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A polling official checks a voter's registration card against the final registration roll while an international observer looks on.

MAP OF LIBERIA



*Map of Liberia, 2004. Central Intelligence Agency. Perry-Castañeda Library Map Collection. The University of Texas at Austin. < <http://www.lib.utexas.edu/maps/liberia.html>>.

LIST OF ACRONYMS

CDC	Congress for Democratic Change
CPA	Comprehensive Peace Agreement
CCUK	Carter Centre UK
ECOWAS	Economic Community of West African States
ERIS	Electoral Reform International Services
IDPs	internally displaced persons
ICGL	International Contact Group on Liberia
INPFL	Independent National Patriotic Front of Liberia
IRI	International Republican Institute
LNP	Liberian National Police
LTO	Long-Term Observer
LURD	Liberians United for Reconciliation and Democracy
MODEL	Movement for Democracy in Liberia
NEC	National Elections Commission
NDI	National Democratic Institute for International Affairs
NDM	New Deal Movement
NPFL	National Patriotic Front of Liberia
NTLA	National Transitional Legislative Assembly
NTGL	National Transitional Government of Liberia
PRC	People's Redemption Council
PUL	Press Union of Liberia
UNMIL	United Nations Mission in Liberia
UP	Unity Party
USAID	United States Agency for International Development



An international election observer watches the counting process for the runoff election.



THE CARTER CENTER



STATEMENT OF THE NDI/CARTER CENTER PRE-ELECTION DELEGATION TO LIBERIA'S 2005 ELECTIONS

Monrovia, September 9, 2005

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 September 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 August 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 September 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 DDRR 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 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.

IV. CONTACT INFORMATION

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THE CARTER CENTER



**PRELIMINARY STATEMENT OF THE NDI / CARTER CENTER
INTERNATIONAL OBSERVER DELEGATION TO THE 2005 LIBERIA ELECTIONS**

Monrovia, October 13, 2005

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 August 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 November 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 September 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 October 11 elections, including: the African Union (AU); West African Civil Society Forum (WACSOF); 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 October 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 pollwatchers 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 October 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, October 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, October 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 October 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 October 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. This could be accomplished in part through the Inter Party Consultative Committee. 2) An expedited complaints and appeals process is necessary in order to deliver fair and proper redress and to avoid jeopardizing compliance with provisions of the CPA. 3) 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.



THE CARTER CENTER



**PRELIMINARY STATEMENT OF THE NDI / CARTER CENTER
INTERNATIONAL OBSERVER DELEGATION TO THE
LIBERIAN PRESIDENTIAL RUNOFF ELECTION**

Monrovia, November 10, 2005

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 October 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 October 11. Specific observations include:

Voter Turnout. As they did for the first round, large numbers of Liberian voters went to the polls on November 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 October 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 October 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 October 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 October 11 elections, or on November 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 November 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 October 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 October 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 Appeals 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 October 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 November 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, November 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 October 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 November 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 October 11 and November 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.

THE CARTER CENTER



**CARTER CENTER/NDI INTERIM POST-ELECTION STATEMENT ON THE 2005
LIBERIAN NATIONAL ELECTIONS**

14 Dec 2005

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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 the 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.

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

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. 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.

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.



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NDI/Carter Center International Election Observation Delegation for Liberia's first round national elections



International Election Observation Delegation to the 2005 Liberia Presidential Runoff Election

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