

The Liberia 2005 Elections:
A Record of Carter Center Involvement

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INTRODUCTION

In October and November 2005, Liberia held historic presidential and legislative elections that followed 14 years of brutal civil war in which more than 250,000 Liberians were killed. The country's infrastructure was largely destroyed, and nearly half the population was displaced, either as refugees or as internally displaced people (IDPs). A two-year transition period began in August 2003 with the Comprehensive Peace Agreement (CPA), negotiated and signed in Accra, Ghana, by representatives of Liberia's warring factions, political parties, and civil society.

The elections, a component of the CPA peace process, were virtually violence-free and well-administered, resulting in the first democratically elected female head of state in Africa. The inauguration of President Ellen Johnson-Sirleaf, as well as a 30-member Senate and 64-member House of Representatives, was a critical step toward lasting peace and democratic development for this small West African country.

Former U.S. President Jimmy Carter and The Carter Center have been active in Liberia since 1991, with extensive involvement in peace negotiations, health programs, election observation, and activities regarding rule of law and access to information. In 2000, the Center closed its office in Liberia following a strong public letter by President Carter condemning the abuses of the Taylor administration. In 2005, The Carter Center resumed operations in Liberia and worked closely with election authorities, political parties, domestic and international election observers, civil society organizations, and members of the

international community to strengthen Liberia's electoral process and contribute to the country's transition to peace.

In July 2005, the Center established a small field presence and deployed six long-term international observers (LTOs) who crisscrossed the country July–December 2005 monitoring electoral and political developments. Building on this foundation, the Center partnered with the National Democratic Institute (NDI) to organize several pre-election international assessment missions as well as joint election observation delegations for the October 2005 elections and the November 2005 runoff election.

Separate but parallel to international observation activities, The Carter Center—via its associated office in the United Kingdom, The Carter Centre UK (CCUK)—collaborated with Electoral Reform International Services (ERIS) to implement a series of activities funded by the European Commission (EC). These activities included organizing the first presidential and legislative candidate debates in Liberia's history, providing training to political party agents and supporting capacity-building for Liberian civil society groups to undertake nationwide voter education, domestic election monitoring, and training for community radio stations.

The peaceful conduct and outcome of the 2005 Liberian elections were great reliefs for friends of Liberia everywhere. After her inauguration, President Sirleaf reiterated commitments to restrain presidential power in favor of ensuring a balance of a functional



legislature, an independent judiciary, and elected local and county governments.

This reports provides an overview of the Carter Center's wide-ranging involvement in the 2005 Liberian elections, including both the CCUK/ERIS programs with party agents, civil society, and domestic observers as well as the Center's international

observation activities (implemented in association with NDI), with a particular focus on the findings of the Center's team of LTOs. This report supplements the final report of the international observation missions organized jointly by NDI and the Center, *Observing Presidential and Legislative Elections in Liberia*, available on the NDI and Carter Center websites.



HISTORICAL BACKGROUND

In the 19th century, freed slaves and free people of color from the United States were encouraged to return to the continent of their ancestors. They settled in western Africa, a place that was already home to as many as 16 indigenous ethnic groups. The descendents of these settlers, known as Americo-Liberians, formed Liberia, the first independent nation on the continent of Africa, in 1847 and modeled the new nation's constitution and political institutions on those of the United States. Americo-Liberians' domination of political power in Liberia, compounded by the country's extensive natural resources, bred widespread discontent among the indigenous populations. In 1980, the last Americo-Liberian president, William Tolbert, was killed by coup leader Master Sergeant Samuel Doe, a member of the indigenous Krahn ethnic group, and his supporters. In the 25 years that followed, Liberia experienced very few moments of peace.

By 1985, Doe—who was then president—had a tenuous hold on power. Although it appeared that he lost in presidential elections held in October 1985, which were denounced as fraudulent by observers, Doe refused to concede defeat. Backed by the U.S. government, which relied on him as a Cold War ally, Doe's authoritarian regime became even more repressive.

When rebel leader Charles Taylor invaded Liberia's northern Nimba County in December 1989, he was heralded as a freedom fighter and given wide support by those disenfranchised or imprisoned under Doe. By July 1990, Taylor's National Patriotic Front of Liberia (NPFL) forces had

reached the outskirts of Monrovia. As the fighting spread, Taylor refused to participate in peace talks initiated by the Economic Community of West African States' Cease-fire Monitoring Group (ECOMOG). Infighting led to a split in Taylor's forces, which resulted in Prince Johnson founding and leading the Independent National Patriotic Front of Liberia (INPFL). Eventually, Johnson captured and killed President Doe, further spreading chaos throughout the country.

Between 1990 and 1996 there were multiple efforts to broker peace, but the NPFL and two wings of the breakaway United Liberation Movement of Liberia for Democracy (ULIMO) continued to battle for control of the country. During the ensuing civil war, the state collapsed, and social structures were distorted beyond recognition. Armed factions, using child soldiers, engaged in violent brutality that killed one-tenth of the prewar population of 2.5 million, sent one-third over Liberia's borders as refugees, and displaced most of the remaining population at one time or another. After many failed attempts, the Economic Community of West African States (ECOWAS) was finally able to lay the groundwork for special elections held on July 19, 1997. In an environment of intimidation and fear, Taylor won the election with 75.3 percent of the vote.

Taylor's administration was characterized by human rights abuses, plundering of the country's natural resources, and support for the Revolutionary United Front (RUF), a rebel group in neighboring Sierra Leone. In 2000, conflict reignited as two rebel groups



challenged the government's control of the countryside, once again forcing hundreds of thousands of Liberians to flee across borders and many more to become displaced internally. By 2003, these two groups—Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL)—controlled the majority of the country.

Under intense regional and international pressure, the government, rebel groups, political parties, and civil society representatives signed a Comprehensive Peace Agreement (CPA) in Accra, Ghana, in August 2003. Nigeria agreed to allow Charles Taylor to relocate there in exile. The CPA created the National Transitional Government in Liberia (NTGL) and the National Transitional Legislative Assembly (NTLA), invited the deployment of 15,000 U.N. peacekeepers throughout the country and called for elections at the end of a two-year transition period.

The CPA offered the best opportunity in years for Liberia to make a decisive turn toward peace and stability. Corruption and a lack of transparency in the transition government perpetuated widespread citizen discontent, leading to continued pessimism and sporadic violence. Yet, unlike in the past, the post-conflict transition in Liberia was supported by significant international assistance and the presence of one of the largest U.N. peacekeeping forces in the world. The 2005 electoral process provided the first real opportunity in 25 years for Liberia to begin to restore the foundations of a peaceful and democratic society.

International support notwithstanding, the pre-election environment was complex.

Infrastructure was mostly nonexistent, with almost no piped water, electricity, or a viable national road network. Thousands of IDPs lived throughout the country, with refugees in neighboring countries. Over a span of 25 years, the population of Monrovia had swelled to as much as three times its prewar population, as people fled violence in rural areas, putting even more strain on existing infrastructure.

The social and cultural context for the 2005 elections posed additional challenges. Past regimes had exacerbated ethnic and regional friction to their advantage, and those tensions were still alive throughout the country. The historic Congo-country divide between Americo-Liberians or “Congos,” who had historically represented the elite ruling class, and indigenous Liberians, or those from the “country,” would continue to be a divisive force during the 2005 elections and beyond.

Historically, Liberia's centralized political structure facilitated corruption across all levels of government. During the 2005 election period, the long-standing patronage system of rewards in exchange for political support surfaced as an important campaign tactic. More generally, Liberians' disappointing experiences with past elections in 1985 and 1997, the trauma caused by years of war, and a lingering fear that Charles Taylor continued to hold sway over events in Liberia meant that the elections created as much trepidation as excitement.



ELECTORAL FRAMEWORK

The Comprehensive Peace Agreement that ended the civil war required that presidential and legislative elections be held no later than October 2005 and that a new, independent National Elections Commission (NEC) be formed to oversee the electoral process. It also precluded senior members of the National Transitional Government in Liberia (NTGL) from running for office, including NTGL Chairman Gyude Bryant, cabinet ministers, the speaker and deputy speaker of the National Transitional Legislative Assembly (NTLA), and the chief justice.

NEC commissioners were appointed by Chairman Bryant and approved by the NTLA. Counselor Frances Johnson-Morris was appointed NEC chair. The NEC was responsible for recommending a legal framework for the elections, organizing voter registration, conducting voter education, and training polling-place staff and other election officials in consultation with the United Nations Mission in Liberia (UNMIL) Electoral Division and other partners. The NEC was also the primary arbiter of electoral disputes and complaints. Throughout the electoral process, the NEC sustained high levels of public confidence, and most agreed that it operated with independence and impartiality.

The NTLA passed the Election Reform Law of 2004 in December of that year. The law suspended several provisions of the Liberian Constitution, including requirements that a national census be held before the election¹ and the need for presidential candidates to

have resided in Liberia for 10 years prior to running for office. In addition, the need to win any electoral contest by a majority of votes (50 percent plus one vote) was suspended for legislative seats in order to avoid the need for runoff elections² but retained for the presidential race.

The new election law proposed other significant changes to past systems. During the 1997 elections, a party list system of countywide voting was used, a system that resulted in individual legislators not representing specific constituencies. Thereby, the system undermined legislators' responsiveness to local communities. The new law stipulated that each county elect two senators, with the entire county serving as a single constituency. In each county, the senatorial candidate with the most votes would be the senior senator (nine-year term) and the second place candidate would become the junior senator (six-year term).³

Each county also would elect a minimum of two representatives to the House of Representatives, regardless of the population or number of registered voters in any particular county.⁴ With 15 counties in

¹ Subsequently, a census was conducted in 2008.

² In 2011, a referendum approved several amendments to the constitution, including changing Art. 83(b) to utilize a simple majority for all elections except for the president and vice president, which would remain at absolute majority, or 50 percent plus one vote.

³ Senate term lengths, the differences between senior and junior senators, and international standards regarding the right to periodic elections remain key topics of the election reform debate.

⁴ Following the 2008 census, the threshold of citizens per constituency and the concept of a minimum of



Liberia, this formula accounted for 30 of the 64 seats in the House. Additional seats were allocated to counties based on their number of registered voters, and electoral districts were defined based on the number of seats allocated. A formula was established to try to ensure that each electoral district in a county represented approximately the same number of registered voters. In practice, however, because of significant disparities in the populations of various counties, some electoral districts had fewer than 10,000 potential voters while others had more than 30,000. Generally, the parties accepted this disparity. The NEC took additional factors—such as the distribution of ethnic groups or clans and natural geographical features that would make it difficult for candidates for the House of Representatives to campaign in and serve their district—into account in defining districts.

Other developments during early 2005 included the adoption by all registered political parties of a voluntary code of conduct and the promulgation of Liberia's first campaign finance regulations, which were among the most comprehensive globally. The NEC also initiated regular meetings of an Inter-Party Consultative Committee (IPCC) in order to maintain communication with representatives of all political parties on electoral developments and ensure compliance with the code of conduct and campaign finance regulations. The NEC approved voter education messages in April 2005, and dozens of civil society organizations received formal accreditation to carry out voter education activities.

two representatives per constituency have been controversial subjects of legal reform.

AN OVERVIEW OF CARTER CENTER ACTIVITIES DURING THE 2005 ELECTIONS

The Carter Center's efforts in Liberia surrounding the 2005 elections included two major sets of activities. The first focused on providing capacity-building support to political parties, civic education groups, and domestic observers. The second consisted of a program of international election observation, which was carried out in partnership with NDI.

POLITICAL PARTY SUPPORT, CIVIC PARTICIPATION, AND DOMESTIC OBSERVATION

The first set of Carter Center activities during the 2005 Liberian elections involved a multipronged program that included: (1) training and events to build the capacity of political parties and the NEC to engage transparently and effectively in the electoral process; (2) activities to support civic education and participation by increasing understanding among the Liberian public of the democratic process, with a particular focus on ex-combatants, rural communities, women, youth, and other vulnerable groups; (3) a program to support domestic observation for the elections.

These activities were conducted through a European Commission-funded program known as the European Commission Bilateral Election Program that began in March 2005 and was managed by The Carter Centre United Kingdom (CCUK) in partnership with The Carter Center and the U.K.-based Electoral Reform International Services (ERIS).

Political Party Training

The political party training program worked to build the institutional capacity of all

registered political parties that intended to partake in the 2005 elections. Pre-election programming focused on training political party county-level leaders, including party representatives who would serve as party agents to observe voting at polling stations. These trainings were conducted in collaboration with the NEC's county offices, which had the parallel effect of developing the leadership and administrative capacities of local NEC officials.

Forty-eight capacity-building workshops provided training for more than 900 political party members on a wide variety of themes. Topics covered in the training included the electoral framework, the NEC's political party code of conduct, conflict mitigation, participation by women and youth, campaign finance regulations, campaign strategy, ethnic tolerance, and seat allocation in the legislature. Party-agent training focused on developing skills for effective monitoring of election-day events and reporting back to party headquarters with data from around the country.

In advance of the November 2005 runoff election, The Carter Center and NDI provided refresher trainings for 60 political party representatives from the two contending political parties, the Unity Party (UP) and the Congress for Democratic Change (CDC). Working in collaboration with the International Republican Institute (IRI), project staff produced a manual of procedures for political party representatives and distributed hundreds of copies around the country.

In order to increase political parties' access to the media during the campaign period, the



program helped organize Liberia's first-ever presidential candidate debates, hosted by a prominent national radio station. Twenty of the 22 presidential standard-bearers took part in the radio programs, which were broadcast live and replayed several times to a national audience. People in Monrovia and elsewhere stopped work to gather around radios and listen attentively to these historic debates, which addressed topics ranging from candidates' roles during Liberia's years of conflict to their plans for economic recovery and national reconciliation. Members of the public were able to call the radio station and pose questions to the presidential candidates, challenging them on sensitive topics about Liberia's past and future.

In addition to the presidential debates, 44 legislative-candidate town hall meetings were held in 14 of Liberia's 15 counties during the campaign period. All political party and independent candidates for the Senate and House of Representatives were invited to participate in the sessions in their respective counties. In total, 120 candidates took part, with meetings attracting up to 500 members of the voting public. Because many of the candidates had not yet begun campaigning in their counties, these forums effectively kicked off the campaign period in many places.

As with the presidential debates, town hall meetings provided the first opportunity for Liberians to directly question legislative candidates about party platforms and their plans for the future. Each legislative meeting was audiotaped and replayed on community radio stations, which had received training in producing politically neutral election coverage. Audiotapes also were distributed by Carter Center partner organizations to

local video clubs, tea shops, and other venues where voters gathered to discuss politics during the campaign period. Following the October elections, during the runoff campaign period, a debate between the two remaining presidential candidates was recorded and broadcast nationwide on several radio stations as well.⁵

After the elections, program staff hosted a two-day conference titled "Promoting the Prospects for Post-Election Peace and Political Cooperation in Liberia," which provided an opportunity for representatives of political parties, academia, civic organizations, and religious communities to discuss the progress made toward peace through the electoral process and determine ways to maintain dialogue and political cooperation for the future. Participants agreed on a series of recommendations for fostering and maintaining peace in the new era. Recommendations included the need for the new government to promote job creation, to decentralize decision-making, and to support a national reconciliation process for the country as a whole.

Civic and Voter Education

In addition to providing assistance to political parties, another facet of the European Commission Bilateral Elections Program involved training civil society organizations to provide nationwide civic and voter education. A total of 25 community-based organizations and national

⁵ The candidate debates and town hall forums that took place during the 2005 elections contributed to a culture of democratic debate that has begun to develop in Liberia in subsequent years. With continued support from USAID for these programs, each legislator has visited his or her constituency as an elected official to learn more about constituent needs and report to communities on events in Monrovia.



nongovernmental organizations were selected through a competitive process as partners in this effort. A master-trainers workshop provided training to civil society partners on key education messages and how best to engage audiences in a variety of settings. CSOs employed a range of educational tools and techniques to engage voters, including village meetings, school competitions, music and drama productions, debates, radio discussions, and direct instruction in IDP transit centers. CSOs reached audiences in both urban and remote locations, sometimes traveling by motorbike or on foot. Project staff also provided CSO partners with basic training on proposal writing, financial management, and program monitoring to further strengthen their organizational capacity. A training manual was distributed to all partners.

In addition to the work of the CSOs, Liberia's prominent comedian "Flomo" produced four popular videos on various election themes such as "go and register," "don't sell your vote," and "accept results peacefully." These videos were broadcast in more than 100 video clubs nationwide. A final workshop was held to evaluate the project and assess lessons learned from the process. Every effort was made to coordinate activities with other international partners and with the NEC.

Domestic Observation

Finally, the European Commission Bilateral Election Program supported the recruitment, training, and deployment of 640 Liberian domestic election monitors in five counties to monitor the elections. Through their observation and public reporting of the electoral process, these citizens contributed to enhancing electoral integrity. The organizations that received support through

the Center's program included the Association of Disabled Females International (ADFI), the Collaboration of Churches in Bong (COCB), Equipping Youth to Help One Another (EQUIP), the Justice and Peace Commission (JPC), the Lutheran Trauma Healing and Reconciliation Program (LHTRP), and the Resource Center for Community Empowerment and Integrated Development (RECEIVE).

The Carter Center and NDI produced a manual on polling procedures and the role of election observers, along with 1,000 kits for domestic observers. Kits consisted of all materials needed for monitoring on election day. Project staff also held retraining for domestic monitors in advance of the runoff election. Liberian monitors supported by the project published three public statements—two interim public statements and one final statement on the electoral process—that received widespread media coverage.

Overall, the reports of domestic observers commended the Liberian people, NEC staff, and political parties for their overwhelmingly peaceful participation in the elections. However, observers also noted some concerns with the process, including that many voters did not understand the voting process, that procedures for assisted voting were not applied correctly in some locations, and that there was poor communication by the NEC of some last-minute decisions, including changes in the location of some polling centers. The reports also offered recommendations for improving voter education and training of polling staff and recommended better lighting at polling stations during the counting process. In their public statements, the organizations emphasized that Liberians have put the war



behind them and must work with responsible political leaders to unify society and address key developmental concerns.

CARTER CENTER INTERNATIONAL ELECTION OBSERVATION

The second set of Carter Center activities focused on international election observation, including the deployment of a team of six Carter Center long-term observers (LTOs), participation in a series of pre-election assessment delegations (with NDI and/or IRI), and the deployment of teams of short-term observers (STOs) for the presidential and legislative elections in October 2005 and the presidential runoff election in November 2005.

Carter Center Long-term Observers

The Center's team of six LTOs arrived in Liberia shortly after the field office opened in July 2005. After comprehensive briefings, the LTOs broke into three teams of two to begin work. Initially, the LTOs concentrated their observation efforts in Nimba, Lofa, and Maryland counties and in other locations where the country's conflicts had been particularly devastating. From there, they spread throughout the country.⁶ By the end of August 2005, Carter Center LTO teams had observed the pre-election environment in all of Liberia's 15 counties. The LTOs remained in the country until the end of the electoral complaints process.

The LTOs were charged with observing, monitoring, and reporting back to the

Center's headquarters on a variety of aspects of the electoral process. To do this effectively, LTO teams traveled to various towns and villages within their assigned counties and met with a wide range of stakeholders, such as political party representatives, CSOs, domestic monitoring groups, local NEC officials, UNMIL and other international agencies working on election preparations, and members of the general public. From these meetings, LTOs gathered information on a number of issues, such as:

- The NEC's preparation for each stage of the electoral process and the conduct of local election authorities, including possible irregularities or the disenfranchisement of potential voters
- The conduct of the police, the army, and UNMIL troops with respect to the level of security throughout the country, the perceptions of local populations regarding their security and safety while participating in the electoral process, and any signs of political intimidation
- Cooperation between the NEC and UNMIL officials regarding election administration
- The scope and nature of Liberian NGOs' election-related activities, such as campaign finance, domestic election monitoring, voter education, and the degree of freedom in which they operated
- The extent of voter understanding of the election process and their political choices—especially in rural areas—including the role of traditional and religious leaders in providing electoral and political information
- The political campaign period, including parties' ability to freely

⁶ One team focused on Montserrado County, which includes the capital city of Monrovia, as well as Margibi, Grand Bassa, and River Cess counties. A second team covered Bomi, Grand Cape Mount, Bong, Lofa, and Gbarpalu counties, while a third team traveled to Nimba, Grand Gedeh, River Gee, Grand Kru, Maryland, and Sinoe counties.



assemble for rallies, access to the media, information from the NEC, and adherence to the political parties' code of conduct and regulations related to campaign finance, including reports of intimidation and vote-buying

- Divisive rhetoric by candidates, the media, or others based on ethnicity or tribe
- The disenfranchisement of refugees and IDPs and other concerns related to vulnerable populations

The LTO teams returned to Monrovia regularly to present oral and written reports on these themes, which provided the basis for the Center's public statements. While the LTOs were deployed in the counties, the Carter Center's field office director in Monrovia met frequently with representatives of all political parties contesting the polls, NEC officials, CSOs, international observer groups and NGOs, leaders in the diplomatic community and others. Information and recommendations were shared privately with relevant electoral and governmental authorities in order to play a quiet advocacy role and encourage timely responses to problems that arose during preparations for the elections.

Throughout the pre-election phase, The Carter Center used the observations of the

LTOs as well as the pre-election assessment delegations to produce several public statements, a full report on the campaign period, and a series of *Election Watch* newsletters developed in collaboration with NDI.

Pre-election Assessment Delegations

In parallel to the observation efforts of the LTOs, the Center also participated in a series of short-term, pre-election, assessment delegations during the electoral process. Several were joint delegations with NDI, and one was organized in cooperation with IRI. Each delegation involved meetings with senior NTGL representatives, members of UNMIL, the NEC, political parties, civil society, and the international community.

Carter Center–NDI Short-term Observer Delegations

For both the Oct. 11 elections and the Nov. 8 runoff election, The Carter Center and NDI partnered to field a team of short-term international election observers who visited polling stations in 10 of the 15 counties in Liberia. Full details of the Carter Center–NDI short-term observer delegations are covered in the final report, *Observing Presidential and Legislative Elections in Liberia*, available on the NDI and Carter Center websites.



PRE-ELECTION PHASE: DESCRIPTION AND FINDINGS

This section summarizes the key pre-election findings of the Center's election observation program, based both on the reporting of the Center's LTO teams as well as the work of several pre-election assessment delegations.

VOTER REGISTRATION

Voter registration took place April 25–May 21, 2005. In order to register to vote, people had to prove citizenship through the provision of one of several documents such as a passport or birth certificate. If a person lacked these documents, oral testimony by a traditional leader or by two other registered voters would suffice to prove eligibility.⁷

In mid-May 2005, the Center participated in a short-term, pre-election, observation mission organized by IRI to monitor the voter registration process. The small delegation was led by Robert Gribbin, former U.S. ambassador to Rwanda and the Central African Republic. During the six-day mission, the delegation met with senior representatives of the NTGL, the NEC, UNMIL, political parties, NGOs, and the diplomatic community in Monrovia. They also traveled to Nimba, Bong, Grand Bassa, Grand Cape Mount, and Bomi counties where they visited approximately two dozen voter registration centers (VRCs) located in both urban and rural communities as well as in IDP camps. On May 20, the delegation

released a press statement providing an assessment of the voter registration process in which they concluded that the process to date was credible and technically sound.

Overall, the assessment mission found that the staff at the VRCs was well-trained, materials were delivered in sufficient quantities and on time, and any disputes were handled according to NEC regulations. There was also adequate security, which allowed citizens to register in a safe environment. The NEC, in cooperation with local CSOs, had undertaken a voter registration education campaign, and it was clear to the delegation that the campaign had been largely effective.

There was an extended two-week period for registration for returning refugees, although it was not clear whether this information reached refugees in neighboring countries. (Contrary to the constitution, refugees had to return to Liberia to register.) Refugee voter turnout was low during the extension period due to time limitations, cost, and lack of education on the process. While IDPs were able to register, they had to decide months in advance of the election whether they would vote where they currently resided—usually in an IDP camp—or in their county of origin.

EXHIBITION

Voter lists were exhibited publicly June 30–July 2 to facilitate the correction of errors and to allow voters to file complaints. During that time, people who had been rejected during the voter registration process could present proof of eligibility before NEC magistrates and be added to the voter rolls.

⁷ A subsequent study conducted in 2009 showed that only a small percentage of Liberians has a birth certificate or a passport. Oral testimony was a primary means of identification in the 2005 voter registration process, and methods to strengthen the identification process—given the lack of documentation of citizens—should be considered in advance of Liberia's next voter registration exercise.



A total of 1.35 million Liberians—as much as 90 percent of an estimated 1.5 million eligible voters—registered to vote in the 2005 elections, notwithstanding significant logistical challenges. Notably, 50.1 percent of registered voters were women, two-thirds were under the age of 38, and 38 percent of voters were registered in Montserrado County. Approximately 61,000 IDPs registered to vote, with 71 percent opting to vote in their home counties, especially in Lofa and Nimba. Assuming that approximately 150,000 IDPs were still resident in camps at the time of voter registration and that approximately 50 percent of them were eligible voters, IDPs appear to have registered at a slightly lower rate than the rest of the population.

CANDIDATE NOMINATIONS

On Aug. 15, the NEC published the final list of 762 candidates approved to contest the presidential and legislative elections. Those approved included 22 candidates for president and vice president, 206 for the Senate's 30 seats, and 512 for the House of Representatives' 64 seats. Of the total number of candidates, 110 were female, constituting 14 percent of the contenders. While this number was an improvement from past years, it fell short of the NEC's political parties' guidelines, which called for 30 percent female candidates. Three women were among the presidential and vice presidential aspirants.

Out of all of the prospective candidates, the NEC rejected five independent presidential aspirants, three vice presidential nominees, and nine contenders for the House of Representatives, arguing that they failed to fulfill election requirements. Some of the rejected applicants contested the NEC's

decision in the Supreme Court. As noted below, a decision was not reached on these candidates' appeals until two weeks before the first round of elections.

THE CAMPAIGN PERIOD

During the campaign period, The Carter Center and NDI released a public statement on Sept. 9 analyzing pre-election developments. In general, the team found that despite enormous logistical challenges and post-conflict conditions, electoral preparedness was good and prospects for a competitive election high.

All registered parties signed on to the political parties' code of conduct, thereby committing themselves to minimum standards for conducting a peaceful and fair campaign. However, by late August, party representatives had brought several complaints to the NEC regarding violations of the code, including premature campaigning, abuse of state resources, and destruction of rival candidates' campaign materials. The NEC responded without bias to accusations but was not mandated to serve as an investigatory body where insufficient evidence was available. Official complaints procedures were adopted in June 2005, and all stakeholders were encouraged to pursue disputes through formal channels rather than through the media, through public demonstrations, or by resorting to violence. The Carter Center and NDI recommended that Inter-Party Consultative Committee (IPCC) meetings between the NEC and political parties at the national and county level be held weekly throughout the campaign period in order to address concerns as they arose. Most of Liberia's political parties at the time of the election were focused around the personalities of key leaders rather than on



party platforms. Party organization was centralized in Monrovia, and few parties had the resources or organizational structure to campaign at the grassroots level. Bad roads turned worse during the rainy season, and issues of inaccessibility further hampered communication between party headquarters and party representatives in the counties. For parties with limited resources, campaign activities for the Senate and House races revolved around visits of the standard-bearers to larger cities in a county to educate and recruit supporters. Several party representatives and candidates also expressed dissatisfaction with the elections. They argued that there was not sufficient time for campaigning and that NEC procedures were often explained too late or altered midstream.

ELECTION SECURITY

The campaign period opened with enthusiasm, and there was initial concern that rowdy displays of partisanship could turn violent. For instance, at the start of campaigning there were some large street marches (in favor of specific candidates) that led to tensions. Rival parties allegedly tore down campaign posters. The NEC and the Ministry of Justice coordinated with political party representatives and independent candidates to establish appropriate procedures for rallies and other campaign activities, but these were not adequately communicated or enforced.

The inaccessibility of some rural polling places also presented security concerns. Given the lack of infrastructure in Liberia, polling places in a number of counties required UNMIL helicopters, porters on foot, or other extraordinary means to deliver materials before election day. UNMIL was also responsible for transporting ballot

boxes from polling places to tabulation centers and back to the NEC after voting and counting were complete. Many expressed concern that in remote locations, polling staff could be manipulated and election materials could be vulnerable to interference. To address this potential problem, the Ministry of Justice provided special training in election security to members of the Liberian National Police (LNP) and other security forces that would be deployed to each of the 3,070 polling places. UNMIL troops provided mobile backup security.

There was also concern that the public was largely unaware of security plans to protect voters at polling stations. Plans called for two security agents from a coordinated force that included the LNP to be posted at each polling precinct, with support from 600 mobile U.N. civilian police (CivPol) and UNMIL troops. The Carter Center and NDI urged UNMIL to communicate these preparations to the public in order to encourage election participation and to deter those who might use violence as a political tool.

CAMPAIGN FINANCE REGULATIONS

The Carter Center and NDI noted that Liberia's new campaign finance regulations included restrictions on the source of campaign funds, a prohibition against vote-buying, and disclosure requirements regarding candidates' campaign finance information. However, the tradition in Liberian politics was to provide incentives for the public to listen to campaign speeches and to attend rallies. Observers witnessed candidates frequently distributing rice, cement, or small amounts of money to crowds who gathered when candidates came to town. This raised concern that voters



thought campaign gifts, which sometimes fulfilled urgent needs, were appropriate payment for political support. Although the Electoral Reform Law of 2004 and other regulations prohibited “bribery,” the law and regulations did not adequately define the term.

Some party representatives argued that the new campaign finance regulations were unrealistic, given the logistical and administrative challenges in Liberia and the late date at which they were announced. Others were concerned that the NEC did not have sufficient resources to audit all of the reports that it required parties and candidates to submit. Since the NEC had 70 days after each reporting period to release its findings, the results of an audit would not be known until after the elections. It was further noted that the Ministry of Finance, which was responsible for certifying every candidate’s tax payments, was inadequately prepared for this task. A number of candidates alleged that some staff accepted payment to expedite their certification.

There were also several reports that members of the NTGL and the NTLA who were running for office were openly using state resources for their political campaigns. Some people called for these individuals to step down from public office to demonstrate their commitment to the electoral process.

VOTER EDUCATION

Voter education was critically important to the success of the elections. Voters had to choose from dozens of candidates, many of them largely unknown, on three separate ballot papers. The education issue was further complicated by the reality that an estimated 85 percent of the population was illiterate. Stakeholders in all of the counties

called for an increased commitment to civic and voter education for the upcoming elections and in future governance and civic participation.

Education regarding the voter registration process was slow to reach rural areas. The same was true for voter education in advance of the Oct. 11 polls, despite considerable efforts by the NEC and Liberian civil society organizations, with support from the international community.⁸

Public forums, town hall meetings, and radio call-in shows were organized around the country to allow citizens to hear candidates discuss their positions on issues of public concern. However, with so many parties and candidates participating in the elections—and often little variance among their platforms—(most addressed the same key issues: roads, education, and electricity), many voters were confused about the differences among candidates. Carter Center LTOs reported that many people in rural areas were not familiar with the candidates contesting the races and that parties needed to make greater efforts to communicate their messages.

Carter Center LTOs also observed that citizens did not yet understand the complex procedures stipulated for election day or the process for the tabulation and announcement of election results. Voters required more education to ensure they would be able to mark their ballots correctly. In addition, although the NEC had determined transparent procedures for counting ballots, the tabulation of votes, and the announcement of results, NEC officials at

⁸ Including United Nations Development Program (UNDP), NDI, and the European Commission Bilateral Elections Program (ERIS/CCUK)



the county level, political parties, and the public did not adequately understand these procedures. Some NEC county offices mistakenly believed that domestic observers and party agents were not permitted to observe the tabulation process. In their Sept. 9 statement, The Carter Center and NDI recommended that, as a matter of priority, a public education effort on tabulation and announcement of results be undertaken to quell rumors and build trust in the process.

INTERNALLY DISPLACED PERSONS

Some IDPs who registered to vote in their home counties were concerned they would not be repatriated as promised in advance of the presidential and legislative elections. They argued that they had been encouraged to register to vote in their counties of origin with implicit promises for timely assistance to return home. According to the law, voters had to physically vote in the place where they were registered. In protest, IDP leaders called for a boycott of the elections and encouraged camp residents to disrupt election preparations.

The Carter Center urged the NEC to take action, beginning with reaching out to IDP leaders to negotiate a solution. The Center also advocated that IDPs be allowed, at a minimum, to cast a ballot for the presidential race, regardless of where they registered to vote, so they would not be entirely disenfranchised. The NEC responded to these efforts, calling a meeting with IDP camp leaders to discuss options and another meeting with the international agencies responsible for facilitating IDPs' return. When the parties involved agreed that international agencies would accelerate efforts to help IDPs return home, and that those who did not make it back in time would be allowed to vote in the presidential

(but not legislative) election, IDP leaders ended their call for a boycott and the disruption of election preparations.

ELECTORAL COMPLAINTS

Carter Center observers raised concerns that candidates, party representatives, and the public did not understand the NEC's methodology for resolving election-related complaints. Complaints regarding polling or counting irregularities had to be filed at the polling station and with the county magistrate within 24 hours of the problem. Complainants had to file other complaints to the NEC within 72 hours. Election observers were supposed to have access to attend the complaint hearings, but LTOs observed that the public and political party representatives were largely unaware of these regulations. Furthermore, plaintiffs often did not appear at the hearings, sometimes because they did not know where the cases were held and sometimes because it was not practical to travel to Monrovia, the only place where complaints were heard. In their Sept. 9 public statement, The Carter Center and NDI recommended that NEC allocate sufficient resources to ensure that the potential volume of complaints would be processed on an expedited basis with adequate transparency and in accordance with the requirements of due process.

DECISIONS ON APPEALS AT THE SUPREME COURT

During the last week of September 2005, the Supreme Court of Liberia heard four cases related to electoral disputes, the outcome of which had the potential to impact the overall electoral process significantly. In one petition, the Coalition for the Transformation of Liberia (COTOL), which included the Liberia Action Party led by presidential candidate Varney Sherman,



argued that since there were two senatorial seats in each county, each voter should be allowed to cast two ballots, one for each of the two seats. The NEC countered that the 2004 election reform law stated that every voter was entitled to a single vote for the Senate candidates, with the top two vote-getters winning office. COTOL argued that the law's stipulation that "each voter shall have one vote" should be interpreted under a principle of "one voter, one vote, for one office."

In a 4-1 ruling, the Supreme Court ruled in favor of COTOL. The ruling ordered a lower court to issue further instructions on how the NEC was to ensure that the ballots, which had already been printed, permitted voters to cast two votes in the senatorial election. The NEC told poll workers to provide clear instructions to voters to mark two choices on the Senate ballot and to apply a sticker by hand to each ballot with these same instructions. This decision presented the NEC with last-minute logistical and financial challenges and raised concerns that the ruling could make the process vulnerable to more challenges in the remaining three weeks prior to the election.

In another case, presidential candidate and attorney Marcus R. Jones represented himself and four other presidential aspirants

whose nomination documents were rejected by the NEC because they lacked the requisite number of signatures from registered voters. These candidates argued that, although they submitted their paperwork on the last day of the nomination process, they still should have been allowed the seven-day grace period that other candidates had been granted before the deadline to amend their documentation.

The Supreme Court ruled in favor of Jones and the other candidates on Sept. 27, just two weeks before election day. The decision sparked controversy, because in order to accommodate the new candidates, presidential ballots would need to be reprinted, which would delay the election and all voter education activities related to the ballot. NEC Chair Francis Johnson Morris noted that the NEC did not have the power to postpone the elections, which would require the agreement of all of the parties to the CPA. Former Nigerian President Abdulsalami Abubakar, ECOWAS's chief mediator for Liberia, was flown in to negotiate. In the end, all of the potential candidates withdrew their nominations in order to avoid disrupting the elections. The Supreme Court also ruled against two other candidate nomination appeals.



PRESIDENTIAL AND LEGISLATIVE ELECTIONS

Details on the Center's short-term election observation activities during the election period in October and November are described more fully in the final report of the international observation delegations, *Observing Presidential and Legislative Elections in Liberia*, available on the Carter Center and NDI websites. Some of the main findings are summarized briefly below.

THE OCTOBER ELECTIONS

For the Oct. 11 elections, The Carter Center and NDI partnered to field a team of 40 international election observers co-led by former U.S. President Jimmy Carter and former President Nicéphore Sogolo of Benin. On election day, Carter Center/NDI observers visited more than 100 polling stations in 10 of the 15 counties in Liberia. A press conference was held on Oct. 13 to issue a preliminary statement and recommendations. Overall, observers noted relatively few problems. Approximately 74.8 percent of registered voters cast ballots, and notwithstanding a number of administrative and logistical challenges, few incidents of violence or fraud were reported.

On Oct. 26, the final results were announced for both the presidential and legislative elections. In the presidential race, George Weah from the CDC led with 28.3 percent of the vote, and UP candidate Ellen Johnson-Sirleaf was in second place with 19.8 percent. Since no presidential candidate garnered a majority, a runoff election between Weah and Sirleaf was scheduled for Nov. 8, 2005.

There were noticeable patterns in the election results, both in the presidential and legislative elections. In general, regional and

ethnic alliances had strong pull with voters, and it was correctly predicted that presidential candidates would easily win their counties of origin. George Weah used to his advantage his indigenous background, his ability to relate to uneducated youth, and his lack of connections to Liberian political life during the war. Ellen Johnson-Sirleaf appealed to the upper classes, largely made up of Americo-Liberians, who placed a high value on education and governing experience. It seemed that Liberia's historic Congo-country debate played a significant role in voter allegiances.

Local factors seemed to hold even more sway for election to the legislature, a reality underscored by the fact that there was little connection between the political party of the leading presidential candidate in a county and the political parties of those elected to the Senate and the House. In the end, neither the CDC nor the UP, the two leading parties in the presidential race, fared particularly well in the legislature. The smaller political parties that made little or no headway in the presidential race tended to do better in the legislature. Locally renowned independent candidates—some of whom were former rebel leaders—won significant victories in the House and Senate. Both the House and the Senate were split among eight or more parties and independent candidates, leaving no main opposition party to provide an alternative voice to the administration.

PRESIDENTIAL RUNOFF ELECTION CAMPAIGN PERIOD

After the results of the Oct. 11 election were announced, there were approximately two weeks for campaigning before the runoff on Nov. 8. This period grew increasingly tense



as losing presidential candidates pledged their allegiance to one of the two candidates participating in the runoff. CDC supporters alleged that Weah had, in fact, won the first round by 62 percent rather than the 28.9 percent that the NEC reported. Party leaders told constituents that if Weah did not win the runoff election, it would only be because the NEC had conspired with the international community to ensure that Sirleaf was successful. CDC leadership continued to qualify their acceptance of the election results, saying they would only accept results if there was no evidence of fraud. These statements, and the narrowing of the field to two candidates who were vying for the support of different ethnic groups and regions, led to a highly charged two-week period. Campaigning became more negative than in the first round, and at times the media seemed to encourage fears and rumors of violence.

In addition to these complications, 41 electoral complaints were submitted to the NEC following the first round. Hearings on complaints were open to accredited observers, but the NEC did not widely disseminate information about them. Disorganization in notifying candidates of their hearing dates resulted in some parties missing their appointments. Many of the complaints were based on misunderstandings of election procedures or law, and most, after being heard by the NEC, were resolved or referred to the justice system.

In this interim period, Carter Center LTOs observed campaigning in 10 counties and reported a widespread lack of voter education on the runoff election. Citizens did not understand what a runoff was, why it was necessary, or when it would be held.

Many voters had concluded that since their candidate of choice was no longer in the race, they would not vote during the second round. Others did not understand the requirement for a candidate to obtain a majority of the vote and thought that the candidate with the most votes in the first round would be the winner. Others complained about the long lines and slow voting during the first round and were debating whether to vote in the runoff. Finally, many of the political parties had provided transportation for their constituents during the first round. Now that 20 of the 22 parties were out of the race, many voters, as well as domestic observers and political party representatives, would find it more difficult to reach polling stations. Carter Center LTOs were concerned that voter turnout might be much lower for the runoff election.

THE NOVEMBER RUNOFF ELECTION

NDI and The Carter Center organized a 28-person delegation to observe the runoff. Voter turnout for the runoff was lower, averaging around 62 percent of registered voters. Because of a simplified ballot and new rules allowing family members to assist illiterate voters, voting proceeded more quickly than during the first round. Overall, there were few incidents of violence. On Nov. 10, the NDI–Carter Center delegation released a press statement concluding that the runoff “went peacefully and smoothly,” with only a few irregularities.

The tabulation of results proceeded much more quickly for the runoff and, although the official results were not announced until Nov. 23, by the afternoon of Nov. 9 it was already clear that Sirleaf was in the lead.



On Nov. 23, the NEC announced Sirleaf as the winner of the runoff election with 59.6 percent of the vote. The CDC, however, had already filed a complaint with the NEC contesting the results of the election and alleging “massive electoral fraud.” Hearings

electorate since only 60 percent of registered voters cast ballots in the runoff election. Consequently, following the election, Liberia was challenged to bridge the gap among voters such as the youth and ex-combatants, many of whom supported Weah in both the first and second rounds.

Nov. 8, 2005, President/Vice President Runoff Election				
Presidential Candidate	Vice Presidential Candidate	Political Party	Votes	Percentage
JOHNSON-SIRLEAF, Ellen	BOAKAI, Joseph Nyuma	Unity Party	478,526	59.40 percent
WEAH, George Manneh	JOHNSON, J. Rudolph	Congress for Democratic Change	327,046	40.60 percent
				100.00 percent
Valid Votes			805,572	
Invalid Votes*			20,144	
Total Votes			825,716	
<i>(61.0 percent of registered voters)</i>				
*Invalid votes account for 2.4 percent of total votes.				

on the CDC’s electoral complaint lasted more than a month, with the NEC ultimately ruling that there was insufficient evidence to substantiate the CDC’s claim. Carter Center representatives attended these proceedings until their conclusion and were the only observer group to observe the entire process.

In the end, Sirleaf garnered more votes than Weah in 10 out of 15 counties, including Montserrado, frequently by wide margins. Weah continued to hold on to his support base in the southeast of the country, especially in Sinoe, Grand Gedeh, Grand Kru, and River Gee counties, but this was not enough to counter Sirleaf’s broad support in the population-dense counties of Nimba, Montserrado, and Bong.

While Sirleaf won the presidency by a significant margin, her victory represented the support of only 35 percent of the

POST-ELECTION COMPLAINTS PROCEDURES

Many CDC supporters had believed that Weah would be assured a victory in the presidential runoff election, given his lead in the first round of the election (with 28.3 percent of the vote). Almost immediately after the runoff, the CDC indicated its intention to contest the results based on alleged fraud. The party initiated a formal complaint through the NEC and vowed to pursue their claim to the Supreme Court, if necessary. As with all other electoral complaints, the senior attorney for the NEC served as adjudicator of the initial hearing, which was open to the public. Several attorneys represented the CDC, and the NEC hired a team of defense lawyers.



Approximately 100 observers, members of the press, citizens, and diplomats attended the proceedings during the first several weeks of testimony. The Carter Center was the only international observation group to observe each day of the CDC's complaint hearings through to its conclusion in mid-December.

CDC lawyers facilitated the testimony of a dozen witnesses, including senior members of the party, CDC election monitors, NEC officials, and voters. The CDC argued that several sets of ballots were pre-marked for Sirleaf and "stuffed" into ballot boxes by individual voters. They also complained that in a few counties there were discrepancies on forms recording the vote count at polling places. Technical arguments regarding election procedures dominated the hearings. Some local media increased tensions by presenting sensational coverage of the hearings, including printing inflammatory headlines and inaccurate summaries of the proceedings.

After weeks of hearings, the NEC ruled against the CDC's electoral challenge. The CDC considered a possible appeal to the Supreme Court. Public demonstrations by CDC supporters, who sometimes wore t-shirts with the slogan "No Peace Without Justice," threatened to undermine the electoral process. There were several injuries and reports of overzealous responses by national and UNMIL police to control protestors. However, Weah and other party officials continued publicly to call for calm. Ultimately, Weah issued a public statement

interpreting the NEC ruling as confirmation that there was fraud in the electoral process, but he concluded that, in the interest of national peace, the CDC would not prevent President-elect Sirleaf from taking office.

Some of the other 22 election disputes presented by presidential and legislative candidates after the Oct. 11 vote continued throughout the month of November, including several appeals to the Supreme Court.

The Carter Center observed the entire complaint proceedings and the appeals. Two complaints were resolved directly by the NEC, including a case of fraud in vote tabulation by a junior senator in Gbarpolu County exposed by European Union (EU) observers, and a House seat in River Cess County won by a candidate who was not a registered voter. In the former case, the junior senator was dismissed and the senatorial candidate with the third greatest number of votes took his seat.

Based on the Center's observation of complaints process, The Carter Center and NDI issued a public statement on Dec. 14 indicating that their missions had "not seen evidence of systematic fraud or problems that would materially affect the election results." However, representatives of the Center following the court case noted that the electoral complaints mechanism is an important area that requires further strengthening and reform in advance of Liberia's next elections.



CONCLUSION: FROM TRANSITION TO CONSOLIDATION

The 2005 presidential and legislative elections in Liberia were an important achievement. They contributed to ushering in a new chapter of peace and democratic governance. The NEC demonstrated the ability to administer credible elections with technical support from UNMIL and international partners. Political parties and candidates made real efforts to reach out to constituents in all of Liberia's counties, guided by their first code of conduct and campaign finance regulations enforced by the NEC. Thousands of political party representatives monitored the election process across the nation.

Civil society organizations also mobilized hundreds of election monitors and published reports about their observations on all aspects of the process. In partnership with UNMIL and the U.N. CivPol, Liberia's security forces helped to ensure that the elections remained free of violence. Most of all, the people of Liberia demonstrated their desire for peace and democracy by participating in large numbers throughout

the process. The 2005 elections in Liberia occurred in the midst of the country's first opportunity in more than 25 years to emerge from decades of civil strife.

The specific recommendations issued during the observation period can be found in the official report of the NDI-Carter Center observation mission as well as in public statements released throughout the project.

In the 2005 elections, as an intrinsic part of the peace agreement, there was an extraordinary international presence supporting the electoral process, not at the least through UNMIL and its electoral component. The level of international involvement and the level of financing of the electoral process are unlikely to be replicated. The test for future elections in Liberia will be to consolidate gains and to ensure institutional capacity and infrastructure, civic engagement, and political responsibility in order to address key challenges.



ACKNOWLEDGMENTS

The Carter Center's work during the 2005 elections in Liberia was supported by the government of Ireland and the United States Agency for International Development (USAID) through a sub-grant from NDI. Additionally, funding from the European Commission enabled The Carter Centre United Kingdom, in partnership with ERIS, to undertake the 2005 European Commission Bilateral Election Program in Liberia.

The Center would like to acknowledge the hard work and dedication of its LTOs: Ilana Bleichert, Viwemi Chavula, David Harris, Nick Jahr, Brett Lacy, and Maud Nyamhunga. In addition, the Center is grateful for the efforts of its field office director Ashley Barr, deputy director Alex Bick, Pewee Flomoku, Rufus Moiseemah, Pela Boker, and the entire Liberian staff.

The Carter Center thanks Political Party Assistance Director Moses Pitso, Voter Education Director Lucy Royal-Dawson, the democracy resource officers (DROs), and all the Liberian staff who contributed to the success of the European Commission Bilateral Program. The European Commission Bilateral DROs—John Chipeta, Helen Barnes, Jeff Austin, and Roel Borren—deserve special commendation. We recall with great sadness the passing of Annie Longley, country director for the European Commission Bilateral Elections Program. Annie was the consummate professional and is greatly missed by the many friends and colleagues whose lives she touched.

Carter Center Democracy Program Director David Carroll had overall responsibility for the Center's work in Liberia. Project management was shared between Tom Crick, Conflict Resolution Program senior political analyst, and Ashley Barr, Democracy Program/Human Rights assistant director. Assistant program coordinator Mary Miller provided essential support in Atlanta and Liberia and provided an initial draft of this report, which was edited by David Carroll, Brett Lacy, and Amelia Cook.



CARTER CENTER ELECTION OBSERVATION DELEGATIONS

OCT. 11, 2005, PRESIDENTIAL AND LEGISLATIVE ELECTIONS

DELEGATION LEADERS

Jimmy Carter, Former President of the United States
Rosalynn Carter, Former First Lady of the United States
Nicéphore Soglo, Former President of Benin

DELEGATES

Diane Acha Morfaw, Vice President, National Elections Observatory, Cameroon
Ashley Barr, Liberia Country Director, The Carter Center, United States
Alexander Bick, Former Acting Liberia Country Director, The Carter Center, United States
Ilana Bleichert, Long-term Observer, The Carter Center, Canada
David Carroll, Director, Democracy Program, The Carter Center, United States
James E. (Chip) Carter, III, Consultant, United States
Rebecca P. Carter, Director of Government Relations for the Southern U.S. Conservation Region, The Nature Conservancy, United States
Malik M. Chaka, Policy Analyst, U.S. House of Representatives, United States
Viwemi Chavula, Long-term Observer, The Carter Center, Malawi
Rindai Chipfunde, National Coordinator, Zimbabwe Election Support Network, Zimbabwe
Tom Crick, Senior Political Analyst, Conflict Resolution Program, and Liberia Projects Manager, The Carter Center, United Kingdom
Almami Cyllah, Former Electoral Commissioner, Interim National Election Commission, Sierra Leone
Jim Della-Giacoma, Senior Adviser, National Democratic Institute, Australia
Vivian Lowery Derryck, Senior Vice President and Director of Public-Private Partnerships, Academy for Educational Development, United States
Fatoumata S. Diallo, Management Consultant, Guinea
Sidi Mohamed Diawara, Liberia Country Director, National Democratic Institute, Mali
Theophilus Dowetin, Programme Officer, Association of African Election Authorities, Ghana
Chris Fomunyoh, Senior Associate for Africa, National Democratic Institute, Cameroon
David Harris, Long-term Observer, The Carter Center, United Kingdom
Barrie Hofmann, Senior Adviser, National Democratic Institute, United States
Nicholas Jahr, Long-term Observer, The Carter Center, United States
William Krause, Information Systems Consultant, United States
Brett Lacy, Liberia Deputy Director, The Carter Center, United States
Jeremy Levitt, Associate Professor of Law, Florida International University College of Law, United States
Thoko Matshe, Gender Expert, Zimbabwe



Pat Merloe, Senior Associate and Director of Electoral Programs, National Democratic Institute, United States
Mary Miller, Assistant Program Coordinator for Liberia, Democracy Program, The Carter Center, United States
Segametsi G. Modisaotsile, Coordinator of the Political Education Project, Emang Basadi Association, Botswana
Koki Muli-Grignon, High Court Advocate, Kenya
Maud Nyamhunga, Long-term Observer, The Carter Center, Zimbabwe
Tomsie Priscilla Philips, Manager, Independent Electoral Commission, South Africa
Titi Pitso, Liberia Senior Program Manager, National Democratic Institute, South Africa
John Prendergast, Senior Adviser, International Crisis Group, United States
Girum Tesfaye, Former U.N. Electoral Adviser, Canada
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John Yoder, Professor of Political Science and History, Whitworth College, United States

NOV. 8, 2005, PRESIDENTIAL RUN-OFF ELECTION

DELEGATION LEADERS

David Carroll, Director, Democracy Program, The Carter Center, United States
Alex Ekwueme, Former Vice President, Republic of Nigeria
Chris Fomunyoh, Senior Associate for Africa, National Democratic Institute, Cameroon

DELEGATES

Ashley Barr, Liberia Country Director, The Carter Center, United States
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TERMS AND ABBREVIATIONS

AU	African Union
ADFI	Association of Disabled Females International
CCUK	The Carter Centre United Kingdom
CivPol	Civilian Police
COCB	Collaboration of Churches in Bong
CPA	Comprehensive Peace Agreement
CSO	Civil Society Organization
DDRR	Demobilization, Disarmament, Rehabilitation, and Reintegration
DRO	Democracy Resource Officer
EC	European Commission
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
EQUIP	Equipping Youth to Help One Another
ERIS	Electoral Reform International Services
EU	European Union
GEMAP	Governance and Economic Management Assistance Program
IDP	Internally Displaced Person (or People)
INPFL	Independent National Patriotic Front of Liberia
IPCC	Inter-Party Consultative Committee
IRI	International Republican Institute
JPC	Justice and Peace Commission
LHTRP	Lutheran Trauma Healing and Reconciliation Program
LNP	Liberian National Police
LTO	Long-term Observer
LURD	Liberians United for Reconciliation and Democracy
MODEL	Movement for Democracy in Liberia
NDI	National Democratic Institute
NEC	National Elections Commission
NGO	Nongovernmental Organization
NPFL	National Patriotic Front of Liberia
NTGL	National Transitional Government in Liberia
NTLA	National Transitional Legislative Assembly
RECEIVE	Resource Center for Community Empowerment and Integrated Development
RUF	Revolutionary United Front
STO	Short-term Observer
ULIMO	United Liberation Movement of Liberia for Democracy
UN	United Nations
UNDP	United Nations Development Program
UNMIL	United Nations Mission in Liberia



USAID United States Agency for International Development
VRC Voter Registration Center

POLITICAL PARTIES

ALCP All Liberia Coalition Party
APD Alliance for Peace and Democracy
CDC Congress for Democratic Change
COTOL Coalition for the Transformation of Liberia
FAPL Freedom Alliance Party of Liberia
LAP Liberian Action Party
LEDP Liberia Education and Development Party
LERP Liberia Equal Rights Party
LNU Liberia National Union
LP Liberty Party
LPP Liberian People's Party
LUP Liberia Unification Party
NATVIPOL National Vision Party of Liberia
NDM New Deal Movement
NDPL National Democratic Party of Liberia
NPP National Patriotic Party
NRP National Reformation Party
PDPL People's Democratic Party of Liberia
PRODEM Progressive Democratic Party
RAP Reformation Alliance Party
TWP True Whig Party
UDA United Democratic Alliance
UP Unity Party
UPP United People's Party



APPENDICES

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Carter Center Observers Arrive in Liberia in Advance of October Elections (July 25, 2005)

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2005 Liberian National Elections: Carter Center/NDI Interim Post-Election Statement (Dec. 14, 2005)



THE CARTER CENTER

APPENDIX A



**Carter Center Observers Arrive in Liberia in Advance
of October Elections**

25 Jul 2005

FOR IMMEDIATE RELEASE

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ATLANTA... The Carter Center opened an office today on Mechlin Street in Monrovia to support its ongoing Liberia Election Observation Project, including the deployment of a team of long-term observers throughout the country to monitor electoral conditions in the run-up to the Oct. 11, 2005, presidential and legislative elections.

"In past decades, Liberians have suffered many false starts on the path toward lasting peace and restoration of dignity and prosperity," said former U.S. President Jimmy Carter, who will co-lead an election-week delegation. "With the full support of the United Nations, ECOWAS, the African Union, and others, Liberians now have their best opportunity to choose their leaders in a democratic way, free from fear and intimidation."

Carter Center international observers will meet regularly with the representatives of the National Elections Commission, the competing political parties, party coalitions, and independent candidates, as well as U.N. officials, domestic observer groups, registered voters, and other stakeholders. The Center will issue periodic public statements detailing its findings and making recommendations, as appropriate. The Center will work in close cooperation with the other domestic and international observer groups.

"By closely monitoring the electoral process, international and domestic observers hope to build public confidence in a credible election process that represents the will of the Liberian people," said Dr. David Carroll, acting director of the Carter Center's Democracy Program.



A Carter Center delegation will visit Liberia in August in advance of the campaign period, and in September, the Center will join a second delegation in partnership with the National Democratic Institute for International Affairs. During the week of the elections, the Center and NDI will deploy short-term international observers throughout the country. The Center and NDI will remain through the end of November to monitor all post-election developments.

Background:

President Carter's commitment to Liberia extends to 1978, when he visited Liberia as part of the first state visit to sub-Saharan Africa by a sitting U.S. president. Carter Center efforts to promote peace and democracy in Liberia began in 1991, when the warring factions invited the Center to assist in the peace process. ([Read more about the Center's work in Liberia.](#)) The Center opened an office in Monrovia in 1992, and President Carter made numerous trips to Liberia and the region in support of regional efforts to end the conflict. The Center also worked to strengthen civil society's efforts to promote justice, human rights, and a free media.

Following the 1996 Abuja II Peace Accords, the Center observed the July 1997 special elections. Many Liberians told observers they saw the election as a choice between Charles Taylor and war, and it is one of Liberia's tragedies that this fragile hope for peace was betrayed. In 2000, the Center closed its office in Monrovia, as President Carter publicly criticized President Taylor for no longer sharing the goals of a democratic society and for inciting conflict in the region

The Carter Center's Liberia Election Observation Project is supported by grants from Development Cooperation Ireland and the United States Agency for International Development.

Since March 2005, [The Carter Centre U.K.](#), an independent registered organization in the United Kingdom that closely collaborates with the Atlanta-based Carter Center's peace and health efforts, has been working in partnership with Electoral Reform International Services to implement the European Commission-funded Bilateral Election Programme in Liberia. This separate project provides technical assistance for voter and civic education, domestic election monitoring, and for Liberian political parties in Monrovia and in rural Liberia. The Carter Center is an associate partner of this ERIS and the Carter Centre U.K.-led programme.

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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 not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. Please visit www.cartercenter.org to learn more about The Carter Center.



THE CARTER CENTER

APPENDIX B



Liberia Elections: President Carter Calls for Clean Campaign
15 Aug 2005

FOR IMMEDIATE RELEASE

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MONROVIA.... The Carter Center's Liberia Election Observation Project called for fair and honest campaigning for the Oct. 11, 2005, Liberian presidential and legislative elections, as the official campaign period begins today.

"I call upon all Liberians to put their country first and to conduct the campaign with fairness and integrity so that voters can exercise their right to choose their next government freely," said former U.S. President Jimmy Carter. "I welcome the commitments that have been made to the Political Parties' Code of Conduct and I urge that its principles be followed strictly and enforced consistently."

Registered political parties have voluntarily agreed to abide by the Code of Conduct that they jointly signed - the first in Liberia's history. The Code was adopted to establish and acknowledge "a minimum standard of acceptable behavior for Political Parties and their supporters and to safeguard against political violence, intimidation and manipulation." It also recognizes that "inclusiveness, tolerance, transparency and pluralism are necessary for an effective democracy." The code includes enforcement mechanisms.

Carter Center long-term observers have visited 13 counties so far to begin monitoring the election process. They are meeting with the full range of election stakeholders, including representatives of the NEC, political parties, and independent candidates. The Center will continue monitoring the campaign period throughout the country. In addition, the Center and National Democratic Institute for International Affairs will partner for international observation of the election process. The two organizations will conduct an assessment of the campaign



period in September and will deploy international observers nationwide during the week of the election. The Center will remain in Liberia through the end of November to monitor post-election developments.

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APPENDIX C

**First Carter Center Pre-Election Report on Liberia
National Elections, October 2005
30 Aug 2005**

Note: This report is supplementary to the Carter Center's "Pre-Election Statement on the 2005 Liberia National Elections," released on Aug. 28, 2005. It is intended to be read together with the statement, providing additional observations and details.

In support of Liberia's transition from more than two decades of recurring civil conflict to reconciliation and reconstruction, The Carter Center is pleased to contribute to the Oct, 11, 2005, presidential and legislative elections as international observers. These elections are an essential element in the process towards sustainable peace, as expressed in the Comprehensive Peace Agreement (CPA) signed in Accra in Aug. 2003.

The Carter Center established an International Election Observation Project office in Monrovia in July and since then has deployed a field office director and three teams of long-term international observers (LTOs), who will observe election developments nationwide. Carter Center LTOs have visited 13 counties so far, meeting with election stakeholders in each location, including potential voters, representatives of the National Election Commission (NEC) and county government, political parties and independent candidates, civil society organizations, and officials of the United Nations Mission in Liberia (UNMIL). In addition, from Aug. 11-17, a Carter Center staff team met in Monrovia with senior representatives of the National Transitional Government of Liberia (NTGL), UNMIL, the NEC, political parties, civil society groups, and the international community.

The purposes of the Center's Liberia Election Observation Project are to present an accurate report of observations so far about the environment surrounding the upcoming elections and to identify issues that could be problematic as the election process goes forward.

SUMMARY OF OBSERVATIONS

As noted in the Carter Center's Aug. 28 pre-election public statement, the team found that, "despite enormous logistical challenges and post-conflict conditions, electoral preparedness appears good at this juncture and the prospects for a competitive election seem high.... There are real prospects at this time that the will of the people may be accurately and peacefully reflected through these elections." The team noted that the process is not without problems, which are described in the statement and in more detail below. Liberians are clearly eager for the elections to take place peaceably, and they are presently well served by a hard working NEC. In addition, the elections will benefit greatly from the security and support provided by Liberia's international partners, particularly from the Economic Community of West Africa (ECOWAS)



and from the approximately 15,000 peacekeeping troops of the United Nations Mission in Liberia (UNMIL), the largest UN deployment in the world. Constructive support and funding from the United States, the European Union, and a number of other donors also has enabled election preparations to proceed well thus far.

More than 1.3 million Liberians (50% of whom are women) registered to vote, representing 90% of a UN estimate of 1.5 million eligible voters. Twenty-two political parties have been certified by the NEC, and 762 total candidates are running for all offices, including for President, Vice-president, Senate, and House of Representatives. Nationwide voter education initiatives and an enthusiastic start of the campaign period on Aug. 15 are other indicators that a wide range of Liberians are becoming robustly involved in the 2005 election process.

The Carter Center commends the people of Liberia for the peaceful and successful progress made so far in preparation for these important elections. Several stakeholders deserve specific mention. Most people with whom Carter Center LTOs and delegates met indicated that NEC personnel are performing their duties in a neutral manner, although there may be some problems in specific counties. In addition, three coalitions of domestic election monitors are planning and training and some already have deployed. Their monitoring efforts will be essential to the credibility of the elections. Leaders and members of all registered political parties are to be particularly commended for having signed Liberia's first ever voluntary Political Parties' Code of Conduct, committing themselves to minimum standards for conducting a peaceful and fair campaign, including enforcement mechanisms for any infractions. [A copy of the code is linked here]. In addition, political parties have formed several coalitions and alliances, and actively taken part in coordination meetings with the NEC, political party capacity building workshops organized around the country, and public forums and radio call-in shows to debate issues of public concern. These are all positive developments. Of particular note is that party representatives told us they believe that the election process is, at this stage, one that will allow them to be competitive.

OBSERVATIONS AND RECOMMENDATIONS

Election Security: Three interrelated factors, noted by most individuals with whom the Carter Center team spoke, point to continuing concerns about security before, during, and after the elections.

1. **Potential for Campaign Violence.** The opening days of the campaign period raised worries for many people that the enthusiasm of political party supporters could lead to violent confrontations among partisans during the campaign period, which continues through Oct. 9. Carter Center observers in Monrovia witnessed the appearance of thousands of posters for candidates on Aug. 15, and a subsequent day of boisterous and occasionally intimidating displays of partisanship. This including the tearing down of campaign posters—some of which were posted on private property—and large street marches. In response, the NEC and the Ministry of Justice (MoJ), which has responsibility for the Liberian National Police (LNP) and other



security agencies, re-opened discussions with representatives of political parties and independent candidates to try to agree on regulations governing political rallies and other campaign activities. Although discussions among the parties and the NEC about these issues began long in advance, it is unfortunate that they were not resolved before campaigning began. The Carter Center welcomes the ongoing dialogue, while recognizing that it is important to resolve this issue swiftly in order to allow parties to properly organize their campaigns.

- 2. Vulnerability of Rural Polling Places.** We were told repeatedly of the enormous logistical challenges in administering the elections and of how the inaccessibility of some polling places also presents security concerns. Due to the appalling state of the road system, polling places in a number of counties will require UNMIL helicopters, porters on foot, or other extraordinary means to deliver election materials before election day and to transport ballots securely after voting and counting is complete. In these locations, polling staff and election materials could be vulnerable to interference. The LNP and personnel in other departments under the auspices of the MoJ are receiving training in election security, and the MoJ told us that it will be deploying one member of this security staff to each of 3,212 polling places. UNMIL troops will provide mobile backup security, traveling among polling places.

The Carter Center recommends that UNMIL security personnel, who enjoy the confidence of many Liberians, be posted nearby to as many difficult-to-reach polling places as possible, in support of LNP's primary role. This is particularly important if, in the next months, the LNP is unable to train sufficient security agents to cover all polling places, or that the public has greater confidence in UNMIL. Domestic and international election observers also should endeavor to coordinate with the NEC and UNMIL to monitor election day at these vulnerable locations, though observers will face the same logistical challenges as NEC officials. One of the most important times in the electoral process will be after the counting stage, when ballots are transported from polling and counting places to county electoral offices. To ensure ballot security and the integrity of the process, election observers and representatives of parties and candidates should be prepared to monitor events until the counting process is complete and then follow the ballot boxes to the county electoral office, whenever logistically possible. According to the newly published NEC Counting Procedures, UNMIL Election Supervisor/Election Support Officer (ES/ESO) teams will have responsibility for ensuring that all election materials reach the county offices securely.

- 3. Ex-Combatants.** As part of the CPA, former combatants were demobilized and disarmed (DD) and most were assured a package of benefits to facilitate their rehabilitation and reintegration (RR) into their communities. Although the DD process has ended around the country, UNMIL confirms that some small arms are still being discovered and some ex-combatants may retain access to arms, including in former strongholds such as Lofa County. Of concern, the RR process has not been



fully funded, in part because the numbers of those demobilized far exceeded estimates. In some locations, such as in some parts of the southeast of the country, the RR process seems to have proceeded successfully. In other areas, ex-combatants have not yet received all of their skills training, education scholarships, or other benefits. Disturbances in Ganta (Nimba County) earlier this year indicate the volatility of the situation and the potential for violence that could disrupt the election process. NEC officials were turned away in April from Guthrie Plantation, where negotiations toward disarmament are still continuing with a group of ex-combatants. NEC was forced to locate a registration site outside the property, and political parties report that they are having difficulty campaigning in the area.

UNMIL has taken steps to address this serious problem and this process must continue. We welcome the announcement from the new UN Special Representative of the Secretary-General (SRSG), Alan Doss, that these DDRR issues are among UNMIL's top priorities.

4. **Potential for Civil Disturbance.** The prices of basic staples like rice have increased significantly this year, and food shortages are currently reported in some areas of the country. The price of fuel has risen by 50 percent in the past weeks, which has an impact on the cost of transportation of all other goods into and around the country. In the context of endemic unemployment and poverty in Liberia, the possibility exists for rising prices to spark public unrest. The relevant authorities should monitor rising food and fuel prices closely. In addition, steps need to be taken to resolve potential conflict over scrap metal sales in Buchanan and to communicate the government's policies clearly to the public.

Transparency and Election Administration: The neutrality of election officials is of paramount importance. Most people commended the leadership and personnel of the NEC for, in most cases, their transparency and professionalism. The Carter Center applauds the NEC for its dedication and hard work under very difficult circumstances. The support the NEC has received from UNMIL and IFES also has been essential to the commission's success to date. Nevertheless, some issues of concern were brought to our attention.

1. **UNMIL and the NEC.** Due to the delay in the passage of the revised election code, there was a compressed period for elections. An electoral timetable was developed by the NEC and the initially under-staffed UNMIL Electoral Division that was overly based on operational considerations, rather than on the CPA, Constitution, and election laws of the country. There have been related significant delays in NEC voter education efforts and other problems, in part caused by failures in donor coordination.

Carter Center LTOs found that while UNMIL election staff and NEC personnel at the county level generally are working in close and productive cooperation, tensions or misunderstandings between UNMIL and NEC personnel in Grand Bassa and Bomi counties exist that need to be resolved.



2. **Electoral Complaints.** Several electoral complaints have been presented formally to the NEC by political parties and others, and almost all of these have been dealt with through a transparent process. For example, the NEC responded firmly and evenly to accusations among political parties of illegal early campaigning. Several complaints have been potentially significant, including suggestions that more than one of the presidential and vice-presidential candidates may hold dual nationality. After reviewing these complaints, the NEC said that insufficient evidence had been provided to prove the accusations, giving the NEC no basis upon which to take any action. The NEC has pointed out that it is not an investigatory body and that it therefore relies on evidence being brought to its attention in such cases.

In addition, five individuals seeking to run for president as independent candidates were not approved during the nomination process, which ended Aug. 12, because of failures to meet one or more of the technical requirements. Local media are still printing stories about this issue, and at least one of the would-be candidates is expected to initiate a court case. Several civil society groups also have indicated that they have not received satisfactory responses about their petitions to the NEC Commissioners identifying issues of concern, including dual nationality of candidates and the use of state resources by candidates who are current members of the National Transitional Legislative Assembly (NTLA).

NEC officials in Monrovia have been very responsive to all requests from The Carter Center, but in 11 of the 13 counties visited by Carter Center LTOs and staff, NEC magistrates and other personnel were not present in their offices. This inaccessibility may have been caused by either the increased mobility of NEC officials to serve communities outside the county seat, or the need for county officials to travel to Monrovia for training. However, it may indicate limited staffing and resources at the county level and/or a problem of unavailability to the public and other stakeholders at the county level. The consistent presence of NEC county coordinators is encouraging, but insufficient, since they told LTOs that they are not empowered to distribute materials or information.

All Liberians should be encouraged to bring their electoral complaints, substantiated by credible evidence, to the NEC for resolution, before going to the courts or the media, and to recognize that the NEC is not an investigatory body. The Carter Center encourages the NEC to take all possible steps to prepare NEC magistrates, Commissioners, and staff to respond to public inquiries and to resolve the diversity of electoral complaints that will arise. In addition, the Center recommends redoubled efforts by the NEC to communicate consistently with other stakeholders, including the media and political parties and candidates, about its dispute resolution methodology and the results of its deliberations. Doing so will enhance the transparency of the process, increase stakeholders' confidence in its fairness, and diminish the potential for complaints to become conflicts.



- 3. Communication with Political Parties and Candidates.** Several parties and candidates expressed dissatisfaction with various elements of the NEC's election calendar and administration of the process. For example, the election calendar provided for a period of time before any electoral contestant could campaign so that potential new parties and candidates could canvas for supporters' signatures and fulfill other registration requirements. Representatives of some political parties (and some of the 17 would-be candidates whose nominations were not accepted) have indicated that these periods in the election calendar were inadequate and that the NEC procedures on this and other themes are often either explained too late, ineffectively communicated, or changed in the middle of the process.

These concerns point to the need for increased, consistent communication between the NEC and political parties and independent candidates. The NEC is to be commended for initiating an Inter-Party Consultative Council (IPCC) in March that is meant to facilitate regular dialogue between political parties and the NEC. These meetings have served their purpose well at times, but we understand that they are sometimes cancelled or delayed, and that party representatives' attendance is not consistent. The Carter Center recommends that these meetings be held weekly during the remainder of the election process, during which there will be many important matters to discuss, and that senior party and candidate representatives attend regularly. In addition, we learned that these meetings are now beginning at the county level, which we fully encourage.

Additional Challenges Ahead for the NEC.

- 1. Enforcement of Campaign Finance Law and Regulations.** For these elections, Liberia has a set of updated regulations and procedures governing the financing of political campaigns. They are among the most comprehensive on the continent, including restrictions on the sources of campaign funds, prohibitions against vote buying votes and disclosure requirements that provide public access to campaign finance information provided by their candidates. Carter Center delegates have been told by several parties and candidates that they intend, for example, to distribute rice and other items of value (which could include cement, education scholarships, or community development projects) to voters or communities, as has been common practice during political campaigns in the past. Some observers told the Center that Liberian voters have sufficient confidence in the current electoral contest to accept such gifts, but vote according to their conscience. Other analysts express concern that voters understand campaign gifts, which sometimes fulfill urgent needs, as appropriate payment for political support, and feel entitled to nothing more after their representatives are elected. Terms like "bribery" are inadequately defined in the 2004 Election Reform Law and subsequent regulations.

In addition, we heard from some party representatives that the new campaign finance



regulations are unrealistically onerous, given the circumstances of Liberia and how late the regulations were presented to the parties. Another concern is that the NEC does not have sufficient resources to audit all of the reports required to be submitted by parties and candidates. Audits may be conducted by the NEC, which has 70 days after each reporting period to release its findings. It seems possible therefore, that the results will not be known until after the elections. It was also noted that the Ministry of Finance, which was responsible for certifying every candidate's tax payments, was inadequately prepared for this task, and it was alleged to us by a number of candidates that some staff accepted payment in order to expedite the certification process.

Lastly, many individuals currently serving in the NTGL or the NTLA are running for office representing various political parties or as independents. We were told that it is an "open secret" that state resources are being used by certain political parties for campaigning. Meanwhile, we were told that the national government has come to a slowed considerably as officials in the executive and legislative branches are out campaigning. There are calls for these individuals to step down from public office now, in order to demonstrate their commitment not to "utilize public resources for campaign activities" or "receive any contribution resulting from an abuse of state resources," which contravene Section 6 of the 2005 Campaign Finance Regulations. It should be noted, however, that it is not common international practice for government officials to give up their positions in order to campaign.

It is hoped that the 2005 election process will provide an opportunity for voters, parties, and other stakeholders to learn more about these campaign finance issues and continue to enhance the implementation of the regulations for future elections and as part of an increasing national commitment to transparent financial administration in all public and private sectors. Meanwhile, meaningful enforcement of the campaign finance regulations is important to ensure that they are not dismissed by political parties and independent candidates during this and future election processes. Civil society groups under the umbrella of the CMC will endeavor to monitor parties' and candidates' adherence to the regulations. In order to facilitate public scrutiny efforts, the Center encourages the NEC to make public the disclosure forms and reports submitted to it as soon as they are received. In the longer term, language such as "bribery" will need to be more specifically defined in the law in order to ensure party and candidate compliance.

2. **Civic Education.** Given the very complex balloting procedures that will be necessary during these three-race elections, a national illiteracy rate as high as 85%, and a very challenging logistical environment, robust voter education efforts must be the joint responsibility of the NEC, civil society groups, and political parties. Stakeholders in all 13 counties where Carter Center observers have visited urge an increased commitment to civic and voter education that goes well beyond the date of the election, and includes a desire to discuss the secrecy of the ballot and how to choose good political leaders. In addition, male and female educators should be recruited and



trained in the counties so that they are more likely to speak local languages and know the people and terrain, especially in order to reach underserved rural areas and encourage women's political participation. Public education efforts got started belatedly during the voter registration process in April and May, potentially disenfranchising some rural eligible voters, and have been minimal since that time, despite the investment of funds and technical assistance by the United Nations Development Program (UNDP), National Democratic Institute (NDI), the EC Bi-Lateral Election Programme, and other donors and implementing partners. The NEC is currently training a cadre of civic educators around the country, and it is hoped that a wide range of voter education methodologies and materials will be evident around the country at the beginning of September.

3. **IDP and Returning Refugee Voting.** There may be as many as 300,000 Liberian refugees in Ivory Coast, Guinea, Sierra Leone, and elsewhere, as well as nearly 200,000 internally displaced people (IDPs). The NEC established registration centers in IDP camps and extended the voter registration period for two weeks in order to enable additional returning refugees to register. According to NEC statistics, a little more than 61,000 IDPs registered to vote, with 71 percent of these opting to vote in their home counties. Current procedures will not enable IDPs who chose to register to vote in their home counties, but do not return home to vote on election day, to vote. IDPs have indicated to Carter Center LTOs, however, that they were implicitly promised assistance to return home if they registered to vote. IDPs also are currently threatening to burn their voter registration cards in protest if their voting is not facilitated. It is not clear how much accurate information and voter education reached refugees outside the country, but turnout was very low, relative to other segments of society, during the extended registration period.

Section 7 of the 2004 Electoral Reform Law provides that the NEC is authorized "to adopt administrative and operational measures which are necessary and expedient ... to facilitate the registration and voting of those Liberians ... who have been displaced from their home communities ... as a result of war, civil disorder, or human rights abuses." The NEC "shall also adopt measures to facilitate the registration of internally displaced persons and [refugee] returnees after the registration deadline where justifiable reasons for failure to register before the deadline are shown." The Carter Center welcomes SRSG Doss' recent reassurances that facilitating IDPs' and refugees' homecoming is among UNMIL's priorities. The Center also encourages the NEC to consider any and all policies, given time and logistical constraints, to enfranchise as many IDPs and returning refugees as possible. If additional options are considered, the Center recommends increased voter education efforts within Liberia and refugee camps in order to ensure their meaningful choices about whether and how to participate.

4. **Voter Identification Cards.** The photo identification provided to voters during the registration process is valuable to citizens who, in many cases, have no other personal



identification and went to considerable effort to register to vote specifically in order to acquire the multi-purpose identification card. Indeed, voter education efforts during the registration period emphasized this secondary benefit to registering to vote. Carter Center delegates understand that NEC procedures for polling day involve punching holes in voter registration cards in order to deter double voting. However, the use of indelible ink already serves this purpose, along with the presence of photographs and ID numbers on the voter registration cards. The Carter Center encourages the NEC to reconsider the card punching policy in order to avoid defacing the valuable identification cards it has provided to a population that often lacks any other personal documentation.

5. **Hiring Polling Place Staff.** With six people working as a team in most of 3,212 polling places around the country, more than 18,000 Liberians will need to be recruited and trained by the NEC and UNMIL as polling and counting officials during the next month or so. The Carter Center recommends that locally-based NEC officials and UNMIL officials work closely together to help ensure that nonpartisan women and men from the counties who speak local languages are hired to help ensure that rural voters can cast their ballots on election day.

Challenges for Political Parties and Independent Candidates. According to several standard bearers and party representatives whom The Carter Center met, the 2005 national elections already are the most competitive in Liberia's history. Carter Center LTOs noted the presence of at least a half dozen political parties in all counties they visited, even before the campaign period began, and the level of campaign activity in the counties is increasing. We have heard the following issues from people in the capital and the counties:

1. **Regional Assistance for Parties.** It is encouraging that party representatives in most counties have indicated their desire for more information and control at the local level. Representatives from most, but not all, parties complain that local candidates were identified by their headquarters in Monrovia and that political platforms are being developed without consultation with county representatives. They consistently request more information about the Political Parties' Code of Conduct, the campaign finance regulations, and other election regulations and procedures. As campaigning extends to the counties, The Carter Center encourages parties and candidates to engage their local representatives and voters as fully as possible through consultation with those who understand local communities' needs best, including local candidate roundtables and other public forums, and interaction with local radio stations. The Carter Center also recommends that the NEC and political parties and candidates hold IPCC meetings in all counties, as some are already doing, in addition to the Monrovia meetings.

Section 15.2 of the NEC's Guidelines Relating to the Registration of Political Parties and Independent Candidates mandates that "Each political party shall ensure that 30 percent of the candidates nominated for public elective offices ... shall be women." A



- few political parties have made significant efforts to follow this guideline, but most have not done so. In the few cases in which women have attended meetings with Carter Center LTOs, they represent the “women’s wing” of the party and/or remain silent. The Center notes that two presidential candidates and one vice-presidential aspirant are women, and commends parties that chose women to be more than 20 percent of their nominated candidates. There is still time for all parties and candidates to ensure that women become more involved in political decision-making, campaign management, and representation in polling stations to monitor election day.
2. **Vote Buying.** Although elections are primarily related to civil and political rights, economic and social rights issues are usually deeply relevant also. This is especially true in contexts like Liberia where poverty is the norm for most voters, making them particularly vulnerable to the influence of money in politics. These issues have electoral significance as the campaign period gets underway and candidates seek to attract supporters. In accordance with the prohibition against “bribery” in the Election Reform Law of 2004, The Carter Center encourages political parties and candidates to renounce “vote buying,” or taking advantage of voters’ economic vulnerability in any way for political gain. Voter education messages should include the theme of ballot secrecy to reassure voters that they are not obligated to vote for any candidate for any reason.
 3. **Focusing on Issues that Matter to Liberian Voters.** The Carter Center commends all of the candidates around the country who are presenting their platforms publicly to help inform the voting public about their choices during this election, including participation in public debates. These manifestos should be as specific as possible about how each party or candidate intends to address the many challenges facing Liberia. The Center expresses its hope that candidates will continue talking with voters around the country about constituents’ needs and aspirations, and encourages voters to continue to demand information and responsiveness from the candidates in advance of the elections and from their elected representatives after their inauguration in January 2006.
 4. **Training Party Representatives to Monitor Polling and Counting.** Political parties and candidates are encouraged to begin training representatives in each county to monitor the voting and counting processes in as many polling places as possible. Carter Center LTOs report that almost all political parties are waiting for guidance from the NEC to get this process started. While it is true that the NEC ultimately must accredit all party and candidate representatives so that they may have access to polling places, parties and candidates should begin developing plans for recruiting, training, and providing resources for these representatives as soon as possible.



CONCLUSION

The people of Liberia have endured years of civil conflict punctuated by problematic national elections in 1985 and elections in 1997. Liberians have the opportunity now to turn away from this past of conflict, displacement, false hopes, and corrupt or violent leadership. The Carter Center expresses its hope that the 2005 presidential and legislative elections will result in a government that unifies Liberians and that reflects the will of Liberian voters.

The Carter Center will continue to monitor the 2005 election process and to offer recommendations to all electoral stakeholders through November 2005.

THE CARTER CENTER IN LIBERIA

The Carter Center has been active in Liberia since 1990, when former U.S. President Jimmy Carter was asked to contribute to peace-building efforts. A Carter Center international delegation observed the 1997 elections, and the Center's Monrovia office worked with local partners on projects related to the rule of law, press freedom, and human rights until the year 2000. The Center is, observing the 2005 elections according to the NEC Code of Conduct and has been welcomed by all major political parties.

The Carter Center and the NDI will partner to conduct an assessment of the campaign period during the first week of September and will deploy approximately 30 international observers around the country during the week of the elections. Former U.S. President Jimmy Carter will co-lead the October delegation. The Center and NDI will remain in Liberia through the end of November to monitor post-election developments.

The Carter Center is an independent, nongovernmental organization that has observed 59 elections in 25 countries. In accordance with international standards, Carter Center observers do not seek to interfere in or certify the Liberian electoral process and are neutral as to its results. Ultimately, these elections belong to the people of Liberia, and the credibility and meaning of the election process will be assessed by them.



APPENDIX D

THE CARTER CENTER



**Statement of The NDI/Carter Center Pre-Election Delegation to Liberia's
2005 Elections
9 Sep 2005**

FOR IMMEDIATE RELEASE

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MONROVIA. . . This statement is offered by an international pre-election delegation to Liberia, organized jointly by the National Democratic Institute (NDI) and The Carter Center. From Sept. 1 through 9, 2005, the delegation assessed the political environment in Liberia in advance of the October 11 presidential and legislative elections. The delegation met with a broad spectrum of Liberian political and civic leaders, government officials, electoral authorities and representatives of the international community in Monrovia. In addition, the delegation traveled outside Monrovia to Bomi, Bong and Grand Bassa Counties, and was informed by in-country staff members and long-term observers who have visited all 15 counties in recent months.

I. EXECUTIVE SUMMARY

Presidential and legislative elections scheduled for October 11, 2005, offer the people of Liberia an opportunity to further overcome a history of civil conflict and authoritarian rule. The establishment of democratic governance offers the best hope, and a difficult challenge, for attaining sustained peace and development in the country. The elections can be an important step in that direction.



The electoral environment is marked by impressive positive factors, including the development of a Political Parties' Code of Conduct, good faith efforts by the National Elections Commission (NEC) to encourage the participation of citizens in the elections and an electorate that has demonstrated a high level of interest in participating in the process. However, serious challenges for conducting a peaceful and credible process remain. Beyond the elections, Liberia's new government will need to overcome the factors that provoked violence in the past, as well as face new challenges of national reconciliation and democratic development. Ultimately it will be up to the Liberian people to determine whether the political will exists to achieve democratic governance.

The delegation noted the commitment of many Liberians, government officials, political and civic leaders to developing a democratic election process. In recognition of this, and, in the spirit of international cooperation, the delegation respectfully offers the following major recommendations. Further recommendations are offered later in the text of this statement.

- Concerted efforts should be made to inform the public of plans made to guarantee security around the elections, specifically the roles of the Liberian National Police (LNP) and coordinated efforts with United Nations Mission in Liberia (UNMIL) and others. Greater public understanding of these plans for electoral security will encourage election participation and may serve as a deterrent to those who might use violence as a political tool.
- To build public confidence in the impartiality of the electoral complaint process, NEC should outline and publicize its methodology for resolving election-related complaints. The NEC timeline should establish specific deadlines for the filing of complaints to ensure that electoral disputes are not used to disrupt the electoral process. Sufficient resources should be dedicated to ensure that the potential volume of complaints can be processed impartially and on an expedited basis with adequate transparency in accordance with due process requirements and equality before the law.
- The NEC and its international partners, as a matter of priority, should undertake a public education effort concerning the tabulation and announcement of results to quell rumors and build trust in the process. Given the sensitive nature of the tabulation and announcement of results, sufficient safeguards should be in place and made known to the public.
- Political parties should ensure that their activists refrain from violence and intimidation and act in accordance with the law and democratic principles.

II. DELEGATION AND ITS WORK

The purposes of this assessment are to demonstrate the interest of the international community in the development of a democratic political process and democratic governance in Liberia, and to



present an accurate and impartial assessment of the political environment and its implications for democratic development.

The assessment has been conducted according to international standards for non-partisan election observation in particular with the Declaration of Principles for International Observers, in conformity with Liberian law and without interference in the election process. It is not the intention of the delegation to render a complete or definitive assessment of the election process, given that the elections are yet to occur. Indeed, it is the people of Liberia who, as citizens and voters, will determine the credibility of their elections and the country's democratic development. At the same time, NDI and The Carter Center note that the international community shares responsibility in ensuring that the Liberian people are able to exercise their electoral rights in their upcoming elections.

The delegation included: Mark Clack, Country Director for NDI/Nigeria; Tom Crick, Senior Political Analyst and Liberia Project Director for The Carter Center; Almami Cyllah, former Electoral Commissioner of the Interim National Election Commission of Sierra Leone; Olayinka Lawal, Executive Director of the Constitutional Rights Project in Nigeria; and James Viray, former Program Officer for Liberia at the International Republican Institute (IRI). The delegation was joined by Sidi Diawara, NDI/Liberia Country Director; Titi Pitso, NDI/Liberia Senior Elections Program Manager; Ashley Barr, TCC/Liberia Country Director; and Linda Patterson, NDI/Washington Program Officer.

Team members met with a cross section of Liberian political party leaders, election authorities, representatives of civil society, media and the international community. The team expresses appreciation to everyone with whom it met for freely sharing their views on the electoral process.

III. THE ELECTORAL CONTEXT

The pre-election period is critical to understanding and evaluating the degree to which elections are democratic. A full and complete assessment of any election must take into account all aspects of the election process: the legal framework; the political context before and during the campaign; voting and ballot counting processes; the tabulation of results; the investigation and resolution of complaints; and the conditions surrounding the implementation of the election results.

Following two decades of turmoil and civil war, Liberia has a historic opportunity to end the political discord and violence that have impoverished the country and destabilized the region. As Liberia seeks to move beyond its violent past, many Liberians see the upcoming elections as a critical step towards democratization, good governance, and sustainable peace. At the same time, Liberia, as in countries emerging from conflict, suffers from political polarization and destroyed infrastructure. Political and civic leaders expressed frustration to the delegation about their inability to reach all parts of the country to campaign and conduct voter education activities.



Political Parties and the Campaign: On Aug. 12, the NEC approved 762 candidates to contest the presidential and legislative elections. Those approved include 22 candidates for president, 22 for vice president, 206 for the Senate's 30 seats, and 512 for the House of Representatives' 64 seats. Of the total number of candidates, 110 are female, constituting 14 percent of the contenders. Although the NEC Political Parties Guidelines called for 30 percent of candidate slots to be reserved for women, few women succeeded in winning nominations in the traditionally male-dominated politics of Liberia.

The NEC rejected five independent presidential aspirants, three vice presidential nominees and nine contenders for the House of Representatives, for failing to fulfill election requirements. Many of the rejected applicants' petitions to contest the elections lacked the requisite number of registered voters' signatures. Some of the rejected applicants have contested the NEC's decision in the Supreme Court.

Legal Framework: The 2003 Comprehensive Peace Accord (CPA), which ended the civil war and established the transition government and electoral process, precludes senior members of the National Transitional Government of Liberia (NTGL), including Chairman Gyude Bryant, senior ministers, the Speaker and the Deputy Speaker of the National Transitional Legislative Assembly (NTLA), and the Chief Justice, from running for office. The NTLA passed an electoral reform bill in December 2004.

In accordance with the CPA the election law suspended certain aspects of the Liberian Constitution, including bypassing a ten-year residency requirement for presidential candidates and a requirement for a national census and redistricting before elections. The December 2004 Electoral Reform Law dictates that a majority system will be used to determine the outcome of presidential and legislative elections. Each of Liberia's 15 counties has been allocated two seats in the House of Representatives, with 34 additional seats distributed to the counties according to the number of voters registered. Each county will also have two Senators. For the presidential race, a run-off election will be held between the top two vote-getters if no single candidate wins an absolute majority in the first round. The election law also specifies the requirements for proving voter eligibility, outlines registration and voting procedures for refugees and internally displaced persons (IDPs) and set limits on campaign expenditures.

The NEC has since streamlined elections procedures to conform to the CPA timeline. For example, Liberians will not be allowed to register to vote on election day. In addition, the NEC serves as the primary adjudicator of electoral disputes, with appeals referred directly to the Supreme Court.

Voter Registration: Voter registration took place in Liberia from April 25 to May 21. According to official NEC figures, approximately 1.3 million of an estimated 1.5 million eligible voters registered, with equal representation by men and women. Significantly, an estimated 61,000 IDPs registered in the camps and 71 percent intend to vote in their respective counties of origin. In general, observers considered the exercise a success despite significant challenges. For



example, IRI, in collaboration with NDI and The Carter Center, fielded a pre-election assessment delegation during the voter registration period and reported that while the process was technically sound and relatively peaceful, insufficient voter education and difficult logistics and in-country travel impeded turnout early in the process.

The NEC has organized a two-week voter card replacement session from Sept. 17 to 30 for people who have lost their cards. During this session, these cards will be issued only to individuals whose names are already on the voter registration list, they will contain the label "replacement" and differ in color from the regular registration cards. In order to ensure that polling station officials employ safeguards against illegal voting, NEC officials will include in the balloting materials a list of all individuals for that polling place who received replacement cards. Once a replacement card is issued, a citizen cannot use his or her original voter card to vote; they will be required to present their replacement card before they will be allowed to vote.

III. OBSERVATIONS AND RECOMMENDATIONS

Security

The campaign season started on a relatively peaceful note, although a few minor infractions raised concerns about the potential for violence during the election period. Minor confrontations occurred between rival groups, including fistfights among some supporters of different parties. The Ministry of Justice, NEC and political parties restarted a long-standing dialogue to coordinate rallies and other campaign events in order to prevent further clashes between party supporters. NEC county officials and branches of political parties successfully coordinate events at the local level, although it is not clear whether a resolution has been reached at the national level.

The delegation was encouraged to learn that a security plan for election day is under development by a coordinated effort among UNMIL, UN Civilian Police and the relevant ministries of the Government of Liberia. Two security agents of a coordinated force that includes the LNP will be posted at each voting precinct to maintain order, with mobile UNMIL troops and approximately 600 Civilian Police on duty throughout the country. These security agencies will be responsible for providing security during the polling and counting.

Despite these optimistic signs, there remains the risk of violence that could disrupt the electoral process. The UN-sponsored disarmament, demobilization, reintegration and rehabilitation (DDRR) process has suffered setbacks and left some ex-combatants frustrated. UNMIL reports indicate that small weapons remain accessible in some areas of the country. In addition, IDPs have threatened to burn their voter registration cards to protest the lack of further support to facilitate their return to their home counties. They are also unhappy with a rumored proposal that they will only be able to cast a presidential ballot if they remain in the camps.

Efforts should be made to inform the public of the nature of the security plan and specifically the roles of the LNP and the coordinated efforts with UNMIL and others. Greater public



understanding of these plans for electoral security will encourage electoral participation and may serve as a deterrent to those who might use violence as a political tool.

Recommendations: The international community should make every effort to conclude the DDDR process. The NEC should consider all options to enfranchise as many IDPs as possible. All Liberians should redouble their commitment to peaceful elections, and work to ensure that the remaining weeks of the political campaigns are conducted peacefully. Liberians must refrain from any intimidation or violence during the campaign period, on election day and the days following.

Election Administration

Almost everyone with whom the delegation met expressed general satisfaction with, and were encouraged by, the NEC's administration of the election process so far, especially in the face of severe logistical challenges. In the short time since its formation, the NEC drafted the electoral legal framework, organized a voter registration effort widely accepted as credible, created an environment for peaceful campaigning, issued necessary guidelines to supplement the election law, initiated a massive voter education program, planned training for election officials and produced election materials such as ballots. Nonetheless, the delegation noted a number of specific challenges that will need to be resolved, including the following:

Voter Registration

Some political parties are concerned about the possibility of citizens abusing the replacement registration card process. Fears were expressed that non-registered citizens would be able to obtain registration cards, which would threaten to undermine confidence in the accuracy of the final voter registry.

Recommendation: To dispel concerns about manipulation of this process, NEC should communicate clearly with the political parties and the public to publicize the mechanisms currently in place to protect against such fraud.

Voting Process

For elections to be meaningful, the electorate must understand the importance of the process and each individual's vote. Voter education efforts currently underway to inform citizens about why and where to vote have been successful. Posters and banners have been widely disseminated throughout the country and awareness of the upcoming election is high. However, the delegation shares the concerns expressed to it that citizens remain uninformed about the detailed procedures for election day.

The NEC reports that they have received the sample ballots and other educational materials and are working to distribute them to the county offices. The complex balloting system includes three separate color-coded ballots with photographs of candidates and party logos.



Recommendation: Broad and immediate voter education on this system is essential to ensuring that voters are able to correctly mark their ballots to indicate their choices.

Campaign Finance

Campaign finance regulations developed this year are regarded as a positive development for the evolution of democratic practices in Liberia. These rules are among the most comprehensive worldwide. However, some parties raised complaints about the misuse of state resources and the NEC's silence on the issue, as well as complaints about cumbersome rules for Liberia's circumstances. In addition, allegations were raised to the delegation that foreign funds may be illegally channeled into the campaign.

Recommendation: The NEC must ensure that its regulations are not simply rules and procedures on paper, requiring significant investment of time and energy by candidates, but that campaign finance regulations also are meaningfully and equitably enforced.

Tabulation and Announcement of Results

Parties expressed frustration with the decision to limit the number of tally sheet copies available to party agents who will be stationed at the polling places. In addition, some NEC county offices reported their understanding that domestic observers and party agents will not be permitted to observe the tabulation process, which contradicts procedures outlined by the NEC. Transparent procedures for counting ballots, tabulation of votes and announcement of results have been determined by the NEC in consultation with UNMIL Electoral Division and IFES. However, these procedures evidently are poorly understood by NEC officials at the county level, political parties and the public. While the delegation applauds the NEC for recognizing the importance of observation by party agents and observers, effective action is needed immediately to guarantee to the integrity of this aspect of the electoral process.

When electoral contestants and the public have to wait for long periods for results to be announced, fear of fraud almost always develops. Liberian authorities have suggested that the tabulation and announcement of final official results are likely to be released after 15 days, as allowed by Liberian law. However, they emphasize that vote tallies will be posted at each polling place and county tabulation center and that election results will be announced on a rolling basis beginning the day after the elections.

Recommendations: The NEC and its international partners, as a matter of priority, should undertake a public education effort concerning the tabulation and announcement of results to quell rumors and build trust in the process. In this respect, the Inter Party Consultative Committee (IPCC) meetings to discuss this and many other topics should be reinstated. These procedures, which will instill confidence in the process, should be explained clearly and repeatedly by the NEC through all media and other means.

Presiding officers should stamp party agents' copies of forms recording ballot tallies to encourage confidence in the results. Agents and observers should be encouraged to accompany



the ballot boxes during transport and to observe counting and tabulation processes in sufficient numbers so that they can verify that such procedures were performed properly.

Political Parties

Most of Liberia's political parties have developed around the personalities of key leaders rather than on the basis of policies, issues and party platforms. Party organization is centralized within Monrovia and very few parties have sufficient resources or organizational structures to campaign at the grassroots level. Inaccessibility issues further hamper party branches' ability to communicate with party leaders. Most local party officials are awaiting instructions and resources from the national headquarters about when they should begin their campaign and what strategies they should use to reach out to their supporters. For parties with limited resources, campaigning activities for the Senate and House races revolve around the visit of the standard-bearers. In these circumstances, legislative candidates are dependent upon the presidential aspirants to educate and recruit supporters.

With so many registered political parties participating in the elections and a centralized system with limited resources to disseminate messages, many voters are confused as to the differences among the parties. On the other hand, national and county debates for the presidential and legislative elections have given citizens the opportunity to raise issues in public fora and for candidates to articulate their positions on matters of national interest. Audiotapes are distributed to community radio stations to provide greater access to information in rural areas. These are positive developments.

The "Political Parties' Code of Conduct," which was signed by all of the political parties, is a positive sign of their commitment to uphold a transparent process and refrain from intimidation and violence. This voluntary code of conduct is the first of its kind in Liberia. It indicates parties' willingness to respect the process and demonstrates a commitment to work together peacefully. The delegation was encouraged to learn that although the national code has not been well-publicized, NEC officials and party representatives in at least two counties have agreed, on their own initiative, to locally-written codes of conduct.

Recommendations: Without provisions to allow voters to make informed choices among the electoral contestants, elections are hollow exercises. Expanding candidate debates and encouraging broad participation in them at the national and local levels should be a priority. Efforts should be made by candidates to better communicate their messages to citizens in rural areas. In addition, national parties should increase efforts to communicate with the party branches regarding campaign plans. Party leaders should continue to educate their supporters at the county and district levels regarding the Code of Conduct.

Electoral Complaint Mechanisms

To ensure that elections take place according to the tight CPA timetable, the NEC has attempted to streamline the complaint process. All complaints must be filed at the NEC county magistrates'



offices or with the national headquarters. When a decision is reached by a county magistrate, aggrieved parties have the right to file an appeal with the NEC headquarters in Monrovia. One NEC Commissioner will hear the case and recommend a solution to the full NEC board, who can vote to endorse the recommendation or request the case be brought to the entire commission. Citizens then have the right to file a final appeal to the Supreme Court.

While many Liberians support the NEC's adherence to the timetable set out in the CPA, the delegation noted the absence of clear and well-publicized complaint mechanisms which could lead to a crisis of confidence in the impartiality of the NEC. To date, several aggrieved parties have registered complaints with the Supreme Court following the NEC's ruling on various issues. With a crowded political field and numerous post-war challenges, clearly delineated and well-explained complaint mechanisms are vital to a peaceful and accepted outcome.

Recommendations: The delegation encourages the NEC to outline the methodology used for decision-making to build public confidence in the impartiality of the electoral complaint process. A timeline should be established with specific deadlines for the filing of complaints to ensure that the dispute resolution mechanisms are not used to disrupt the electoral process. Sufficient resources should be devoted to ensure impartial and expeditious resolution of electoral complaints consistent with due process requirements and equality before the law.



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APPENDIX E



Liberia Elections: Read Pre-Election Statement, Election Watch Reports
27 Sep 2005

Pre-Election Statement on the 2005 Liberian National Elections, Aug. 28, 2005

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MONROVIA...A Carter Center staff team conducted an assessment Aug. 11-17, 2005, of electoral conditions at the start of the campaign for Liberia's Oct. 11 elections. The team found that despite enormous logistical challenges and post-conflict conditions, electoral preparedness appears good at this juncture and the prospects for a competitive election seem high. A number of concerns, which should be addressed, were raised about each stage of the process to date. However, there are real prospects at this time that the will of the people may be accurately and peacefully reflected through these elections.

Security remains a concern, and it is encouraging that the United Nations Mission in Liberia (UNMIL) will have a sustained and strong presence throughout the campaign and election period, assisting Liberian police and other agencies. It is encouraging also that candidates have made clear public statements calling on supporters to campaign in a non-violent and respectful manner. We urge all parties and their followers to conduct themselves in a way that will bring pride to their country and ensure that winners and losers can work together for a better Liberia.

The team's assessment coincided with the final approval of candidates by the NEC and the official beginning of the campaign period on Aug. 15. The team met in Monrovia with senior National Transitional Government of Liberia (NTGL) officials, senior National Election Commission (NEC) officials, UNMIL election leadership, political party representatives, civil society groups, and the international community. Given the number of political parties and candidates, it was impossible to meet with all candidates during this assessment.

Carter Center staff in Monrovia are, however, continuing with such meetings so that all



stakeholders are properly consulted. The team consulted with the Carter Center's long-term observers, who have conducted preliminary observation visits to 13 of 15 counties in the past month. We would like to thank all individuals with whom the delegation met for generously sharing their time and insights about the electoral environment.

Observations

Consistent with the spirit and intent of the Accra Comprehensive Peace Accords of 2003, and the NEC Guidelines and Code of Conduct for Observers, the Center's international observation activities are intended to provide neutral and accurate reporting to help Liberians determine whether the elections are conducted in a manner acceptable to all. This statement reflects preliminary observations and concerns brought to the attention of the Center's staff and long-term observers.

1. Election Preparedness: The prospects for competitive elections in Liberia are high. Overall, the parties and other stakeholders told us that there is no systematic bias in the preparation or administration for elections and that parties and candidates will be able to compete against one another more openly and securely than in past elections.

A critical element in ensuring the transparency of any election process is the neutrality and professionalism of poll workers. Local NEC officials have, on the whole, performed extremely creditably during the registration and exhibition processes. Shortly, recruitment and training will begin for election day poll workers. It is essential that the county NEC and local UNMIL elections offices cooperate fully and professionally to ensure that local election workers are impartial, familiar with local conditions, fully trained, and have sufficient resources to perform their jobs.

2. Security Concerns: We heard consistently that Liberians do not want a return to violence and that all stakeholders recognize that violence or the threat of violence must not be allowed to influence the election process. Despite some minor acts of violence and intimidation at the start of the campaign - the most serious being the arson of an election commissioner's vehicle - all parties are publicly committed to a campaign free from violence. It is most encouraging that all registered political parties voluntarily have signed an historic "Political Parties' Code of Conduct," aimed at ensuring fair play during the campaign. The code includes enforcement mechanisms that should be fully applied. If there are any further acts of violence during the campaign, it is essential that they be investigated fully by the appropriate law enforcement agencies **before** accusations are made by politicians or the media regarding who might be responsible.

We welcome UNMIL's commitment to assist the Government of Liberia in providing security on election day to the maximum extent possible. Members of the Liberian National Police and other agencies under the umbrella of the Ministry of Justice are mandated to provide security at all polling places. Liberians will welcome also UNMIL's commitment to deploying mobile forces near all polling places.



3. Political Party Issues: The Carter Center encourages parties and candidates to continue to discuss publicly the issues they judge most relevant to Liberia's future through the publication of platforms and participation in debates.

The team was informed by the political parties that communication with the NEC and compliance with regulations was not always straightforward. We encourage the NEC to continue to strengthen its good efforts to disseminate accurate and timely information to all concerned parties.

The Center strongly welcomed the effort by certain of the political parties to ensure that 30 percent of its candidates were women. Some parties clearly made a strong commitment to this target, while others seemingly did not.

4. Campaign Finance: We were told it is an "open secret" that government resources are being improperly used to support particular parties. These allegations have been strongly denied by both the government and party leaders. Campaign finance regulations now exist, and the NEC requires that all parties and candidates fully comply. Campaign finance disclosures, and any breaches of campaign finance regulations that the NEC may determine, should be brought promptly to the public's attention so voters may have the maximum amount of information possible to make their electoral decisions.

We have been informed that it has been common practice in Liberia in previous elections for candidates to offer potential voters incentives to hear their campaign messages, including preparing meals or offering cash or gifts of rice, cement, or other goods. While these practices are not specifically outlawed in the 2004 Election Reform Law or campaign finance regulations, many Liberians told us that receiving such gifts implies a promise of loyalty, or in an election context, vote buying. The best protection against such efforts to influence voters is the secrecy of the ballot and strong voter education.

5. Election Observation: The team was encouraged that some political parties are focusing seriously on getting their party agents accredited to observe at all polling stations. The parties did note, however, the considerable logistical and financial obstacles to achieving this important goal and requested additional international assistance. Having multiple political party agents present at all polling stations helps guarantee that polling day procedures will be conducted transparently and builds confidence in the election results.

In addition, three coalitions of domestic observers will operate during the election, and domestic observer groups already have issued reports on the registration process and are currently deployed to observe the campaign period. Their participation and presence should be an additional reassurance to Liberians that there will be fair play. Also, a number of international observer groups will be present before and during the elections, including, but not limited to, teams from ECOWAS, the National Democratic Institute (NDI) and The Carter Center, International Republican Institute, the European Union, and a number of embassies.



6. Civic Education and Election Day Procedures: Holding elections in countries with high illiteracy rates can pose particular challenges. Because October's election is for president and vice-president, Senate, and House of Representatives, Liberian voters will be voting on three separate color-coded ballots that will be placed in three corresponding color-coded ballot boxes. Each ballot will include a photograph of each candidate, along with his or her name, party name, and party symbol. Given the large number of candidates and the relative complexity of the procedure, we encourage the maximum amount of pre-election civic education for voters so they have the best chance to know how to register accurately their preferences for each office.

7. Sustained International Support: It is important for the international community to continue financial support for all activities that could have impact on the election environment. This includes ensuring that demobilized ex-combatants receive their disbursements and training packages in a timely manner. Also, support to assist internally displaced persons to return to their home counties should be accelerated. Many of them elected to register to vote in their home counties, believing that they would be assisted to return before the election. Under the current arrangement, if they are not able to return, they will not be able to vote. The Center regrets that more policy options were not pursued in order to maximize the participation of refugees in the election.

Read the companion document (PDF):

[First Carter Center Pre-Election Report on Liberia National Elections, October 2005](#)
Read [Liberia Election Watch](#)

This series of reports is being compiled jointly by the National Democratic Institute (NDI) and The Carter Center on Liberia's electoral process. (*All reports PDF, posted in descending chronological order.*)

- **[Liberia Election Watch, Issue No. 5, Sept. 26, 2005](#)**
- **[Liberia Election Watch, Issue No. 4, Sept. 16, 2005](#)**
- **[Liberia Election Watch, Issue No. 3, Aug. 26, 2005](#)**
- **[Liberia Election Watch, Issue No. 2, Aug. 12, 2005](#)**
- **[Liberia Election Watch, Issue No. 1, Aug. 4, 2005](#)**

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A fuller report will be available on the Carter Center's Web site later this week. The Carter Center and NDI jointly will be sending a pre-election delegation to Liberia in the first week in September for a comprehensive pre-election assessment. NDI and The Carter Center are jointly producing a "Liberia Election Watch" newsletter that is available at www.ndi.org

The Carter Center is a not-for-profit, nongovernmental organization, founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, committed to advancing peace and health worldwide. In Liberia, The Carter Center is supported by the Government of Ireland and



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USAID. In addition, the Carter Centre U.K. is implementing an electoral assistance program along with Electoral Reform International Services, supported by the European Commission. For more information please visit www.cartercenter.org and www.cartercentre.org.uk.



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APPENDIX F

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**Arrival Statement by the National Democratic Institute/Carter Center
Observer Delegation to the 2005 Liberia Elections
6 Oct 2005**

FOR IMMEDIATE RELEASE

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International delegation co-led by former U.S. President Jimmy Carter and former president of Benin, Nicephore Soglo

MONROVIA, LIBERIA...The National Democratic Institute (NDI) and The Carter Center today announced the arrival of their delegation to observe the October 11 presidential and legislative elections in Liberia.

The 38-member multinational delegation is co-led by former U.S. President Jimmy Carter and former President of Benin, Nicephore Soglo. The delegation will include elected officials, electoral and human rights experts, regional specialists and political and civic leaders from 13 countries in North America, Europe and Africa.

The purposes of the delegation are: to express the international community's interest in and support for the development of democratic governance in Liberia, in particular for the organization of a democratic election process; and to provide an impartial and accurate report on that process to the Liberian people and the international community. These polls offer the people



of Liberia an opportunity to further overcome a history of civil conflict and authoritarian rule. The establishment of democratic governance offers the best hope, and a difficult challenge, for attaining sustained peace and development in Liberia. The elections can be an important step in that direction.

The delegation will draw upon the findings of the ongoing joint election observation mission of NDI and The Carter Center. NDI and The Carter Center organized a pre-election delegation in early September and have maintained a continuous election monitoring presence in-country through resident staff and long-term observers. They will also monitor developments in the immediate postelection period.

The reports of the pre-election delegation and other materials are available on the NDI web site at www.ndi.org and the Carter Center Web site at www.cartercenter.org. The joint election observation mission, including the present delegation, is supported by a grant from USAID.

From Oct. 6 - 9, the delegation will meet in Monrovia with representatives of the major political parties, officials of the National Elections Commission, government officials, civic leaders, journalists and representatives of the international community. Teams of delegates will then deploy to different sites in 11 counties across the country. The day before the elections, each team will meet with local election officials, party representatives, civic groups and others to assess the election environment at their deployment sites. On election day, the teams will visit polling places and remain to observe counting centers in their respective counties.

The teams will then reassemble in Monrovia for debriefing and to prepare a preliminary delegation statement, which will be released on Thursday, Oct. 13.

The delegation will conduct its activities in a nonpartisan, professional manner in accordance with applicable law and international standards for election monitoring set forth in the Declaration of Principles for International Election Observation. NDI and The Carter Center will remain in close communication with other international observer delegations.

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NDI is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. NDI works with democrats in every region of the world to build political and civic organizations, safeguard elections, and to promote citizen participation, openness and accountability in government. In Liberia, the Institute is providing assistance to civil society organizations to conduct voter education and election monitoring activities across the country. These programs are supported by USAID and the National Endowment for Democracy. For more information, please visit www.ndi.org.

The Carter Center is a not-for-profit, nongovernmental organization, founded in 1982 by former



U.S. President Jimmy Carter and his wife, Rosalynn, committed to advancing peace and health worldwide. The Carter Center began working in Liberia in 1990, observed the 1997 Special Elections, and supported local human rights, rule of law, and press organizations from 1998-2000. The Carter Center's separate long-term election observation project is supported by the Government of Ireland. In addition, the Carter Centre UK is implementing an electoral assistance program along with the Electoral Reform International Services, supported by the European Commission. The Carter Center's current work began in July 2005, and Carter Centre UK began its activities in Liberia in March 2005. For more information visit www.cartercenter.org.



APPENDIX G

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**Preliminary Statement of the NDI/Carter Center International Observer
Delegation to the 2005 Liberia Elections**

October 13, 2005

Monrovia

This statement is offered by the 40-member multinational delegation jointly organized by NDI and The Carter Center. The delegation was co-led by former U.S. President Jimmy Carter and former President of Benin Nicéphore Soglo. The delegation included elected officials, electoral and human rights experts, regional specialists and political and civic leaders from 14 countries in Africa, Europe and North America.

The delegation has conducted its activities in accordance with Liberian law and the Declaration of Principles for International Election Observation. NDI and The Carter Center recognize that ultimately it is the people of Liberia who will determine the credibility of the election process; we do not seek to interfere in the process.

The delegation wishes to stress that the tabulation of results is still underway and that any election complaints and challenges that may be lodged will take some time to address in accordance with the rule of law. This statement therefore is preliminary in nature. Further statements may be released in the post-October 11 period, and a final report will follow shortly after the election process is completed. Subsequent reports concerning the Liberian election process, as well as those issued previously, will be found on the two organizations' respective web sites. (See below.)

I. SUMMARY

Liberians went to the polls in massive numbers on October 11 and demonstrated their strong desire for peace and democratic governance. The election process thus far underscores that the country is poised to turn an historic corner towards sustainable peace and democratic progress.



Should this be accomplished, there would be important benefits for stability and development here and in the sub-region.

Liberia's 2005 elections offer the opportunity to break with a history of armed conflict, authoritarian rule and the politics of exclusion. Following a remarkably peaceful and highly competitive electoral campaign, voting across the country was virtually violence free, orderly and well administered in most of the areas that this delegation was able to observe.

The crucial vote tabulation process remains to be completed, and any formal electoral complaints that may be lodged must be processed fairly and expeditiously. Patience as well as vigilance to ensure confidence in the results therefore are needed.

Should a runoff be required, massive voter education must be conducted. That campaign should address the reasons for a runoff as well as voting procedures and the nature of the political choice being presented. A major problem identified in the October 11 poll was the widespread need for voter assistance due to the lack of understanding of voting procedures and in many cases a lack of understanding concerning the nature of the choice among the candidates.

It is critically important that all of the stakeholders – government and electoral officials, candidates and political, religious and civic leaders – act responsibly in the days immediately ahead to ensure that the process remains on track. There are serious challenges to face in meeting this goal, and the international community should do everything possible to provide its continued assistance.

As the process unfolds, those who appear to be the winners of these elections should be magnanimous, while those who do not win the right to advance to the potential presidential runoff or to seats in the legislature should be gracious in accepting credible results. At the same time, all sectors of Liberian society should join in embracing the difficult national challenge of establishing inclusive, democratic governance. This is all the more important because some of the factors that contributed to conflict and frailty of the Liberian state still exist and will continue to challenge society as it moves beyond the elections.

Recommendations are offered at the end of this statement.

II. OBSERVATIONS

In order to accurately characterize an election process, all of its aspects must be considered. At this juncture, the National Elections Commission (NEC) is still in the early stages of tabulating results, having announced approximately 10 percent as of 11:00 am today. Plus, the electoral complaints and appeals process is incomplete. It is therefore impossible to draw any conclusions about the overall character of the election process at this time.



A. Electoral Framework

The CPA. In the summer of 2003, a combination of armed insurgency and international pressure brought Liberia to a crossroads. On Aug. 11, then-President Charles Taylor stepped down and accepted asylum in Nigeria. The Comprehensive Peace Agreement (CPA) signed in Accra by representatives of Taylor's former government and armed militias (the LURD and MODEL), plus political parties and civil society organizations defined the terms of the ceasefire. A month later, the UN Security Council authorized the United Nations Mission in Liberia (UNMIL), and the Secretary-General appointed a Special Representative in Liberia.

The CPA defined the structure and scope for a transition authority – the National Transitional Government of Liberia (NTGL) – that would guide the country to elections in October 2005 and the installation of an elected government by January 2006. It suspended parts of Liberia's constitution until an elected government is installed. It also established a mediation process, whereby the international community would settle disputes within the NTGL concerning application or interpretation of the CPA. ECOWAS took the lead in this, and General Abubakar of Nigeria remained the Chief Mediator.

The CPA signatories chose Gyude Bryant, a business leader and member of the Liberian Action Party (LAP), to serve as Chairman of the NTGL. The signatories also negotiated for themselves positions in the NTGL and the 76-member National Transitional Legislative Assembly (NTLA). Faced with the daunting task of resuscitating state institutions that had been decimated during Liberia's civil conflicts, and simultaneously implementing the CPA and ceasefire, the NTGL has been responsible for promoting reconciliation and supporting the preparation and conduct of the 2005 elections.

Legal Framework for Elections. The elections are being conducted under the framework of the CPA. While the CPA set the timetable for elections and a number of other elements regarding the electoral process, it left unresolved a number of procedural issues related to the elections. The NEC drafted and the NTLA passed after three months of delay the Electoral Reform Law of December 2004. The NEC set forth a number of regulations, guidelines and handbooks to fill in the electoral framework. Elements of the Constitution not suspended by the CPA also make up the legal framework for the 2005 elections.

The legal framework compares favorably to international practice for democratic elections. Campaign finance regulations, for example, are among the most comprehensive on the continent, though they are difficult to implement in Liberian conditions. Provisions concerning voting for persons with physical disabilities are also highly developed, which is particularly relevant in societies that have suffered armed conflict. One problematic area concerns ambiguities in the processing and resolution of electoral disputes and challenges of election results.



B. Election Administration

The NEC enjoys a remarkable level of public confidence. Political party representatives, most candidates and the news media expressed views that the NEC, with its robust support from UNMIL and other international organizations, such as IFES, conducted activities throughout the pre-election period with impartiality and competence.

The NEC addressed the need for new election districts, organized the voter registration process (which was the focus of a pre-election delegation organized by the International Republican Institute (IRI), in which NDI and The Carter Center participated), conducted voter education, which was also carried out by numerous NGOs, administered candidate qualification, organized production and distribution of electoral materials, and trained approximately 18,000 polling officials for the 3,070 voting precincts around the country.

A number of concerns were expressed about the extraordinarily difficult logistical conditions faced by election administrators, political parties and voters. Roads ravaged by years of war presented transport problems, which were compounded by a difficult rainy season. For example, approximately 10 percent of the electorate votes are in voting places that are one hour to four days walk from the last point where polling materials can be transported by vehicle. Some of these are in areas that are difficult to reach even with the assistance of UNMIL helicopters. The NEC and UNMIL put forth extraordinary efforts to ensure delivery of polling materials to these locations.

Questions were raised about the number of ballots printed and ballot security. The NEC introduced transparency into the ballot production and distribution process and offered specific formulas for the number of ballots to be delivered to voting places. It also explained various ballot security measures, but it did not satisfy all questions raised by candidates, civil society leaders and some international observers.

Electoral Districts. The entire country serves as an electoral district for the direct election of the President of the Republic. To assume this office a person must win 50 percent plus one vote on election day, or the top two vote-getters face each other in a runoff election on the second Tuesday after the announcement of the final official electoral results. It is anticipated that the runoff date would be Nov. 8, should one be deemed necessary.

Each of Liberia's 15 counties serves as an election district for the choice of two Senators per county (for a total of 30 Senators). Two Representatives were allocated to each county and the remaining 34 were apportioned among them according to the number of registered voters (in the absence of reliable census data), with a maximum of 14 seats awarded to any county. Sixty-four electoral districts were established for the 2005 elections with input of registered political parties and without significant controversy, even though there is a large disparity in the ratio of constituents to representative among various counties.



Voter Registration. Liberians registered to vote in extraordinary numbers, particularly in light of the difficult logistical circumstances in the country. Approximately, 1.35 million people registered to vote out of an estimated 1.5 million eligible persons (approximately 90 percent). Half of the registrants were women, and approximately 40 percent of the registrants were between 18 and 28 years old. This demonstrates a determination among the population – particularly among women and young people – to turn away from using violence to determine who will hold governmental power.

Among the internally displaced persons (IDPs) located in camps, 71 percent chose at the time of voter registration to indicate that they would return to vote in their home counties. As time drew near to the election date, it became clear that large numbers of these people would not be able to return home. The NEC ruled that such persons would be allowed to vote for the president but not other offices. This led to protests and threats to disrupt the electoral process. The NEC met with IDP leaders, and as the election approached these leaders pledged that IDPs would cast presidential ballots and refrain from disrupting the process.

Ballot Qualification. This has been the most competitive election in Liberia's history, with a variety of viable candidates vying for each office. It is noteworthy that the CPA precluded senior members of the NTGL from standing for office, which ensured the NTGL's caretaker standing.

A total of 762 people qualified for the October 11 ballots: 22 presidential and vice-presidential candidates; 205 Senate candidates; and 513 House of Representatives candidates. Among these were 110 women candidates, including two who stood for president. Women represented approximately 14 percent of the candidates, although NEC guidelines called on parties to reserve 30 percent of their candidacies for women. Candidates for each of the three levels of office appeared on separate ballots. Based on its interpretation of the law, the NEC anticipated that each voter would vote for one candidate on each of the three ballots. Voting for Senators, however, was changed by order of the Supreme Court.

Pre-Election Supreme Court Cases. Shortly before the elections, the Supreme Court issued decisions regarding the electoral process. In one of these cases, the court ruled that voters may mark two choices on their ballot papers concerning candidates for the Senate. This decision was announced belatedly by the Court, leaving little time for implementation by the NEC. In another, the court ruled that a number of candidates previously rejected by NEC should be given an opportunity to correct deficiencies in their applications. Implementation of this decision risked jeopardizing the electoral timetable provided in the CPA. The potential conflict between implementing the Court's decision and the timetable was removed as a consequence of the candidates withdrawing from the elections, which was done in part as a result of mediation efforts attributed to the CPA. However, the scenario surrounding these developments raised tensions and illustrated potential problems in the legal framework, particularly concerning redress of electoral disputes, which may have implications for the broader election process.



C. Voter Education Efforts

Voter education efforts started late and faced very difficult conditions. The NEC, UNMIL and numerous international and domestic NGOs conducted voter education activities. Voter education campaigns raised general awareness of the election; however, many voters remained unsure of the detailed voting procedures. In addition, political parties complained that they lacked adequate resources to inform voters about their candidates.

A significant number of concerns were raised by political contestants, organizations conducting voter education and others noting that it was not possible to conduct voter education in numerous inaccessible localities. Poverty and a high incidence of illiteracy compounded the challenge. An estimated 75 to 85 percent of the electorate cannot read. Radio is the mass media with the largest reach, but many Liberians cannot afford radios. Programs with personal contact therefore played an important voter education role and large-scale programs were conducted. However, in the run-up to the elections, many raised concerns about the adequacy of voter education, including the last minute need to prepare for voters to mark up to two choices among the Senate candidates in the counties' ballots.

D. The Campaign

As noted in the Carter Center/NDI Sept. 9 pre-election delegation statement, most of Liberia's political parties have developed around the personalities of key leaders, rather than on the basis of policies, issues and party platforms. Party organization is centralized within Monrovia and very few parties have sufficient resources or organizational structures to campaign at the grassroots level. Inaccessibility issues further hamper party branches' ability to communicate with party leaders. Nonetheless, an active campaign was waged by the parties and candidates. Freedoms of expression and movement were respected, as candidates could campaign where they wanted, subject to the logistical difficulties in moving about the country.

Parties and candidates reported that the political playing field was generally level, and they were free of state interference in campaigning. The campaign period, while not free of incidents, was peaceful. The Ministry of Justice, NEC and political parties restarted a long-standing dialogue to coordinate rallies and other campaign events to minimize confrontations. The NEC criticized early infractions and threatened to revoke accreditation of contestants involved in election violence, intimidation or harassment of voters or other candidates, which had a likely deterrent effect.

The Inter Party Consultative Committee allowed the contestants to receive information from the NEC and raise concerns. The Political Parties' Code of Conduct, which is Liberia's first such code and which was signed by all of the parties, stands as a positive symbol of the tolerance and respect for fair play that marked the campaign, which is remarkable in Liberia's post-conflict circumstance.



News Media. The news media operate freely in Liberia. Under voluntary guidelines issued by the Ministry of Information and the NEC, the political contestants were provided access to the media to disseminate messages in the districts where they were on the ballot, and a number of debates were organized around the country, which provided citizens with information about the contestants and demonstrated that such events can take place without fear of violence.

Money and Politics. The NEC's Campaign Finance Guidelines are comprehensive though they have proved difficult to implement and to enforce in Liberia's conditions. Concerns were raised by some political parties that state resources were misused for the electoral advantage of several parties represented in the NTGL and that foreign funds were illegally channeled into the campaign. There were also allegations of instances in which political contestants "purchased" voter identification cards to prevent votes from being cast for electoral opponents. The NEC has an obligation under its Campaign Finance Guidelines to respond to allegations that are reported to it. There also were allegations concerning widespread efforts to influence voters through providing rice and other goods. However, civic education helped many voters understand that their ballot would be secret, so accepting rice or other incentives, activities that are not specifically outlawed by the Election Law, may have not succeeded in many cases.

E. Domestic Election Monitoring and International Observers

Liberian civil society organizations have actively monitored the electoral process from early stages, including voter registration and the campaign period, as well as on election day. Among the organizations involved in election monitoring efforts are: the National Committee for Elections Monitoring (NACEM), which includes the Coalition for Democracy in Liberia (CODEL), the Inter Religious Council of Liberia (IRCL) and the West Africa Network for Peace Building (WANEP); the Campaign Monitoring Coalition (CMC), which includes four NGOs focused on campaign finance; and monitors supported by the EC Bilateral Program. Reports of domestic monitors helped to raise issues of public concern and encouraged citizen participation in the electoral process. The election monitoring activities by civil society groups are an extension of longer-term efforts of peace building that helped set the stage for a peaceful election process.

Several international organizations also established election observation missions, including in addition to NDI and The Carter Center, the European Union (EU), IRI and ECOWAS. The Carter Center deployed long-term observers beginning in August. A number of other organizations sent observer delegations for the Oct. 11 elections, including: the African Union (AU); West African Civil Society Forum (WACSOFF); and the European Parliament. Governmental election delegations from the United States and the United Kingdom also observed the elections. Leaders from all of these delegations met to exchange views before and after election day. In addition, The Carter Center/NDI delegation worked closely with the EU and IRI observation missions. International observers were welcomed throughout the country, and there were no reports of interference with international or domestic election observers.



F. Election Day

Peaceful Participation. Voter turnout on Oct. 11 was massive across the country, even in the face of long lines and substantial waiting periods before it was possible to vote. Many voters arrived at the polls near midnight in advance of the scheduled 8:00 am opening time, and others showed up at least three hours in advance. Thousands waited to vote in the sun in some places and in heavy rain in others, demonstrating their personal commitment to peaceful elections.

Young people and women showed a special determination to participate and achieve peaceful elections. Women and young people of both genders participated in vast numbers as voters and election officials, political party poll watchers and as nonpartisan election monitors.

Polling officials worked diligently for long hours into the night. Officials seemed well trained, and in the majority of cases acted effectively, though there was a difference in quality at some voting places. To overcome a number of practical problems, many polling officials sought to build consensus around adaptive measures. Political party agents were present in impressive numbers around the country and worked cooperatively to complete the process peacefully. Domestic election monitors also were present in significant numbers and played a constructive role.

Voting Process. The long lines and the slowness of voting, particularly in the morning hours, were exacerbated by late openings of many polls. The numerous procedural safeguards put in place by the NEC and a meticulous approach by many polling officials added to the slowness of the process. The consequence was severe crowding in many places that at times led to tension requiring action by security forces. This dynamic was diminished as voting proceeded and the NEC issued a revision of the procedures to speed up the process. By late in the afternoon few such problems were observed.

Illiteracy and other factors also contributed to a slow voting process. Large numbers of voters across the country seemed not to understand how or for whom to vote. Even after the initial instruction was provided to them by poll workers, many voters required further assistance in deciding which candidate to vote for. Presiding Officers helped them, but this raised questions concerning ballot secrecy and opened possibilities for some officials to influence voters' choices. It appeared that voter education efforts were insufficient to adequately prepare such voters.

The security plan developed by the NEC, involving the Liberian National Police (LNP) and UNMIL forces, placed teams at polling precincts across the country. This helped to provide a sense of security, as well as helping to maintain order over the course of election day and election night.

The Count. The counting process proceeded without major incidents in places observed by this delegation. The count was slow in many places. Transparency in the procedures helped to establish confidence, and party agents and observers were able to monitor the process.



G. Tabulation and Electoral Complaint Resolution

The tabulation process has begun slowly. The late finish and logistical difficulties delayed the transport of results to the county tabulation centers in many instances. Transport was done under protection of the LNP and UNMIL forces. The NEC projected on Oct. 12 that the tabulation process, which will consolidate results from the county tabulation centers at the NEC, would take between three and seven days to complete. As of 11:00 am, Oct. 13, 278 out of the 3,070 polling places had been tabulated, comprising approximately 10 percent of the vote.

Accredited political party representatives, domestic and international observers and journalists will be able witness the tallying at the county level. The NEC will announce progressive, cumulative results. It will make available results from each individual polling place, and it has noted that those results were made available at the polling places. Providing access to such information at the national level will allow parties and candidates to compare copies of results from polling places to the national tabulation. This could be an important confidence building measure.

The NEC has required that complaints regarding polling or counting irregularities be filed at the polling place and then with the county Magistrate within 24 hours of the event. Other types of complaints should be submitted to the NEC within 72 hours of the event. According to one interpretation of the law this must be done within five days of the election. In light of the current pace of tabulation, this could be a cause for concern. There has been confusion and some ambiguity in the complaints and appeals processes in the pre-election period, and there are possibilities for this to occur in the post-election period as well. The complaints process could take as many as 30 days if the maximum time is used, which could jeopardize holding a runoff in accordance with the timeframe of the CPA and the Election Law. In addition, appeals may be lodged with the Supreme Court regarding NEC decisions on complaints and electoral challenges, which can be filed only after results are finalized. An expedited process leading to fair complaint resolution will be required at the NEC and Supreme Court to keep within the CPA timeframe.

III. THE DELEGATION AND ITS WORK

The delegation arrived in Monrovia on Wednesday, Oct. 5, and held a series of intensive meetings with Gyude Bryant, Chairman of the NTGL, Frances Johnson-Morris, Chair of the NEC, Alan Doss, Special Representative of the UN Secretary-General and other representatives of UNMIL, several presidential candidates and their representatives, leaders of the political parties contesting the elections, civic leaders including leaders of domestic nonpartisan monitoring groups and representatives of the international community. The delegation also met with the leadership of other international election observer delegations and worked closely with the European Union and the International Republican Institute.

On Oct. 9, delegation members deployed to the following 10 counties: Bomi, Bong, Grand Bassa, Grand Cape Mount, Grand Gedeh, Lofa, Margibi, Maryland, Montserrado and Nimba. The meetings conducted in Monrovia were replicated at the local level by our teams. On election



day, the teams observed the voting and counting process in more than 10 percent of the voting precincts and tabulation centers. Following the elections, the delegation members returned to Monrovia to share their findings and prepare this statement. This should be noted, due to the conditions of Liberia's roads, significant numbers of polling places could not be visited by international observers.

In preparation for these elections, NDI and The Carter Center conducted a pre-election assessment mission in September 2005 and participated in the May 2005 IRI pre-election delegation. Reports from this mission, along with NDI/Carter Center's periodic updates on the election process, can be found on NDI's web site at www.ndi.org and The Carter Center website www.cartercenter.org.

IV. RECOMMENDATIONS

We recognize that there are three types of recommendations that could be offered: 1) recommendations concerning the immediate circumstance in order to keep the process surrounding the Oct. 11 poll on track; 2) recommendations that could be useful should a presidential run-off be required; and 3) recommendations that could be helpful for future Liberia electoral process. In light of the circumstances, recommendations concerning the third category will be provided in the observation mission's final report. The following recommendations are offered in the spirit of international cooperation and in hopes of building further confidence in the electoral process.

Immediate

National Elections Commission. 1) Procedures concerning electoral complaints and challenges of electoral results should be clearly explained to all of the political contestants and the public. An expedited process is necessary in order to deliver fair and proper redress and to avoid jeopardizing compliance with provisions of the CPA. This could be accomplished, for example, through the Inter Party Consultative Committee. 2) We welcome the NEC's commitment to release results in the most transparent and timely way possible in order to ensure confidence in the tabulation process and reduce potentials for tensions in the electoral environment.

Political Parties and Contestants. 1) Parties and contestants should call on their supporters to stay calm and patiently await the release of the results. 2) Parties should continue their active observation of the tabulation process at the county and national level in order to maintain their confidence in the credibility of the process. 3) If grievances arise, parties should make use of complaint procedures. 4) Those political contestants who do not win office as a consequence of credible results should publicly accept the results as soon they become apparent.

Civil Society. Nonpartisan domestic organizations should continue their efforts to impartially and accurately report on tabulation process and the handling of any electoral complaints and challenges in a timely manner.



International Community. International community should persist in assisting Liberian efforts in conducting a credible electoral process as appropriate.

If a Run off Is Required

National Elections Commission. 1) NEC and UNMIL and their domestic and international partners should redouble their efforts to provide voters with the information required for them to effectively participate in the voting process. The mass communications media including community radio stations should be employed in a nationwide voter education campaign. 2) NEC should instruct Presiding Officers that in instances where voters require assistance every effort must be made to ensure that the voters' choice is not influenced and secrecy of the ballot is maintained whenever possible. 3) NEC and UNMIL should continue the practice of regularly informing contestants and the public about administrative decisions and should continue its open attitude towards domestic and international observation.

Political Parties and Contestants. The candidates, in addition to vigorously pursuing support of voters, should proceed in the same spirit of tolerance and fair competition as was exhibited in the first round.

Civil Society. 1) Civil society organizations should mount a massive voter education campaign using the full range of methods including the mass media and personal contact. 2) Groups involved in nonpartisan election monitoring should extend their activities through the run-off and post election period.

International Community. The international community should make sufficient resources available so that, if necessary, a runoff election can be completed in accordance with international standards in a manner that leads Liberians to believe in the credibility of the election.

V. CONCLUSION

This has been the most competitive election in Liberia's history, with a variety of viable candidates vying for each office. Dedicated peace-building efforts by Liberians helped set the stage for these elections. Those efforts must now be reinforced by the country's political and civic leaders as well as those concerned in the international community. By their actions, Liberians have sent a clear message that the country must turn its back on war. Completing the electoral process in a manner that ensures the results accurately honor and respect the people's will is essential to ensuring lasting peace and democratic development.



APPENDIX H

THE CARTER CENTER



**Liberia Runoff Election: Background Information from The Carter Center
and the National Democratic Institute**

2 Nov 2005

The Carter Center and the National Democratic Institute for International Affairs (NDI) jointly organized a delegation to observe the presidential and legislative elections in Liberia in October and a second delegation to observe the runoff elections in November.

Voters in Liberia went to the polls on Oct. 11, 2005, to elect a president and vice president, 30 Senators and 64 representatives. A presidential run-off election is scheduled for Nov. 8, 2005. These elections will close a two-year transition period that began in October 2003, with the establishment of the National Transitional Government of Liberia (NTGL). The transition process is governed by the Comprehensive Peace Agreement (CPA), signed by representatives of Liberia's warring factions, political parties and civil society in Accra, Ghana, in August 2003. Election Watch is compiled jointly by the National Democratic Institute (NDI) and The Carter Center.

Election Day Results

After peaceful national elections on Oct. 11, 2005, in which 762 candidates, including 22 presidential hopefuls, contested for seats, Liberians return to the polls on Nov. 8 for a run-off presidential election between George Weah of the Congress for Democratic Change (CDC) and Ellen Johnson-Sirleaf of the Unity Party (UP).

In announcing the final results of the Oct. 11 election, the National Elections Commission (NEC) commended all voters for "their massive turnout and the outstanding level of maturity and tolerance they exhibited at the polls on Oct. 11, 2005." According to the NEC, "this outstanding achievement by the people of Liberia has sent a message to the rest of the world that we are united around a common objective of transforming this war-ravaged nation through democratic



governance." None of the 22 candidates in the presidential race garnered the absolute majority of "50 percent plus one" of valid votes required; the top two vote-getters, international soccer star George Weah and internationally-respected finance expert Ellen Johnson-Sirleaf, won 28.3 and 19.8 percent of the votes, respectively. The commission also officially declared winners of Senate and House seats from the various counties. One Senate seat in Gbarpolu county is still in dispute due to allegedly altered polling place tally sheets. Out of the total of 1,012,673 votes nationwide, 38,883 (approximately 3.8 percent of total votes) were declared invalid.

Massive Voter Turnout

In their desire to demonstrate their attachment to peace and national reconciliation, Liberians from all walks of life, including the young and the elderly, turned out en masse to vote on Oct. 11. Long queues of voters formed at most polling stations across the country in both rural and urban areas. Some voters reportedly joined queues as early as 2 a.m. (and in some cases the night before the election), and many of them remained in line for eight hours or more to cast their votes. Turnout was stated as close to 75 percent. Over 1.3 million Liberians registered to vote in the 2005 elections.

Presidential Election Runoff

The campaign season for the Nov. 8 run-off commenced on Oct. 27, and will end Nov. 6 at midnight. Both candidates have been active around the country, though campaigning is not as intense as might have been expected. Several former presidential hopefuls, political parties, civic groups, and opinion leaders have endorsed one or the other of the candidates. The contest is expected to be competitive, although some analysts worry about the prospect of a lower turnout than was the case in the first round. The NEC and other domestic and international organizations continue to explain the importance of the run-off through renewed voter education.

In response to concerns raised by international and domestic observers, and drawing upon lessons learned from the first round elections, the NEC has made several changes to polling procedures. Presiding officers will no longer assist voters in the voting booth, reducing their potential influence over the casting of ballots. Instead, instructions will be given to each voter by the ballot issuers, and any voter may bring another registered voter with them to render assistance, as needed, in the voting booth. In addition, the NEC is providing more training to presiding officers on record-keeping at the polling stations, as well as counting and tabulation procedures.

Efforts to Avert Ethnic Rivalries around the Run-off Election

Some Liberians express concerns that the run-off could inflame tensions between indigenous Liberians on one hand and descendants of settlers on the other, with one of the candidates being projected as representing the native and uneducated masses, and the other viewed as representing the settler and educated class of society. In an effort to discourage divisive campaigning, the chair of the NEC has appealed to Liberians, especially political parties and their supporters, to



desist from turning to ethnic divisions in the last lap of the electoral process. Addressing a press conference in Monrovia, Chairperson Johnson-Morris noted that "tribalism is unconstitutional," and called on voters to desist from incorporating tribal loyalties into politics. She asserted that the NEC was disturbed by the involvement of ethnicity in the run-up to the presidential run-off.

UNMIL Presence and Security

In an effort to forestall intimidation of voters or disruption of the electoral process during the run-off season, the head of the United Nations Mission in Liberia (UNMIL), Mr. Alan Doss, stated forcefully that peacekeeping troops will "react robustly" to any attempts to disrupt the political process. Mr. Doss, who is the special representative of the U.N. secretary general, further explained that "UNMIL military and police will assist Liberians to ensure that both the campaign and election day pass in peace, and all votes are cast in safety and security." He noted that Liberians have demonstrated that they are ready to choose the path to peace, and that the run-off election will provide another opportunity for Liberians to demonstrate that they can espouse diversity and respect the rule of law. In so doing, he asserted that they can show that the politics of ethnic divisiveness, hate and violence have been left in the past. He also appealed to the media to avoid inflammatory language and to refrain from resuscitating unfounded rumors that may serve only to exacerbate communal tensions. Mr. Doss' remarks reminded everyone that there will be very serious consequences for any acts intended to disrupt the peace during the run-off campaign.

Election Complaints

Even though the October polls have won widespread national and international praise for being conducted in a free and fair atmosphere, some 41 complaints were filed with the NEC alleging irregularity and fraud. The complaints were heard in hearings and concluded (with one exception) on Monday, Oct. 31. Most of the complaints were referred by the NEC adjudicator to the Ministry of Justice. Some complainants have expressed frustration that the NEC could not hear and resolve their disputes fully.

One of the most significant complaints was brought by the Liberty Party, on behalf of presidential aspirant Charles Brumskine, who came in third place in the presidential race. In a statement issued on Oct. 18, the Liberty Party alleged that "at least three aspects of the electoral process, namely ballot marking by illiterate voters, the counting of the votes, and the reporting of the votes counted, have been marred by serious irregularities, bordering fraud." The Liberty Party contends that many illiterate voters who requested help from poll workers were guided to mark areas on the ballot that did not reflect the voters' choice. The Party also raised concerns regarding the more than 38,000 ballots that have been deemed invalid. The case was heard by the NEC on Monday, Oct. 31, and a decision is expected to be issued within the next few days. It is difficult to predict what impact the Liberty Party's protest is likely to have on the run-off election.

According to Liberia's Electoral Reform Law of 2004, the Elections Commission, upon receipt of a complaint from any contestant, shall within 30 days notify the parties, conduct an impartial



investigation, and render a determination. The NEC, however, has demonstrated its commitment to expediting the resolution of all complaints before the Nov. 8 run-off.

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The National Democratic Institute for International Affairs (NDI) and The Carter Center are jointly organizing a delegation to observe the presidential and legislative elections in Liberia in October and November 2005. NDI is a not-for-profit organization working to strengthen and expand democracy worldwide. The Institute is also providing assistance to Liberian civil society organizations to conduct voter education and election monitoring activities across the country. For more information, please visit www.ndi.org.

The Carter Center is a not-for-profit, nongovernmental organization, founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, committed to advancing peace and health worldwide. In Liberia, NDI is supported by USAID and the National Endowment for Democracy, and The Carter Center is supported by the Government of Ireland and USAID. In addition, the Carter Centre U.K. is implementing an electoral assistance program along with the Electoral Reform International Services, supported by the European Commission. For more information, please visit www.cartercenter.org and www.cartercentre.org.uk.



APPENDIX I

**Nov. 8 Liberia Presidential Run-Off Election: Carter Center/National
Democratic Institute Observation Delegation Arrival Statement**
3 Nov 2005

FOR IMMEDIATE RELEASE

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Delegation led by former Nigerian Vice President Alex Ekwueme

The National Democratic Institute (NDI) and The Carter Center today announced the arrival of their delegation to observe the Nov. 8 presidential run-off election in Liberia.

The 28 member multinational delegation is led by former Nigerian Vice President Alex Ekwueme, and includes elected officials, electoral and human rights experts, regional specialists and political and civic leaders from North America, Africa and Europe.

The delegation will draw upon the findings of the ongoing joint election observation mission of NDI and The Carter Center, including the delegation to the Oct. 11 first round election, co-led by former U.S. President Jimmy Carter and former President of Benin, Nicephore Soglo, as well as a pre-election delegation in early September. Together the two organizations have maintained a continuous election monitoring presence in-country through resident staff and long-term observers. They will also monitor developments in the immediate post-election period.

The international observation delegation to the Oct. 11 elections found that following a remarkably peaceful and highly competitive electoral campaign, large numbers of Liberians turned out to vote in an election that was virtually violence free, orderly and well-administered in most of the areas of the country. It called on the NEC to pay particular attention to the procedures concerning electoral complaints and challenges of electoral results, and, in the event of a run-off election, pointed to the need for a massive voter education program to ensure that voters understand the importance of voting in the runoff and are better informed about the voting procedures and the choices facing them.

That delegation concluded that "all sectors of Liberian society should join in embracing the difficult national challenge of establishing inclusive, democratic governance. This is all the more



important because some of the factors that contributed to conflict and frailty of the Liberian state still exist and will continue to challenge society as it moves beyond the elections."

The full statement of the first delegation and other pre-election materials are available on the NDI web site at www.ndi.org and The Carter Center web site at www.cartercenter.org.

On Nov. 5, the delegation to the run-off election will meet in Monrovia with representatives of the political parties in the presidential race, officials of the National Elections Commission, civic leaders, journalists and representatives of the international community. Teams of delegates will then deploy to different sites in 10 counties across the country. The day before polling, each team will meet with local election officials, party representatives, civic groups including domestic election monitors, and others to assess the election environment at their deployment sites. On election day, the teams will visit polling places and remain to observe counting and, in some cases, tabulation in their respective counties.

The teams will then reassemble in Monrovia for debriefing and to prepare a preliminary delegation statement, which will be released on Thursday, Nov. 10.

The delegation will conduct its activities in a nonpartisan, professional manner in accordance with Liberian Law, the Comprehensive Peace Agreement, and international standards for election monitoring set forth in the Declaration of Principles for International Election Observation. NDI and The Carter Center will remain in close communication with other domestic and international observer delegations. The joint election observation project, including the present delegation, is supported by a grant from USAID, with additional support to The Carter Center from the Government of Ireland.

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NDI is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. NDI works with democrats in every region of the world to build political and civic organizations, safeguard elections, and to promote citizen participation, openness and accountability in government. In Liberia, the Institute is providing assistance to civil society organizations to conduct voter education and election monitoring activities across the country. These programs are supported by USAID and the National Endowment for Democracy. For more information, please visit www.ndi.org.

The Carter Center is a not-for-profit, nongovernmental organization, founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, committed to advancing peace and health worldwide. The Carter Center began working in Liberia in 1990, observed the 1997 Special Elections, and supported local human rights, rule of law, and press organizations from 1998-2000. The Carter Center's separate long-term election observation project is supported by the Government of Ireland. In addition, the Carter Centre UK is implementing an electoral



assistance program along with the Electoral Reform International Services, supported by the European Commission. The Carter Center's current work began in July 2005, and Carter Centre UK began its activities in Liberia in March 2005.



THE CARTER CENTER

APPENDIX J

THE CARTER CENTER



**Preliminary Statement of the NDI/Carter Center International Observer
Delegation to the Liberian Presidential Runoff Election**

Thursday, Nov. 10, 2005

FOR IMMEDIATE RELEASE

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MONROVIA....This statement is offered by the 28-member multinational delegation jointly organized by NDI and The Carter Center. The delegation was co-led by His Excellency Dr. Alex Ekwueme, former Vice-President of the Republic of Nigeria; Dr. Christopher Fomunyoh, NDI's Senior Associate for Africa; and Dr. David Carroll, Director of the Democracy Program at The Carter Center. The delegation included elected officials, electoral and human rights experts, regional specialists and political and civic leaders from Africa, Europe and North America.

The purposes of the delegation were to demonstrate international support for Liberia's democratic process and to provide Liberians and the international community with an impartial and accurate assessment of the electoral process and the political environment surrounding it. The delegation conducted its activities in accordance with Liberian law and the Comprehensive Peace Agreement (CPA), as well as the *Declaration of Principles for International Election Observation*. NDI and The Carter Center recognize that ultimately it is the people of Liberia who will determine the credibility of the election process and do not seek to interfere in the process.



The delegation stresses that the tabulation of results is still underway and that this is a preliminary statement. It should be viewed in the context of earlier statements on the Oct. 11 elections and the lead up to it. Further statements may be released and a final report will follow after the election process is completed. All reports concerning the Liberian election process can be found at either www.ndi.org or www.cartercenter.org.

NDI and The Carter Center commend all Liberians who participated in this historic process to move forward after years of conflict, corruption and autocratic rule. Liberians across the country expressed to observers their strong desire for peace and reconciliation, and their commitment to the democratic process as the means of choosing their leaders. We hope that those who will take office once the official results are certified, as well as those who contested unsuccessfully, will recognize that all Liberians have an important role to play in their country's political and democratic future, and that they will work collectively to lead the country to national reconciliation and sustainable democracy.

For the electoral process to be meaningful over the long-term, Liberia's new leaders must demonstrate that they have the country at heart. This means they must practice integrity, manage the nation's resources for the good of the country as a whole, and make a special effort to provide opportunities for and respond to the needs of youth.

I. ELECTION DAY OBSERVATION

A. Positive Aspects of the Election Day Process

On the whole, election day went peacefully and smoothly, with short lines at most polling places. The National Elections Commission (NEC) is to be commended for their efforts to address many of the administrative and procedural problems noted by observers on Oct. 11. Specific observations include:

Voter Turnout. As they did for the first round, large numbers of Liberian voters went to the polls on Nov. 8. As of today, the NEC estimates voter turnout at slightly more than 60 percent. Simpler ballot procedures meant that voting proceeded more rapidly.

Peaceful Conduct. Overall, election day was calm and peaceful with few reported incidents of violence. Security on election day was enhanced by the deployment of larger numbers of Liberian National Police (LNP) and immigration officials, and United Nations Mission in Liberia (UNMIL) civilian police and peacekeeping elements, particularly to precincts that had experienced crowd control problems or other security incidents during the first election round on Oct. 11.

More Efficient Election Administration. Efforts were made by both NEC and UNMIL to correct procedural errors and other irregularities observed in the first round, notably in the area of assisted voting. Presiding officers were instructed not to assist voters, who were required to bring with them a family member or a friend to help them cast their vote. These instructions



appeared to have been routinely followed, and in any case, the simpler ballot meant that far fewer voters required assistance. Efforts were also made to improve queue control, especially in polling precincts with multiple polling places where voter confusion over where to vote delayed polling on Oct. 11. The reconciliation and counting process was simplified by the consolidation of the presiding officer's worksheet and record of the count into one form. At polling precincts and tabulation centers, most NEC staff appeared to understand procedures more fully than on Oct. 11, although one or two exceptions were observed. Their level of professionalism and increased competence contributed to a much smoother and more efficient voting process.

Party Representatives and Domestic Election Observers. Both Congress for Democratic Change (CDC) and Unity Party (UP) representatives were present in nearly all polling places visited by NDI/TCC observers, and actively monitored all election day activities. In some cases, observers met representatives from supporters of parties that had lost in the first round. Although there appeared to be fewer domestic election observers for the second round, commendable efforts were made to recruit and train hundreds of observers, including a significant number of physically disabled individuals.

Tabulation. At many tabulation centers observed by delegation members, the process was smoother and quicker than for the first round. However, there were some cases where procedures did not appear to be followed appropriately.

B. Problems and Irregularities

While the NDI/Carter Center overall assessment is generally positive, the delegation noted the following problems and irregularities:

Inconsistencies in Polling Place Administration. The delegation noted: voting by some polling staff before the polls opened rather than at the end of the day as stipulated in the revised election procedures; the procedure for reconciling ballots at the end of the day was not followed in a few instances; numbers of ballots received were not always registered on the presiding officer's combined worksheet and record of the count at the beginning of polling as required; and a lack of clarity over the number of party representatives allowed to observe the process in each polling place. In addition, observers were informed that larger sample ballots posted in ballot booths were in some instances marked indicating the choice of a candidate, though when polling officials were informed these ballots were immediately removed.

Polling Staff Remuneration. The delegation reported several instances where polling staff informed us they had not received their five dollars' daily allowance for the Oct. 11 elections, or on Nov. 8. In several cases, polling workers delayed the opening of the polls in protest. In one instance, the observers were told that disappearance of allocated funds led to the arrest of a Liberian UNMIL staff member who has been charged with misappropriation of funds.



II. RECOMMENDATIONS

To demonstrate its support for Liberians' self-proclaimed desire for peaceful and democratic rule, and in the spirit of international cooperation, the delegation offers the following recommendations:

- Liberians should allow the election process to continue in an orderly fashion, and should refrain from prejudging the outcome of this historic election. We urge restraint by political parties, election officials and party supporters during this critical period between voting and the determination of final results by the NEC.
- Upon conclusion of the electoral process, including the resolution of complaints that may be lodged, it is hoped that the winner of this highly competitive race will reach out to the unsuccessful candidates, and remind partisans on all sides that in the fragile post-conflict context he or she intends to represent the interests of all Liberians. At the same time, we hope that the unsuccessful candidate will accept the will of the Liberian people expressed through the ballot box, and appeal for calm and acceptance by his or her supporters.
- The NEC should ensure that all election disputes are handled expeditiously upon submission of complaints, and in an impartial manner according to Liberian law and within the context of the CPA. The complaint process could be improved to provide for a more transparent process. For example, the times and locations of future hearings should be clearly communicated to all accredited parties and observers, with documentation readily available. Rulings should be announced as quickly as possible, with immediate redress and effective remedies provided as appropriate.
- Both the UP and the CDC should respect and abide by the procedures established under Liberian law and within the context of the CPA for the resolution of electoral disputes, and continue to instruct their party members and supporters to do the same and to refrain from violence. Both parties should refrain from inflammatory rhetoric or premature celebrations. Liberia faces daunting challenges. They can only be addressed by Liberians, regardless of political affiliation, working together for a better Liberia for all.
- The media should provide accurate and balanced reporting on the electoral process, and should refrain from publicizing information in ways that could be inflammatory or that may provoke violence.
- The delegation commends Liberian youth and women for their active participation in these transitional elections, and encourages them to remain engaged in the democratic process as an opportunity to make their voices heard. In particular, the delegation notes efforts by the NEC and some political parties to include women as polling officials, candidates and party representatives and hopes such efforts will continue in future elections.
- Both UNMIL and the LNP should remain vigilant during and after the potentially volatile period between the election and the official announcement of results and, in their efforts to maintain peace and order, should be careful not to overreact or use excessive force.
- UNMIL provided substantial technical, operational and logistical support to the NEC that increased the NEC's capacity to conduct these elections. The delegation hopes that steps will be taken to further transfer skills and technological infrastructure to Liberians in a



sustainable manner to ensure that future elections can be conducted credibly by Liberians themselves.

- The international community should continue to closely monitor the announcement of results and the adjudication of complaints. The international community should increase its support to Liberia in the medium to longer term to help consolidate nascent democratic institutions and practices.

III. ELECTORAL CONTEXT

Since October 2003, Liberia has been governed by the CPA. Negotiated by the parties to Liberia's conflict, as well as political party representatives and civil society leaders, the CPA established the National Transitional Government of Liberia (NTGL) to implement its provisions and to hold elections at the conclusion of the two-year transition period in October 2005. While the CPA brought an end to the war, transitional leaders ultimately did little to address its root causes. As a consequence, the campaign brought many unresolved issues into focus, particularly in the increasingly tense period before the Nov. 8 run-off election.

Competition for political office at all levels exposed longstanding differences between Liberia's educated elites and the impoverished majority, gender divisions exacerbated by the high incidence of rape and mistreatment of women and girls during the war, the generational divide between elders and a burgeoning young population with limited access to education, employment and land resources, and conflict over the control of revenues derived from Liberia's natural resources.

Both publicly and privately, Liberians have stressed the importance of this election to long-term peace, reconciliation and development. Expectations that Liberia's newly elected government will improve the lives of citizens are high. Endemic corruption and the lack of governance systems in place to ensure transparency and accountability will be among the greatest challenges. In recognition of this challenge, the Governance and Economic Management Assistance Program (GEMAP), developed by the international donor community in coordination with the transitional government, is intended to place international financial experts in key revenue generating agencies to provide more robust oversight, and in some cases, to control Liberia's public finances.

A. *First Round Election Observations and Recommendations*

On Oct. 11, Liberians began queuing as early as 2:00 am in advance of the scheduled 8:00 am poll opening. With an impressive 75 percent voter turnout, hundreds of polling officials worked throughout the day and into the night. Political party representatives were present in the majority of polling places and worked cooperatively to ensure a peaceful process, though the delegation noted that many representatives were not well-versed on either the process itself or their specific responsibilities. Approximately 1500 domestic election monitors were deployed to monitor the election in Liberia's fifteen counties and played a constructive and nonpartisan role



throughout the process. UNMIL and Liberian security officials were on duty at almost every polling place and contributed to a peaceful election day.

A significant number of voters across the country were confused by the voting process, especially by the large number of candidates on the presidential ballot and last-minute revisions to the procedure for the senatorial ballot. The majority of these voters turned to polling staff for assistance and in many cases were assisted in the ballot booth by presiding officers who, in some cases, were later accused of providing unnecessary or partisan assistance. Although permitted under election guidelines, presiding officers in many polling places were put in positions of considerable influence over the voters they were called upon to assist, and concerns were raised over the protection of the secrecy of the ballot.

None of the 22 candidates in the presidential race garnered the absolute majority of “50 percent plus one” valid votes required to win the race. The top two vote-getters, George Weah of the CDC and the UP’s Ellen Johnson Sirleaf, won 28.3 and 19.8 percent, respectively. The NEC declared official presidential, House and Senate results on Oct. 26, with one Senate seat in Gbarpolu County still in dispute because of allegedly altered polling place tally sheets. Neither the UP nor the CDC gained majorities in either chamber, though the CDC gained 15 of 64 seats in the House, more than any other party.

B. Complaints and Appeal Process

Following the first round, 41 electoral complaints and letters were submitted to the NEC. Rulings are pending in eight of the consolidated 30 hearings held from Oct. 24-31. Hearings on complaints were open to accredited observers, but information about them was not widely disseminated, and procedures for notifying candidates caused some parties to miss their appointments. Many of the complaints were based on misunderstandings of election procedures or law, and some were, according to the NEC adjudicator, more appropriate for complainants to bring to the criminal justice system. Overall, the adjudication procedures left some complainants feeling that their cases were not resolved satisfactorily.

The delegation is aware of concerns raised by the CDC in the form of a written complaint to the NEC over alleged irregularities during the Nov. 8 runoff.

C. Voter Education

Voter education messages in the lead-up to the runoff focused on providing voters with basic information needed to participate effectively in the election, including notification of the date for the runoff, voting locations, the requirement for presentation of voter registration cards. Messages also instructed voters of their right to participate in the second round even if their first round candidate of choice was no longer in the race, and encouraged them to do so. UNMIL and NEC distributed posters, flyers and stickers around the country with these messages, and utilized radio to disseminate and repeat them. Because the reason for and importance of participating in the run-off election was poorly understood by large segments of the population, Liberian civic



and community based organizations used radio, town meetings and focus group discussions to explain its importance in bringing the transition process to an end.

D. The Campaign

During the run-off period, the campaigns of both candidates were peaceful and largely free of incident. For example, the focus on addressing the marginalization of many young Liberians was commendable, as was the emphasis on competency, integrity and the delivery of promised services to the Liberian population. Political intimidation, a feature of past elections, was not apparent, though a number of isolated incidents were reported. Campaign efforts by both camps were focused on the more contested and populous counties of Nimba, Lofa, Grand Bassa and Bong, as well as Montserrado County, with approximately one-third of the voting population resides. Partisans sought supporters from the twenty candidates who lost in the first round and campaigned “door-to-door” for the second round.

As the campaign drew to a close, a number of civic and community-based organizations became more partisan, as did several transitional government figures and media outlets. Some of the political rhetoric became potentially inflammatory in the final days of the campaign period, raising concerns of election-related violence. However, political party supporters demonstrated admirable self-control at mass rallies in the final days of campaigning.

E. Media Coverage and Public Pronouncements

The Press Union of Liberia (PUL) developed a code of conduct for elections that was largely respected by Liberia’s print and electronic media through the first round of voting. In the days between the two rounds, however, coverage by a number of media outlets grew increasingly partisan and potentially inflammatory. In response, the PUL suspended one newspaper editor and reprimanded several radio outlets. Representatives of the international community, including the United Nations Special Representative of the Secretary-General (UN SRSG), cautioned the media to continue to provide responsible coverage of the election.

UNMIL radio played a significant role in disseminating country-wide civic and voter education messages in a balanced and nonpartisan way. Both candidates recorded messages that called on their supporters to campaign peaceably and accept the outcome of the election. Several of the candidates that lost in the first round recorded messages encouraging their supporters to turn out and vote.

Regrettably, public statements by some political leaders and their supporters that called into question the declared results of the first round contributed to an atmosphere of distrust and suspicion. At the same time, the intemperate and potentially detrimental response by the NEC was unhelpful.



IV. THE DELEGATION AND ITS WORK

The delegation arrived in Monrovia on Friday, Nov. 4, and held a series of meetings with NTGL Chairman Gyude Bryant, NEC Chair Frances Johnson-Morris, UN SRSG Alan Doss and other representatives of UNMIL, senior representatives and leaders from political parties who contested the Oct. 11 elections, civic leaders and representatives of the international community. The delegation also cooperated closely with the leadership of other international election observer delegations, including the European Union, the International Republican Institute (IRI), the Economic Community of West African States (ECOWAS) and the African Union.

On Nov. 6, delegation members were deployed to the following nine counties: Bomi, Bong, Grand Bassa, Grand Gedeh, Lofa, Margibi, Maryland, Montserrado and Nimba. The meetings conducted in Monrovia were replicated at the local level by our teams. On election day, the teams observed the voting and counting process in more than 80 voting precincts and at 8 tabulation centers. Following the elections, the delegation members returned to Monrovia to share their findings and prepare this statement.

In preparation for both the Oct. 11 and Nov. 8 elections, NDI and The Carter Center conducted a pre-election assessment mission in September 2005 and participated in the May 2005 IRI pre-election delegation. Both organizations have maintained a continual election monitoring presence in Liberia with resident staff and long-term observers. The joint election observation mission is supported by a grant from USAID with additional support to The Carter Center from the Government of Ireland.

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The National Democratic Institute for International Affairs (NDI) and The Carter Center are jointly organizing a delegation to observe the presidential and legislative elections in Liberia in October and November 2005. NDI is a not-for-profit organization working to strengthen and expand democracy worldwide. The Institute is also providing assistance to Liberian civil society organizations to conduct voter education and election monitoring activities across the country. For more information, please visit www.ndi.org.

The Carter Center is a not-for-profit, nongovernmental organization, founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, committed to advancing peace and health worldwide. In Liberia, NDI is supported by USAID and the National Endowment for Democracy, and The Carter Center is supported by the Government of Ireland and USAID. In addition, the Carter Centre U.K. is implementing an electoral assistance program along with the Electoral Reform International Services, supported by the European Commission. For more information, please visit www.cartercenter.org and www.cartercentre.org.uk.



APPENDIX K

THE CARTER CENTER



**2005 Liberian National Elections: Carter Center/NDI Interim Post-Election
Statement**
14 Dec 2005

FOR IMMEDIATE RELEASE

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MONROVIA ... The Nov. 10 preliminary statement issued by the National Democratic Institute (NDI) / Carter Center international observer delegation provided a generally positive overall assessment of the process up to that point. Since then, Carter Center staff and long-term observers as well as NDI in-country staff have continued to monitor electoral developments, including the tabulation process, the National Elections Commission (NEC) of Liberia's posting of final election results, and the NEC hearings on electoral complaints, including those put forward by the Congress for Democratic Change (CDC) on behalf of its standard bearer, Ambassador George Weah. The Carter Center's long-term observers as well as NDI in-country staff also have continued meeting with senior officials of political parties, the NEC, the United Nations Mission in Liberia (UNMIL) electoral division, civil society groups, the diplomatic and donor communities, president-elect Ellen Johnson Sirleaf of the Unity Party (UP), and Ambassador Weah.

On Nov. 23, the NEC announced official election results and declared Ellen Johnson-Sirleaf president-elect, having obtained 59.4 percent of the vote in the Nov. 8 presidential runoff. A number of electoral complaints have been filed, and the NEC has been conducting formal hearings for several weeks. The NEC is expected to issue rulings on most of the individual



electoral complaints soon. In addition, the NEC is scheduled to begin hearings next week on a post-election contestation complaint filed by the CDC, which challenges the overall result. NEC rulings on electoral complaints can be appealed to the Supreme Court. Although the post-election period generally has been calm, the past several days have been marked by incidents of violence and intimidation.

This statement offers reflections based on the Carter Center's and NDI's observations of the overall electoral process, including the ongoing post-election complaints process.

Overall, the Center's and NDI's assessment of the electoral process is positive. While we are aware of several minor instances when polling officials did not follow procedures in completing record of count forms, as well as instances of several other irregularities, the Center and NDI have not seen evidence of systematic fraud or problems that would materially affect the election results.

The Need for Restraint by All Parties. The Carter Center and NDI note the restraint with which political parties and their leadership have conducted themselves in the weeks following the runoff elections. We applaud all parties' stated commitment to pursue electoral complaints through the appropriate legal mechanisms. In general, the calm shown by the overwhelming majority of Liberians demonstrates their desire and determination to establish a sustainable peace in the country.

However, the Center and NDI are very concerned about the looting and violence that occurred in the wake of Ambassador Weah's public statement upon his return to Monrovia. Similarly, we are concerned about earlier allegations of threats of violence against some political figures and journalists. We join Liberian democrats in strongly condemning the politics of intimidation and violence. We call on all Liberians to renew their commitment to restraint in words and actions as the country makes its transition away from devastating conflict.

Media. Concerns have been expressed about media coverage of the election complaint hearings and other aspects of the political process. The Center and NDI urge all print, radio, and television media outlets to ensure their reporting is neutral and informative throughout this final period of the election process, as required by their code of conduct. In particular, the media should scrupulously avoid reporting unconfirmed rumors or creating unnecessary public alarm.

Complaints Process. The ongoing hearings on various electoral complaints appear to be affording due process to all parties involved. Although there have been minor problems relating to procedures and personal conduct and rhetoric, the proceedings generally are being conducted with transparency and in conformity with international standards for administrative tribunals.

During the CDC vs. NEC hearing, the Center and its long-term observers witnessed sometimes volatile, extended arguments about procedural matters and occasional personal insults among the attorneys. At times, members of the public also have been allowed to disrupt the hearings.



In the coming days, the full NEC Board of Commissioners may be requested to review CDC's initial complaint, and the board is scheduled to begin hearing new evidence in the CDC's post-election contestation complaint. In order to maximize public confidence and to ensure an orderly and transparent process, the Center and NDI urge the NEC to take steps to ensure that procedures for these next hearings are understood and followed. In addition, the Center and NDI encourage all those involved in the complaints process to restrain their rhetoric and to continue to conduct themselves in good faith.

We recognize that the electoral complaints process is ongoing, and that the NEC, and possibly the Supreme Court, will make final determinations. We encourage the NEC to issue rulings on electoral complaints publicly and expeditiously. In addition, we urge that any election complaints that go forward to the Supreme Court be handled expeditiously. Delays should not be allowed to undermine this important part of the election process. Most importantly, the Center and NDI underscore that it is essential to Liberia's nascent democracy that NEC officials and Supreme Court justices consider these electoral cases free from intimidation of any kind.

As the electoral complaints procedure continues, the Center and NDI call for continued patience and respect for the process and the rule of law. Ultimately, the people of Liberia will determine whether the election and electoral dispute procedures were credible and transparent and whether the results accurately reflect their political will.

This statement is also available at www.cartercenter.org and www.ndi.org.

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Consistent with the spirit and intent of the Accra Comprehensive Peace Accords of 2003, the NEC's "Guidelines and Code of Conduct for Observers," and the 2005 "Declaration of Principles for International Election Observation," the Center's and NDI's international observation activities are intended to provide neutral and accurate reporting to help Liberians determine whether the elections are conducted in a manner acceptable to all. The Carter Center and NDI brought international election observation delegations to Liberia for the Oct. 11 first



round and the Nov. 8 runoff, releasing preliminary statements after each delegation. NDI and The Carter Center will publish a final report on the 2005 Liberian presidential and legislative elections, drawing conclusions and making recommendations based on the full election process, including the resolution of electoral complaints, which must be assessed as an integral part of that process.