

September 4, 2023.

STATEMENT ON THE WADEMOS PRE-ELECTION SOLIDARITY MISSION TO LIBERIA AHEAD OF THE OCTOBER 10, 2023 GENERAL ELECTIONS

Introduction

The West Africa Democracy Solidarity Network (WADEMOS), a transnational civil society network embarked on a pre-election solidarity mission to Liberia from August 28 – September 4, 2023, ahead of the forthcoming presidential and legislative elections scheduled for October 10, 2023.

This activity is an acknowledgment of the common democratic principles shared by civil society activists in the ECOWAS subregion as well as the unanimity among civil society and other civic actors in the West African subregion to support Liberia to consolidate its emerging and fragile democracy. The mission, which takes after WADEMOS pre-election and election-day missions this year in Nigeria and Sierra Leone, involved a series of meetings with election stakeholders to deepen learning, experience sharing, and knowledge exchange among civil society and other election relevant stakeholders, particularly with the emerging realities of elections in recent times in the sub-region.

WADEMOS election solidarity missions provide an opportunity for civil society to reflect and advise on key aspects of elections. Over the duration of the mission, several indicators were assessed, including the readiness of the National Election Commission (NEC) and preparedness of all stakeholders for the election. This is in relation to voter education, voter registration, election day deployment, vote tallying and transmission regulations, campaign finance regulations, political participation and inclusion, election security and violence, CSOs capacity and engagement in the electoral process, political parties' engagement; hate speech and disinformation; and post-election petition resolution.

Stakeholders Engaged

The Network held meetings with the major stakeholders for the 2023 elections. Key stakeholders engaged included state and non-state actors including pro-democracy CSOs; the National Elections Commission (NEC); political parties; Liberia National Police (LNP); international development partners, media, women, youth, and persons living with disabilities.

Context

The forthcoming elections on October 10, 2023, will mark the fourth consecutive general elections in the country since the restoration of peace 20 years ago. It is the first election that will be managed single-handedly by Liberian security officials following the withdrawal of the over 15,000 troops of the United Nations Mission in Liberia (UNMIL). The election will also be

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the first ever election in Liberia to be conducted with a biometric voters' register, despite the fact that voting will still be conducted manually as it was done under the old optical manual registration (OMR) system. A candidate is elected president if they win 50% plus one of all valid votes cast while legislative elections go by a first-past-the-post electoral system, meaning election to the senate and the house of representatives is by a simple majority. A total of 20 candidates, including 2 independent candidates, will be contesting for the presidency, while 31 political parties and coalitions as well as 195 independent candidates will contest for seats in the senate and house of representatives.

The two major parties in the presidential race include the ruling political party coalition, the Congress for Democratic Change (CDC) and the opposition Unity Party (UP) coalition. In all, there are a total of 2,471,617 registered voters, 1,030 candidates, 2,080 electoral precincts and 5,890 polling places. The election is being conducted under the 1986 Liberian constitution, the New Elections Law of 1986, and other regulations covering voter registration, nomination of candidates, campaign finance, and the 2023 General Election Regulations, among others.

Major Observations

■ The National Elections Commission's Preparation for the October 10 Elections

NEC issued a calendar of activities for the October 10 elections and feedback from the stakeholders shows NEC's compliance with the calendar has been consistent. We recognize the strides and the effort made in the successful adoption of the Biometric Voter Register (BVR), which despite the fact that the voting on October 10 will not be biometric, has facilitated the de-duplication of the voter accounts for a cleaner and more credible voter's register, which resulted in the removal of 27,000 duplicates involving 3,464 individuals as well as the identification of 500 suspected underage voters. We further acknowledge the completion of candidate nomination and registration process as well as ongoing efforts to train individuals in various communities for civic and voter education and also for the execution, monitoring and supervision of the elections come voting day.

However, we note the following concerns and observations from stakeholders:

- The deficit in funding for NEC and its ramifications for the successful conduct of elections, including the NEC's capacity to embark on civic and voter education to adequately educate citizens in the leadup to the elections is particularly a cause for concern. There have been reports that owing to the lack of adequate education and sensitization many voters, contrary to the information provided by the NEC, still believe that there will be biometric voter verification on election day, when NEC has stated that voting will take the same manual form that it took under the optical manual registration system.
- The glaring gaps inherent in NEC's communication on electoral matters is equally a matter for concern.
- Despite NEC having completed the biometric voter registration and the issuance of voter ID cards to prospective voters, the release and publication of the final biometric voter

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register to all stakeholders including the political parties, civil society and the public, is still pending. The mission acknowledges the assurance of NEC to disseminate the voter register to civil society, political parties and all other stakeholders between September 18th and 28th.

- The number of polling places has been revised down from 5,991 in 2017, to 5,890 in 2023. The consequence of this has been that a reported 96 of the 2,080 precincts contain voter numbers well above the 3,000-voter-limit prescribed by the country's electoral regulations. This has tremendous potential for overcrowding and congestion at polling places.
- The absence of regulations on collation and tabulation of results in the forthcoming elections equally warrants concern. We note that NEC intends to release a training manual on the collation and tabulation of results. However, NEC is yet to release the training manual on the collation and tabulation of election results, creating a huge gap in the available information on election-day procedures. The mission is concerned that the limited time that stakeholders have to familiarize themselves with the training manual might significantly increase the likelihood of errors and confusion at tallying centers.

■ Election Security and Violence

We note the signing of the Farmington River Declaration by all political parties, to promote peaceful elections. Notwithstanding and considering the fact that this will be the first time the people of Liberia will be leading all aspects of the election, it is imperative to strengthen cross-sectoral and inter-agency collaboration and coordination, especially with respect to security.

The mission recognizes the efforts made by the government and the security agencies in constituting the joint security task force that will for the first time be solely responsible for ensuring peace and security during and after the election. However, some possible flashpoints and potential conflict triggers were mentioned in our engagements:

- Although the police provided strong assurance of its preparedness for the elections, by even citing the successful outcomes from the 2020 special senatorial elections and by-elections, there are concerns about the limited capacity of the Liberia Police Force (LNP) even with the complementary forces from the other security agencies under the Joint Task Force and the current recruitment and training efforts.
- The narrative of a first round victory for the presidential election is a major source of tension and apprehension within the current political context.
- Growing political tension resulting from recent incidence of violence related to the campaign is also giving election stakeholders cause for concern. Reported incidents of electoral violence were recorded from the onset of campaign on August 5, 2023 in Montserrado County, District 10 between supporters of the CDC and UP that resulted in injuries of four persons from both parties, Nimba District 4, resulting in death from electoral violence. In Grand Cape Mount District 1, four people were injured during a shooting that was sparked by a dispute involving supporters of the ruling party and the main opposition. Though the reported incidence have not been widespread, they provide major early warning signals

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for the election. We condemn in strong terms these violent incidents and call on the police and security agencies to prosecute perpetrators of election related violence which is gaining prominence across the West African sub-region.

■ Political Parties

We note the existence of the Inter Party Political Consultative Committee (IPCC) as a progressive step towards building an atmosphere of cooperation between political parties and the NEC but there are also concerns and worries about the platform not fulfilling its original intent of strengthening relationships amongst political parties. The gaps and inefficiencies within the IPCC engender mistrust and tension within the political parties particularly between the incumbent and the main opposition party.

■ Political Participation and Inclusion

We note the efforts of NEC with the support of development partners and stakeholders to have compulsory quotas for women in Liberia through electoral law reforms. We also note the signing of a memorandum of understanding and commitment of political parties to voluntarily field not less than thirty percent (30%) women in the 2023 elections. We are concerned about the failure to sign into law the proposed amendments making the gender quota binding on political parties as well as the failure of political parties to fulfill the commitments they made with regards to the gender quotas. This has resulted in only 15% of all candidates fielded for this election being female.

Our engagements further revealed that women's political participation encounters major barriers which limit the emergence of female aspirants in the elections. Prominent among these barriers is the US\$100,000 'Indemnity Bond' that is required for independent candidates and political parties. We take note of how disincentivizing this can be, not just to those seeking to run as independents but also to women in general, particularly in light of the record proportion (50.4%) that women constitute of the current number of registered voters.

We acknowledge efforts made to enhance participation of persons with disabilities in the forthcoming elections, among them, the introduction of the tactile ballot system. We note key concerns from organizations for persons with disabilities on issues around inclusion, including access to information, civic education for their members, and the accessibility of polling places.

■ Civil Society Organisations and Development Partners

We recognize the various civil society initiatives and complimentary activities being implemented by CSOs in support of the upcoming elections, particularly around early warning and response mechanisms and civic and voter education (CVE). For the purposes of this election, the NEC is rolling out its model of using community-based trainees to educate and

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sensitize their communities on election rules, regulations and rights and responsibilities for voters through door-to-door visits, radio talk shows, jingles, and dialogues with politically marginalized people, including youth, women, and persons with disabilities. The efforts of civil society in complementing civic and voter education and in supporting the election process with measures aimed at ensuring transparency as well as drawing attention to issues of concern to the success of the election, are also duly recognized.

■ The Media

We recognize the openness of the civic space which has engendered a vibrant and expansive discussion of the elections as well as informative and insightful assessment of the political landscape and its attendant challenges. Accordingly, we acknowledge that Liberia is an open political environment with respect for political rights and freedoms. However, the ownership and control of the media by politically exposed individuals has been found to be responsible for their influencing of editorial content and discussions, driving of political conversations along partisan lines and the expression of open support for political parties by the media. This is aggravated by the non-existence of an independent media regulatory commission. The media has the role of an umpire in elections and showing partisan affiliations has the capacity to reduce public trust and confidence and compromise professional ethics and standards.

■ Disinformation and Hate Speech

Hate speech, disinformation and misinformation are inimical to the conduct of a free and fair election. It restricts the civic space and undermines healthy political debates and dialogues. We note the emergence of inflammatory and incendiary language through radio and social media as a weapon to intimidate candidates.

■ Post-Election Petitions and Complaints Resolution

The regulations around post-election dispute regulation involves a three-tier structure - the chief hearing officer of NEC, board of commissioners, and finally at the Supreme Court. We find the process very cumbersome and complex, especially regarding appeal and final determination of election-related disputes in the situation of a run-off for the presidential election.

Secondly, we found the incidents of the clergy and traditional leaders openly expressing support for political parties as a threat to strengthening local mediation efforts at the grassroots and national level to complement regional efforts in election conflict mediation. Trust and neutrality of the key intermediary actors, most importantly traditional leaders and clergy, is critical for intervening and mediating election violence.

Recommendations

■ National Election Commission

- The availability of funds remains a tremendous challenge to the functioning of the NEC and to the extent that the activities of the NEC are hindered by money, there is an urgency for the government to release all outstanding funds owed to the NEC to enable smooth performance of its functions.
- The NEC should expand its campaign to educate voters not only on election rules and regulations ahead of the elections, but must also ensure that voters are aware that despite the biometric voter register, there will be no biometric verification on election day and that voting will be conducted just as it has been over past elections under the optical manual registration system.
- The NEC should enhance its communication strategy in its engagement with election stakeholders in order not just to communicate its achievements better, but to improve stakeholders' appreciation of the rules, regulations governing the elections.
- There should be speedy and timely production of the manual on collation and tabulation of results that will replace rules and regulations on result collation and tabulation in order to allow for enough time for election stakeholders to familiarize themselves with the stipulations of the manual.
- The NEC should endeavor to engage political parties more on sensitive and pertinent issues in order to mitigate perceptions of impartiality of the NEC.
- Together with political parties and the security agencies, the NEC must work to ensure the security for the people's votes.
- All security and safety measures should be deployed on election day to ensure that polling precincts and the data center is transparent, accessible and well-managed

■ Election Security and Violence

Election related violence has the tendency of suppressing voters especially women and first-time voters. The security agencies must respond to the emerging threats of violence and prosecute perpetrators of election violence as the election day draws closer.

- The Farmington declaration is a good will instrument that is not legally binding. However, those found in breach of the pledge should be sanctioned by the NEC in line with other relevant electoral laws. Again, CSOs and media should collaborate to promote the declaration at the grassroots.
- The verbal and physical attacks on female candidates should be appropriately addressed by political parties.

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- The security agencies should re-evaluate its strategies for the election considering the absence of the UN Mission in Liberia as there are major concerns around the capacity of the LNP for the security of the polls.
- State institutions and civil society should sustain the vibrant campaigns aimed at discouraging violence during the forthcoming general elections. Both institutions should embark on media campaigns to educate the youth against electoral violence and sensitize the public on the need for peace and stability during and after the election.

Media

- For the short term, we recommend to the Liberia media fraternity and partners with strong interest in the media, to intensify professional training, especially on conflict sensitive and general elections reporting to deescalate the rising tension, elections related violence and fiery rhetoric permeating the print and electronic media space
- We call on the drafters of the Independent Media Commission bill to speed up the enactment process to regulate media ownership
- We call on media practitioners to use their space to promote peace, dialogue, and voter education between now and October 10
- We strongly recommend that the Police and the Liberian public ensure the safety and security of media practitioners in the exercise of their fiduciary functions especially on the election day
- Popularize the Standard Operating Procedures (SOPs) for the Media and strengthen buy-in and support for its implementation
- The media should enhance its preparedness in managing sensitive communications during and after the elections

■ Political Participation and Inclusion

- Against the background of the decline in the emergence of female candidates in elections, and the non-complementary female representations in a country that produced the first female president in the West Africa sub region, we call for a more serious commitment of political parties to gender quotas and the passing into law of the provisions on compulsory gender quotas for female candidates.
- We also call for the removal of all structural barriers for women to enhance their political participation and their emergence as female candidates in elections.
- Most importantly, there is a need to respond to all early warning signs of violence and threat to peaceful elections in order to build confidence in all female registered voters to enable them participate as voters on election day.

Post-election dispute resolution, complaints and mediation

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- Implement post-election reforms to simplify and address the complexities in the post-election dispute resolution and complaint mechanisms
- In the same vein, efforts must be made to strengthen local mediation structures and support for the peacebuilding commission to complement regional mediation strategies and interventions.

Conclusion

The mission recognizes the significant milestone achieved by the people of Liberia in sustaining democracy over the past two decades. We further recognize the progress attained in successfully conducting three general elections since 2002. WADEMOS commend all stakeholders including NEC, security agencies, CSOs, development partners and institutions for the tremendous roles played in providing support and collaborating with NEC to ensure a free, peaceful and credible elections.

However, the deteriorating quality of elections and its effect on political stability and security has been of key concern to many pro-democracy actors in the region. Elections held in recent times in West Africa have produced mixed reactions and outcomes undermining the legitimacy of governments elected into office. As Liberia goes to the polls on October 10, 2023, we expect all political parties to be guided by the Farmington Declaration and ensure respect for the electoral rules and regulations. Indeed, Liberia must use this election to reignite hope for the future for democracy in Liberia and for West Africa in general.

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About WADEMOS Network

The West Africa Democracy Solidarity (WADEMOS) Network is a non-partisan, independent civil society-led transnational democracy solidarity network consisting of over thirty-five (35) civil society organizations located in 15 countries in West Africa. The purpose of the WADEMOS Network is to mobilize, coordinate, and leverage the collective power of civil society and other pro-democracy actors, resources, and opportunities within the West African Region to advance, defend, and reinvigorate democracy and promote democratic norms and reforms in the sub-region.

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Members of the Delegation

The pre-election delegation was drawn from civil society organizations from Sierra Leone, Ghana and Nigeria represented by Paul Osei-Kuffour, Anglophone Coordinator and Ag. Network Coordinator, WADEMOS and Head of Delegation, Mufuliat Fijabi, Gender and Election Watch, Nigeria Women Trust Fund, Nigeria, Bernadette French, National Election Watch, Sierra Leone, and Dr. Victor Massaquoi, Media Foundation for West Africa. Other members of the delegation were David Asante-Darko, Research Analyst, WADEMOS and Joseph Frimpong, Program Officer, West Africa Election Observation Network /CDD-Ghana.

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