rights are reflected in the

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prohibited. Political parties and candidates cannot utilize public resources for campaign activities nor can they receive any contribution resulting from an abuse of state resources.

Elections expenses are limited to two million USD per candidate for the presidential contest, one million USD for vice president, six hundred thousand USD for senate and four hundred thousand USD for the house.

Fifteen days after the announcement of final results the political party or candidate must file a report detailing contributions and expenses. In case a candidate or political party participates in a run-off election the required reports is submitted fifteen (15) days after the announcement of final results of the run-off election. The NEC is required to make all campaign finance reports available for public inspection at the NEC office in Monrovia during regular working hours.

An Audit Committee, establish by the NEC, may within sixty (60) days of an election, complete a certified audit of the book of accounts of any political party or candidate. Upon the completion of the audit period, the Audit Committee presents its results to the NEC. The NEC can accept or reject, in whole or in part, the findings of the Audit Committee within ten (10) days of the presentation of those findings. In the event that findings of irregularities are upheld, administrative sanctions for “election infractions” or “election offenses,” can be levied by the NEC. They may report violations which constitute “election offenses” to the Ministry of Justice for enforcement or prosecution as the case may be.

Obligations for Democratic Elections. Liberia has ratified several international treaties including the International Covenant on Civil and Political Rights and the UN Convention against Corruption. Liberia has also ratified a number of regional treaties including the African Charter on Human and Peoples’ Rights and the African Union Convention on Preventing and Combating Corruption. Liberia is a signatory to the Universal Declaration of Human Rights and the African Charter on Democracy, Elections and Governance. It is against these commitments, reflected in the Liberian Constitution, as well as the Liberian electoral law, that The Carter Center assesses Liberia’s elections.

ELECTION ADMINISTRATION

An independent and impartial electoral commission which functions transparently and professionally is internationally recognized as an effective means of ensuring that citizens are able to participate in a genuine democratic election, and that other international obligations related to the electoral process are met.

The National Elections Commission (NEC) is an autonomous public body nominated by the President with the consent of the Senate. For the 2011 elections technical assistance was provided to the NEC by IFES, funded by the United State Agency for International Development (USAID), and by the United Nations Development Program (UNDP). UNMIL provided limited logistical assistance for the election, including airlift of elections materials to difficult to access locations in the Southeast and in Lofa and Gbarpolu counties. Security for the elections was the responsibility of the NEC and the Government of Liberia, through the Liberian National Police

⁵ UN Human Rights Committee General Comment No. 25.



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(LNP) supplemented by officers from the Bureau of Immigration and Naturalization (BIN), with support from UNMIL.

The current NEC was established in 2004 and is directed by a Chairman and supported by an Executive Director and an Administrative Division. The commission has offices in 19 magisterial areas in 15 counties. There are 1780 precincts that also served as voter registration centers during the registration period. Within these precincts, 4457 polling places were established across the country for voting on election day. Each polling place was limited to a maximum of 500 voters.

With only minor exceptions, electoral preparations undertaken by the NEC demonstrated that it had sufficient logistics and human resources to administer an election consistent with the Election Law. In spite of poor infrastructure in some counties, the NEC undertook proper measures to overcome obstacles and managed to deliver electoral material to almost all polling places in accordance with the established electoral calendar.

Several political parties criticized the impartiality and competence of the NEC, citing in particular the commission's inconsistent standards with respect to early campaigning by the Unity Party (UP) and opposition parties. Misprints on the referendum ballot and on a NEC training poster did not enhance confidence in the NEC's capabilities.

Nevertheless, Carter Center observers report that NEC officials across the country operated in a professional and dedicated manner, with a few exceptions. More than 26,000 poll workers were recruited for election day. A high percentage of contracted staff had practical experience as they were also engaged for the referendum held in August. This was supplemented by trainings carried out by the NEC shortly before election day. A Polling and Counting Manual was also produced by the NEC for use by presiding officers on election day.

Carter Center observers found that at the magistrate and district level political parties as well as independent candidates were in general satisfied with the NEC's performance throughout the preparatory stage of the election. Working relationships between the NEC Headquarters in Monrovia and Magistrate offices in the counties were reported to be efficient, and provided a supportive environment for electoral preparations. Instructions and guidelines issued by NEC were largely well interpreted and followed by field staff.

VOTER EDUCATION

Voter education is recognized in international law as the principle means to ensure that an informed electorate is able to effectively exercise their right to vote. States must take specific measures to address difficulties that prevent persons from exercising their rights effectively.

⁶ A few problems were noted, including one instance in which ballot boxes and election material was seized and handed over to the LNP. These materials were reportedly being transported by private motorbike hired by the NEC without any security. The material was eventually delivered to the polling place.

⁷ States must take steps to ensure voter education reaches the broadest possible pool of voters. General Comment No. 25, para. 11.



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staff did not explain to each voter how to properly mark the ballot as outlined in the training manual.

Identification procedures were followed and measures to prevent multiple voting were properly undertaken in the majority of polling stations observed. In 10 percent of polling places, observers reported that polling staff failed to check the index finger for ink before locating the voter's name in the registration roll. However, this was checked by polling staff before applying the ink.

Based on Carter Center observations, the issue of underage voters, which was raised by several parties as a potential problem, did not appear to be a significant concern on election¹⁴ day.

Secrecy of the BallotCarter Center observers reported that secrecy of the ballot could not be adequately ensured in 8 percent of polling places observed. In most cases this resulted from inadequate space in the polling place or assistance provided by the presiding officer.

Party Agents.Representatives of political parties and independent candidates were present in 99



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polling places observed counting procedures were not strictly followed. Nevertheless, observers reported that this did not appear to affect the integrity of the count.

Invalid Ballots. Carter Center observers reported that the rules for determining whether or not a ballot was invalid were inconsistently applied. In 14 percent of polling stations visited, observers noted that the proper procedure was not adhered to fully. However, observers reported that the intent of the voter remained the guiding principle in determining validity, and that procedural lapses did not appear to impact the integrity of the process.

Carter Center observers reported that the results form had been displayed outside the polling place, as required, in 18 of 22 polling stations observed at closing. The display of results forms immediately after the count is an important element of transparency and this requirement should be strictly adhered to.

Tallying and Tabulation. The process of tallying the votes at the magistrate's offices has not been completed. The Carter Center will continue to observe this process and urges all parties and candidates not to make any statements concerning the results until the process is complete, and the NEC has released official results. If there are concerns about the tally procedure or the results, parties and candidates should avail themselves of the legal remedies allowed for in the election law.

CANDIDATES, PARTIES AND THE CAMPAIGN ENVIRONMENT

Liberia's constitution and its international and regional commitments create obligations related to the nomination of candidates, parties and campaign periods. These include, among others, the right to be elected, to freely express opinions, and to participate in public affairs.

Candidate Registration The NEC administered the process of candidate registration in a transparent manner, though political parties complained that the NEC did not satisfy its obligation to scrutinize candidate qualifications. Sixteen parties or coalitions registered candidates for President and Vice-President, along with 99 candidates for the Senate and 810 candidates for the House of Representatives.

Campaigning. The campaign period began on July 5, 2011 and ended 24 hours before election day. Carter Center observers reported a peaceful campaign process in which the parties conducted their activities throughout Liberia, and noted the enthusiasm of many Liberians to participate in the political process. Carter Center observers witnessed campaigning in all of Liberia's 15 counties and reported that parties and candidates were able to move freely and share their message with voters. We did not encounter evidence of violence by parties or their

¹⁶ The right to be elected is a universal right requiring that States ensure that their citizens have the opportunity to stand for elected office, free from unreasonable restrictions. All citizens are guaranteed the right of equal access to the public services and property of their country; and any derogation from this right which gives advantage to a particular party or candidate may be considered discriminatory. ICCPR, Art. 19(2); AfCHPR 3(2).

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affiliates. This is an important pre-condition for parties and candidates to be able to openly express their opinions and views with voters, and a positive¹⁷ sign.

In another positive sign, The Carter Center noted the peaceful atmosphere that existed on the final day of campaigning when several political parties held concurrent rallies in Monrovia.

The Carter Center welcomes the efforts of the NEC to resolve disputes through the Interparty Coordinating Committee (IPCC) and notes that the majority of parties signed the Code of Conduct for Political Parties and the Memorandum of Understanding between the political parties and the LNP. At the same time, Carter Center observers encountered numerous complaints from political parties that their posters had been torn¹⁸ down.

Access to Public Facilities. Access for political parties to public facilities in Liberia is ensured by article 10.21 of the election law, which states that “Political parties are also privileged to use, and shall not be denied the right to use any public building or such facilities necessary and appropriate for their purpose,” so long as a “timely request” is made. While noting that a number of rallies and other party events took place in public facilities, Carter Center observers received several complaints from political parties that they were denied access, in apparent contravention of the elections law. Inequitable access to public buildings and public spaces for campaign events undermines the aspiration of a level playing field during the campaign¹⁹ period.

Use of State Resources. Political parties and civil society organizations complained consistently about the misuse of state resources, especially government-owned vehicles, for campaigning purposes. There were also several complaints about government officials campaigning for UP and county administrative officials wearing UP t-shirts and caps during working hours. The use of state resources for party campaigning is a violation of the election law and of Liberia’s

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society to deploy several thousand observers to monitor polling and counting on election day, including 2,000 domestic observers under the umbrella of the Election Coordinating Committee (ECC).

Carter Center observers noted the presence of ECC observers at 57 percent of polling places visited. Representatives of the Liberian Council of Churches were present at 14 percent. Overall, we noted the presence of domestic observers at 75 percent of polling places visited across the country. The Carter Center welcomes statements on the electoral process by the ECC, the Mano River Women's Peace Network, and others.

International Observation Missions. The significant interest and support of the international community for Liberia's elections was evidenced by international delegations from the African Union, ECOWAS, and the Electoral Institute for Sustainable Democracy in Africa (EISA), as well as diplomatic delegations organized by the U.S. embassy, EU member states, and the Federal Republic of Nigeria.

In the spirit of partnership between international observers, The Carter Center partnered with EISA to deploy an Integrated Carter Center-EISA Observation Mission. This coordination enhanced the work of both organizations, and allowed the integrated mission to deploy observers throughout Liberia's 15 counties. The leaders of the two delegations also met with the heads of other international delegations to share information pertinent to the election process.

ELECTORAL DISPUTE RESOLUTION

An effective electoral dispute mechanism is an important means of ensuring that remedies are available for violation of fundamental rights and that everyone is entitled to a fair and public hearing.²⁵ All complaints concerning violations of the elections law, regulations and codes of conduct are under the original jurisdiction of the NEC, which has the power to impose a fine, suspend a candidates or political party's registration, and order corrective measures. Complaints are heard by a hearings officer hired by the NEC whose rulings must then be approved by a vote of the NEC. Offenses for which the penalty is up to 500 USD fine are heard by the Magistrates. The NEC has hired a hearings officer for each of the 19 Magistrates to assist them in resolving election day complaints. Decisions of the magistrate can be appealed to the NEC and then to the Supreme Court.

Several challenges were filed with Supreme Court on election-related provisions of the constitution. One involved the constitutional referendum that was held on August 23, 2011. The referendum asked the voters to approve several changes to the Constitution that would impact on the rules under which the 2011 election would be run. All of the amendments failed to gain the required two thirds majority of registered voters voting in the referendum based on the calculations conducted by the NEC.

When determining whether or not the proposed amendments passed, the NEC included the invalid votes in the number of total votes cast. A challenge to the decision of the NEC to include the invalid votes was filed with the Supreme Court by the National Democratic Party of Liberia

²⁵ ICCPR, Art. 2(3), 14(1).



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(NDPL). After a public hearing on September 14, the Court ruled that the invalid ballots did not constitute votes and therefore should not have been included when calculating the results of the referendum. Once the invalid votes were excluded proposition four achieved the necessary two thirds to pass resulting in the amendment of article 83(b) of the Constitution and changing the system for legislative elections from an absolute majority to a simple majority. This eliminated the need for a second round as the person who obtains a simple majority in the first round is declared the winner.

Another challenge was filed by the Movement for Progressive Change (MPC) against the NEC's decision to register six of the candidates for president. The complainant alleged that the candidates did not meet the Constitutional ten-year residency requirement for being President.²⁶ The Court ruled that because Article 52(c) was suspended in 2004 and reinstated in 2006, the ten-year residency requirement would not apply until 2016, by which time a ten-year constitutional period will have passed.²⁷

THE CARTER CENTER'S ELECTION OBSERVATION MISSION

The Carter Center's Election Observation Mission is working in Liberia by invitation of the NEC, consistent with the NEC's Code of Conduct for Observers and with the Declaration of Principles for International Election Observation and the Code of Conduct, which were adopted at the United Nations in 2005 and have been endorsed by 37 election observation groups. The Carter Center commenced its observation mission on September 1, 2011 and has deployed eight long-term observers who will remain in Liberia for a period of three months, visiting all 15 of Liberia's counties. They were joined by a larger, short-term delegation in early October to witness the voting, counting, and tabulation processes.

The objectives of the Carter Center's Election Observation Mission in Liberia are to: a) provide an impartial assessment of the overall quality of the electoral process, b) promote a process that is credible, transparent, and free from violence, and c) to demonstrate international interest in and support for the upcoming elections. The Center assesses the electoral process based on Liberia's national legal framework and its obligations for democratic elections contained in regional and international agreements, including the African Charter on Human and People's Rights and the International Covenant on Civil and Political Rights.²⁸

²⁶ Liberian Constitution Article 52(c).

²⁷ Although some political parties criticized the Supreme Court for being biased in favor of the ruling party, The Carter Center analysis of these two opinions is that they were well reasoned and followed precedent.

²⁸ Liberia ratified the African Charter on Human and People's Rights (ACHPR) on Aug. 4, 1982, and the International Covenant on Civil and Political Rights on Sept. 22, 2004.



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Carter Center observers monitoring the tally and the tabulation of final results in Liberia report a



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areas. Three Tamper-Evident Envelopes, TEE1, TEE2, and TEE3 (the last of which includes, among other items, the Record of the Count forms for all three elections) and a brown envelope containing polling day complaints (if any) submitted by the voters or party or candidate agents are delivered to the magistrate office by the responsible Electoral Supervisor.¹ The remainder of the polling materials are packed in one of the ballot boxes and delivered to the county storage facility, along with the sealed ballot box containing the ballots.

Once the TEEs have been delivered, the tally process proceeds in four steps: intake of the TEEs at the tally center; copying and issuing copies of the Record of the Count forms to the party agents and observers present; entering the results into the database; and storage of the processed TEEs. The tally commences as soon as TEEs are received.

The Count Reading Officer is responsible for opening the TEE3s and ensuring that the three Records of the Count forms, the Presiding Officer's Worksheet and the Polling Place Journal are present. The Record of the Count forms are then copied for the party agents present so that they can follow the tally process when the numbers are read to the Data Entry Officer.

For each polling place the Count Reading Officer compares the data entered in the Presiding Officer's Worksheet and the top portion of the Record of the Count form. If the information matches, the magistrate will begin reading the results to the Data Entry Officer. The following information is read: the number of votes obtained by each candidate; the total number of votes cast; the total number of invalid votes cast; and the total number of valid and invalid votes cast.



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Seven teams of Carter Center observers witnessed the tally process for the presidential and legislative elections in 12 of the 19 magisterial areas over the period Oct. 12-17, 2011. Their work included conducting interviews and observation in magistrate offices in Lower and Upper Montserrado, Bomi, Lower and Upper Bong, Grand Bassa, Lower and Upper Nimba, Grand



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are aware of two other cases nationwide.⁶ In all of these cases the problem was identified and corrected;

- A number of results were placed in quarantine because the discrepancy amounted to more than two percent of the total votes cast, consistent with the tally procedures. However, in several instances, including magistrate offices in Montserrado and Upper Nimba, discrepancies of four percent and seven percent were not quarantined. Elsewhere discrepancies of less than two percent were quarantined. This suggests that the two percent threshold was not clearly understood by NEC staff. Observers reported that recounts based on quarantine were conducted for several polling places, but this was not always done according to the tally procedures;
- In several cases the division of functions among NEC staff was not strictly followed, or the process was made to move more quickly by distributing copies of the Record of the Count from the Tally Database, rather than reading the results aloud; and
- Carter Center observers noted that procedural inconsistencies, including errors on the Record of the Count forms, appeared to be due to limited experience or insufficient training of NEC staff and that there was no evidence of fraud or of any systematic effort to change the results in favor of any party or candidate. Carter Center observers reported an earnest effort on the part of NEC staff to correct discrepancies with the consent of party agents, and the process improved markedly over the course of the tally.

Overall, the tally process was conducted in a manner that upholds Liberia's international obligations.⁷

To ensure that effective remedies are available for violations of rights occurring during the tally process, there should be impartial scrutiny and access to a complaints review process.⁸ The elections law and related procedures, including the Regulations on Challenges and Complaints Arising before and during Elections and Tally Procedures, provide party agents the opportunity to monitor the process and to file formal complaints with the NEC. These complaints are considered by a hearing officer and may be appealed with the board of commissioners. Despite a formal window of 48 hours after the election to file a complaint, the complaints process is ongoing. Carter Center findings on this process are therefore preliminary.

⁵ In one case in Lower Montserrado a discrepancy of 138 votes in the presidential race was identified and a recount conducted. The recount found that the Congress for Democratic Change (CDC) had received 153, rather than 15 votes, as noted on the Record of the Count form. The form was corrected and copies distributed to the party agents. In a second case Munah Pelham, a CDC candidate for the House of Representatives in Montserrado County, complained that the number of votes she received had been switched with another candidate. A recount found that this was true and the Record of the Count form was corrected.

⁶ The first case in Upper Montserrado involved an error where 95 votes for the CDC in the presidential race were read as 15 votes. The error was corrected on the Record of the Count form. The second case involved a Liberty Party (LP) candidate in Maryland County.

⁷ International Covenant on Civil and Political Rights, art. 25(b);

⁸ UNHRC, General Comment 25, pTw 259 250

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Carter Center observers noted several complaints filed at the magistrate offices relating to a number of distinct aspects of the election process. In addition, the Center acknowledges the Oct. 15, 2011, "Press Release on the Flaw of the General and Presidential Election Results" issued by nine opposition political parties, alleging flawed elections and directing their party agents to withdraw from the tally process.

According to the NEC, as of Oct. 19 thirty-five official complaints had been filed in 16 magisterial areas. Nine of these complaints resulted in recounts: in four cases the allegations proved false, and the original tally was confirmed; in three cases the allegations proved justified and the tally was amended to reflect the correct results. Two recounts are pending. Fifteen investigations are ongoing or a response to the complainant is in preparation. Nine complaints had been dismissed for lack of evidence and five complaints had been withdrawn. As of Oct. 20, the NEC is conducting three full district recounts in Montserrado, Nimba, and River Gee Counties.

The Carter Center calls on political parties and candidates to submit evidence of irregularities or other problems to the NEC for investigation and resolution, in line with the formal complaints procedure. We acknowledge the steps taken by NEC to hear and resolve complaints in a timely fashion, which is in accordance with Liberia's international obligations.⁹ At the same time, the Center calls on NEC to ensure that hearings are conducted in an appropriate setting by the proper authorities as outlined in the elections law.

Following the announcement of final results parties and candidates will have seven days to file a formal complaint with the NEC. These complaints must be resolved within 30 days. As the process continues, The Carter Center encourages the NEC to ensure that the process remains transparent and impartial.

The Carter Center's election observation mission is working in Liberia by invitation of the NEC, in conformity with the NEC's Code of Conduct for Observers. The Carter Center commenced its observation mission on Sept. 1, 2011, and has deployed eight long-term

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Liberia's national legal framework and its obligations for democratic elections contained in regional and international agreements, including the African Charter on Human and People's Rights and the International Covenant on Civil and Political Rights.¹⁰

The Carter Center's election observation missions are conducted in accordance with the Declaration of Principles for International Election Observation and the Code of Conduct, which were adopted at the United Nations in 2005 and have been endorsed by 37 election observation groups.

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"Waging Peace. Fighting Disease. Building Hope."



National Elections in Liberia





National Elections in Liberia

Carter Center Preliminary Statement on the Liberia Presidential Run-Off Election

FOR IMMEDIATE RELEASE

Nov. 10, 2011

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The main findings of the Center's mission include:

- x The first round of the presidential election held on Oct. 11 was found by international and domestic observation groups to be credible, transparent, and without evidence of significant irregularities or systematic fraud. Since none of the 16 candidates received 50 percent plus one of the vote, the top two candidates, Ellen Johnson-Sirleaf of the Unity Party (UP) and Winston Tubman of the CDC automatically qualified for the run-off election held on Nov. 8;
- x In spite of the quality of the first round, the CDC decided to boycott the run-off election. While voting is a right rather than an obligation, and a party is free to encourage its supporters not to participate, there is no legal provision in Liberia for withdrawing in between the first and second round of the election. The CDC's decision to boycott essentially denied the Liberian people a genuine choice within a competitive electoral process;
- x The legal provisions regarding the date of the run-off are not harmonized with the period in which results from the first round may be challenged and adjudicated. In practice, the NEC failed to issue decisions on several first round presidential complaints prior to the holding of the run-off;
- x The CDC's march on Nov. 7 violated provisions of the Code of Conduct for Political Parties that prohibit parties from undertaking election-related activities within 24 hours of the polls and was without proper authorization. While the march began peacefully, it rapidly degenerated into confrontation between CDC supporters and the LNP that included CDC supporters throwing stones, police firing tear gas, and later, an action by the LNP against the CDC headquarters. Eyewitness accounts and video strongly suggest that the LNP used excessive force and fired weapons on unarmed persons, resulting in several deaths. Peacekeeping forces deployed by the United Nations Mission in Liberia (UNMIL) played a critical role in restraining the LNP and restoring order;
- x Events at the CDC headquarters were inflamed by the detention of more than 80 alleged CDC supporters, the closure of the media outlets, and the drawing up of a list of individuals whose travel outside the country has been banned. On Nov. 9, all detainees were released;
- x The atmosphere on election day was subdued in Monrovia but largely calm throughout the rest of the country. Although turnout appeared to be significantly lower than in the first round, many Liberians, including some CDC supporters, were determined to participate and they are to be commended for their commitment to the democratic process;
- x Carter Center observers reported that almost all polling stations throughout Liberia's 15 counties opened on time and that voting and counting were generally well-administered and transparent. Domestic observers were present at 52 percent of polling places observed. In the absence of CDC's party agents, the Liberian domestic observers provided an especially important safeguard for the integrity of the process;



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- x The Center finds that Liberia's run-off election was conducted in general accordance with the country's legal framework and international obligations, which provide for genuine democratic elections. While the run-off was undermined by the CDC boycott, the eruption of electoral violence, and low voter turnout, it allowed Liberians who wished to participate to express their will in a transparent and credible process. The Carter Center expresses regret at the loss of life during this electoral period.

BACKGROUND

The Carter Center launched an election observation mission in Liberia in early September 2011, following an invitation from the NEC. Eight long-term observers from five countries



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inconsistent with the Elections Law, the Liberian Constitution, or international best practices – that CDC hoped would improve the transparency of the electoral process. The CDC did not attend a meeting scheduled by the NEC to discuss feasibility of these arrangements and to provide additional access to NEC tabling and ballot storage facilities.

Subsequent efforts to facilitate dialogue, as well as discussions in Abuja initiated by Nigerian President Goodluck Jonathan, failed to produce any breakthrough. Am Tubman insisted that the second round was unconstitutional because official complaints had remained unaddressed. President Sirleaf called on all Libs to vote and suggested that Ambassador Tubman's call for a boycott encouraged Liberians to "violate the constitution." ECOWAS and the U.S. State Department issued statements that dismissed the CDC's complaints and encouraged the party to participate. The Carter Center issued a statement on Nov. 6, indicating that Liberians have a fundamental right to participate in public affairs, including the right to choose whether or not to cast a vote, in a process free from fear and intimidation."

On Nov. 7, the CDC organized a march beginning at its party headquarters in Monrovia, despite a provision of the Code of Conduct for Political Parties that prohibits parties from conducting election related activities within 24 hours of the poll and without the necessary authorization from the authorities. This decision was followed by a tragic confrontation between police and CDC supporters.

President Sirleaf has indicated that there will be a formal investigation. Reports vary on some details of the events, but it is clear that the march began peacefully at CDC headquarters. Subsequently, party supporters spilled out onto the main thoroughfare of Tubman Boulevard and came into a running confrontation with police from the Police Support Unit (PSU) forces and Emergency Response Unit (ERU). The police barricaded parts of Tubman Blvd in order to keep the road clear and to prevent crowd moving in the direction of the nearby presidential residence.

The police fired tear-gas into the crowd and protesters threw rocks and bottles at security forces. Both Reuters and Al Jazeera reported that the police fired live ammunition into the crowd. At various points, UNMIL peacekeepers confronted the police as they attempted to separate CDC supporters from the police. At least four people were killed in the clashes³ and at least two police officers were injured. Video recordings clearly show the escalation of the violence, including a senior police officer brandishing a pistol within the CDC's compound and being restrained by UNMIL forces and being taken away by his own men. The violence on Nov. 7 contributed to an atmosphere of fear and intimidation.⁴

Later the same day, The Carter Center was informed that at least 84 people, including approximately 20 women, were detained.⁵ Following review of the cases, all detainees were released on Nov. 9.

³ This figure is quoted in Al Jazeera and Reuters stories dated Nov. 7, 2011 and confirmed by a credible eye witness who saw four bodies at the CDC headquarters.

⁴ The right to security of the person is applicable throughout the electoral process and requires that individuals be free from physical violence at all times; International Covenant on Civil and Political Rights (ICCPR), art. 9; African Charter on Human and Peoples Rights (ACHPR), art. 6.

⁵ This was confirmed by the Ministry of Justice on Nov. 9.

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The Carter Center also was informed that Marina Pelham, CDC representative-elect from Montserrado County, was denied permission to re-enter Liberia and that her passport was seized. The Commissioner of the Bureau of Immigration and Naturalization (BIN) confirmed that Ms. Pelham is one of approximately 20 individuals who are currently under investigation for inciting violence at the CDC headquarters and are not permitted to travel.

Finally, on the evening of Nov. 7 police operation court order requested by the Ministries of Justice and Information shut down Kings FM, Love FM, Power FM, and Power TV for allegedly broadcasting false and misleading information and endangering public safety and security, in connection with the CDC boycott. The Press Union of Liberia (PUL) has called for them to be reopened.

The media plays an indispensable role during elections, educating voters and political parties about major issues and thus increasing access to information. Media enjoys the right of freedom of expression, which cannot be restricted unless the restriction is meant to ensure fulfillment of other rights or falls within a limited set of restrictions that are reasonable and objective.⁶

LEGAL FRAMEWORK FOR RUN-OFF ELECTIONS

A sound legal framework is essential to the effective administration of genuine democratic elections and to provide for free expression of the will of the voters. Liberia's legal framework for elections includes the international treaties to which Liberia is a party, the Liberian Constitution, the Elections Law, and the regulations adopted by the NEC.

The Liberian Constitution provides that election of the president and vice president is by an absolute majority of valid votes cast. If no presidential ticket obtains an absolute majority in the first round, a second round is conducted in which the two presidential tickets that received the greatest number of valid votes in the first round participate in the run-off. The ticket with a majority of valid votes cast in the run-off is declared the winner.¹⁰ No run-offs were held for legislative seats since Article 83(b) of the Constitution was revised by the Aug. 23, 2011, constitutional referendum, changing the legislative election system from an absolute majoritarian two-round system to a simple majoritarian one-round system.

The amendment also attempted to clarify the timing of presidential run-off elections, changing the vague "a second ballot shall be conducted on the second Tuesday following" to "a second ballot shall be conducted on the second Tuesday following the expiry of the time provided in Article 83(c)." However, the amendment did not sufficiently clarify the timing of the run-off since Article 83(c) references a number of time periods, including the 15-day deadline for declaring the election results and 10-day deadlines for filing and consideration of

⁶ ICCPR, art. 19. Restrictions considered reasonable include for the interests of national security and the interests of public safety.

⁷ ICCPR, art. 25(b).

⁸ Among others, Liberia has ratified or acceded to the African Charter on Human and Peoples' Rights (ACHPR) (2004); the International Convention on Economic, Social and Cultural Rights (ICESCR) (2004); the Convention on the Elimination of Discrimination against Women (CEDAW) (1984); the Convention on the Rights of the Child (CRC) (1993); the United Nations Convention against Corruption (UNCAC) (2005); and the African Charter on Human and Peoples' Rights (ACHPR) (1982). Additionally, Liberia has adopted the Universal Declaration of Human Rights (UDHR) (1948) and signed the African Charter on Democracy, Elections, and Governance (ACDEG) (2008).

⁹ Constitution of the Republic of Liberia, art. 83(b).

¹⁰ This provision was revised by the August 23, 2011, constitutional referendum, clarifying "votes cast" to "valid votes cast".



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complaints and appeals that challenge the results. Article 4.15 of the Elections Law interprets the Constitution by providing that the second round is to be held the second Tuesday following the announcement of the results of the first round. In this case Nov. 8, 2011. Despite outstanding complaints against the first round results at the time of the second round, the NEC did not postpone the holding of the second round (see Electoral Dispute Resolution section.)

ELECTION ADMINISTRATION

A transparent and impartial election management body is critical to guaranteeing that citizens are able to participate in a genuine democratic process.

The body responsible for organizing and conducting elections in Liberia is the National Elections Commission (NEC). The administrative structure of the NEC for the run-off remains unchanged since the first round of the elections. Polling took place in 19 magisterial areas in 15 counties at 1780 precincts. Within these precincts, polling places were reestablished. Voters voted according to their place of registration and at the same polling place as during the first round.

Technical assistance was provided to the NEC by IFES, funded by the United State Agency for International Development (USAID), and by the United Nations Development Program (UNDP), which oversees the multi-donor election basket fund. UNMIL assisted the NEC by providing airlift of election materials to some remote locations in the Southeast and in Lofa and Gbarpolu counties. Security for the elections remained the responsibility of the NEC and the Government of Liberia, although the LNP supplemented by officers from the BIN, with support from UNMIL.

Preparations undertaken by the NEC were both timely and, with only minor exceptions, electoral materials were delivered to polling places in accordance with the established electoral calendar. Most first-round poll workers were recruited again. As many as five percent of the presiding officers were either not recruited or replaced by their deputies due to poor performance during the first round. As there was only one election, the number of polling place staff was limited to five. The NEC organized refresher trainings for the electoral officials and other poll workers in order to improve their performance, particularly in regard to counting and tallying, which were identified as the most problematic components of the process during the first round. Although the trainings were completed on time, observers reported that in some cases the trainings were shortened and not conducted in accordance to the established schedule, and that presiding officers were inconsistent in their understanding of the electoral procedures.



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materials were insufficient and /or arrived late, limiting the time available for raising awareness. Observers also reported that political uncertainty concerning the boycott by the CDC had a negative effect on participation in civic education trainings, particularly in rural areas.

CANDIDATES, PARTIES, AND THE CAMPAIGN



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Poll Staff and Procedures. Carter Center-EISA observers reported that poll workers acted in an impartial and professional manner in most cases. Identification procedures were followed and measures to prevent multiple voting were properly undertaken in the majority of polling stations observed. In 24 percent of polling places visited, observers reported that polling staff failed to check the voter's finger for ink.

Secrecy of the Ballot. Carter Center-EISA observers reported that secrecy of the ballot was not adequately ensured in five percent of polling places observed. In most cases this resulted from insufficient space or inadequate set up of the polling place. This represented a modest improvement over the first round, when ballot secrecy was not assured in eight percent of polling places observed.

Party Agents and domestic observers. Observers noted the presence of UP party agents in 94 percent of polling stations visited, while CDC party agents were present in only one. In 52 percent of polling places visited domestic observer groups were present, especially the Elections Coordination Committee (ECC), which deployed 1725 observers across all 15 counties. Carter Center-EISA observers also encountered domestic observers from the Liberian Council of Churches (LCC) and NAWOPNET. Carter Center-EISA observers reported that no official complaints were filed at the polling places they visited.

CLOSING AND COUNTING

The accurate and fair counting of votes postpoll plays an indispensable role in ensuring the electoral process is democratic.

Poll Closing Atmosphere and Procedures. In the polling places observed, closing and counting took place in a peaceful atmosphere. The closing time was respected in all but two



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BACKGROUND ON THE CARTER CENTER'S ELECTION OBSERVATION MISSION

The Carter Center commenced its observation mission in Liberia in early September 2011 with the arrival of a core team and the deployment of eight long-term observers who observed the campaign and electoral preparations in all 15 counties. For the Oct. 11 elections, The Carter Center partnered with EISA to deploy an Integrated Carter Center-EISA observer mission to witness the voting, counting, and tabulation processes. The Carter Center and EISA partnered again to deploy an integrated mission to observe the Nov. 8 presidential run-off election.

The objectives of the Carter Center's election observation activities in Liberia are: a) to provide an impartial assessment of the overall quality of the electoral process, b) to promote a process that is credible, transparent, and free from violence, and c) to demonstrate



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7KRWHRQYHODEKIGLWVHOHFWLRQEVHVDWLRQLVVLRLQDO6HSWHPEHDQREVHMG
ERWKEQVRIWKHOHFWLRQLDOOFRLVHVDWHRQYHREVHMVZOOHPDLQ
LEHLDYLOWKHQRI1RMPEHWRRHSRWRQYKSRVWHOHFWRDOHMRPHQ

7KRWHRQYHDVVHVHVLEHLDYHOHFWLRQDJDLOWLWVREOLJDWLRQIRGHPFRFDWLFHOHFWLRQ
FRQDLQGLQKRWLWVLRQKHOHFWLRQDZQRWKHOHNDVSDWVRIWKHOHJDOIDPHENDV
HODVWVREOLJDWLRQSHLQHDWLRQOODZKRWHRQYHERQKVVWVHOHFWLRQEVHVDWLRQ
DFWLEWLHVLDFFRGDEHZWKHFODDWRRL3LELSOHVIRQHDWLRQOQHFWRQEVHVDWLRQ
KFXVDGRSWHGDWWK8QVHGIDWLRQLQ

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DWRLWLHVSHDOOFLEFVMDQDFWLQSHHQHODQWDSHODQWRGHDOZWK
DOOMKFLDOPDWWHVLQFFRUDERKODZQNSBFHVV



Appendix E Deployment Plans

Deployment Round I

Team #	Last Name	First Name	County of Base/City
1.1	Chester	Gerri	Monteserrado
	Dieset	Hans	
1.2	Asfaw	Rachel Tadesse	Monteserrado
	Larkan	Alka	
1.3	Crick	Tom	Monteserrado
	Rooney	Luke	
1.4	Payne	Chelsea	Monteserrado
	Pitman	Robert	
2.1	Chungong	Cindy	Nimba
	Cook	Nicholas	
2.2	Muke	Junior	Nimba
	Kamara	Idrissa	
2.3	Hyde	Susan	Nimba
	Cohen	David "Pablo"	
2.4	Keller	Kim	Lofa
	Machan	Ahna	
	Brandt	Chris	
2.5	Ambrozova	Tereza	Lofa
	Harris	David	
2.6	Bartlett	Sarah	Bong
	Lowe	Julia	
	Oneka	Joseph	
2.7	Tufon	Laura Anyola	Bong
	Amodu	Lawal	
2.8	Nelson	Doug	Margibi
	Kieti	Magdalena	
2.9	Liwanga	Roger	Margibi
	Nyangairi	Barbara	
3.1	Kraemer	Carole L.	Rivercess
	Lahai	James	



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3.2	Ranchod-Nilsson	Sita	Bomi
	Gerring	Nicole	
	Kalombo	Gaston	
3.4	Odera	Beatrice Abuya	Grand Bassa
	Konate	Maimouna	
3.5	Kanneh	Momoh	Grand Cape Mount
	Rawls	Amanda	
3.6	Fisher	Marlene	Gbarpolu
	Maluti	Humphrey	
4.1	Paczynska	Agnieszka	Grand Kru
	Ganna-Conteh	Ken	
4.2	Walla	Marjorie A.	Grand Gedeh
	Chapman	Peter	
4.3	An	Mary	Maryland
	Austin	Jeff	
4.4	Chavula	Viwemi	Sinoe
	Roine	Eldrid	
4.5	Jahr	Nicholas	River Gee
	Taylor	Scott	



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Deployment Round II

Team #	Last Name	First Name	County of Base/City
1.1	Chester	Geri	Monteserrado
	Wahab	Shehu	
1.2	Larkan	Alka	Monteserrado
	Dieset	Hans	
1.3	Crick	Thomas	Monteserrado
	Payne	Chelsea	
1.4	Rawls	Amanda	Monteserrado
	Pitman	Robert	
1.5	Mabonga	Joel Opicho	Monteserrado
	Wasike	Abuid Simiyu	
	Kariuki	Nancy	
2.1	Rogers	Terry	Nimba
	Kamara	Idrissa	
2.2	Amodu	Lawal	Nimba
	Brandt	Chris	
2.3	Santosham	Shireen	Lofa
	Alabi	Williams	
2.4	Handeland	Mona	Lofa
	Harris	David	
2.5	Wiik	Oystein	Bong
	Musuva	Catherine	
2.6	Nothern	Steve	Bong
	Olorunmola	Adebowale	
2.7	Machan	Ahna	Margibi
	Wright	Daniel	
	Oneka	Joseph	
3.1	Vwamu	Joan Mudindi	Rivercess
	Kalombo	Gaston	
3.2	Folorunsho	Moshood	Bomi
	Zerargui	Khalil	



Appendix F Checklists





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Appendix H Official NEC Results



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The Carter Center at a Glance

Overview: The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A nongovernmental organization, the Center has helped to improve life for people in more than 70 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production.

Accomplishments: The Center has observed more than 85 elections in 34 countries; helped farmers double or triple grain production in 15 African countries; worked to prevent and resolve civil and international conflicts worldwide; intervened to prevent unnecessary diseases in Latin America and Africa; and strived to diminish the stigma against mental illnesses.

Budget: \$96.0 million 2011–2012 operating budget.

Donations: The Center is a 501(c)(3) charitable organization, financed by private donations from individuals, foundations, corporations, and international development assistance agencies. Contributions by U.S. citizens and companies are tax-deductible as allowed by law.

Facilities: The nondenominational Cecil B. Day Chapel and other facilities are available for weddings, corporate retreats and meetings, and other special events. For information, (404) 420-5112.

Location: In a 35-acre park, about 1.5 miles east of downtown Atlanta. The Jimmy Carter Library and Museum, which adjoins the Center, is owned and operated by the National Archives and Records Administration and is open to the public. (404) 865-7101.

Staff: 160 employees, based primarily in Atlanta.

