



LIBERIA ELECTION WATCH

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LIBERIA 2005 ELECTIONS

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

Final Voter Registration Roll Published

Liberia's National Elections Commission (NEC) has released the final registration roll of eligible voters for the October 11, 2005, presidential and legislative elections. According to the NEC, the final number of registered voters is 1,352,730, with slightly more women than men registered to vote. The average age of registrants is 35, and 35 percent of registrants live in Montserrado County, where the capital, Monrovia, is located.

Electoral Disputes at the Supreme Court

The Supreme Court of Liberia recently heard four cases related to electoral disputes, which could have significant consequences for the overall process. In the most significant petition, the Coalition for Transformation of Liberia (COTOL), which includes the Liberia Action Party of presidential candidate Varney Sherman and the Chairman of the National Transitional Government of Liberia (NTGL), Gyude Bryant, argued that since there are two senatorial seats in each county, each voter must be allowed to cast two ballots, one for each of the two senatorial seats. The NEC countered that the 2004 Election Reform Law states that every voter is entitled to a single vote for the Senate candidates, with the top two vote-getters winning office.

In a 4-1 ruling on appeal, the Supreme Court ruled in favor of COTOL, interpreting the Electoral Reform Law to allow each voter to cast two votes on the Senate ballot, one for each open Senate seat. The ruling ordered a lower court to issue further instructions on how the NEC is to ensure that the ballots, which have already been printed, permit voters to cast two votes in the senatorial election. This may involve either reprinting the ballots or placing a sticker on each ballot with the new information. The NEC must also undertake voter education regarding the new voting

procedures. The implications of the Supreme Court ruling will be made clear this week when the lower court acts. In addition to presenting additional logistical and financial challenges to the NEC, some Liberians fear that this ruling may open the process for more challenges in the less than three weeks before the election.

In another case before the Supreme Court, Attorney Marcus R. Jones brought a case on behalf of himself and four others whose nomination documents were rejected by the NEC because they lacked the requisite number of registered voters' signatures. The rejected presidential candidates argue that, although they submitted their paperwork to the NEC on the final day of the nomination process, they still should have been allowed the seven-day grace period to amend their documentation. A ruling from the Supreme Court is expected early this week.

Another case concerned a Liberian resident of the United States who did not register to vote, which is a requirement for candidacy, but who unsuccessfully sought nomination as a candidate. The final case involved a presidential aspirant whose political party joined a coalition that chose someone else as its standard bearer, allegedly without consultation with the rejected candidate's party. The Supreme Court has ruled against the petitioners in both of these cases.

Enforcing the Campaign Finance Regulations

Liberia's first campaign finance regulations, adopted in July 2005, required each political party and independent candidate to form a "campaign committee," with a designated treasurer and a depository bank, and to register that committee with the NEC by August 31, 2005. In addition, annual financial reports of all political parties, which are required by the Liberian Constitution but rarely enforced, were due on September 1. In response to civil society calls for enforcement of these deadlines, the NEC has posted the annual reports on the Internet. Meanwhile, the Campaign Monitoring Coalition (CMC), a civil society group, published a scathing report, based on the observations of 24 monitors around the country, alleging use of state resources and actions "tantamount to vote buying" by many political parties and candidates. CMC also sent letters to all political parties reminding them of the obligation to submit annual financial reports. The next submission of a campaign finance report is due on October 1, and a final report is due on October 26. The NEC has 60 days after each deadline to conduct a discretionary audit. CMC is seeking to have the NEC make the October 1 reports public immediately so that voters can use this information in determining which parties and candidates to vote for.

Recruiting and Training of Poll Workers

The NEC began training approximately 18,000 Election Day poll workers on September 8, when NEC Magistrates and their United Nations Mission in Liberia (UNMIL) counterparts underwent a three-day training of trainers session on polling and counting procedures. These individuals are now training county teams, who in turn are instructing the polling staff on the procedures to be followed on polling day. This cascade training is well underway in most counties. An average polling place on Election Day will be staffed by six people and will accommodate up to 600 voters. Smaller polling places will have four or five polling officials. Most of the 4,000 staff who worked on the voter registration exercise for Election Day have been re-hired, many as Presiding Officers for Election Day. The NEC is prioritizing hiring local residents as polling

officials in order to reduce costs, simplify logistics, and benefit from their knowledge of local languages and communities

Concerns about IDP Participation

The NEC has expressed concern that disruptions in camps for Internally Displaced Persons (IDPs) may create problems during the upcoming elections. When IDPs registered to vote, they were given the opportunity to indicate whether they preferred to cast their ballots in their counties of origin or in their IDP camps. Seventy-one percent of IDPs registered to vote in their counties of origin. IDPs who chose to vote in their counties of origin and have returned to those counties can cast ballots for President and Vice-President, Senate and House of Representatives (the NEC has stated that as many as 35,000 IDPs fall into this category, though definitive data is not available). IDPs who registered to vote in the IDP camps will be able to cast ballots for all three races in the counties and districts in which their camps are located. In places where camps have subsequently been closed, the NEC will open polling places where the camps used to be for IDPs registered to vote there.

As some IDPs who chose to vote in their counties of origin have not yet returned home, the NEC Chairperson is appealing to national and international organizations to redouble efforts to assist those individuals' return to their counties of origin before Election Day. The NEC also announced that IDPs in this category will have the opportunity to vote for the Presidential and Vice-Presidential races. However, many IDPs have rejected this offer publicly, insisting that they must be assisted to return or allowed to vote for the Senate and House races as well, even as they stay in the IDP camps. Some IDPs have threatened to burn their voter registration cards in protest and to prevent NEC officials from bringing election materials into their camps. The NEC Chair warned that while the Commission respects any voter's decision not to participate in the election, "we cannot tolerate actions that seek to deny other registered voters who may wish to participate in the election the opportunity to do so." She visited IDP camps last week for discussions with IDP representatives about the issues they are facing.

The National Democratic Institute for International Affairs (NDI) and The Carter Center are jointly organizing a delegation to observe presidential and legislative elections in Liberia in October 2005. NDI is a not-for-profit organization working to strengthen and expand democracy worldwide. The Institute is also providing assistance to Liberian civil society organizations to conduct voter education and election monitoring activities across the country. For more information, please visit www.ndi.org. The Carter Center is a not-for-profit, nongovernmental organization, founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, committed to advancing peace and health worldwide. In Liberia, NDI is supported by USAID and the National Endowment for Democracy, and The Carter Center is supported by the Government of Ireland and USAID. In addition, the Carter Centre U.K. is implementing an electoral assistance program along with the Electoral Reform International Services, supported by the European Commission. For more information, please visit www.cartercenter.org and www.cartercentre.org.uk.

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