

Carter Center

The Carter Center is conducting a comprehensive long-term international election observation mission for Liberia's 2017 election. The current phase of the mission includes six long-term observers who have been deployed across the country since August, and a core team of electoral experts in Monrovia.

In the coming week, they will be joined by about 30 short-term observers who will help observe the voting, counting, and tabulation processes. The delegation will be led by H. E. Catherine Samba-Panza, former president of the Central African Republic; Jason Carter, chairman of the Carter Center Board of Trustees; and Jordan Ryan, vice president of the Carter Center's peace programs.

This pre-election statement summarizes observations to date from the Carter Center's long-term observers and offers several recommendations on steps to increase public confidence in the election. The Carter Center uses this opportunity to flag a few issues, including several that could be addressed prior to election day.

Voter Registration

International standards say that voter lists should be prepared in a transparent manner and that voters should be provided free access to review and correct their registration data as the need arises.¹

On Sept. 12, the National Election Commission announced the release of the final voter register. Following extensive efforts to address deficiencies identified during the exhibition period and manually verify entries in the register, the total number of registered voters is 2,183,629. Partially addressing recommendations to inform the public about their efforts, the NEC announced that 4,567 duplicate entries were identified and corrected. While even more information could have been provided about how the NEC resolved issues concerning missing names, misallocated voters, and mismatched photos, the Center acknowledges the NEC's positive efforts to provide information to the public and explanations to the contesting political parties.

For this election the NEC has established a new way for voters to check their registration data and their polling place allocation via SMS. While a valuable tool for voters that could alleviate some confusion on election day, the Center's observers have not witnessed widespread voter information efforts by the NEC and its civic and voter education partners to make voters aware of the tool. The NEC has asked their civic and voter education partners to spread the message but has not launched a national campaign

¹ "The voters' lists shall be prepared in a transparent and reliable manner, with the collaboration of the political parties and voters who may have access to them whenever the need arises." Article 5. ECOWAS Protocol on Democracy and Good Governance (2001). United Nations Human Rights Committee. 1996. *General Comment No. 25: Article 25 (The Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service)*.

to inform voters about the system. ***The Carter Center urges the NEC to consider using all media and telecommunication options to communicate the availability of this tool to voters, which would contribute to the public's confidence in the quality of the list and help familiarize voters with the location of their polling places.***

In a meeting of the Inter-Party Consultative Committee (IPCC), the NEC began providing political parties with electronic copies of the roll, which also has been distributed to the magistrates' offices. In the IPCC, the NEC also took the opportunity to inform political parties about measures it will be taking to ensure that voters with valid voter registration cards who are in the voter register but do not appear on the printed voter lists will be able to vote. While the NEC has reiterated that they are confident all registered voters will appear on the printed voter list at the polls, it also has acknowledged that there can be situations where registered voters are not on the voter list on election day.

NEC's planned measures include procedures for double-checking voter's data in the list, and, if the voter is still not found, having polling staff use the SMS system to verify that the person is registered in the electronic register. In such cases, polling staff would then add the person to a supplementary voter list. A number of political parties voiced concern that this would weaken the integrity of the election and questioned how the NEC would verify the validity of a voter's registration. Following discussion, the majority of parties present at the IPCC appeared to acknowledge that it was within the NEC's purview to implement these procedures, and in accordance with previous practice. In the days following the IPCC, one party wrote to object to the process and request further explanation. The procedures remained an issue of discussion in the IPCC convened on Sept. 27.

Election Preparations

An independent and impartial election management body that functions transparently and professionally is recognized as an effective means of ensuring that citizens can participate in a genuinely democratic electoral process.²

In the beginning of September, the NEC conducted a mass recruitment and screening of nearly 29,000 staff to work in the polling stations on election day. Carter Center observers report that local interlocutors in the counties are generally satisfied with the transparency and fairness of the process. ***To further its commitment to transparency, the NEC should publicly post the lists of people selected as polling station staff so that the names may be scrutinized by the community.*** The polling staff will be trained through a cascade process that is well underway. In trainings observed by The Carter Center, observers reported that there were thorough explanations of procedures but that trainees would have benefited from a more interactive approach as well as from more specific content on tabulation procedures.

² United Nations Human Rights Committee. 1996. *General Comment No. 25: Article 25 (The Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service)*. African Union. 2007. *African Charter on Democracy, Elections and Governance*. Addis Ababa: African Union.

The Center's mission has observed campaign events for both legislative and presidential races staged by nine parties and two independent candidates in six counties: Bong, Grand Bassa, Grand Gedeh, Margibi, Maryland, and Montserrado. Reports from the Center's observers indicate campaign activity outside Monrovia has been less intense than in the capital. Large events are organized mainly around visits of parties' presidential candidates. Both firsthand observation and secondhand reports from the Center's interlocutors confirm that the campaign to date has been largely peaceful and that parties and candidates have freely exercised their democratic rights.

The one serious exception occurred on Sept. 20, when the peaceful tenor of the campaign was marred by a violent clash between partisans of the Liberty Party (LP) and the Coalition for Democratic Change

require activists to obtain information from a certain number of voters in order to be paid. Given low levels of literacy and civic education amongst the population, multiple interlocutors are worried about the potential for those interactions to become a source of intimidation. Prospective voters could form the impression that sharing their identification number with a party makes it possible for that party to determine how they cast their ballot. Furthermore, as voter identification numbers are not necessary for “Get Out The Vote” efforts, there is no compelling reason to collect this information. ***In order to assure voters that they can cast their ballots free from intimidation and that the secrecy of the vote is fully protected, The Carter Center calls on all parties to refrain from gathering voter identification numbers in the time before election day. In addition, the political parties and the NEC should assure voters that it is not possible to determine how a voter cast his or her ballot based on an identification number.***

Use of State Resources. To ensure a level playing field in the campaign, unfair incumbency advantages should be addressed and the use of state resources in favor of specific candidates should be prohibited.⁸ The Center’s mission continues to receive complaints about the misuse of state resources by the ruling party and incumbents. In the context of elections, state resources include not only government vehicles and fuel, as well as public space, but also public office. According to good international practice, administrative officials should not use their office to support or show favor to a particular political party.⁹

Carter6 (at)-6 (e r)-1em (e)4 (r)3 (6 ob()-10 1)-lem (e)4 (na/MCID s)-11 (h1 (uppa)Tj ()Tj EN

formal complaints, limiting the authorities' ability to properly address them. *Where parties have concerns about the misuse of state resources, the Center encourages them*

the stadium, sports complex, or the main thoroughfares on the same day. *The Center recommends that the authorities allocate time and space for campaigning in the final days in a manner that provides all parties with equal opportunities and assures that events are organized in a manner to avoid confrontation between supporters.*

Religious Communities, Women, and Marginalized Groups

In order to meet the principle of universal suffrage, international standards say that countries must ensure that all people entitled to vote are able to exercise that right. Further, states should consider “taking appropriate measures to encourage publicly and promote the importance of participation of all citizens in political and public affairs, in particular women, persons belonging to marginalized groups or to minorities, and persons in vulnerable situations, including by engaging them in designing, evaluating and reviewing policies on participation in political and public affairs”.¹⁴ The full participation of women, LGBTI, religious and ethnic minorities, and persons with disabilities in the political life of Liberia continues to face several challenges.

Muslim and Mandingo communities. Muslims in Liberia represent 12 or more percent of the population.¹⁵ According to the National Muslim Council (NMC), out of the 73 members of the House of Representatives, six are Muslims, while there are no Muslims in the Senate. There are several Muslim candidates for the House, but only one Muslim among the 40 registered vice presidential candidates.¹⁶ According to the NMC, the limited presence of Muslims as candidates stems from a long-term alienation from the country’s political and social life. This limited participation could be further compromised if a proposition of the Constitutional Review Committee to make Liberia a Christian nation materializes.¹⁷

In recent meetings with the Center, community representatives reiterated concerns about the obstacles their communities faced during the registration period (See The Carter Center’s Assessment of the Voter Registration Process from March, 2017). While these issues were mostly addressed by the NEC, the community representatives remain concerned that these experiences might impact election day participation. Further, the Mandingo community said their participation might be compromised by insufficient voter education and information, as the or(he)4 w (m)Tj 1s Aps-4 (cu)-4 10 Td [(or)-7 ((s)-5 7-6)-.R.79-5p T

Women. Liberia has committed to ensuring women have the opportunity to participate in political life on equal terms with men through its ratification of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).¹⁸ However, attempts at legislation to promote women’s political participation have languished in the legislature, and while the 2008 census found the population evenly divided between the sexes, only 48 percent of registered voters are women. Women account for a mere 15 percent of the candidates for the House of Representatives, due in part to the absence of quotas or other positive measures in the election law that would guarantee the representation of women in elected office.

The election law requires parties “to endeavor to ensure” that 30 percent of their candidates are women, and the NEC requested documentation from the parties that they had done so. Ultimately, however, the NEC determined that this was not compulsory. Advocates for women, female candidates, and other interlocutors have consistently cited the high cost of candidate registration and campaigning as prohibitive for most women interested in running for office. Although the NEC urged parties to reduce party fees by 50 percent for women, this was not compulsory either, and the vast majority of parties did not do so. The NEC did not waive its own registration fees for female candidates.

This pattern is not limited to women running as candidates. Political party officials consistently state that they encourage women’s participation, but the Center’s observers have found that party leadership at the county and national levels is frequently entirely male. Apart from candidates, the Center’s observers have noted that women do not feature in campaign events, and candidates do not target women in their messaging.

Participation in the NEC. The NEC’s Gender Department aims to increase the participation of women and other disadvantaged groups in political life and has developed a set of Guidelines for Disability-Inclusive Elections in Liberia.

Three out of the seven members of the NEC Board of Commissioners are women, including the co-chairperson. At the executive level, the presence of women is limited: Eight out of the 11 NEC departments are headed by men, with female directors in the gender, field coordination, and operations departments. Women are more visible in clerical and administrative positions of the NEC. Similarly, there are few women among the NEC’s permanent staff at the county level. Just one out of 19 magistrates are women. While many county NEC officials communicated their intent to hire women as polling staff, initial observation suggests that these efforts still have not achieved gender parity.

Groups representing the Mandingo and Muslim communities have expressed concerns regarding the limited representation of their members among election workers. Similar

¹⁸ “States’ Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure women, on equal terms with men, the right (...) to be eligible for election to all publicly elected bodies.” Article 7 of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

concerns have been reported to the Center's observers by advocates for persons with disabilities.

The NEC has made an effort to reach women, persons with disabilities, and religious communities in their civic and voter education programs and has mainstreamed these activities. Still, some organizations representing persons with disabilities and the Mandingo community expressed regret that they were not selected to assist the NEC in these efforts and have called on the NEC to intensify their efforts.

LGBTI community. Liberia's legal framework criminalizes homosexuality.¹⁹ In addition to the legal restrictions, the participation of LGBTI groups in the election is minimal. The LGBTI community has been the target of inflammatory and homophobic speech by several politicians. According to several LGBTI organizations, the campaign has raised the level of anti-gay language in the political discourse, with no party having incorporated gay-related issues in their agenda or included proposals to amend or repeal the existing legislation against homosexuality. To the contrary, in debates, candidates have been pushed to take stances against LGBTI rights. N

Unauthorized Persons in Polling Places. The Center's observers have met with interlocutors who have raised concerns about

preparations for the elections. Carter Center LTO teams have visited all 15 of Liberia's counties, where they have observed the campaign and met with NEC officials and staff, political parties, and representatives of civil society.

The Center's assessment of the electoral process is based on Liberia's legal framework and on international standards for democratic elections. The Center conducts its observation missions in accordance with the 2005 Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers.

The Carter Center's international election observation work is separate from ongoing Carter Center programming in Liberia that focuses on supporting access to justice, access to information, mental health, and technical and financial support to nonpartisan citizen