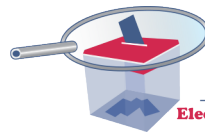




**USAID**  
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**ECC**  
Elections Coordinating Committee

**ELECTIONS COORDINATING COMMITTEE (ECC)**

# **TECHNICAL REPORT**

**OBSERVATION OF BIOMETRIC VOTER REGISTRATION PROCESS RELATED TO THE CONDUCT OF THE 2023 PRESIDENTIAL AND LEGISLATIVE ELECTIONS IN LIBERIA**

**March 20, 2023 – May 2023**

**Liberia Independent Domestic Election Observation (LIDEO) Activity**



**July 20, 2023**



## FOREWORD

The Elections Coordinating Committee (ECC) is Liberia's largest domestic election observation network with diverse competencies, experiences, and expertise in democracy, elections, and governance established since 2010. ECC's members include the Center for Democratic Governance (CDG); Center for Media Studies and Peace Building (CEMESP); Center for Conflict Prevention and Peacebuilding (CECPAP); Institute for Research and Democratic Development (IREDD); Naymote Partners for Democratic Development (NAYMOTE-PADD); West Africa Network for Peace Building (WANEP), and the Women NGO Secretariat of Liberia (WONGOSOL). The ECC election observation effort is made possible by the generous support of the American people through the United States Agency for International Development (USAID). "The contents of this report are the responsibility of the ECC and does not necessarily reflect the views of USAID or the United States Government."

Signed: \_\_\_\_\_

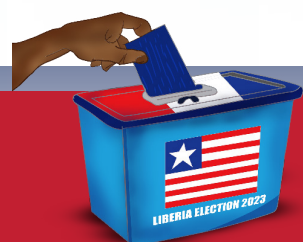


Malcolm W. Joseph  
Board Member, ECC



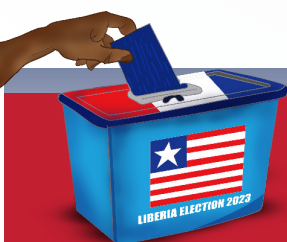
## Acronyms:

BVR	Biometric Voter Registration
CDC	Coalition for Democratic Change
CPP	Collaborating Political Parties
CVE	Civic and Voter Education
ECC	Elections Coordinating Committee
EISA	Electoral Institute of South Africa
FRR	Final Registration Roll
LEON	Liberia Elections Observation Network
LIDEO	Liberia Independent Domestic Election Observation Activity
LTOs	Long-Term Observers
NEC	National Elections Commission
NEL	New Elections Law
PRR	Provisional Registration Roll
STOs	Short-Term Observers
UP	Unity Party
USAID	United States Agency for International Development
VR	Voter Registration



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## EXECUTIVE SUMMARY:

In October 2023, Liberia will conduct its fourth consecutive presidential and legislative elections since the end of the civil war in 2003. These elections represent a critical test for the country's emerging democracy. This is so for the following reasons:

- I. The cost of the election will be largely covered by the Government of Liberia (GoL). The exact cost is unclear. The Ministry of Finance and Development Planning (MFDP) claims the budget is \$53 million while the National Elections Commission (NEC) says it is \$51.4 million.
- II. The administration of the elections will to a large extent be managed by the National Elections Commission (NEC) with technical support from international development partners.
- III. Security for the conduct of the elections will be provided entirely by the country's security agencies. However, the government may not be in the position to provide the financial resources needed for the deployment of officers across the country.
- IV. For the first time, the elections will be conducted using a registration roll that is the product of a Biometric Voter Registration (BVR) system.

This technical report outlines the activities and outcomes of the observation of the voter registration process by the Elections Coordinating Committee (ECC) with funding from the United States Agency for International Development (USAID) under the project, Liberia Independent Domestic Election Observation (LIDEO) Activity. The ECC notes the importance of this component of the electoral cycle against the premise that the conduct of a credible election is founded on a credible voter roll. While the report is focused on voter registration, it deals with other issues such as boundary delimitation, women's political participation, and civic education.

The delay in commencing the voter registration exercise constrained the NEC to readjust the entire electoral timeline which provided for a shorter timeframe for the completion of other activities including a reduction in the number of days for the campaign period from three to two months. The ECC and LEON expressed concerns and uncertainty surrounding the delay in starting the voter registration process in time.<sup>1</sup> The opposition Unity Party (UP) also expressed similar concerns.<sup>2</sup>

Despite these concerns and the anxiety that characterized the immediate period leading up to the commencement of the voter registration and some challenges faced by NEC, the ECC observed the following:

- Despite minor incidences of violence, the voter registration process on the whole was conducted in a peaceful manner.
- As compared to 2017, the quality of the voter ID Card is improved.
- Dividing the voter registration process into phases afforded NEC the opportunity to learn from phase one to improve the exercise for phase two.

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<sup>1</sup> The ECC and LEON jointly issued a statement expressing concern and anxiety in the delay of commencing the voter registration. See: <https://www.liberianobserver.com/liberia-delay-uncertainty-elections-process-recipe-crisis>

<sup>2</sup> <https://www.biometricupdate.com/202212/concerns-raised-over-biometric-voter-registration-delays-ahead-of-liberia-elections>



- The malfunctioning of some of the equipment and the shortage of materials were observed but these challenges did not undermine the overall quality of the product.
- There were no systematic attempts by the NEC to deny any particular group of citizens their right to register in order to vote.
- The trucking of voters and the impunity that characterized the practice has undermined representative democracy as guaranteed by the Liberian Constitution.
- The number of women registrants is slightly higher than men but the country's legal framework is weak in protecting and promoting women's political representation in elected offices.
- The conduct of the voter registration without reapportioning constituencies based on the 2022 census report undermines the doctrine of equal suffrage.
- The voter registration process (both phases) was marred by the low presence of security agencies.
- Overall, party agents notably from UP, CDC and CPP were present at voter registration centers observed by the ECC.

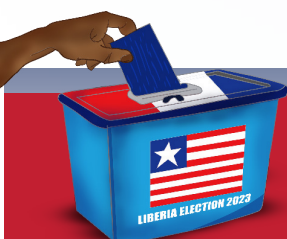
**Recommendations:** Pursuant to the above observations, the ECC wishes to propose the following recommendations to stakeholders for consideration:

**To NEC:**

- That the Final Registration Roll (FRR) disaggregated by counties, electoral districts, age, and precincts be made easily accessible by political parties and independent election observation groups.
- That a comprehensive communication strategy is developed for an effective public outreach to educate and enlighten the public on the status of the FRR and challenges if any and how they would be addressed.

**To the National Legislature:**

- Amend the New Elections Law to categorize vote buying as an electoral offense.
- Amend relevant provisions of the New Elections Law to define more specifically the term "ordinarily resident" to participate in an election.
- For the conduct of any future election, the 2022 census report should be used to set the threshold that will enable the NEC to reapportion constituencies as mandated by the Constitution and in accordance with the principle of equal suffrage.



**To Political Parties:**

- Allocate resources in their election budget to hire the services of an independent consultant to undertake an audit of the FRR to identify any inconsistency in the numbers released by the NEC.
- If you have issues with the FRR, use the lay down rules and procedures both administrative and legal to seek redress.

**To Election Observation Groups:**

- Carry out an audit of the FRR when it is released to provide an independent assessment of the consistency of the roll.

**Media:**

- Use their platforms and channels to continue providing public awareness and education on the outcome of the voter registration.

**Conclusion:**

The ECC commends the Liberian people for their enthusiasm and peaceful participation during the voter registration. The ECC further applauds the NEC for conducting the voter registration within the set timeline without explicit guidance from international development partners and the presence of the United Nations Mission to Liberia (UNMIL). For the first time since the end of the civil war, NEC and the government are attempting to take the lead in all phases of the electoral process. This has created the opportunity for the electoral process to be Liberian-driven and owned. However, ongoing technical support continues to be provided by international development partners. The ECC applauds this level of partnership.



## **OBSERVATION METHODOLOGY:**

Based on its mandate and mission, the Elections Coordinating Committee (ECC) and with support from the United States Agency for International Development (USAID), under the Liberia Independent Domestic Election Observation (LIDEO) Activity, developed a long-term election observation strategy. The purpose of this strategy is to observe all phases of the electoral period including information gathering, analysis and dissemination of findings. The observation of the Voter Registration (VR) and Exhibition, Claims and Objection process was an integral part of the strategy.

The ECC recruited, trained and deployed ninety-two (92) Long-Term Observers (LTOs) across the country. This number included seventy-three (73) District Supervisors covering each of the 73 electoral districts in the country, one County Coordinator per county amounting to fifteen (15) with an additional Coordinator for Montserrado, Bong, Lofa and Nimba Counties. Of the total LTOs, there are thirty-five (35) females and fifty-seven (57) males. For the VR, the ECC deployed four (4) data clerks, one female and three males.

The (ECC) deployed 43 trained observers across the six (6) counties<sup>3</sup> and 36 electoral districts to observe phase one of the 2023 biometric voter registration exercise that took place from March 20 to April 9, 2023. In a similar vein, the ECC deployed 49 trained observers to observe the conduct of phase two of the BVR in 37 electoral districts covering nine (9) counties.<sup>4</sup> ECC observed six days of the time allotted for phase one of the BVR. This was the same number of days observed for phase two.

At every phase of the observation, observers were trained in using standardized tools, including checklists and critical incident forms, to collect data on the set-up and opening, registration procedures, and closing of the VR centers. Other areas of the tools included gathering data on the presence of party agents, security, and objections and appeal on VR. Observers were also trained to use the critical incident form to gather data on the functionality of the VR equipment, availability of materials, voting trucking, and its implication of the VR process, and capturing information on events such as violence that may have disrupted the VR process.

At each phase of the VR exercise, observers observed three days a week at each registration center. At each registration center, an observer was required to be stationed at the assigned center to observe the entire exercise daily. Of the 2080 registration centers, ECC's observation covered a total of 438 voter registration centers. County Coordinators moved between centers to support the observers and they were also responsible to observe the objections and appeals process at the Magisterial Offices.



**ECC County Coordinator consults with Magistrate during BVR observation in Bong County**

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<sup>3</sup> Bomi, Cape Mount, Gbarpolu, Grand Bassa, Margibi & Montserrado

<sup>4</sup> Bong, Lofa, Nimba, Grand Gedeh, RiverGee, Maryland, Grand Kru, Sinoe and Rivercess





Data collected by observers were transmitted via texted formatted messages to the ECC's Apollo data system for collation and analysis. At the end of each stage of the process (phase one of the VR, phase two of the VR and Exhibition, Claims and Objections), the ECC released press statements to the public and other stakeholders on the findings of its observation and recommendations to improve the quality of the process (Statements issued during this stage of the observation can be accessed on [eccliberiacom.org](http://eccliberiacom.org). (At the same time, see Annex 1: statement on phase one observation and Annex 2: statement on phase two observation).

### **Legal Framework:**

The legal framework related to the conduct of the 2023 presidential and legislative elections is found in three major instruments: the 1986 Constitution, New Elections Law, amended in 2014 and codified in 2016, and implementing regulations promulgated by the National Elections Commission (NEC).<sup>5</sup> Other documents include the National Code of Conduct for all public officials and administrative ordinances issued by the NEC. Issues related to political parties' operations and elections are covered under Chapter VIII of the Constitution (Articles 77-83) while Chapter Three of the NEL deals specifically with voter registration.

### **Women's Political Representation:**

The elections will be conducted using the existing laws which are not responsive to the current political condition in the country. There were attempts by the Legislature to make major amendments to the New Elections Law (NEL), including Section 4.5, which deals with women's political participation. The proposed amendment to this Section was intended to make it compulsory on political parties to ensure that their candidates listed include at 30% of either gender. The President approved this proposition but vetoed other provisions, leaving the entire reform process in limbo. With this situation, the existing law does not reflect any positive measures that would increase the representation of women in elected office. Women's political representation in the National Legislature has been declining since 2011. They constitute about 11% of the seats and without a strong legal framework, this percentage is likely to reduce during this 2023 elections despite representing more than half of the total number of registered voters. ***The gap in Liberia's legal framework to promote women's political representation to elected office in line with the country's international commitments is one of the major weaknesses of Liberia's emerging democracy.***

In an effort to address this gap, 25 political parties and the National Elections Commission (NEC) on May 11, 2023 signed a Memorandum of Understanding (MoU) which signals political parties' commitment to nominating women in a minimum 30% of their candidate listings in the upcoming 2023 General and Legislative Elections. While this document has no legal binding, it demonstrates a commitment by political parties and is a significant step in supporting gender equality and promoting women's political participation and representation.

The signing of the 30% Gender Quota MoU between the political parties and the NEC is a positive step towards holding political parties accountable for promoting gender equality and women's political representation. The MOU seeks to ensure that at least 30% of the candidates for elected positions are women. If this happens, it is most likely

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<sup>5</sup> The regulations include the Voter Registration and Candidate Nomination process among others.



that more women could be elected based on past experience particularly in 2005 when the number of women candidates was relatively higher. This commitment will be assessed when the NEC releases the candidate nomination list.

The pending legal reforms and the intent by political parties to address the issue of women's under-representation and participation in decision-making and political processes are commendable. At the same time, deep-rooted male-dominated social norms and traditional practices also undermine gender equality in political systems and processes in Liberia.

#### **Citizenship:**

In 2022, the President of Liberia signed into law the Dual Citizenship law which allows Liberians in the diaspora to remain citizens after acquiring another nationality. However, the law contains some restrictions. These include a bar on those having dual citizenship from holding elective offices, serving as president, minister of finance, governor of the Central Bank, or holding high-level positions in national security. The law also states that individuals can obtain citizenship through their mothers. Dual citizens will now be able to own land in Liberia legally. However, the "Negro Decent" clause was untouched by the law.

#### **Electoral Boundary Delimitation:**

##### **Legal Requirement:**

Articles 80(d) and (e) of the 1986 Constitution state that each constituency shall have an approximately equal population of 20,000 persons or a number of citizens designated by the legislature following a census to keep up with population movement and growth provided that the total number of constituencies shall not exceed one hundred. Despite these constitutional requirements, elections have not been conducted based on the demarcation of constituencies informed by the outcome of a census. Constituencies have been replaced by the creation of electoral districts based on the number of registered voters. In advance of the 2011 elections, the number of seats in the House of Representatives was increased from 64 to 73 as a result of a political compromise, and not on the data obtained from the conduct of the 2008 census. In 2017, elections were conducted based on the number of electoral districts created due to the compromise reached between the Executive and Legislative branches of government.

According to international standards, constituency boundaries should be drawn so that the principle of equal suffrage is preserved so that every voter has roughly equal voting power. With wide deviations in the number of voters per district, the current constituency boundaries are inconsistent with the principle of equal suffrage. It was anticipated that the government would have conducted the national census in 2018 and the data would have been used to reapportion electoral constituencies and correct the past mistake. To the contrary, the census was conducted in 2022, and the findings were released in 2023, which posed a problem for the legislature to have set a threshold for the demarcation of constituencies.

##### **Legal Challenge:**

In the meantime, NEC proceeded with the voter registration process in the absence of boundary delimitation. A few days before the commencement of the voter registration, the Collaborating Political Parties (CPP) filed a petition with the Supreme Court, challenging the Constitutionality of the NEC's planned voter registration without the



demarcation of the electoral constituencies. The petitioners contended that the voter registration process should be enjoined on grounds that the National Legislature failed to set a population threshold for the number of voters in a constituency as required by Article 80 (d) and (e) of the Constitution. They further contended that the NEC failed to reapportion the constituencies before commencing voter registration as mandated by the Constitution. The Supreme Court opined that “in the absence of a national census report and the National Legislature’s threshold, the NEC lacks the requisite authority to apportion constituencies pursuant to Article 80 (e) of the Constitution”.

For the 2023 election, the electoral district with the largest number of registered voters (Montserrado 4, with **75,515**) had six times as many voters as the district with the lowest number of registered voters (River Gee District 3, with **12,041**). This is odd with international best practice. ***With wide deviations in the number of voters per district, the current constituency boundaries are inconsistent with the principle of equal suffrage.***

## VOTER REGISTRATION:

### Transition to BVR:

Voter Registration (VR) is a major component of the pre-election phase of the electoral cycle. The NEC decided to transition from the Optical Mark Recognition (OMR) VR system to the Biometric Voter Registration (BVR) system. This is the first time the NEC has introduced the BVR system. The ECC has consistently asserted that if properly used, the BVR can improve the quality of the voter roll which invariably will contribute to the quality of the country’s democracy.

The voter registration process was originally scheduled to have commenced on December 15, 2022 and was to last for six weeks. However, there were challenges around the procurement process linked to vendor selection and compliance with rules and guidelines of the Public Procurement Concession Commission (PPCC). These disputes contributed to the delay in commencing the voter registration exercise for almost three months. The process finally started on March 20 and ended on May 11, 2023, and it was divided into two phases. There was no extension of the process.

Voter registration contributes to the protection and promotion of the rights of universal and equal suffrage, principles fundamental to advancing international obligations for the conduct of democratic elections. It sets the foundation for developing the Final Registration Roll (FRR) and lays the framework that enables citizens to exercise their fundamental rights to vote and participate in an election. The 1986 Constitution of Liberia provides that every Liberian citizen 18 years of age and over has the right to vote in public elections and referenda and to be registered as a voter.<sup>6</sup>

The law restricts this right for persons who have been disenfranchised as a result of a conviction for an infamous or felonious crimes. The legislation also excludes persons who have been declared legally incompetent or of unsound mind.<sup>7</sup> Those who would turn 18 years on election day were not considered as eligible to be registered despite calls by election observation groups to register citizens who will be 18 years on October 10, 2023.

<sup>6</sup> Article 77b of the 1986 Constitution

<sup>7</sup> Section 3.1 of the New Elections Law of Liberia



**Eligibility Requirements:**

Eligibility is bordered on proof of citizenship and age. Applicants seeking to be registered can prove their eligibility through the following methods: production of a valid Liberian passport, birth certificate, certificate of naturalization, National Identification Card, Voter Registration Card previously issued by NEC.<sup>8</sup> The regulation on voter registration also states that where the mentioned documents are not available, eligibility can also be established by the sworn statements of two other registered voters who appear in person and confirm an applicant's citizenship, or by a Liberian traditional leader who appears before NEC officers to attest to a person's Liberian citizenship.

In other instances, NEC officials at the registration centers applied a broad interpretation of the "ordinarily resident" clause, so as to take into account family and historical ties to a particular locality. The NEC also developed an online system to upload bio-data of citizens to facilitate their registration process. However, physical appearance was further required to obtain the voter registration card. The ECC observed that those appeared to obtain their voter cards were not asked to provide any proof of eligibility.

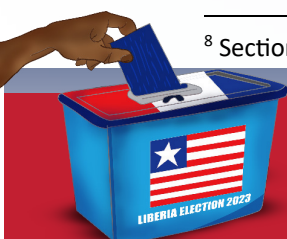
The ECC observation revealed that the NEC contracted staff members did not consistently apply the eligibility requirements during the VR process but that this practice improved during phase two of the exercise. The ECC further noted the presence of party agents notable Unity Party (UP) and Coalition for Democratic Change (CDC) at VR centers observed but that security presence was limited during both phases of the process. Additionally, the ECC reports highlighted the malfunctioning of equipment in both phases of the VR process but that it was more prevalent in phase one. Understandingly, this was not a surprise as this was the first time the NEC used BVR.

**Provisional Registration Figures:**

For the 2023 elections, the NEC registered voters at 2,080 nationwide voter registration centers. This represents the same number of centers used for the 2017 elections. The number of polling places is 5,911. The population of Liberia was estimated at [roughly 5.2 million people](#), with more than 40 percent below the voting age of 18, meaning that the NEC's registration target was around 3.1 million people. Nonetheless, the Provisional Registration Roll (PRR) puts the number of registered voters covering the two phases of the registration process at 2,498,904. This number included 27,192 multiple registrations and 529 under-age registrants. While the total number of active registrants was 2,471,183.

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<sup>8</sup> Section 8.3 of the Regulation on Voter Registration for 2023



Following the synchronization and de-duplication processes and a review of the provisional figures released by the NEC on June 5, 2023, the ECC observed an increase in the numbers of applicants from the following counties:

County	Initial Preliminary (Before De-duplication)	Final Preliminary (After De-duplication)	Difference	% increase
Margibi	184,425	185,308	883	0.47
Montserrado	891,201	901,149	9948	1.11
Grand Bassa	157,712	158,449	737	0.46

Based on this observation, the ECC requested a meeting with NEC to provide clarity on this issue. The meeting was granted and during the deliberation which took place on June 16, 2023 at the NEC, the Head of the Data Management System at the NEC acknowledged the discrepancies in the figures. According to him, NEC was pressed with time to move the equipment to other counties for phase two registration so the bio-data collected from phase one was not completely downloaded before transferring the equipment to collect data for phase two. Rationale provided was that the NEC did not have the time to download all the bio-data from phase one registration. The ECC does not find this reason to be justifiable as the NEC could have delayed the phase two for a couple of days to have completed the downloading of all bio-data for phase one before proceeding to the conduct of phase two.

The NEC promised that these discrepancies would have been addressed. Nonetheless, there still remains some inconsistencies in the figures. In the PRR, the number of registered voters for Montserrado County is 901,149 and in the Final Registration Roll (FRR) it is 901,162. Similarly, the PRR highlighted that the number of registered voters for Grand Bassa County was 158,449 while the FRR has 158,462. These differences may appear to be nominal but issues of these nature can cast doubt in the FRR and the outcome of the election.

At the same time, following the conduct of the Exhibition, the (FRR), as announced by the NEC, is **2,471,617**, representing an increase of 434 registrants. Though this number is marginal, NEC has not provided any justifiable information on this increment or disaggregation. The total number represents 1,237,257 (One million two hundred thirty-seven thousand two hundred and fifty-seven females) and 1,234,360 (One million two hundred thirty-four thousand three hundred and sixty males). In 2017, the total number of registered voters was **2,183,683** which constituted 49% females and 51% males.

**Multiple Entries:**

At the time of releasing the Provisional Registration Roll (PRR) (PRR), the NEC announced that the registration system detected 27,192 duplicates carried out by 3,634 persons across the country. Information provided by the NEC did not show geographic disaggregation of this number. This number may appear to be marginal as compared to the total number of captured voters but without adequate information to the multiple registrants on where they should vote on election day, the process runs the risk of being politicized if they are not allowed to vote.

At the same time, multiple registration is an electoral offense in keeping with Section 10.2 (1)c of the NEL. From a legal perspective, those involved in the practice should



be arrested, charged and prosecuted. The information in the possession of NEC is sufficient to enable the Ministry of Justice (MoJ) to go after these individuals to serve as a deterrence. It appeared that the MoJ was not keen on pursuing this path.

**Under-age Registrants:**

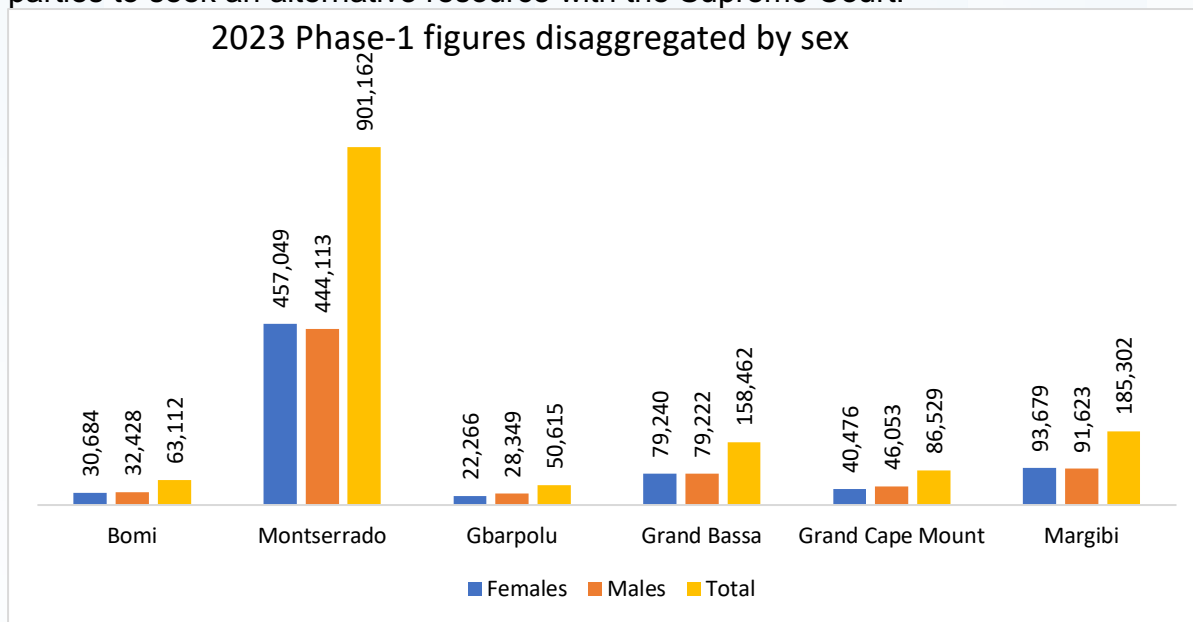
The NEC also announced that the BVR system captured 529 “suspected” under-aged registrants. According to the NEC, because of the categorization of these individuals as “suspected” under-aged, if they can prove on election day that they were 18 years of age during the registration process, they will be allowed to vote. This reinforces the ECC’s observation that some of the NEC contractors did not consistently implement the eligibility requirement for registration.

**Anomaly Registrations:**

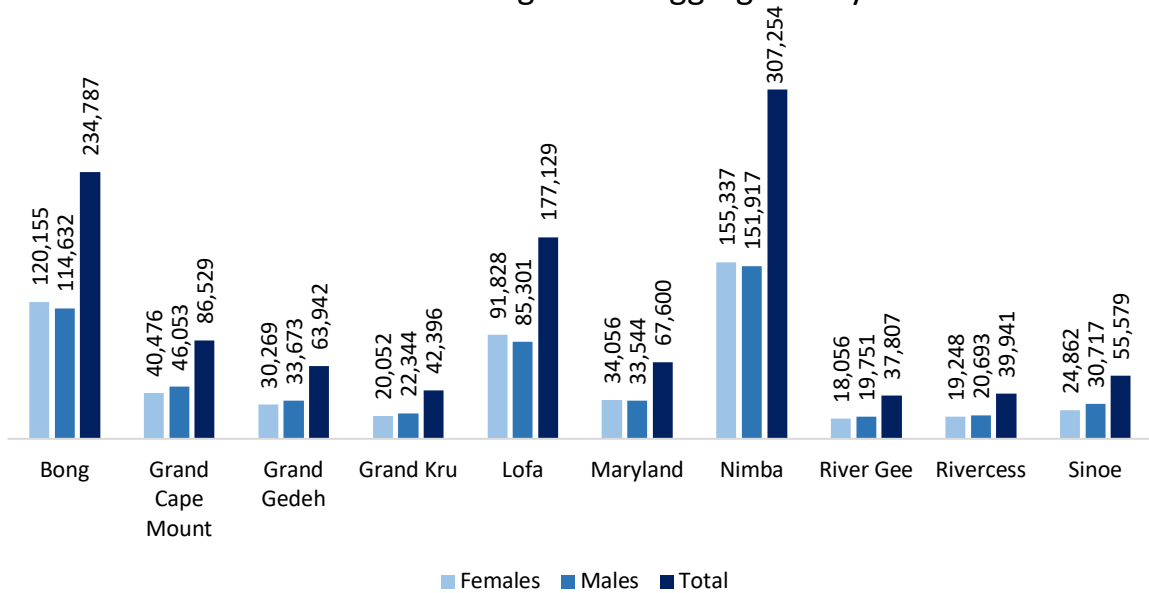
The NEC further announced that single finger duplicates categorized as “anomalies” accounted for 170 records. These records resulted from some NEC workers who tried to show a person how to use the machine to capture their finger and thumb prints and the workers’ thumbs were inadvertently captured by the machine.

**Altering of the Voter Roll:**

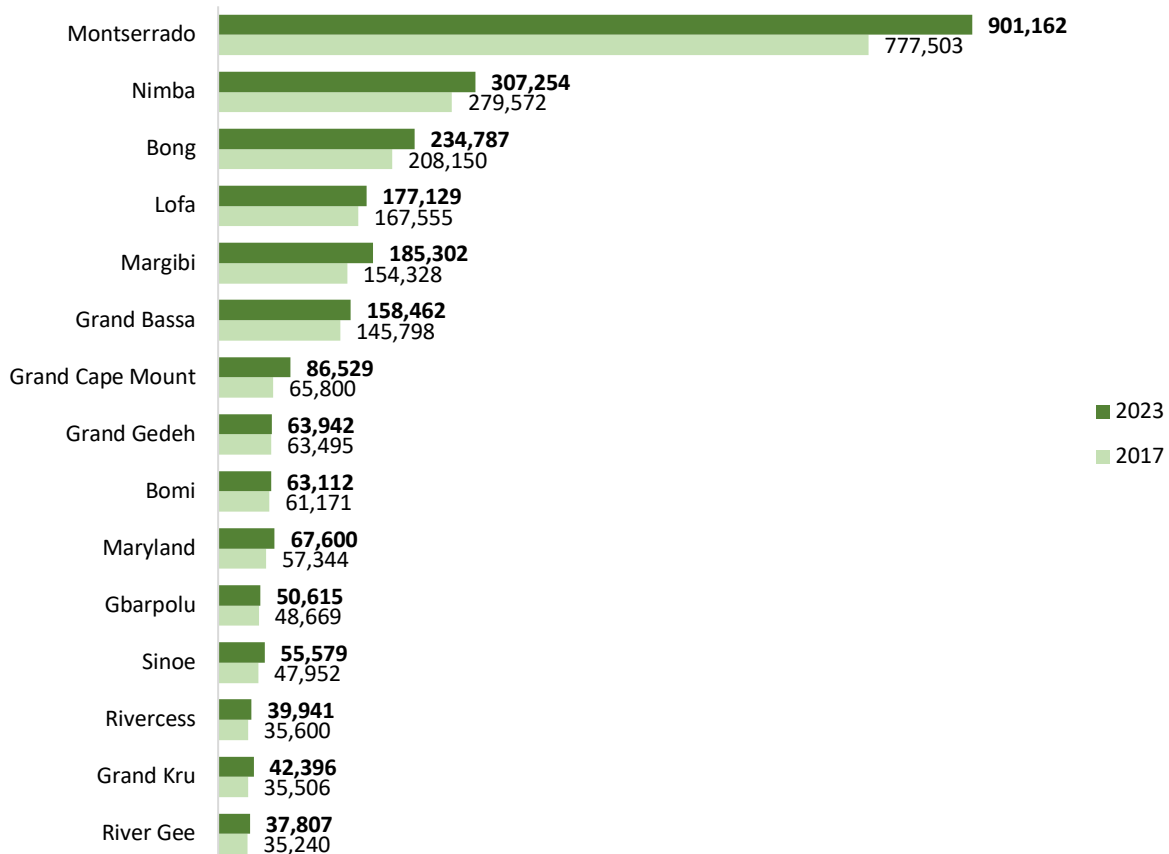
Section 3.19 of the New Elections Law (NEL) states that the roll may be altered within thirty (30) days period immediately before an election, including Election Day. There is an exception to this provision which is an order from the Supreme Court based on determining a manifest error. With the release of the FRR, it will now be the responsibility of political parties and election observation groups to undertake an independent audit of the roll so that if there are errors, they can be raised and refer to the NEC for corrective measures. If political parties are not pleased with any measure taken by the NEC in resolving an identified error(s), this provision allows the political parties to seek an alternative resource with the Supreme Court.



### 2023 Phase 2 VR figures disaggregated by sex



### 2023 and 2017 final figures comparison



### Undermining Representative Democracy:

Provisions of the NEL of 1986 amended in 2014 clearly states that a person must register and vote in the location where they ordinarily reside. This amendment was intended to prevent political actors trucking voters to communities where they do not



ordinarily reside in order to influence the results of any election. The trucking of voters was a phenomenon in the 2017 general elections and the 2020 Special Senatorial Elections (SSE). Nonetheless, the trucking of voters as reported by the ECC Long-Term Observers during the 2023 voter registration, was done in an organized and systematic manner, which made it to appear as a standard practice in electoral democracy.<sup>9</sup> In other instances, the ordinarily resident clause was also generally interpreted by staff of NEC that took into account family and historical ties to a particular locality.



*Voters trucked from Montserrado to Margibi County to register:  
Courtesy of the Daily Observer Newspaper<sup>1</sup>*

At the same time, the NEL and its implementing regulation on voter registration fell short of providing a clear definition of residency for the purposes of voting or what constitutes “vote trucking”. At the same time, Section 10.1a states that: “influencing or attempting to influence the results of any election, including the trucking of voters” constitutes an electoral offense. The trucking of voters was financially

induced by political actors, which has commercialized the country’s electoral and democratic space by exchanging money for votes. Moreover, the NEL and the voter registration regulation do not categorize vote buying as an electoral offense. The normalization of vote trucking, and limitations in the legal framework, reinforced by the inability or unwillingness of the Ministry of Justice (MoJ) to prosecute offenders, have undermined the principle of “Representative Democracy” necessary for deepening the country’s democratic gains.

#### **Violence during Voter Registration:**

Overall, Liberians peacefully conducted themselves to register. However, in some instances, voter trucking led to violence. In March 2023, a riot erupted in District Number 10 Montserrado County between supporters of the ruling party-Coalition for Democratic Change (CDC), and supporters of the sitting Representative of the district, Yekeh Koluba. ECC observer reported that the violence was based on allegations of voter trucking by the CDC. The environment was heightened when the chairperson of CDC youth league organized a march on the streets of the district, and his followers clashed with Koluba’s supporters. The violence disrupted normal commercial activities in the district and affected voter registration.

<sup>9</sup> Other observation groups and the media reported a similar finding.





In Grand Cape Mount County, Electoral District 1, an ECC observer reported acts of violence, harassment, and intimidation perpetrated by Senator Simeon B. Taylor of Grand Cape Mount, Representative Bob H. Sheriff of Grand Cape Mount Electoral District 02, and Representative Hanson Kiazolu of Montserrado District 17. According to the ECC observer's account, Senator Taylor was the lead perpetrator who forced one of the NEC BVR staff to open the system and show the number of people registered. During the process, he used profanity to harass and intimidate the NEC staff at the Varkianway Town Hall, having code 12051. According to the ECC observer, it was a frightening scene when he forced the NEC Registrar to open the system, allowing him to view the data of applicants registered. He moved on to Juejuah Public School, in the same district, having code 12065, where he did the same by forcing the NEC staff to open the system, again allowing him to view the data of applicants. The ECC observer further reported that Senator Taylor's men assaulted a Town Chief who was present during the commotion. Reasons for the rampage is due to accusations levied by Senator Taylor that the NEC officials and the town chief were harboring foreigners from Sierra Leone to register. Additional report from the ECC observer indicated that state security was on the scene but were either unable or unwilling to act. In both instances, there were no reports of arrest made by the security apparatus.

#### **Civic and Voter Education:**

Effective and comprehensive Civic and Voter Education (CVE) activities are important to ensure all potential voters have the necessary information to register, which is the basis for them to exercise their voting rights. The NEC, through its implementing partners, mainly Community-Based Organizations (CBOs) carried out a nationwide CVE outreach and information dissemination on the BVR process. The ECC did not observe the (CVE) undertaken by the NEC and its partners so providing an independent assessment of the scale and quality of the process was a challenge.

#### **Civil Society and Election Observation:**

Apart from the ECC, there were other Civil Society Organizations (CSOs), both national and international, including the Electoral Institute of South Africa (EISA) and Liberia Election Observation Network (LEON), that observed the voter registration process. The ECC built a solid and collaborative effort with these groups during this period of observation. The partnership with LEON is formalized through a Memorandum of Understanding (MoU), which serves as a framework document to guide the relationship covering other events of the electoral cycle.



ECC and LEON Sign MoU



## Annex 1: ECC final BVR statement for phase 1

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**FOR IMMEDIATE RELEASE**

*April 19, 2023*

### **Phase one of the BVR process went generally well:**

Overall, reports from ECC observers show that the process was generally well conducted with some challenges during the initial phase of the exercise. The ECC commends the National Elections Commission (NEC) for releasing preliminary registration figures disaggregated by county.

The Elections Coordinating Committee (ECC), deployed 43 trained observers across the 6 counties<sup>10</sup> and 36 electoral districts to observe phase one of the 2023 biometric voter registration exercise that took place from March 20 to April 9, 2023.

#### **Observation Findings**

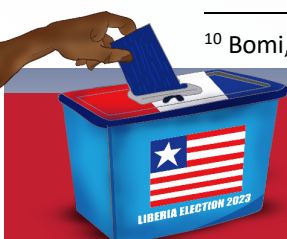
##### Setup and Opening

All NEC registration centers generally opened on time, between 8:00 am to 8:30 am with some of the centers opening late, after 9:31 am. Late openings were primarily due to the lack of printer cards, electricity to power the equipment and the late arrival of some of the NEC registration teams.

- ▶ 185 of 216 registration centers opened on time, with only 31 of the centers opening late. Centers were reported to be clearly identifiable to applicants and marked by signs;
- ▶ 26 of 216 centers were located within buildings with stairs-making accessibility difficult to persons with disabilities;
- ▶ 3 registration staff were present at opening with at least one female who was a member of the team;

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<sup>10</sup> Bomi, Cape Mount, Gbarpolu, Grand Bassa, Margibi & Montserrado-NEC BVR Phase one counties, 2023



- ▶ 211 of 216 centers had the critical materials present during set-up- a complete BVR kit present, all the necessary forms (including rejection and complaint forms) and ledger for recording the names of successful applicants;

### Registration Procedures

The NEC registration teams generally followed registration procedures but did not consistently require applicants to provide proof of eligibility particularly those who did pre-registration online.

- ▶ At 206 of 211 registration centers, persons with disabilities, the elderly, and pregnant women were allowed to register before other applicants;
- ▶ At 147 of 211 registration centers, applicants were asked to present proof of eligibility before being registered while in 64 of these centers, applicants were allowed to register without providing proof of eligibility (see Chart 5).
- ▶ At 126 of 210 registration centers, every successful applicant had his/her finger marked with an indelible ink to minimize double registration;
- ▶ At 203 of 211 registration centers, applicants received their voter registration cards before leaving the center; however, in 8 registration centers, successful applicants did not receive their BVR cards mainly due to shortage in cards at these centers

ECC observers reported instances of equipment failure or malfunction during the period:

- ▶ At 47 of 211 registration centers, the BVR equipment experienced malfunction but was quickly resolved, and at 18 of these centers, the malfunction caused serious delay;
- ▶ At 42 of 211 registration centers, the malfunctioning equipment was immediately fixed or replaced.
- ▶ At 68 of 211 registration centers, ECC observers reported that the NEC staff did not fill the rejection form, whenever an applicant was rejected.

### Registration Figures

ECC observers witnessed a total of 18,639 applicants successfully register, an average of 96 successful registrants per center based on 190 reports.

A relatively higher number of women were seen registering at observed centers. Women represented 48% of successful registrants observed by the ECC.

### Closing of registration centers

ECC observers reported closing of the registration centers generally by 5:30 pm; however, in a small component of these centers, applicants in line by 5:00 pm were not allowed to register.



- ▶ 110 of 213 centers observed by ECC closed between 5:00 pm to 5:31 pm and 38 of these centers were reported to close after 6:31 pm.
- ▶ Only in 9 of 213 registration centers observed, applicants in line by 5:00 pm were not allowed to register.

### Security

ECC reports show generally low presence of uniformed security personnel at registration centers. Only 130 of 216 registration centers had uniformed security personnel present;

### Party Agents

ECC observers reported that in 166 of 212 centers observed, political party agents were deployed. The data shows that Coalition for Democratic Change (CDC) and the Unity Party (UP) had the highest number of deployed agents followed by the Collaborating Political Parties (CPP) and others.

### Objections & Appeals on Voter Registration

ECC observers reported 21 complaints filed by rejected applicants because they were perceived to be underaged, foreigners or the inability to present a valid document to prove their eligibility. However, all 7 county coordinators reported that there was no hearing held at any of the Magistrates' offices throughout the period of phase one.

### Critical Incidents

A total of 12 critical incidents were reported by ECC observers during phase one of voter registration and they included:

- ▶ Malfunctioning of BVR equipment due to overheating of the computers, solar panels or card printers
- ▶ Shortages in materials, such as ink and cards at voter registration centers which resulted in delay of the BVR process or closure of some centers for the entire day.
- ▶ Instances of voter trucking by aspirants notably in three counties, Margibi, Montserrado and Grand Bassa, primarily targeting first-time voters;
- ▶ Isolated instances of violence and intimidation carried out in Montserrado electoral district 10 and Grand Cape Mount-electoral district 01.

**Recommendations:** The ECC provides the following recommendations to improve phase two of the BVR in the remaining 9 counties.

### Interim recommendations:

- ▶ That the NEC conduct debriefing and adequate supervision of staff to evenly apply registration procedures during the conduct of the process;



- ▶ The NEC should also make public preliminary registration figures disaggregated by electoral districts;
- ▶ That the NEC increase the time for VR by two weeks for counties with larger populations such as Nimba, Bong and Lofa.
- ▶ The NEC should adopt a definite contingency plan to immediately address any possible equipment failure or malfunction during phase two, considering that the counties in phase two are remotely situated;
- ▶ The Ministry of Justice should ensure that ongoing investigations into electoral offenses are properly conducted and completed and the outcomes made available to the public and to also hold perpetrators accountable;
- ▶ Political parties are reminded to train and deploy their agents at all VR Centers in order to maintain confidence in the outcome of the Final Registration Roll;
- ▶ The Liberian National Police and other security agencies should increase the presence of uniformed security personnel across the phase two counties to help enforce the law;

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#### **About ECC**

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#### **Annex 2: ECC final BVR statement for phase 2**

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## **ECC BVR Phase Two Observation - Preliminary Update and Findings**

### **“Registration procedures improved during Phase 2 of the BVR process, but the malfunctioning of equipment still persisted”**

This ECC preliminary update covers findings from 184 reports over 5 days of deployment from April 21-May 9, 2023. It also contains critical incidents observed and recommendations to improve the process.

Overall, the ECC observed that registration centers generally opened on schedule during phase two of the BVR process and with the necessary BVR kits available. Despite this, several of the centers observed continued to experience malfunctioning of equipment. ECC observers however, noted an improvement in the way NEC registration staff requested verification of eligibility prior to enrolling applicants during phase two. While the ECC recommended an increase in security presence at registration centers to cover phase two of the BVR, a relatively low security deployment was again observed, even though slightly higher than phase one. Political party representatives were present to observe the procedure in 131 of the 180 centers that the ECC observed, which is also an improvement over phase one. Voter trucking was observed during phase two.

#### **Preliminary Findings:**

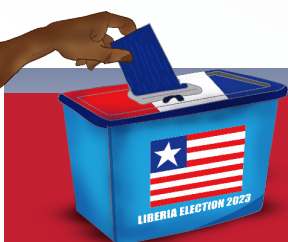
The ECC preliminary findings focus on key issues observed over the period of **April 21 to May 9, 2023**. ECC observers covered the entire process of registration from set-up to closing of centers. During this period, the ECC observed the following:

**Opening:** ECC observed that 160 of the 185 centers opened on schedule between 8:00 am and 8:30 am, which is 86% of all the centers. Only, 11% of these centers opened after 8:30 a.m. as a result of the late arrival of staff, the lack of ink for the printer, shortage of cards, or a lack of electricity to power the equipment.

**Set-up:** During set-up, BVR centers observed by ECC were seen to have a complete BVR kit available. Additionally, these centers were generally accessible, that is applicants did not have to go upstairs to access the center. According to observers' accounts 131 of 183 centers were accessible to everyone, including those with special needs or disabilities. The use of canopies or tents on election day is highly encouraged to improve upon this strategy to facilitate easy accessibility for people with special needs.

#### **BVR Equipment Functionality:**

In 55 of 182 centers observed by the ECC, the equipment malfunctioned but was swiftly fixed; however, the malfunctioning equipment in 14 centers resulted in significant delays.



**Applications of Registration Procedures:** ECC observers noted an improvement in the way NEC registration staff requested verification of eligibility prior to enrolling applicants during phase two. In 153 of 181 centers, applicants were required to present identification to prove their eligibility to register (often a former voter registration card), and in 178 of 182 centers, applicants' fingertips were marked with the permanent ink once they successfully registered.

**Closing:** In general, ECC observers reported that applicants in line at 5:00 pm were permitted to register before centers closed for the day.

**Security:** While the ECC recommended a stronger security deployment to cover phase two of the BVR, a relatively low security deployment was again observed, even though slightly higher than phase one. 107 of 185 centers observed were reported to have uniformed security personnel present throughout the day.

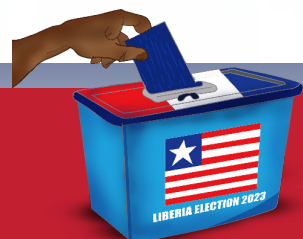
**Party Agents:** Political party representatives were present to observe the procedure in 131 of the 180 centers that the ECC observed, which is an improvement over phase one. However, when it comes to high agent deployment, the Coalition for Democratic Change (CDC) and the Unity Party (UP), continue to hold the top spots.

**BVR Challenges & Critical Incidents:** Equipment failure and cases of voter trucking by aspirants were still notable challenges and occurrences reported by ECC observers during phase two. Others include failure to present printed voter registration cards to processed applicants due to card shortages or printer malfunction and failure to complete rejection forms for those who were turned down. Additionally, there were instances of the voter registration process being interrupted at a few locations due to disturbances made by either party supporters or regular applicants.

**Equipment failure & shortage in BVR cards:** During the observed period, ECC received reports of critical incidents involving equipment failure or malfunction and shortage in BVR cards. This caused the process to be significantly delayed in some cases and shut down for the full day in others. The affected centers' names, area codes, and locations are listed below:

- Bong electoral district 01-Palala Public School with center code 06046;
- Bong electoral district 02-MD Massaquoi high school with code 06238;
- Bong electoral district 06-Martha Tubman School with code: 06026;
- Bong electoral district 07-Kristen Marie high school with center code 06170
- Lofa electoral district 01- Fassapoe town hall, Foya with center code 21020;
- Nimba electoral district 08-Kpoahpa Whenten Public School with center code 33181;

**Voter trucking:** Applicants were seen being trucked for the BVR phase two in the counties of Bong, Lofa, Nimba, and Grand Kru, according to ECC observers. Since the start of BVR phase two, candidates have engaged in open voter trucking, and neither the NEC nor the Ministry of Justice has taken any action to stop this serious



electoral violation. Below are documented instances of trucking reported by ECC observers:

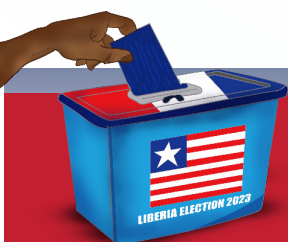
- Lofa electoral district 01- Foya, at Sengar Palava hut with center code 21083: ECC observer reported the trucking of voters to the registration center, orchestrated by Representative Thomas P. Fallah. The group was intercepted by citizens who attempted to stop them from registering, which interfered with the registration process.
- Bong electoral district 03- Meleki Town hall with center code 06085: Motorbikes and Kehkeh were seen transporting applicants to the registration center. ECC observer received reports that this act was being financed by Representative Melvin Cole office in Monrovia.
- Nimba electoral district 05: Aspirant James Somah, was reported to have trucked applicants in a pickup from Ganta district 1 to Yao Lehpula, district 5 which resulted in a tragic motor accident leading to death of at least three persons, leaving several wounded.
- Nimba electoral district 07- It was reported that aspirant Musa Bility was involved with trucking of applicants to Saclepea who were non-inhabitants.
- Grand Kru County: ECC received reports of Electoral district 01 candidate Alfred Boe and Senate Pro-Tempore Albert Chea being allegedly involved with voter trucking in Grand Kru from Maryland and other areas of the country.

**Reports of Underaged Registration from Grand Kru:** Reports of applicants' registration who are thought to be juveniles or underage have been verified and confirmed by ECC observers within Grand Kru. The Lutheran Church, with center code 18018, as well as others in the county, have been impacted by such incidents. The testimonies of these children's parents, who served as witnesses and attested to their eligibility as required by the NEC's Regulation, led to the incidents. The NEC Magistrate issued additional instructions to registrars, instructing them to ask parents who visit the facility to certify the age of their children to sign a bond before proceeding with the registration in order to regulate the situation.

**Recommendations:** The ECC proposes the following recommendations for consideration:

**NEC:**

- That the NEC extends the registration period for at least a week in areas where registration was delayed due to the malfunctioning of equipment. This will compensate for the loss of time.





- In order to increase transparency, ECC requests that the NEC make arrangements for the attendance of political parties and local, national, and international observers during the downloading of phase two data.
- That the NEC alerts the public to the timing of the release of phase two preliminary results
- Lastly, the NEC is encouraged to equally publish the phase two results disaggregated by electoral districts.

### **Political Parties:**

- Political parties and aspirants are advised to lodge a formal complaint with the NEC if they have concerns about phase two or the outcomes of the process.
- That the agents of political parties continue to observe the remaining electoral processes to enable their confidence in the electoral outcome.

### **Security**

That the security forces investigate and apprehend individuals responsible for the trucking of voters and ensure that they are accorded due process in keeping with the law.

### **ECC Observation & Deployment Methodology**

On April 21, 2023, ECC began observation in the 37 electoral districts and all nine counties<sup>11</sup> of **phase two** of the Biometric Voter Registration (BVR). 37 of the 49 long-term observers that ECC trained and sent out were stationed observers at particular voter registration locations within their respective districts. To witness the objections and appeals procedures, ECC observers were also present at the NEC Magistrate offices.

The BVR process has been observed by the ECC using both stationary and mobile observation methodologies:

**Stationary Observation:** County coordinators and district observers were deployed by ECC as stationary observers for the BVR observation. County coordinators monitored the objection and appeal procedures related to voter registration at the National Elections Commission (NEC) magisterial offices, while ECC district observers monitor designated voter registration centers. During the whole voter registration period, county coordinators observed for eight days (8) and electoral district observers for six days (6) at their designated locations. On each day of the deployment, observers submitted a report using a thorough checklist, followed by any critical incidents they may have seen.

**Mobile Observation:** All ECC county coordinators and district observers were also charged to roam within their respective counties and districts during non-stationary

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<sup>11</sup> Bong, Lofa, Nimba, Grand Gedeh, Grand Kru, Rivercess, Rivergee, Maryland and Sinoe



days, reporting any critical incidents observed. This indicates that in addition to the 184 centers covered, ECC observers were able to collect information from other areas of their respective districts and counties while moving around.

The ECC trained data clerks stationed at the ECC Data Center in Monrovia are responsible to verify and confirm each incident that is reported to the ECC Data Center. Using coded messages, observers' reports are sent to the ECC reporting system via their mobile phones, where they are later analyzed to create updates.

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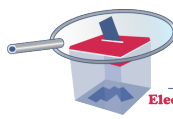
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