

Elections Coordinating Committee (ECC) Observation of Tally Procedures 2023 Post Run-off Observation

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UPDATE ON THE OBSERVATION OF THE TALLYING PROCESS

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“The Elections Coordinating Committee (ECC) commends the National Elections Commission (NEC) for conducting the tallying of the election results in a transparent manner.”

Introduction

This report outlines the findings of ECC’s observation of the tallying process of the run-off election of November 14, 2023. Overall, the ECC observed that the process was conducted in a transparent manner. This observation is based on reports received from 19 County Coordinators and an additional 28 district observers deployed at the NEC’s 19 Magisterial Offices. The ECC received 96 reports from the observers on the tallying of results.

Observers reported that the tallying of the presidential election results took place from November 15, 2023-November 17, 2023. However, ECC observers in Grand Kru reported the quarantine and recount at 9 polling places due to discrepancies in the number of votes cast against the total number of registered voters, and in Nimba Electoral District 09, a rerun in one polling place for a similar reason.

50% of ECC observers reported that the tallying centers opened before 9:30 am while 40% reported opening between 9:30 and 11 am. Only 10% of observers reported that tallying centers opened after 11 am. Despite these variations observers reported that County Magistrates were present at opening.

Observers also reported the presence of national security officers throughout the run-off period at all 19 tallying centers as well as the deployment of party agents from the Coalition for Democratic Change (CDC) and Unity Party (UP). Additionally, ECC observers noted the presence of other election observers from the European Union (EU), ECOWAS, US Embassy, EISA, UN Volunteers and Liberia Election Observation Network (LEON), Independent National Human Rights Commission, Peace Building Office, and the media.

Generally, 98% of reports received from observers indicate that the tally process was properly conducted with adequate adherence to the tallying procedures. Compared to the October 10 general elections when there were disruptions reported at tally centers by certain supporters of political parties, the run-off tally process ran smoothly.

- ▶ ECC observers reported the presence of national security personnel in all the tally centers observed.
- ▶ Both CDC and UP agents were deployed to observe the process and in all instances, party agents were permitted to observe the process.
- ▶ Observers generally reported that Tamper Evidence Envelopes from polling places (TEE-3) were properly sealed when they arrived at the magisterial offices. However, a few of the envelopes were reported to be open or improperly sealed when they arrived. Despite this, there was no discrepancy reported about the results.
- ▶ ECC observers from Grand Kru and Nimba reported that the Election Magistrates quarantined certain polling places results due to discrepancies in the number of registered voters and the total votes cast. In these instances, the ECC observer reported a recount in 9 polling places and a re-run at one polling place in Nimba.
- ▶ Observers reported that the tally clerk generally entered correctly all polling place results into the NEC's result management system.

There were no system malfunctions observed in electronically transmitting results from the magisterial office to the NEC's national data center. ECC observers also noted an improvement in the data management system. Problematic data was immediately flagged during data entry at the magisterial office. ECC commends the NEC for transparently handling the results tally for the presidential run-off elections.

Critical Incidents

NEC magistrates at the various tally centers administered the run-off tallying process with greater care and precision than the tallying procedure of the October 10 elections, which was hampered by procedural irregularities in Grand Cape Mount, Maryland and Bomi Counties. When the numbers from a particular polling station appeared out of the ordinary, ECC observers reported inconsistencies that were detected by the NEC's tally system. Notably, the ECC received two reports from Grand Kru and Nimba electoral districts 09, indicating anomalies in the number of registered voters as compared to the actual number of votes cast. This resulted in the quarantining of some polling places in Grand Kru and a re-run in Nimba electoral district 9.

- ▶ **Nimba:** The tally clerk on November 16, 2023 during the results entry identified a discrepancy in the results from the Varmie Elementary and Junior High School precinct (code-33090; polling place 4) from District 09, Nimba County. The data showed that there 329 registered voters at the polling place (01) but the tally clerk found that 379 ballots were cast of which 344 were in favor of UP while 31 were for the CDC and 4 were marked invalid. This indicates a discrepancy of 50 additional votes. The magistrate promptly notified the NEC Headquarters in Monrovia, and a mandate was given to conduct a rerun at the polling place on November 18, 2023.

The re-run took place on November 18, 2023. The total valid votes cast was 57, with UP receiving 53 votes and CDC 4 votes. There were no invalid votes reported. Other observers present during this election included EU, ECOWAS, UN volunteers, EISA and LEON.

- ▶ **Grand Kru:** ECC observer in Grand Kru reported that the NEC quarantined nine (9) polling places following a complaint filed by the Unity Party County representative regarding irregularities clouding the voting process of November 14, 2023. According to the complaint, there was overvoting in seven identified polling places (*see-attached complaint*). The NEC then organized a recount in the presence of party agents and observers on November 16 and 17 at the Magistrate's Office (tally center) when ballot boxes were opened and recounted (including sorting and reconciliation) of the ballots were done. (see attached NEC's response).
- ▶ The recount data from the nine polling places in Grand Kru revealed discrepancies in the results of some polling places in favor of CDC. Despite this, there appears to be consistency in the votes obtained by UP for both the November 14 general elections and recount data. For example, at the Lutheran Church School Precinct (code 18018, polling place 1), the number of registered voters was 510. However, the number of valid votes was 518, with 3 invalid votes. CDC received 501 votes and UP got 14 votes. However, following the recount, CDC votes recorded was 465 while the UP remained at 14 votes and the valid votes at 479 and invalid 3. Total votes indicated after the recount for this polling place was 482 indicating a discrepancy of 36 votes in favor of CDC (*see attached list of nine polling places recounted*).

Adjudication of electoral complaints

Following the announcement of the presidential run-off results, ECC observers followed up on complaints and grievances related to the outcome of the results. Observers noted three complaints that were filed in Nimba, Grand Gedeh and Grand Kru Counties:

- ▶ November 17, 2023, the CDC through a representative filed a written complaint to NEC's Magistrate in Lower Nimba located in Tapita. . The ECC observer did not provide details of the complaint because it was not read in the open view of all the observers. However, it was later noted that the CDC representative did not follow-up for a hearing until the tallying process ended.
- ▶ Unity Party (UP) Chairperson Mr. Nelson Torbor filed a complaint with the NEC Magistrate Office in Grand Kru on November 16, 2023. Mr. Torbor complained about irregularities and fraud observed in various precincts and polling places. According to the complaint filed, UP agents at the Christ Believer church, with Center Code 18046, were attacked by a group of CDC supporters. The complainant did not say why his poll watchers were attacked. However, he further mentioned that while the tension was ongoing, voting continued, and a member of the CDC, Mr. Menee Koffa was seen stuffing ballots into ballot boxes. The complaint demanded that a re-run be conducted for the precinct but following consultation with the national office, the NEC's magistrate opted for a recount.

- ▶ The ECC observer in Grand Gedeh reported that the UP filed two complaints during the presidential run-off election. Following the announcement of the results, the Magistrate organized a hearing. However, the UP party representatives did not appear. Therefore, there was no hearing conducted. However, the ECC observer reported that UP complained that its party agents were not allowed in the voting precincts by supporters of CDC at the New Creek Palava Hut Voting Precinct (code-15012) in Grand Gedeh electoral district 02.

Recommendations

The ECC proposes the following recommendations:

- ▶ That the NEC institutes administrative measures against its workers who were found to be involved in malpractice.
- ▶ That the regular and temporary workers of NEC who were engaged in irregularities and fraud be turned over to the Ministry of Justice for prosecution.
- ▶ For future electoral processes, ECC proposes that political parties and their supporters should refrain from intimidation, remain peaceful and respect the rule of law.

About ECC

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) and Irish-Aid. "The contents of this update are the responsibility of the ECC and does not necessarily reflect the views of USAID, the United States Government or the Government of Ireland."

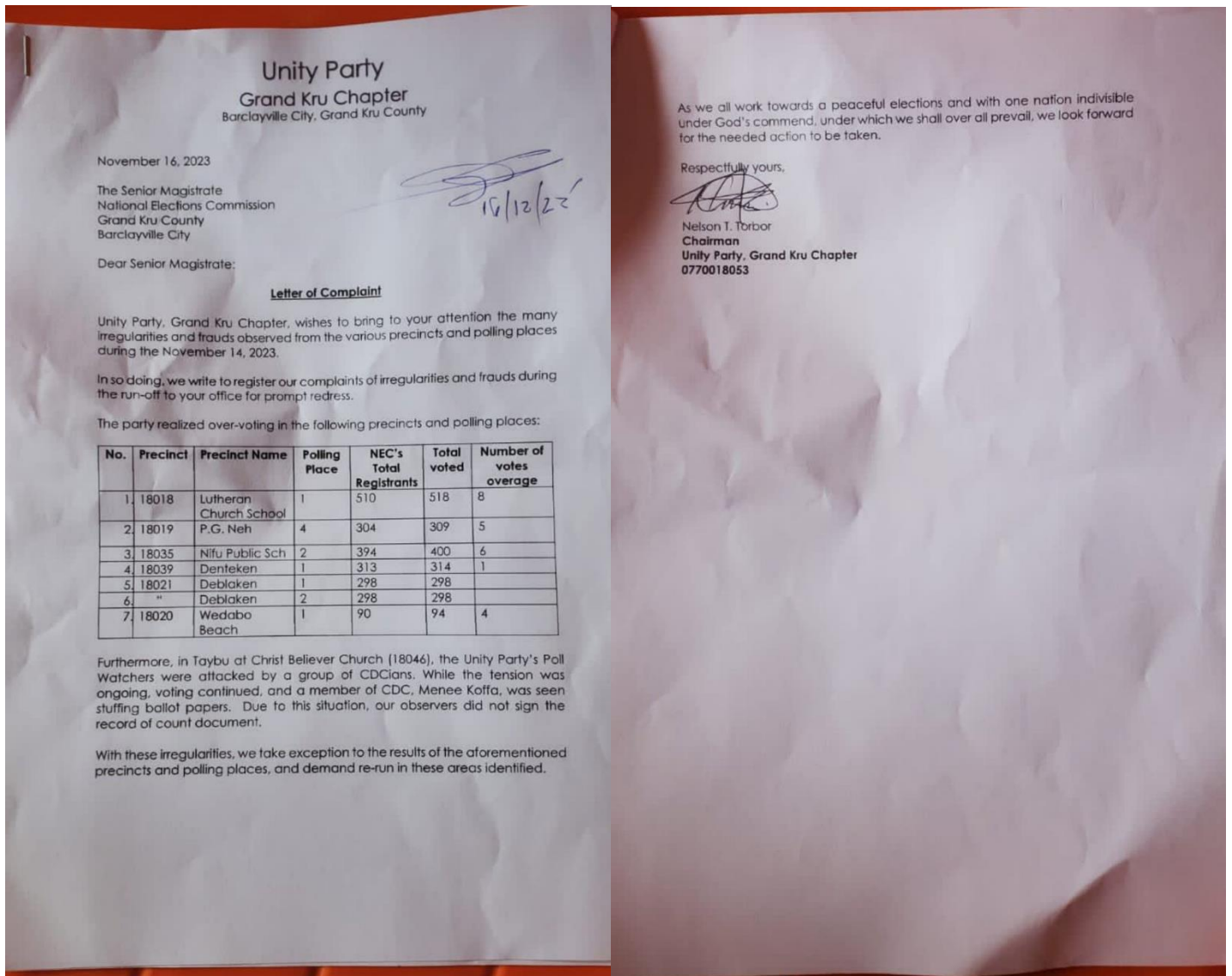
Annex

A. Recount stats from Grand Kru

List of Quarantined Polling Places in Grand Kru						
No.	Voting Precinct	Polling Place	Registered Voters	11/14/2023-Results	11/17/2023 Recount	Variance
1	18035-Nifu Public School	2	394	CDC: 392	CDC: 325	58
				UP: 2	UP: 2	
				Valid Votes: 394	Valid Votes: 327	
				Invalid: 6	Invalid: 9	
				Total Votes: 400	Total Votes: 336	
2	18018-Lutheran Church School	1	510	CDC: 501	CDC: 465	28
				UP: 14	UP: 14	
				Valid Votes: 515	Valid Votes: 479	
				Invalid: 3	Invalid: 3	
				Total Votes: 518	Total Votes: 482	
3	18020-Weddabo Beach Public School	1	90	CDC: 73	CDC: 73	13
				UP: 1	UP: 1	
				Valid Votes: 74	Valid Votes: 74	
				Invalid: 3	Invalid: 3	
				Total Votes: 77	Total Votes: 77	
4	18039-Dentenken Twon Hall	1	313	CDC: 310	CDC: 287	22
				UP: 2	UP: 2	
				Valid Votes: 312	Valid Votes: 289	
				Invalid: 2	Invalid: 2	
				Total Votes: 314	Total Votes: 291	
5	18018-Lutheran Church School	2	499	CDC: 468	CDC: 448	34
				UP: 23	UP: 15	
				Valid Votes: 491	Valid Votes: 463	

				Invalid: 11	Invalid: 2	
				Total Votes: 502	Total Votes: 465	
6	18021-Deblangken	1	298	CDC: 290	CDC: 247	40
				UP: 4	UP: 4	
				Valid Votes: 294	Valid Votes: 251	
				Invalid: 4	Invalid: 8	
				Total Votes: 299	Total Votes: 259	
7	18019-P. G. Neh High School	4	304	CDC: 289	CDC: 193	90
				UP: 17	UP: 17	
				Valid Votes: 306	Valid Votes: 210	
				Invalid: 3	Invalid: 4	
				Total Votes: 309	Total Votes: 214	
8	18021-Deblangken	2	298	CDC: 298	CDC: 273	24
				UP: 0	UP: 0	
				Valid Votes: 298	Valid Votes: 273	
				Invalid: 1	Invalid: 1	
				Total Votes: 299	Total Votes: 274	
9	18001-Jarkapo Public School	2	280	CDC: 284	CDC: 234	35
				UP: 4	UP: 8	
				Valid Votes: 288	Valid Votes: 242	
				Invalid: 3	Invalid: 3	
				Total Votes: 291	Total Votes: 245	

B. Complaint letter filed by UP Representative in Grand Kru



C. Response to UP's Complaint from the Magistrate in Grand Kru

