

THE
CARTER CENTER



Waging Peace. Fighting Disease. Building Hope.

**Carter Center Preliminary Statement
International Election Observation Mission to Liberia's Presidential Runoff
Dec. 28, 2017**

This is the Carter Center's preliminary report on the Dec. 26 voting and counting processes for Liberia's presidential runoff election. It is important to note that the election process is ongoing and that there are still important steps to be completed before the Center can provide an overall assessment.

The Carter Center has made seven previous statements about the electoral process in Liberia. This statement is limited to observations of the Dec. 26 polling and counting processes. Further reports addressing the tabulation process, the resolution of election disputes, and the post-election environment will follow, concluding in a comprehensive final report on the electoral process as a whole. These will provide additional detail and analysis of the electoral dispute-resolution process and the period between the first and second rounds of the presidential election.

Preliminary Conclusions

The Carter Center commends the people of Liberia for their patience, resolve, and peaceful participation in the Dec. 26 presidential runoff election, and the strong demonstration of their commitment to democratic governance and values. After a month of waiting, Liberians went to the polls amidst a holiday season. Carter Center observers reported that the runoff election was calm and peaceful and included notable improvements. Observers positively assessed the implementation of voting procedures on election day, while noting that lower turnout placed fewer strains on the process.

Because of the protracted hearing of a legal complaint, campaigning was extremely limited. Given the short time to prepare for the runoff, the National Election Commission (NEC) and polling staff performed admirably in administering the election. The election commission's interactions with political parties were at times contentious. Greater transparency and more consultation with key stakeholders would have improved confidence in the process and benefitted all sides.

Background

The Dec. 26 presidential runoff elections followed a first round of voting that took place on Oct. 10, 2017, during which 75.2 percent of Liberians patiently and peacefully expressed their will at the ballot box. On Oct. 19, the National Election Commission announced the first-round results, declaring that Ambassador George Weah had won 38.4 percent of the vote and Vice President Joseph Boakai had won 28.8 percent of the vote and would be contesting in the runoff.

In October, the NEC received a number of complaints related to the elections for the House of Representatives and the presidency. Complaints were addressed within the timeframes provided in the law, and complainants were given ample opportunity to be heard. However, at times, requests from complainants for additional time and numerous witnesses affected the efficiency of the process.

The presidential runoff was originally scheduled for Nov. 7, but preparations were put on hold by Liberia's Supreme Court to allow time to resolve disputes from the first round. The Liberty Party complaint, joined later by the Unity Party, was rejected by the Supreme Court. The NEC was required to proceed with the runoff elections after fulfilling several conditions set by the court to address difficulties faced in the first round. The Supreme Court issued its ruling verbally on Dec. 7, and in writing the following week. In line with the constitution, the NEC then called the runoff elections for Dec. 26.¹

The Carter Center International Election Observation Mission in Liberia

The Center's observation mission for the Dec. 26 presidential runoff election was led by Dr. Aminata Touré, former prime minister of Senegal, and Jordan Ryan, vice president of peace programs for The Carter Center. On Dec. 26, the Center deployed 45 observers from 24 countries. Carter Center observers visited 171 polling stations in all 15 counties to observe voting and counting. On Dec. 27, they began observation of the tabulation process. The Carter Center's long-term observers continue to monitor the ongoing tabulation process and finalization of official results. Carter Center representatives will remain in Liberia to observe the resolution of any post-election disputes.

Runoff Campaign

The Liberty Party and Unity Party complaint reshaped the political landscape and dominated political discourse in the time between the two rounds. Initially, political activity centered on the two leading contenders' competition for the endorsements of the 18 other presidential candidates and Liberia's more than 20 other political parties. As the LP/UP electoral complaint gained traction, focus shifted to the political parties joining the legal challenge and calls for a re-run of the election.

The Supreme Court's suspension of election preparations caused an interruption in the campaign schedule, bringing a halt to all campaign activities. Although both parties continued to host

¹ Article 83(b) of the constitution.

occasional gatherings of 200-300 partisans in Monrovia, as well as small-scale campaign events in several counties, the parties largely seem to have complied with the pause of the campaign period. Once the new date for the runoff was set, the parties were given just under two weeks to campaign. The time allotted is in line with national legislation, but the interruption significantly impacted the momentum of the campaign. However, fundamental political rights were respected, and the campaign was peaceful.

As in the campaign period preceding the first round of voting, the most recent campaign period was focused more on individuals than on comparisons of political visions or policy agendas. Candidate debates were not held in advance of the runoff. The lack of substantive campaigns limited the electorate's ability to expand their understanding of the candidates and their platforms.

Electoral Preparations for the Presidential Runoff

In advance of the runoff that was originally anticipated in November, the NEC was proactive in addressing issues that occurred during the first round, including taking steps to address long lines and difficulties with voters finding their polling place within a precinct. The NEC recruited and trained additional queue controllers, increased the signage at polling precincts, and equipped precinct staff with devices for checking the voter list.

Following the Dec. 7 Supreme Court ruling on the joint Liberty Party and Unity Party complaint, the NEC was mandated to take additional steps to improve confidence in the integrity of the process. These steps included, among others, a "full clean-up" of the final registration roll (FRR) to remove duplicate registrations and identical voter ID numbers, public display of the roll at each polling center in advance of the elections, and new restrictions that limited the use of the supplemental voter list so that only those mentioned in the NEC's procedures could vote at a polling center other than their place of registration (i.e. poll workers, police/security personnel, and drivers of international observer missions).

With the assistance of a technical team from the Economic Community of West African States (ECOWAS), the NEC undertook a further review of the final registration roll and rectified repeated voter ID numbers, as well as a small number of duplicate registration entries. Following the review, 361 entries were deleted and 420 new IDs were issued to persons registered with duplicate voter ID numbers.² The NEC was able to post the voter lists for public review at polling places across the country, although incidents of lists being torn down or damaged were observed. The day before the election, voter lists were posted at all but two of the 139 polling precincts visited by Carter Center observers.

The Supreme Court also required the NEC to consult with the two political parties on how it planned to implement the full clean-up of the voter roll. While the actions taken by the NEC to address the deficiencies identified in the list were appropriate, its efforts would have benefited from greater transparency and consultation, which in turn could have increased the level of trust among stakeholders.

² As presented by the NEC and the ECOWAS at an Inter-Party Consultative Committee meeting on Dec. 19.

The postponement of the runoff election significantly hindered civic and voter education activities. Through the media, the country closely followed developments in the legal process, and many people were therefore aware of the runoff election date. However, the circumstances limited the opportunities for voter education activities on key topics, including the runoff procedures, the commission's efforts to address deficiencies in the voter lists, and the new restrictions on the use of supplemental voter lists.

As a result of the electoral dispute-resolution process and associated delays, the NEC had to halt, and then restart, training efforts for polling staff, and procedures had to be adjusted multiple times to reflect the Supreme Court instructions. Despite these late changes and the lack of a fully updated training manual for distribution to all polling places, Carter Center observers positively assessed the poll workers' compliance with procedures throughout the day.

Observations of the Polling and Counting Process of the Presidential Runoff Election

Following the deployment of short-term observers, the Carter Center respectfully offers these observations:

The atmosphere at poll opening was calm, and the polls opened in an orderly manner. The measures the NEC implemented to address the difficulties in the first round were reported to have positively impacted queue management and the flow of voters. In all polling places observed by The Carter Center, staff adequately complied with procedures for the opening of stations, and almost all polling places opened on time or with short delay. Police and security were present and visible, reflecting an effort by the police to increase visibility.

While efforts were made by the NEC to accommodate persons with disabilities in ground-floor polling places, the vast majority of structures used for polling precincts were insufficient to allow independent access for persons with disabilities.

While lower turnout contributed to the efficient flow of voters, the NEC also put in place changes that improved the process. It added more queue controllers (observed in 81 percent of larger precincts), better signage (present in 94 percent of larger precincts), and devices for checking the voter roll (present in one-third of larger polling precincts visited). The posting of lists of voter ID numbers outside the polling places enabled queue controllers to direct voters to the correct polling place with few difficulties. Queue management was assessed positively in 97 percent of polling precincts observed. Carter Center observers reported that poll workers in 23 percent of polling places observed inadequately complied with procedures for checking for ink and that 4 percent of the ballot issuers did not adequately instruct voters or fold ballots. The implementation of procedures and the overall environment was assessed as "very good" or "reasonable" in almost 98 percent of polling places observed by The Carter Center.

The closing and counting process was assessed as "very good" or "reasonable" in all polling places observed. While counting procedures should be reviewed before future elections to ensure greater accountability and additional safeguards against fraud, Carter Center observers found that poll workers adhered to procedures in almost all cases. In four of 16 observations, seal numbers were not properly recorded, and in two polling places observed, there were issues with the reconciliation of the ballots. Despite a few incidents in which party agents raised concerns at the

start of the counting process, Carter Center observers found the process to be smooth and calm throughout the country.

Contributing significantly to the transparency of the process, party agents from both CDC and UP were observed in 100 percent of polling places visited by The Carter Center. During polling, Carter Center observers learned of two complaints filed at polling places. Complaint forms were present in all polling places, and no party agent claimed to have been denied a complaint form – which was an issue of concern in the first round. Isolated incidents of misconduct were promptly addressed by election officials and the relevant authorities.

The Carter Center observed the start of the tabulation process in 12 out of the 15 counties. On the first day of the process, observers assessed the implementation of procedures as very good or reasonable in all tally centers observed. In the first round, Carter Center observers reported that some Record of the Count forms required corrections at the tally centers, but this has occurred much less often so far in this round.

While The Carter Center was pleased to see women exercising their democratic rights and expressing their will through the ballot box during the runoff election, Carter Center observers noted a lower percentage of women participating during this round. At polling stations observed by The Carter Center, women made up 46 percent of voters, 43 percent of staff, and only 26 percent of presiding officers. Political party agents also were predominantly men; observers noted only 25 percent women. UP fielded 28 percent women and CDC 23 percent women in the polling places observed.

For the runoff election, the Liberia Elections Observation Network (LEON), the Elections Coordinating Committee (ECC), and the Council of Churches recruited and trained observers. ECC said it had close to 500 observers reporting on election day, and LEON deployed just over 1,000. Both organizations issued reports on election day, contributing to the transparency of the process. The Carter Center noted citizen observers present in 42 percent of polling places visited.

Recommendations

While comprehensive recommendations for the improvement of the election process in advance of future elections will be provided in the Carter Center's final report, the Center takes this opportunity to highlight a few key areas. In particular, it recommends:

- A full review of electoral legislation through an inclusive consultative process to address gaps and inconsistencies – with the goal of bringing the legal framework in line with international standards for democratic elections.
- A careful review of the timing of elections and the timeframes for resolving electoral disputes – with the aim of condensing this timeline and streamlining the hearing process, which is in line with international standards for an effective remedy.
- A thorough review of the voter registration system that builds on the experience of the electoral process.
- A more robust mechanism for stakeholder consultations and communication.

- A concerted effort to increase women's participation in the political process, through targeted voter education, recruitment as election staff, and the strengthening of requirements for their representation in political parties.
- A strengthened training program for poll workers and the further elaboration of polling and counting procedures.
- A stronger emphasis on civic and voter education, which was affected in the runoff by the dispute-resolution process and the stay on electoral activity.
- A plan to ensure the equal access of marginalized groups to all parts of the political process and to reinforce their fundamental rights.

Background on The Carter Center in Liberia

The Carter Center's election observation work began with pre-election assessment teams that visited Liberia beginning in 2016, including one that observed the voter registration process in February and March of 2017. A core team of electoral experts and six long-term observers from five countries arrived in early August to assess electoral preparations. For the Oct. 10 presidential and House of Representatives election, the Center deployed 50 observers from 17 countries. They visited 145 polling stations in all 15 counties to observe voting and counting.

After the Oct. 10 election, the Center's long-term observers and core team of experts remained deployed across Liberia to observe the ongoing tabulation process, immediate post-election period, and initial preparations for the presidential runoff. The Carter Center's core team of electoral, political, and legal experts remained in Liberia to closely observe and report on all aspects of the electoral dispute-resolution process. The Carter Center issued two public statements during this time, commenting on the dispute-resolution process on Oct. 30 and Nov. 6. A Carter Center leadership team visited Monrovia in November to meet with key stakeholders.

Additional information about the Center's observations, analysis, and recommendations related to the period between the first and second round of elections can be found in a comprehensive final report on Liberia's electoral processes that The Carter Center will release in the coming months.

The Carter Center assesses elections against international standards for democratic elections contained in the host country's international obligations and commitments and in its national legal framework. The Center conducts its election observation missions in accordance with the Declaration of Principles for International Election Observation, which was endorsed in 2005.