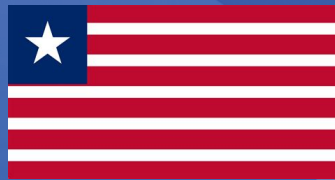




European Union
Election Observation Mission

LIBERIA 2023

Final Report



General Elections and Presidential run-off

10 October 2023
and
14 November 2023



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LIBERIA, 2023

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*The Election Observation Missions are independent from the institutions of the European Union.
The views and opinions expressed in this report are those of the authors and do not necessarily
reflect the official policy and position of the European Union.*

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LIST OF ACRONYMS

ACHPR	African Charter on Human and Peoples' Rights
ACHPR-PW	African Charter on Human and Peoples' Rights on the Rights of Women in Africa
ALCOP	All Liberia Coalition Party
ALL	African Liberation League
ALP	All Liberian Party
AU	African Union
AUCPCC	African Union Convention on Preventing and Combating Corruption
BoC	Board of Commissioners
BVR	Biometric Voter Registration
CBO	Community-based Organisation
CDC	Coalition for Democratic Change
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CFR	Campaign Finance Regulations
CPP	Collaborating Political Parties
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organisation
CVE	Civic and Voter Education
DNA	Democratic National Allegiance
DPPL	Democratic People's Party of Liberia
ECC	Elections Coordinating Committee
ECOWAS	Economic Community of West African States
EISA	Electoral Institute for Sustainable Democracy in Africa
ELBC	Equatorial Latitude Broadcasting Corporation
EOM	Election Observation Mission
FOI	Freedom of Information
FRR	Final Registration Roll
GC	General Comment
GDM	Grassroots Development Movement

HoR	House of Representatives
HRC	UN Human Rights Committee
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IIC	Independent Information Commission
IMC	Independent Media Commission
IND	Independent
IPCC	Inter-Party Consultative Committee
IWL	Integrity Watch Liberia
JSF	Joint Security Forces
LB	Liberia Broadcasting System
LEON	Liberia Elections Observation Network
LFM	Liberia First Movement
LFP	Liberians for Prosperity
LINU	Liberian National Union
LMA	Liberian Marketing Association
LNP	Liberia National Police
LNTV	Liberia National Television
LP	Liberty Party
LPP	Liberian's People's Party
LRP	Liberia Restoration Party
LTA	Liberia Telecommunications Authority
LTP	Liberia Transformation Party
MDR	Movement for Democracy and Reconstruction
MO	Magisterial Office
MoCI	Ministry of Commerce and Industry
MoU	Memorandum of Understanding
MPC	Movement for Progressive Change
MPT	Ministry of Posts and Telecommunications

NDC	National Democratic Coalition
NEC	National Elections Commission
NEL	New Elections Law
NLP	New Liberia Party
NMC	National Media Council
PUL	Press Union of Liberia
PUP	People’s Unification Party
PWD	Persons with Disabilities
REBUILDERS	Liberia Rebuilding Party
RNC	Reformers National Congress
SME	Small and Medium-sized Enterprises
UIS	UNESCO Institute for Statistics
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Programme
UNMIL	United Nations Mission in Liberia
UP	Unity Party
VOLT	Vision for Liberia Transformation
VRR	Voter Registration Roll

I. EXECUTIVE SUMMARY

In August, Liberia celebrated 20 years of peace following a long and brutal civil conflict. The 2023 general elections were its fourth post-conflict and the first general elections solely organised by the Liberian institutions since the departure of the United Nations Mission in Liberia (UNMIL). On 10 October, Liberians voted for president and vice-president, half of the Senate members, and all House of Representatives members.

Both rounds of presidential election brought a very tight result. In the first round, the incumbent President George Weah, leader of the Coalition for Democratic Change (CDC), received 43.83 per cent and Joseph Boakai, leader of the main opposition Unity Party (UP), 43.44 per cent of the votes (some 7,000 votes of margin). In the run-off, Joseph Boakai received 50.64 per cent and won election with a margin of some 20,000 votes. The incumbent rapidly accepted the result. Neither of the major parties obtained an absolute majority in any chamber although the ruling CDC won significantly more parliamentary seats than the UP.

A largely peaceful campaign was vibrant but less intensive before the run-off election. While political freedoms were largely respected, the use of state resources by the incumbency and the lack of oversight of campaign finance regulations by the NEC distorted the level playing field. Despite numerous challenges, the National Elections Commission (NEC) efficiently managed the preparations leading to successful election days which showed Liberians' democratic commitment and were positively assessed by the EU EOM observers. Following the concession by the incumbent, a peaceful transition of power has begun, further consolidating democracy in the country.

Overall, the **legal framework** provides a reasonable basis for the conduct of democratic elections. The Constitution guarantees fundamental freedoms, except for a discriminatory racial provision regarding Liberian citizenship, and election-related legislative provisions are generally in line with international and regional standards. However, the legal framework is characterised by shortcomings – related to the absence of criteria for the establishment of political parties, uneven legal requirements for candidate registration, limited legal standing, as well as loopholes and ambiguities related to the jurisdiction of election magistrates, electoral dispute resolution and electoral offences, thus rendering its understanding and application by the election administration, electoral contestants and legal professionals cumbersome.

Failure to review delineation of electoral districts since 2011 resulted in a significantly unequal **distribution of registered voters** amongst them, undermining the principle of equality of the vote and proportional representation in the elective body.

Voter registration is conducted under an active system. Newly introduced biometric voter registration contributed to identification of multiple and suspect records in the voter registration roll; however, technical problems during registration and systemic procedural shortcomings weakened stakeholders' confidence in its accuracy. Lack of effective measures to include voters reaching voting age between the registration period and election day and those who cannot present themselves at registration centres effectively disenfranchise a significant number of voters. Centralised registration centres in combination with long distances and poor infrastructure hamper voters' opportunities to exercise their right to vote.

The **registration of candidates** was well managed and generally inclusive, although limitations on the right to stand fall short of international commitments and good practice. Further, undue registration requirements, in particular considerable registration and processing fees and financial deposit in combination with the required in-person registration in the capital, posed unreasonable obstacles to candidacies, primarily for already underrepresented groups, especially women.

Since the 2017 elections, the NEC has been increasingly assuming the ownership of the electoral process and, for the first time, fully implemented the general elections. Despite a compressed timeframe and serious logistical challenges, **the election administration** managed the preparations for both election rounds in an efficient manner. Nevertheless, the operational capacity of the NEC and its ability to fulfil its mandate independently was strained by severe budgetary constraints (cuts and late disbursements) and a lack of technical and administrative capacities. The NEC missed the opportunity to address stakeholders' concerns early enough with a view to increase public confidence through more effective and comprehensive communication and information sharing. While the communication by the NEC increased and improved over the course of the process, in a few instances, vague information and delayed reporting resulted in confusion among the public and left room for speculation.

The election campaign was vibrant with a high number of campaign activities including several large rallies with the presence of presidential candidates. Campaign freedoms were mostly respected. The campaign was largely peaceful; however, tensions grew towards both election days and isolated incidents of election violence were reported. Civil society, traditional and religious leaders played a constructive role in their support of a peaceful election process.

While the **campaign finance** regulations are comprehensive and largely in line with international standards, their lack of enforcement and the abundant use of state resources distorted the level playing field. Direct EU EOM observation and information from stakeholders showed a high level of monetisation of the electoral campaign. The widespread practice of distribution of cash and goods reduced transparency and had a corrupting influence on the voters. The necessary political will to address corruption and to enforce campaign finance regulations is paramount to ensure equality, transparency, and accountability in future elections.

Freedoms of expression and the press are respected in Liberia. However, political patronage, low salaries, and a lack of diversified funding streams result in self-censorship that is the main issue in the media landscape today and has a negative impact on the quality and diversity of the messages transmitted to the public during elections. Despite some minor incidents, most journalists freely covered the elections. State-owned broadcaster Liberia Broadcasting System, that operates radio station ELBC and television channel LNTV, allocated most of its prime-time content to government messages and the ruling CDC.

Absence of a regulatory framework for personal data protection and cybersecurity facilitated a fertile ground for cases of cyber-bullying, usage of inflammatory language and incitement messages, discrediting electoral contestants and sapping voters' trust in the electoral process. Facebook was the most used platform for online political discussions and campaigning, marred by instances of derogatory rhetoric and fabricated content, which targeted electoral actors, including observer groups. On a positive note, four main fact-checking initiatives performed

verification and scrutiny of political and electoral content, helping voters to make a better-informed choice.

Despite a soft quota in the national legislation and a voluntary commitment by parties to ensure at least 30 per cent **women** on their candidate lists, only 15.5 per cent of the candidates were women. Among the newly elected legislators, 10 per cent are women. Lack of adequate financing and fear of violence prevented women from effectively campaigning.

The lack of precision in some provisions of the New Elections Law regarding the deadlines for filling **post-election complaints** not only led to uncertainty for electoral contestants and legal professionals, but also to a number of complaints that were dismissed by NEC election magistrates and hearing officers. They were remanded on appeal by the NEC Board of Commissioners due to incorrect application of the law.

Some 62 complaints were filed with NEC election magistrates across the country, alleging malpractices and irregularities related to the Senate and House of Representative elections. Many were not sufficiently detailed and dismissed for lack of evidence, while some were filed by voters or party agents and therefore dismissed for lack of legal standing. The majority of NEC election magistrates and hearing officers demonstrated professionalism and knowledge of the process. Nevertheless, although the right to a due process was ensured, hearings were overly concentrating on technicalities instead of fact-finding, leading to a protracted adversarial process that in several cases exceeded the 30-day time limit foreseen in the law.

First-round election day was generally peaceful, with only isolated cases of incidents, mostly as a result of voters' frustration due to the high turnout combined with slow processing of polling or late opening in some polling places. While the conduct of voting was generally evaluated by the EU EOM observers as well-organised and smooth, the counting phase was assessed less positively due to omission or incorrect implementation of several important procedural steps intended to ensure integrity of the count. The tally process was observed to be efficient and well organised, comprising robust procedural safeguards and transparency measures, although protraction of the process was at times necessitated by corrections of errors and inconsistencies in result forms, explanations of the procedures, and at times disruptions by party agents. Significant presence of party and candidate agents and election observers contributed to transparency.

The run-off election day was overall calm, although a few minor incidents involving physical violence occurred across the country. The polling, as observed by the EU EOM, proceeded smoothly and orderly and was assessed positively as well organised in the overwhelming majority of polling places observed. In polling places visited by the EU EOM, voting procedures were generally followed with only few procedural irregularities noted, primarily caused by confusion over the inking procedure. The voting process was marked by numerous observed instances of party agents keeping track of voters' data, raising concerns over undue influence or intimidation of voters. The counting was mostly observed to be conducted efficiently, accurately and in a transparent manner, but important reconciliation steps were often omitted in an effort to speed up the process. The run-off tally process, observed in all 19 tally centres, was positively evaluated as transparent, efficient and largely professionally organised.

Priority Recommendations

The EU EOM has made 22 recommendations for improving the way elections are conducted in Liberia. They include six priority recommendations:

- 1. Review the legal framework in a holistic manner in order to address loopholes, ambiguous and contradictory provisions related to candidate registration, campaign finance, submission and adjudication of complaints and appeals for all stages of the electoral process to ensure a coherent application and implementation by the NEC election magistrates and hearing officers, as well as better understanding by electoral stakeholders.*
- 2. Provide the NEC with requisite and timely allocated financial resources corresponding to its legal and operational responsibilities to ensure its independence and efficiency.*
- 3. Further decentralise the voter registration process and increase the number of voter registration centres to provide appropriate opportunities for voters to participate in the electoral process.*
- 4. Empower the NEC through enhanced resources and capacity to enforce the campaign finance regulations to improve the equality, transparency, and accountability of the elections.*
- 5. Adopt temporary special measures (gender quotas) to achieve gender equality in the legislature.*
- 6. In order to adjudicate the election complaints in a more expedient manner as well as to increase public confidence in the process, the secondment of court magistrates during the electoral period instead of lawyers, to adjudicate complaints at first instance level could be considered. Sufficient funding to be provided for the organization of multi-day training on electoral dispute resolution for NEC election magistrates and hearing officers.*

II. INTRODUCTION

The European Union (EU) deployed an Election Observation Mission (EOM) to observe the 10 October general elections in Liberia following an invitation from the Liberian authorities. The EOM was present from 27 August to 10 December 2023, observing the 10 October general elections and the 14 November run-off presidential elections.

The EU EOM was led by the Chief Observer, Andreas Schieder, Member of the European Parliament from Austria. The EU EOM comprised a core team of 11 experts based in Monrovia.

Twenty long-term observers (LTOs) were deployed from 5 September to 20 October for the 10 October general elections and from 29 October to 26 November for the presidential run-off and they covered all 15 counties of the country.

Forty short-term observers (STOs) were deployed from 3 to 13 October and 36 STOs from 10 to 19 November. For election day, the EU EOM was reinforced with 20 locally recruited observers (LSTOs) from diplomatic representations of the EU Member States and with 8 LSTOs for the run-off election.

In addition, a delegation of seven Members of the European Parliament (MEPs), led by Mr. Leopoldo López Gil, Member of the European Parliament from Spain, joined for the first round and six MEPs came for the run-off. In total, the EU EOM deployed for the first round 103 observers from 27 EU Member States, as well as from Canada and Norway, and 85 observers for the run-off.

The mission's mandate was to observe all aspects of the electoral process and assess the extent to which the elections complied with regional and international commitments for elections, as well as with national legislation. The EU is independent in its findings and conclusions. The mission followed an established methodology and adhered to the "Declaration of Principles for International Election Observation", endorsed under United Nations auspices in October 2005 and now espoused by over 50 organisations.

III. POLITICAL CONTEXT

In August, Liberia celebrated 20 years of peace, following a long and brutal civil conflict. The 2023 general elections were its fourth post-conflict and the first general elections solely organised by the Liberian institutions. In March 2018, the UN peacekeeping mission in Liberia (UNMIL) ended after 15 years of presence. Significantly, prior to the official campaign period, key stakeholders, including prominent presidential candidates, signed the revised Farmington River Declaration, inspired by a need to promote a peaceful election.

These elections took place against the backdrop of an increasingly polarised political environment, continuous economic crisis, widespread poverty and corruption, high-level unemployment, mostly among the youth, and perceived nepotism. This development was contributing to growing public dissatisfaction that was partially reflected in the outcome of the 2020 mid-term senatorial elections when the ruling Coalition for Democratic Change (CDC) won only 3 out of 15 contested senatorial seats. The coalition of opposition parties Collaborating Political Parties (CPP), including Unity Party, won six seats, four senatorial seats were won by independent candidates and remaining two seats by other opposition political parties.

On 10 October, Liberians voted for president and vice-president, half of the Senate members, and all House of Representatives members. The 2023 presidential elections were contested by 20 presidential candidates, including the same two main contenders of the 2017 elections.

Incumbent President George Weah, leader of the Coalition for Democratic Change (CDC), was endorsed by the coalition as their presidential candidate in February 2023. The Vice-President Jewel Howard Taylor, senior politician and former wife of Charles Taylor, with her base in Bong County, was endorsed for the vice-presidential seat.

The main opposition Unity Party (UP) left the CPP coalition after series of disagreements within the opposition in 2022. The UP nominated former vice-president and the leader of the UP, Joseph Boakai, as its presidential candidate and Senator Jeremiah Koung from Nimba County as its vice-presidential candidate. Jeremiah Koung was elected to the Senate on the ticket of the Movement for Democratic Reconstruction (MDR), founded by Senator Prince Johnson who had supported George Weah in the 2017 presidential election.

The personality of the candidate and the ethnic origin were key criteria for political parties to select their presidential and vice-presidential candidates. The ethno-regional division and tribal lineage continued to be dominant aspects in the Liberia’ political life.

The first round of presidential election on 10 October brought a very tight result as George Weah received 43.83 per cent and Joseph Boakai 43.44 per cent of the votes (some 7,000 votes of margin). Of the remaining 18 candidates, only four received more than one per cent of the votes: Edward Appleton from the Grassroots Development Movement (GDM) 2.2 per cent, Lusinee Kamara from the All Liberia Coalition Party (ALCOP) 1.96 per cent, Alexander Cummings from the Collaborating Political Parties (CPP) 1.61 per cent, and Tiawan Gongloe from the Liberian People’s Party (LPP) 1.44 per cent.

A total of 985 candidates were running for 15 senatorial seats and 73 seats in the House of Representatives. Neither of the major parties got the absolute majority in any chamber. The CDC obtained 6 seats in the Senate and 26 seats in the House of Representatives (HoR), while the UP in a coalition with the MDR obtained 2 and 16 in the respective chambers. Independent candidates won 6 seats in the Senate and 17 in the House of Representatives. Notably, there is a significant turnover of the sitting members of the legislature as less than 40 per cent of them were re-elected.

IV. IMPLEMENTATION OF PREVIOUS EU EOM RECOMMENDATIONS

The 2017 EU EOM offered 23 recommendations for consideration, including six priority ones, to the authorities, the NEC, political parties, and civil society organisations. Thirteen recommendations required law reform (mainly of the NEL), with four necessitating amendments to the Constitution. The remaining ten recommendations required revision of NEC regulations or practical measures by the NEC to improve its capacity.

The few areas where the 2017 recommendations have been implemented include the amendment of the Code of Conduct Law and the extension of observation period for domestic observers to the whole electoral cycle. The implementation of genuine media reform was partially implemented, with the enactment of the Kamara Abdullah Kamara Act of Press Freedom. A recommendation on the “formulation of harmonised regulatory requirements in one single legal instrument to be issued by the NEC” regarding the holding of campaign events was partially implemented, as the NEC coordinated major campaign events to avoid clashes of campaigns. Likewise, a recommendation to improve access and opportunity of the right to vote for persons with disabilities (PWDs) was partially implemented, as the tactile ballot guides were largely available on election day.

Many of the previous recommendations remain to be implemented and are considered pertinent by the EU EOM 2023. These related to the boundary delimitation, a mandatory gender quota, the political party registration criteria and candidate nomination requirements, the establishment of an appropriately resourced department within the NEC on campaign and political party finance and increase of the NEC’s capacity to scrutinise campaign finance reports, the timely publication of the NEC’s decisions, introducing a legal provision allowing for free airtime to political parties and candidates in the state-owned broadcaster, a reform of the state-owned

media into public media, the establishment of a lower appeals court, the amendment of legal provisions on electoral offences, the revision of appeal timelines and those related to complaints to presidential election results, as well as the recruitment and training of poll watchers.

V. LEGAL FRAMEWORK

Need for a holistic electoral reform that will address the ambiguities of the legal framework, provide for more transparency as well as better protection of the right to an effective remedy.

International Principles and Commitments

Liberia is a signatory state and has ratified a number of treaties and conventions, including the International Covenant on Civil and Political Rights (ICCPR) and its Optional Protocol 2 on the abolition of the death penalty, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the UN Convention on the Rights of Persons with Disabilities (CRPD), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the UN Convention Against Corruption (UNCAC), the African Charter on Human and Peoples' Rights (ACHPR), the African Charter on Democracy, Elections and Governance and the AU Convention on Preventing and Combatting Corruption. International treaties signed and ratified by Liberia have to be domesticated in order to have the force of law in the country.

Constitutional Human Rights

The supreme law of Liberia is to be found in the 1986 Constitution of the Republic of Liberia, adopted by a National Referendum on 3 July 1984. It replaced the 1847 Constitution, the first adopted since the foundation of the country, which was suspended on 12 April 1980 following the coup d'état. As the fundamental law of the country, the Constitution defines, *inter alia*, the structure and the system of government, the rights and duties of the citizens, the system for adoption of laws as well as issues related to the elections. The Constitution guarantees the protection of fundamental rights and freedoms without discrimination on the grounds of "ethnic background, race, sex, creed, place of origin or political opinion". It further includes provisions protecting the freedoms of expression, movement, assembly and association, the press and the right to information.

For the Constitution to be amended, a proposal backed by either two thirds of both houses of the legislature or a petition of no less than 10,000 citizens with the concurrence of two thirds of both houses of the legislature is required.¹ No sooner than one year following action of the legislature, a referendum ratifying the proposal by two thirds of the valid votes cast must be achieved. A National Referendum in 2020 to amend the Constitution on eight specific points did not obtain the required two-thirds majority. Among the referendum questions were: allowing a natural-born Liberian citizen to hold another citizenship but not qualify for elected national or public service positions; the reduction of the term of office of the president and vice-president

¹ Article 91 of the Constitution.

from six to five years, and of the senators from nine to seven years; the change of the election date from the second Tuesday in October to the second Tuesday of November of each election year, so that elections would not be organised during the rainy season; the reduction of the time limit allocated to the NEC to adjudicate election complaints from 30 to 15 days; and the reduction of the terms of the President Pro Tempore of the Senate and of the Speaker and Deputy Speaker of the House of Representatives from six to five years.

Electoral Legislation

The main legal framework for the general elections is the Constitution of Liberia of 1986 and the New Elections Law (NEL) of 1986, as lastly amended in 2014.² The legal framework is further complemented by several regulations adopted by the National Elections Commission (NEC), as well as relevant opinions of the Supreme Court of Liberia relating to electoral matters. The National Code of Conduct for All Public Officials and Employees of the Government of Liberia (Code of Conduct Law) adopted in 2014 and last amended in 2022, together with the questionable presidential Executive Order No. 117 of March 2023, also complement the electoral legal framework.³

Overall, the legal framework provides a reasonable basis for the conduct of democratic elections. Election-related legislative provisions are generally in line with international and regional standards ratified by Liberia. However, many important details of the legal framework are not included in the NEL but in the NEC regulations, rendering its understanding and application cumbersome, whereas some of its provisions would benefit from more clarity. The constitutionality of the NEC Regulations and Procedures Relating to Political parties, Coalitions, Alliances and Independent Candidates and in particular the financial requirements for standing in elections has been challenged by independent candidates in two separate complaints, as being contrary to the provisions of Article 30 of the Constitution.⁴

² The New Elections Law of 1986, as amended in 2003, 2004 and lastly in 2014, and codified by the Ministry of Justice in 2016, is the key piece of legislation governing the upcoming elections. It regulates the electoral process, including the organization and administration of the NEC, the registration of voters, political party expenses, election complaints, and electoral offences.

³ The December 2022 amendment reduced the period for resignation for officials appointed by the president to one year instead of two, and also one year for officials holding a tenured position instead of three years. Despite this amendment, on 14 March 2023 the president issued Executive Order No. 117 mandating all appointed officials of the government aspiring to contest elective positions in the upcoming general elections to resign on or before 7 April 2023. The deadline mandated by the president does not fall within the one year prescribed by the Code of Conduct. This executive order was challenged in the Supreme Court in March 2023 by a political party, the Economic Freedom Fighters of Liberia; the chambers denied issuing the writ of prohibition requested, on the ground that “the President has taken additional measures to protect the integrity of the process”; until the EU EOM departure, the case was pending before the full bench of the court.

⁴ Article 30 of the Constitution lists the requirements for aspirants for legislative seats. The determination of both cases, on appeal before the Supreme Court, was until 10 December 2023 still pending, as the Court characterized the matter as an election-related case that did not have a timeline requirement.

Concrete efforts were undertaken since 2019 by civil society organisations, the NEC and the legislature to amend the NEL, which would, if have been adopted, implement a number of prior EU EOM recommendations. Several provisions of the electoral amendment bill⁵ that were submitted to the Office of the President in October 2022 were vetoed by the latter five months later, citing the short time frame before the October 2023 elections and contravention or inconsistencies with other provisions of existing laws, including the Constitution. The inactivity of the legislature to override the presidential veto, which would have been possible based on constitutional provisions,⁶ represented a missed opportunity for meaningful electoral reform that would have introduced significant improvements to the legal framework in relation to the electoral justice, the participation of women and diaspora, the independence of the election administration, and the transparency of the process. As a result, the NEL is still characterised by shortcomings related to the absence of criteria for the establishment of political parties, uneven legal requirements for candidate registration, limited legal standing as well as loopholes and ambiguities related to the jurisdiction of election magistrates, electoral dispute resolution and electoral offences.

Priority recommendation: Review the legal framework in a holistic manner in order to address loopholes, ambiguous and contradictory provisions related to candidate registration, campaign finance, submission and adjudication of complaints and appeals for all stages of the electoral process, so to ensure a coherent application and implementation by the NEC election magistrates and hearing officers, as well as better understanding by electoral stakeholders.

Electoral System and Constituency Delimitation

The President of the Republic is elected in a single national constituency through a majoritarian electoral system for six years and a maximum mandate of two terms. If no candidate receives 50 per cent plus one of the valid votes cast and results are not challenged, a second round is held between the two leading candidates 14 days after the announcement of the final results. The winner of the run-off is then decided by a simple majority. According to the Constitution, the inauguration date is the third Monday of January.

The NEC is responsible for establishing electoral districts and reapportioning them in accordance with population figures following a national census and before the subsequent elections. According to the Constitution, the total number of electoral districts for the House of Representative elections should not exceed 100, and each one should have an approximately equal population. While the Constitution requires the conduct of a national census every ten

⁵ An “Act to Amend Certain Sections of the New Elections Law (1986) as Amended through 2014.” It included amendments to 33 sections of the law, providing, *inter alia*, for voting rights of Liberians residing abroad that would be in force from 2035, a mandatory quota of 30 per cent for women on party lists and structures that would be implemented progressively, continuous voter registration, the increase of the number of voters in voting precincts from 3,000 to 4,000, the extension of the voters registration roll exhibition period as well as detailed regulation of hearing and adjudication of election complaints that would increase the independence of NEC election magistrates.

⁶ Article 35 of the Constitution stipulates that “a presidential veto may be overridden by a vote of two-thirds of each House; or, if the President does not return the draft law within 20 days, it shall become law”.

years, the last census was postponed and finalised by December 2022, 14 years after the previous one, due to delays related to the COVID-19 pandemic and some institutional challenges. The provisional data of the 2022 census, according to which the population amounts to 5.25 million, show an increase in inhabitants of 50.4 per cent compared to the 2008 census result.

In view of the fact that a threshold of average number of citizens for setting up an electoral district must be determined by the legislature and the final census results were not duly released, a new reapportionment did not take place ahead of the 2023 general elections. Thus, the delineation of electoral districts has not changed since 2011. Consequently, there is a significantly unequal distribution of registered voters amongst the electoral districts, undermining the principle of equality of the vote and proportional representation in the elective body.⁷ Specifically, 49 out of the 73 electoral districts have a deviation of more than 15 per cent from the average number of registered voters per mandate, with almost half of them above 40 per cent (see Annex 1), not in line with national legislation and international standards.⁸

Recommendation: Review delimitation of the electoral constituency boundaries in line with the national legislation, international standards and good practice, to uphold equality of the vote and proportionate representation.

VI. ELECTION ADMINISTRATION

Despite compressed schedule and serious logistical challenges, election administration efficiently managed the election preparations.

Structure and Composition of the Election Administration

The elections were administered by two-tiered permanent structures comprised of the National Elections Commission (NEC) and its 19 magisterial offices (MOs),⁹ as well as temporary personnel committed at county, district and polling place levels. The NEC is an independent body managed by a seven-member Board of Commissioners (BoC), appointed for a renewable

⁷ See Art. 25 of the ICCPR which stipulates that “Every citizen shall have the right and the opportunity (...) to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage.” Paragraph 21 of the UN HRC General Comment 25 on Article 25 of the ICCPR states that “[...] within the framework of each State’s electoral system, the vote of one elector should be equal to the vote of another. The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters [...]”.

⁸ Given that the EU EOM did not have the latest population data per electoral district (which also do not correspond to the administrative division of the country) at its disposal, the calculations were made based on the voter registration data. The biggest disparities have been found in the counties of River Gee where one mandate gets a share of some 12,500 voters on average (more than 60 per cent less than the average ratio) and Montserrado in which all but one district evince a deviation of more than 15 per cent, with the highest extremes in ED 4 with 75,514 voters per mandate (123 per cent more than the average ratio) and ED 17 with 73,153 voters per mandate (116 per cent more).

⁹ In general, magisterial areas correspond to administrative division to counties, with exception of Bong, Lofa, Montserrado, and Nimba, where the magisterial areas are further divided into upper and lower ones.

seven-year term by the president with a consent of the Senate. Four of the current commissioners, including the chairperson and co-chairperson, are women.

Each magisterial area is served by a senior election magistrate and an assistant election magistrate, assisted by logistics and security officers. With only two women among the senior magistrates, men predominate among the MO permanent staff. For these elections, the NEC recruited around 39,000 temporary personnel to reinforce its structures, primarily for voter and candidate registration, election preparations, and election-day operations. While the current permanent staffing levels are considered adequate, officials in various NEC departments voiced concerns over prospective shortage of experienced and skilled personnel in view of forthcoming retirement of various officials from the senior management, calling for the need to strengthen the current internal capacities. Despite this, the NEC has not put in a systematic effort to provide continuous professional training for the permanent electoral personnel.

The perceived impact of the appointment procedure for the BoC by the executive on impartiality and independence of the NEC evoked widespread views on the NEC as a politically influenced body. The proposed 2022 legislative amendments to the NEL endeavoured to address the issue and introduced several measures to enhance independence and impartiality of electoral bodies (a consultative public scrutiny process for nomination of the NEC commissioners, a staggered appointment of the BoC to facilitate continuity in the executive body, as well as open appointment and recruitment process for NEC executive director and election magistrates). Such positive alterations might be reconsidered by the new legislature in order to strengthen the election administration and bolster the public trust.

Administration of the Elections

The NEC bears overall responsibility for conducting elections and regulating the process, having strong oversight, monitoring and sanctioning powers. Since the 2017 elections, the NEC has been increasingly assuming the ownership of the electoral process and, for the first time, fully implemented the general elections, with only limited area-oriented technical support from international partners.¹⁰

Nevertheless, the operational capacity of the NEC and its ability to fulfil its mandate independently was strained by severe budgetary constraints and a lack of technical and administrative capacities, most notably in respect to oversight and educational responsibilities. The originally requested budget of some USD 91 million for the 2023 general elections was curtailed to some USD 53 million, released in sequential payments. Like many Liberian institutions, the NEC criticised its budgetary dependence on the Ministry of Finance and

¹⁰ The United Nations Development Programme provides technical support through its Liberia Election Support Project aimed at strengthening the inclusion and transparency of the electoral process, enhancing civic and voter education and communication, strengthening the NEC's capacities and integrity, providing expertise in the area of IT and data management, and reinforcing election violence prevention. Within the technical assistance projects, the African Union and the ECOWAS recruited in total four technical specialists, including a cybersecurity expert, for the NEC data centre to assist with the data management. Both institutions further provided financial support as well as a few vehicles for field operations.

the belated disbursement of funds. This led to delays in procurement of materials, a lack of budget allocations to MOs, and delayed payments of remuneration to the electoral officers and contracted organisations conducting the voter education activities.¹¹

Priority Recommendation: Provide the NEC with requisite and timely allocated financial resources corresponding to its legal and operational responsibilities to ensure its independence and efficiency.

Throughout the electoral period, the election administration was confronted with stakeholders' doubts over its technical and financial capacities to efficiently manage and supervise the process without direct involvement of external partners, generally low confidence in its independence, and multiple accusations challenging the integrity of the electoral process. Following the 10 October elections, a few cases of electoral malpractices reported by the NEC after the first round and subsequent investigations in this respect further undermined contestants' confidence in the electoral administration. Moreover, the low trust was further diminished by allegations of bias of some, primarily temporary, personnel of all levels in favour of individual candidates, raised by several first-round contestants. In this context, the NEC missed the opportunity to promptly use the established communication channels, including meetings of the Inter-Party Consultative Committee (IPCC), press briefings and statements, to effectively address the stakeholders' concerns and communicate with the general public. Moreover, the IPCC, as a platform for dialogue with the stakeholders, appeared not to be efficiently used by either the electoral contestants or the NEC.

There are no legal provisions for openness in the NEC's work, and the BoC decisions and other relevant documents were not published in a systematic manner, detracting from transparency.¹² The official NEC website was not regularly updated and information under certain pages was highly outdated. However, if used more efficiently, the website could serve not only to provide information of interest to the public, but also for download and submission of necessary documentation. For the 2023 general elections, the NEC attempted to increase channels of public communication, using social media platforms, weekly information bulletins and weekly or daily press briefings, yet these were still perceived as insufficient by most stakeholders. After the first-round election day, the communication by the NEC increased and improved, yet in a few instances vague information and delayed reporting on results from some tally centres resulted in

¹¹ The item g) of the section III of the AU Declaration on the Principles Governing Democratic Elections in Africa obliges the governments to "ensure the availability of adequate logistics and resources for carrying out democratic elections". In the article 15, para. 4 of the African Charter on Democracy, Elections and Governance, in which the state parties committed their governments to establish public institutions that promote and support democracy and constitutional order, stipulates that the states "shall provide the above-mentioned institutions with resources to perform their assigned missions efficiently and effectively".

¹² Paragraph 19 of the UN HRC General Comment 34 on the ICCPR stipulates that "[t]o give effect to the right of access to information, States parties should proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information."

confusion among the public and left room for speculation over conduct of the election personnel and announced results.

Recommendation: Publish relevant information on all aspects of the electoral process, including decisions, regulations and general documentation, in a timely and comprehensive manner to enhance transparency and public confidence in the NEC's work.

Despite a tight timeframe and serious logistical challenges encountered during both rounds, the election administration complied with most deadlines set in election calendar and managed the election preparations efficiently. The poor road infrastructure and the fact that the elections were conducted during the rainy season exacerbated technical difficulties for the election preparations. Moreover, some activities and decisions, especially prior to the first round, came late, particularly in relation to the distribution plans for election materials, delivery of training and educational materials, budget allocations, and instructions on the results tally process, adversely affecting the process. However, well ahead of the second round, the NEC launched preparatory operations, including arrangements to increase alternative transportation means, to ensure timely redistribution of election materials at magisterial level.

At the county level, most MOs managed the election preparations in a transparent and professional manner, but the EU EOM observers noted deficiencies in internal communication between the NEC headquarters and the county-level personnel, negatively affecting timely election planning, especially in relation to further material redistribution, primarily in remote and hard-to-access areas. Positively, to address unsatisfactory report for duty among some temporary personnel on 10 October election day, mostly attributed by the NEC personnel to transportation and meal allowances and salaries being paid in arrears, these payment arrangements were mostly adjusted prior to the run-off elections. However, issues with delayed salary payments persisted in some magisterial areas, primarily due to issues with mobile payment system and incorrect or incomplete personal data provided by the staff.

The NEC implemented an extensive cascade training for the polling personnel and intermediary staff prior to the 10 October elections. However, duration of the planned programme was considerably shortened due to a lack of resources.¹³ The quality and instructiveness of training programme observed by the EU EOM, during both rounds, varied across the country. While some sessions observed by the EU EOM were well organised, informative and included more practical rehearsal exercises, in some instances, the format used by the trainers did not always ensure clarity and comprehensiveness in explanation of the procedures which resulted in their inconsistent application on election days. In particular, the cascade format of training entailed a gradual information loss and imprecision with high dependence on comprehension of the matter by and training skills of the trainees who turned into the trainers. This could be avoided by creating a pool of skilled trainers who would supervise training programme for temporary personnel as well as provide continuous training for the permanent electoral personnel.

¹³ While for most categories of the personnel the training was supposed to last approximately a week, it was reduced to some three days in case of electoral supervisors and higher levels of polling staff.

In an effort to reduce procedural irregularities in the run-off, the NEC organised a workshop with election magistrates to discuss issues and challenges experienced during the first round. This lessons-learned event framed subsequent refresher training programme for lower-level personnel, with a special emphasis on closing and counting procedures, determination of validity of ballots, completion of electoral forms, and packing of electoral materials. Unfortunately, polling manuals used during the second-round training sessions were not adjusted to reflect procedural changes and, in some areas, training targeted only higher-ranking polling staff, excluding personnel primarily affected by the procedural changes and whose performance on the first as well as run-off election days was assessed less positively by their supervisors.

Recommendation: Strengthen capacities and broaden scope of activities of the NEC training department to implement comprehensive and continuous training for permanent and temporary electoral personnel.

To enhance transparency, the NEC repeatedly appealed to the electoral contestants to commit their representatives to all stages of election-day operations and provided series of training sessions for party agents to ensure their understanding of the process. In an effort to increase public confidence in the electoral process and address misinformation prior to the run-off, the NEC took part in several stakeholder engagement events, focused on media coverage of the process and violence prevention dialogues in certain areas. However, while welcomed as an initiative by stakeholders, late organisation and specific geographic focus resulted in relatively low awareness among the local actors, decreasing their potential impact on broader scale.

Voter Education

While not stipulated in the law, the principal responsibility for civic and voter education (CVE) lies with the NEC. The pre-election CVE campaign was preceded by a programme focused on voter registration process and exhibition period for voter registration rolls. The main CVE campaign was launched in early August, implementing a community-based approach with 81 CVE cells deployed over all 73 electoral districts. In order to reinforce the limited capacities and increase efficiency, the NEC CVE campaign was entrusted to well-versed local community-based organisations (CBOs).

Throughout the electoral period, the scope and intensity of the official CVE campaign varied across the country, with difficulties in reaching the remotest areas. In coordination with the NEC, the implementing CBOs in the NEC CVE cells developed county working plans of activities for individual districts. They focused primarily on explaining how to cast a vote to reduce invalid ballots, promoting peaceful elections, and raising awareness to ensure broader inclusiveness. Door-to-door activities, small community meetings and market visits were the main formats for transmitting information. While CVE events were envisaged for a period of over two months prior to election day, some CVE cells were provided with insufficient education materials or received them only some two weeks before elections, diminishing effectiveness of the CVE

activities. Positively, voter education was delivered also in local languages. On the other hand, the EU observers noted that printed and visual voter education materials were available only in English and none of them was appropriately adjusted for illiterate voters or voters with cognitive or other disabilities.¹⁴

In addition to the field programmes, the NEC produced a series of voter education videos, published on the Commission’s social platforms and website and shared by many other organisations, and radio jingles distributed to a preselected group of primarily community radios. In parallel to the official CVE campaign, a broad community of other CSOs, community radios as well as political parties conducted their own voter education activities with either materials provided by the NEC or their own, focusing on peacefulness and inclusiveness of the process and voting procedures, in order to limit the number of invalid ballots. To address low awareness and understanding of the electoral process among stakeholders and low trust in the election administration, the NEC could consider extending the scope of civic and voter education activities and develop and implement comprehensive long-term educational programmes aimed at various groups of stakeholders, such as political parties, civil society organisations, and voters.

Prior to the run-off elections, the official CVE activities, starting about a week before election day, remained limited and low-key and primarily focused on areas close to county and district centres. Based on evaluation of impact of the first-round CVE campaign, the NEC intended to implement a more in-person approach, with door-to-door activities, a series of community meetings and a roadshow. The main messages included the importance of voting, voting steps and procedures, marking of the ballot, and use of tactile ballot guide for voters with visual impairments. Similarly to the first round, the extent and intensity of the CVE campaign were affected by belated distribution of educational materials and payment arrangements to engaged organisations with limited resources for transportation options to ensure outreach to the remotest areas.

VII. VOTER REGISTRATION

Despite successful implementation of biometric voter registration, concerns over the accuracy and inclusiveness of the final registration roll persisted, primarily due to structural shortcomings.

The Right to Vote

The Constitution stipulates that every Liberian citizen not less than 18 years of age is eligible to vote and has the right to be registered as a voter,¹⁵ while it further defines that every citizen has the right to vote only in the constituency where she or he is registered, either in person or by

¹⁴ Paragraph 12 of the UN HRC General Comment 25 on the ICCPR requires that “[p]ositive measures should be taken to overcome specific difficulties, such as illiteracy, language barriers, [...] which prevent persons entitled to vote from exercising their rights effectively. Information and materials about voting should be available in minority languages. Specific methods, such as photographs and symbols, should be adopted to ensure that illiterate voters have adequate information on which to base their choice.”

¹⁵ Article 77 b. of the Constitution.

absentee ballot.¹⁶ Notably, the Constitution dictates¹⁷ that “In order to preserve, foster and maintain the positive Liberian culture, values and character, only persons who are Negroes or of Negro descent shall qualify by birth or by naturalization to be citizens of Liberia”. This provision, stipulating an ethnic definition of Liberian citizenship, is not in line with the country’s international and regional obligations prohibiting racial discrimination. Lacking public support, this issue was not included among the 2020 constitutional referendum questions.

Contrary to international standards, the legislation retains some restrictions on voting rights for citizens who have been declared incompetent or of unsound mind or who have been disenfranchised because of conviction of a serious crime that disenfranchised them as a voter and have not been restored to citizenship.¹⁸ The NEL further includes some cases of disqualification from voting (and from holding public office) for a period of seven years if convicted for bribery as an election offence, for “undue influence” and for stirring up unrest and rebellion during protest after declaration of election results.¹⁹ This last provision, lacking clarity and precision and with a potential for a wide scope of application, is not in conformity with the principle of proportionality and could potentially be used against political activists to restrict their suffrage rights.

Voter Registration Procedures

Voter registration is conducted under an active system in periodical intervals. Only voters who attained the required minimum age at the time of registration are entitled to be enrolled according to their ordinary residence in the country. Initially even planned to take place in late 2022, the voter registration period preceded election day by more than five months. This considerably long period left a significant number of citizens turning 18 in the interim effectively disenfranchised, at odds with international standards.²⁰ Similarly, no measures are in place to ensure registration and exercise of the right to vote for citizens in pre-trial detention, prisons and in-patient facilities.²¹ While the Constitution determines absentee voting as an option to exercise the right to vote, respective provisions in the NEL were omitted during the revision in 2004 and no other alternative voting methods have been introduced.

Recommendation: Introduce effective measures to ensure equal opportunity to register and exercise the right to vote for all eligible voters.

¹⁶ Article 80 c. of the Constitution.

¹⁷ Article 27 b. of the Constitution

¹⁸ Section 3.1 of the NEL. Infamous crime is a first- and second-degree felony.

¹⁹ Sections 10.4, 10.5 and 10.18 of the NEL.

²⁰ Paragraph 11 of the UN HRC General Comment 25 on the ICCPR underlines that “States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed.” Paragraph 4 *ibid.* states that “the exercise of [electoral] rights by citizens may not be suspended or excluded except on grounds which are established by law and which are objective and reasonable”.

²¹ Paragraph 14 of the UN HRC General Comment 25 on the ICCPR requires that “[p]ersons who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote.”

To address issues raised over accuracy of the voter registration roll (VRR) of past elections, the NEC for the first time implemented the biometric voter registration (BVR) procedures, collecting facial and fingerprint data together with other personal data of voters. The voter registration was conducted in 2,080 centres in two phases within a period from 20 March to 11 May 2023, and resulted in the collection of 2,488,904 individual records that were subjected to verification and deduplication procedures identifying 27,192 multiple records and flagging 529 suspected registrations of minors. While the registration centres, according to the NEC, encountered several technical faults, such as non-functioning equipment, human errors by inexperienced staff, and unclear procedures during the first phase of the process, the majority of issues were removed for the second one.

The National Muslim Council estimates that 10-15 per cent of the Muslim population eligible to vote were not able to register due to discriminatory practices, such as Muslim women required to take their headscarves off during the registration process and additional scrutiny and requirements for Muslims to prove their citizenship. Given the lack of proper national identification documents, this requirement can pose a significant barrier.

The preliminary VRRs containing 2,471,183 records were posted for public scrutiny in the registration centres for an exhibition period between 12 to 17 June. During this period, voters had the opportunity to verify their registration data and request corrections as well as challenge other records in the preliminary rolls. However, the MOs reported only limited numbers of such requests.²² Little interest in verification of the registration data may be result of various factors, such as long distances to registration centres, cumbersome procedures for corrections which shall be processed at the magisterial offices, and low public awareness of the process.²³ The NEC informed the EU EOM that an approximately ten per cent increase in number of registration centres, and thus voting precincts, had been projected for the 2023 general elections; however, these plans were eventually dropped due to insufficient financial resources.

The final registration roll (FRR), published on 1 July, comprised 2,471,617 registered voters, out of which 50.06 per cent were women and 49.94 per cent were men. This constitutes an increase of some 13 per cent compared to 2017 registration data; however, a slight decrease when compared to voter registration for the 2020 senatorial elections, with considerable fluctuation of registered voters across the counties (see Annex 2).²⁴ Based on the 2022 preliminary census data, indicating the adult population of Liberia at 3,073,269 inhabitants, it appears that some 80 per cent of eligible voters were registered.

²² While the initial issuance of voter cards is free of charge, replacement incurs a fee of USD 5. A requirement which many consider to have discouraging effect for voter to request new cards even if thus prevented to vote.

²³ Paragraph 12 of the UN HRC General Comment 25 on the ICCPR stipulates that “[p]ositive measures should be taken to overcome specific difficulties, such as ...impediments to freedom of movements which prevent persons entitled to vote from exercising their rights effectively.”

²⁴ While all counties experienced increase in registered voters in comparison to 2017, in 9 out of 15 counties, the number of registrants dropped since 2020, with the highest differences in Bomi (-20.3 per cent), Gbarpolu (-9.8 per cent) and River Gee (-8.0 per cent).

Misinterpreting the legal provisions, some opposition parties urged the NEC to publish the whole FRR for public scrutiny prior to 10 October election day. Claiming NEC's legal obligation to do so, they associated the fact that the Commission had not published the full FRR with potential tampering of the records.²⁵ In accordance with good international practice, the NEC shared copies of the FRR in electronic form with the electoral contestants, as per prior practice, some eight days before election day, attributing the prolonged processing to necessary encrypting of the files. This protracted period prior to sharing of the FRR further undermined the stakeholders' trust in the registration data. Unlike electoral contestants, citizen observers do not have access to aggregated voter registration data which could further enhance possibilities for an independent data verification. Some representatives of the opposition further questioned accuracy of the registration data, pointing to significant increments in numbers of voters registered in a few counties after the verification and deduplication exercise.²⁶ Despite several press appearances, the NEC did not adequately address these concerns.

Although the introduction of BVR represented an important step to enhance the voter registration process, concerns over the inclusiveness and accuracy of the FRR remained strong among many stakeholders. These concerns were associated primarily with the potential of registration of foreign citizens and minors as well as commonly used practice of transportation (trucking) of voters across electoral precincts for registration out of their constituencies of residence. Deficiencies of the registration system originate primarily from the facts that the concept of ordinary residence is fairly vague and difficult to verify due to shortcomings in address system and residence registration, and that the voters' eligibility during registration might be proven not only via official documentation, but also by way of oral testimonies by other registered voters or traditional leaders. In view of systemic procedural shortcomings outside of NEC competences, such as the absence of a national civil register²⁷ and adequate proof of identity and citizenship,²⁸ the current registration system is hampered by lack of sufficient safeguards to ensure verifiability of voters' eligibility and actual records and prevent potentially fraudulent registrations. While incentives for voters to be registered outside of their area of residence, aided by provided organised transportation, might be reduced by providing the registration centres closer to their

²⁵ The NEL prescribes that the FRR shall be available not later than two days prior to election day for public inspection at the voter registration centres (i.e. the voting precincts) and prohibits any alterations to be made to the FRR 30 days prior to election day. Neither the NEL nor NEC regulations prescribe publishing of the full FRR or its sharing with the political parties. The 2023 Voter Registration Regulation stipulates that "the NEC may provide stakeholders with electronic copies of the Final Registration Roll in a secured form", without determining any deadline.

²⁶ The counties in question indicated by the opposition were Grand Bassa, Margibi, and Montserrado. According to the EISA observers, who followed the whole process of the biometric voter registration, such discrepancies were result of a precipitate release of registration figures by the NEC before data from all registration centres have been synchronised which the NEC failed to properly explain to the public.

²⁷ Article 4.1 of the ECOWAS Protocol A/SP1/12/01 on Democracy and Good Governance stipulates that "[e]ach ECOWAS Member State shall ensure the establishment of a reliable registry of births and deaths. A central registry shall be established in each Member State."

²⁸ According to the National Identification Registry, as of September 2023, the national register database contained data of only some 700,000 inhabitants, including minors, out of which approx. 640,000 were issued a national identification document. Unlike in case of voter cards, there is a charge imposed on the issuance of the national ID.

places of residence, continuous updates of the registration roll or verification of voter registration data against the civil registration data could enhance the accuracy and inclusiveness of the voter registration roll.

Recommendation: In a coordinated effort of all relevant state institutions, continue establishing the national civil register by harmonising all pertinent registers and databases to provide an accurate and reliable basis for verification of the voter registration roll.

Priority Recommendation: Further decentralise the voter registration process and increase the number of voter registration centres to provide appropriate opportunities for voters to participate in the electoral process.

VIII. REGISTRATION OF CANDIDATES

Well-administered and generally inclusive process, although limitations on right to stand and undue registration requirements hamper equal opportunities to participate in elections.

Right to stand

Candidacy requirements are provided in the Constitution, the New Election Law (NEL) as well as the NEC Regulations and Procedures Relating to Political Parties, Coalitions, Alliances and Independent Candidates. In accordance with the Constitution, presidential and vice-presidential candidates must be natural born Liberian citizens, at least 35 years old, owners of unencumbered real property valued at not less than USD 25,000 and residents in the country for at least 10 years prior to the election. Senate candidates must be at least 30 years old while candidates for the House of Representatives must be at least 25 years old. All candidates to the legislature are required to be regular taxpayers, domiciled in their respective constituency for not less than one year prior to the election.

In accordance with the National Code of Conduct Act, as amended in 2022, some categories of state officials and civil servants may only stand as candidates if they resign from their positions at least one year prior to the elections.²⁹ Additionally, the July 2022 amendments to the Aliens and Nationality Law introduced a provision prohibiting persons with dual citizenship to stand for an elective office.³⁰ Restrictions on presidential candidacy based on residency and property value are at odds with the principles of non-discrimination and proportionality and international

²⁹ Those include, among others, ministers, deputy and assistant ministers, ambassadors and consuls, superintendents, managing directors or their deputies of state-owned companies, any executive member of commissions established by the legislature, and other governmental officials, civilian as well as military ones.

³⁰ Article 4.1 stipulates that a Liberian citizen holding the citizenship of another country shall not be eligible for any elective public office, unless she or he renounces the citizenship of the other country at least one year prior to applying to the NEC to contest for an elective public office, and such documentary evidence of the renunciation of citizenship of the other country shall be filed with a Circuit Court in Liberia and with the NEC at least one year before application to the NEC to contest for elective office.

standards.³¹ Right to stand or nominate candidates might be further restricted depending on individual results achieved in the elections. Affecting both independent candidates and political parties, the NEL imposes a suspension of these rights, for two subsequent elections for a respective office, in case the party or candidate fails to win the seat or receives fewer than 2 per cent of votes in the contested constituencies.³² While not yet fully enforced by the NEC due to its ambiguous nature, this provision unduly limits the right to participate in elections and is not aligned with the international and regional commitments.³³

Registration of Political Parties

The NEC is mandated to register and accredit political parties and maintain the register thereof. In order to achieve registration, an organising committee of at least 15 eligible voters must submit a certified membership list of at least 500 registered voters in each of at least 6 counties, a bank statement proving a minimum balance of USD 10,000, and a proof of an indemnity insurance policy of USD 100,000; the parties also need to pay a non-refundable registration fee of USD 1,800. All political parties are required to have established organisational structure with headquarters in the capital and local branch offices in each county or constituency in which the party intends to field a candidate in elections. The NEL extends the constitutional prerequisite for party membership from six to twelve counties in case of new political parties while maintaining the lower number of counties for the existing ones. Such a requirement challenges the principle of proportionality and equal treatment with respect to newly established parties. While this discrepancy was addressed in the proposed 2022 amendments, the provision yet remains effective. The current register contains 46 political parties which are entitled to participate in the electoral processes.

Registration of Candidates

Prospective candidates for all contests might be nominated by political parties, coalitions of parties or stand for an office independently. The process of candidate nomination and registration is centralised, requiring aspirants for elected offices to collect and subsequently submit their nomination documentation in person to the NEC at the nomination centre located in Monrovia. Upon submission, the nominating entities were required to pay a non-refundable registration fee,

³¹ Paragraph 15 of the UN HRC General Comment No. 25 to Article 25 of the ICCPR states that “persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation.” See further paragraph 3 *ibid.*: “No distinctions are permitted between citizens in the enjoyment of these [electoral] rights on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

³² This provision does not affect parties having a member continuing to hold the office of the president or in the legislature at the time of elections (e.g. in case of senators).

³³ Paragraph 15 of the UN HRC General Comment No. 25 to Article 25 of the ICCPR requires that “[n]o person should suffer discrimination or disadvantage of any kind because of that person’s candidacy.” See also the AU Declaration on the Principles Governing Democratic Elections in Africa, section IV, paragraph 2 which underlines that “[e]very citizen has the right to fully participate in the electoral processes of the country, including the right to vote or be voted for, according to the laws of the country and as guaranteed by the Constitution, without any kind of discrimination.”

in an amount depending on the candidacy, ranging from USD 500 for the House of Representatives elections to USD 2,500 for presidential race. Independent candidacies are, besides that, subject to the same registration requirements as political parties and must further be supported by signatures from voters, collected among the electorate of the contested constituency.³⁴ Voters could sign in support of only one contestant for each election in their respective constituency, which is contrary to international good practice and poses undue hurdles for participation of candidates, especially in constituencies with lower numbers of registered voters.

For the 2023 general elections, the nomination period lasted from 14 June to 14 July. The registration process of candidates managed by the NEC was well-administered and generally inclusive. However, undue registration requirements, in particular considerable registration and processing fees and financial deposit, posed unreasonable obstacles to candidacies, primarily for already underrepresented groups, especially women.³⁵ Although the public services in Liberia are generally largely centralised, the need to collect and subsequently submit nomination documents centrally in person is highly time-consuming and entails additional expenses for candidates from remoter constituencies. This could be overcome by complementarily facilitating the collection and submission of the nomination documents through the magisterial offices. Moreover, given the significant disproportions among sizes of constituencies and electoral districts in terms of registered voters, the required numbers of signatures for independent candidacies varied between 0.4 and 2.5 per cent of voters registered in the respective district for representative election and between 0.06 to 1.32 per cent in the senatorial contest, contrary to international good practice and principles of equal opportunity to stand for office.³⁶

Recommendation: Revise candidate registration and nomination requirements, such as registration and processing fees, bank deposit and unified numbers of supporting signatures for independent candidates, and facilitate the corresponding administrative process to ensure equal opportunities to participate in elections.

Initially, the NEC registered 1,030 candidates for all electoral races.³⁷ Subsequently, one candidate was deregistered following four complaints filed, challenging his declared residence.

³⁴ Numbers of required signatures vary according to the elected office; 300 from a contested electoral district for representative candidates, 500 for senatorial elections within the respective constituency, and 500 in each of at least six counties of the country for the presidential race. While non-applicable for the 2023 general elections, as indicated by the NEC, provisions for the signature collection were only to be found in the 2017 regulation for candidate nomination.

³⁵ Paragraph 16 of the 1996 UN HRC General Comment 25 to the ICCPR stipulates that “[c]onditions relating to nomination dates, fees or deposits should be reasonable and not discriminatory.”

³⁶ See Paragraph 17 of the 1996 UN HRC General Comment 25 to the ICCPR, which underlines that “[i]f a candidate is required to have a minimum number of supporters for nomination this requirement should be reasonable and not act as a barrier to candidacy”. For example, in the contest for the House of Representatives, the ratio of required signatures in the biggest electoral district 4 in Montserrado County, with 75,517 registered voters, accounts for some 0.4 per cent of registered voters, while in the smallest electoral district 1 in River Gee County, with 12,008 registered voters, it reaches up to 2.5 per cent.

³⁷ Out of these, 833 were nominated by 31 political parties or coalitions and 197 stood independently (2 candidate lists in the presidential election, 25 senatorial candidates, and 168 representative candidates).

Additionally, one candidate withdrew his candidacy and three aspirants deceased prior to elections. However, the Commission did not disclose information on all submitted, rejected and withdrawn nominations, but affirmed that only a few submitted nominations were not accepted due to failure to provide all required documents. For the presidential election, 20 candidacies were registered. Senatorial elections were contested by 100 candidates and 885 candidates run for an office in the House of Representatives.

IX. CAMPAIGN ENVIRONMENT

A largely peaceful campaign with freedoms respected, but lack of oversight of campaign finance regulations and the use of state resources distorted the level playing field.

The campaign rules are included in the 2023 Campaign Guidelines, the Regulations and Procedures Relating to Political Parties, Coalitions, Alliances and Independent Candidates and the New Elections Law (NEL). The NEC should allow all candidates to conduct a peaceful campaign free of violence, abusive language, and any form of hate speech.³⁸ The NEL includes an extensive list of offences related to the campaign.

The official campaign period lasted two months prior to the first round and less than three weeks prior to the run-off. The campaign started on 5 August; however, pre-campaign activities were carried out by many parties and candidates, including the three main political forces prior to the official period. The law does not provide for campaign activities outside the campaign period; therefore, aspirants (uncertified candidates) are prohibited from engaging in outside the official campaign activities prescribed in the guidelines. The most notable violations of the NEC pre-campaign rules were hundreds of the CDC billboards and posters (George Weah 2023, “Change you can count on”) lining the streets of Monrovia since the President Weah accepted his party nomination to seek a second term in February 2023. The NEC issued fines to the UP, the CPP and the ruling CDC for pre-campaigning.

The election campaign prior to the first round was vibrant with a high number of activities. The major political parties, the CDC and the UP, and their presidential candidates toured the country and organised large rallies, attracting thousands of party supporters. In the absence of a nationwide presidential debate among the major presidential candidates, many local political commentators acknowledged the significance of large opening rallies in Monrovia (Montserrado County).³⁹ Some 20 thousand people participated in the UP presidential rally held on Sunday, 17 September, which seemed at least to equal the turnout of the ruling party rally organised a week earlier in the capital city, bringing the important momentum in the opposition efforts.⁴⁰

³⁸ Violation of the 2023 Campaign Guidelines by any political party, coalition or independent candidate is punishable with a fine of not less than USD 1,000, not more than USD 5,000.

³⁹ Montserrado County with the neighbouring Margibi County represent some 43 per cent of the electorate in Liberia.

⁴⁰ The youth was actively participating in the campaign events. The EU EOM statistics based on the LTO’s campaign reports prior to the first round showed that almost 80 per cent of participants were younger than 35 years.

The CPP presidential candidate campaign was less visible. In parallel to the presidential campaign, a high number of community meetings and door-to-door campaigns were organised by parties and many independent candidates.

Campaign freedoms were largely respected. Representatives of all political parties met by the EU EOM acknowledged that they were free to campaign. The most widely reported problem faced by the candidates was damage to their billboards and posters. The campaign was mostly peaceful, however, some serious but isolated incidents of election-related violence occurred. All of these incidents happened in the counties which provide significant support for the opposition, including Montserrado, Lofa, Nimba, Grand Cape Mount, and Grand Bassa. Mainly these consisted of clashes between supporters of the ruling CDC and the major opposition party UP.⁴¹ Civil society, traditional and religious leaders were active in their calls for peace, and they significantly contributed to a largely peaceful election process.

In general, campaigns were not programme driven but based on the personality of candidates, their tribal and ethnic affiliation. The ruling CDC campaigned with the main message of winning the presidential election in the first round. This message was challenged by the main opposition parties. The major presidential candidates were campaigning with promises to support local healthcare, education, infrastructures and development projects, without well-prepared plans and programmes.

There were some cases of inflammatory rhetoric in the campaign. The most extreme example was that of CDC activists parading the streets with a coffin bearing photos of the opposition leader Joseph Boakai (focusing on the state of his health and age). The inflammatory rhetoric had a negative impact on the campaign environment as it spread fear among many Liberians; this could have instigated electoral violence during the campaign and around the election day period. In particular, the statement made by Senator Johnson, a former warlord and ally of the UP presidential candidate Joseph Boakai, who warned that any attempt to manipulate the upcoming elections would trigger the exercise of “people’s power”, raised concerns. On a positive note, the Joint Security Forces of Liberia (police, armed forces) called the statement a “national security threat” and called all political parties to always seek to resolve any disputes through legal remedy rather than resorting to violence.

The campaign before the run-off election, which started on 24 October and ended on 12 November at midnight, was less intensive in comparison to the campaign prior to the first round. It was largely peaceful; however, tensions grew towards election day and isolated minor incidents of election violence were reported by the EU EOM observers from Bong, Gbarpolu, Lofa, Grand Gedeh, and Nimba in the last days of the campaign.

⁴¹ The most serious incident of violence happened in the Foya district (home district of the UP leader Joseph Boakai) in Lofa County. The clash between the UP and CDC supporters resulted in two deaths and several injuries. Another serious incident occurred on the last day of the campaign on 8 October in Monrovia. The supporters of the CDC attacked the supporters of the ALCOP party, leaving one person dead and several persons injured.

Generally, parties could freely exercise their rights to freedom of expression, assembly, and movement. The EU EOM observed mainly small-scale campaign activities, door-to-door canvassing, roadshows, and town hall gatherings across the country. Campaigning intensified closer to election day, with large rallies organised in Monrovia and in several other towns. Campaign materials, such as billboards and posters, were less visible than during the campaign before the first round. Campaign messages focused on endorsements and personalities of the candidates and there was a notable lack of issue-based campaigns.

The transactional nature of these elections was also reflected in the process of endorsements, where according to stakeholders, promises of government positions and other types of compensation were made in exchange for public support. The two contesting candidates and their parties focused on receiving endorsements from the remaining presidential candidates from the first round, the candidates in the legislative elections, and other prominent figures and organisations with political capital, such as traditional chiefs, religious leaders, nurses, teachers, and of the rural and market women. Negotiations and speculations over endorsements gained notable attention during the campaign period, overshadowing other activities. Independent candidates often decided to actively support one side. Some parties split their endorsements, most significantly the ALCOP, the CPP, and the GDM.⁴²

Use of State Resources

In 2014, the national legislature passed into law an Act Prescribing a National Code of Conduct for All Public Officials and Employees of the Government of Liberia. The Code of Conduct, amongst other things, prohibits all public officials appointed by the president from engaging in political activities, canvassing or contesting for elected offices. In addition, it provides for the creation of the Office of Ombudsman, with original jurisdiction to oversight, monitor and evaluate adherence to the Code of Conduct as well as to receive and investigate complaints of alleged violations of the Code. Up to this date, the Office of Ombudsman has not been established, therefore, there is no forum to receive and address complaints of alleged violations of the Code. The Code of Conduct provides for sanctions for breach of the Code, such as dismissal, removal from office, reprimand, fine, demotion, seizure, and forfeiture.

The widespread use of state resources was observed by the EU EOM observers in the form of staff, institutions, buildings (e.g. public schools), and vehicles.⁴³ In addition, the EU EOM observers reported that in several cases the public venues used for campaigning by the ruling party were not accessible to the opposition. Many appointed officials at county or electoral

⁴² When Lusinee Kamara and his party the ALCOP announced their support for the UP, the vice-presidential candidate Matthew Darblo and a faction of the ALCOP decided to support the CDC. Alexander Cummings decided to remain neutral while the CPP as a party endorsed the CDC and some CPP candidates supported the UP. Ten youth wing groups belonging to opposition parties endorsed George Weah, among them the youth wings of the ALCOP, the Alternative National Congress (ANC), and the Liberty Party (LP).

⁴³ The use of state resources was directly observed by EU EOM in Bomi, Bong, Gparpolu, Grand Bassa, Grand Cape Mount, Grand Gedeh, Grand Kru, Maryland, Montserrado, Nimba, Lofa, and Sinoe.

district level were publicly campaigning in favour of the ruling party during working hours.⁴⁴ In particular, the superintendents were actively campaigning, in some instances also in the role of the chairmen of the local party branches and/or using their public offices as party headquarters. In some counties, the EU interlocutors reported that civil servants were pressured to attend the ruling party's campaign events or intimidated when their employers compiled lists of opposition supporters among them.⁴⁵ In some instances, government institutions were actively involved in the campaign.⁴⁶ Shortly before both rounds, the government announced financial support schemes to the rural women communities through the Ministry of Commerce and Industry. These announcements, together with the handover of checks, were tied to the upcoming elections.⁴⁷

In addition, the civil society organisation Integrity Watch Liberia (IWL), mandated by the NEC to monitor the use of state resources, reported 155 instances of abuse of state resources predominantly by the ruling party. The NEC took no action in this regard since no complaints were filed with the Commission.

Recommendation: Make operational the Office of the Ombudsman, as established in the Code of Conduct Law of 2014, to effectively monitor and sanction abuse of state resources.

Campaign finance

The campaign finance regulations are comprehensive and largely in line with international standards, but with some ambiguities, discrepancies, and gaps that need to be addressed. Most importantly, lack of enforcement of the regulations distorted the level playing field. Political will to address corruption and to enforce campaign finance regulations is paramount to ensure equality, transparency, and accountability in future elections.

⁴⁴ The EU observed superintendents actively campaigning for example in Bomi, Bong, Grand Cape Mount, Gbarpolu, Grand Gedeh, Grand Kru, Maryland, Monsterrado, Nimba, and Sinoe.

⁴⁵ Interlocutors in Bong reported that civil servants were pressured to attend CDC campaign events. In a public teacher training institute in Margibi, interlocutors reported that a list of UP supporters among the staff was compiled and submitted to the CDC.

⁴⁶ One notable example is that before the run-off, on 1 November, the Ministry of Gender, Children and Social Welfare hosted a large campaign event for women in the Ministerial Complex under the banner "Women of Liberia in Support of the Weah-Taylor ticket 2023".

⁴⁷ On 11 September, the Ministry of Commerce and Industry announced the disbursement of USD 2M to rural women across all 15 counties; on 20 September additional disbursements of LRD 20M to five counties (Nimba LRD 9M, Maryland LRD 3M, Grand Kru LRD 2M, River Gee LRD 3M, and Sinoe LRD 3M); and, on 26 September, the disbursement of LRD 8M to 27 SMEs in Grand Bassa and Margibi Counties. On 24 October, an LRD 5M support scheme to the Bassa Chapter of the National Rural Women was presented by the president and an LRD 16.5M support scheme was launched by the vice-president within the rural empowerment scheme in Bong. As an example, in the 26 September press release by the MoCI on the announcement, the recipient LMA officials stated their determination to push the message for President Weah's re-election.

Assessment of the legal framework

Campaign finance is regulated by the Constitution, the NEL and the 2022 Campaign Finance Regulations (CFR). While the regulations are overall in line with international standards, there are ambiguities and discrepancies between the legislative acts. Some vital elements are missing, e.g. deadlines for reporting.

Only adult citizens of Liberia or people of Liberian origin may contribute to the funds and election expenses of political parties, alliances, coalitions, or independent candidates. It is prohibited for corporations, businesses, and labour unions to contribute to campaign funds and election expenses. Individual contributions are limited to USD 100,000 to a party, a coalition, or an independent candidate. Contributions may include financial and in-kind donations by political parties, coalitions or alliances, and candidates to their campaign. There are no provisions for state funding in the law. In accordance with good practice, electoral contestants are required to appoint a campaign treasurer, open a bank account, and report the relevant details to the NEC. The NEL establishes specific ceilings for campaign expenditures; however, the law is ambiguous if the ceilings are set for the individual candidates or per party.⁴⁸

The Constitution requires all parties to submit a yearly declaration of assets and liabilities, including a list of expenditures, by 1 September, and every candidate to submit such a declaration by 30 days prior to elections at the latest. The Constitution, NEL and the CFR further require all candidates and parties who participate in an election to submit a final report of contributions received and expenses incurred in the election campaign to the NEC. The campaign financial reports are to be published by the NEC; but there are no concrete deadlines, neither for the submission nor for the publishing of these reports. As the oversight body, the NEC is empowered to order audits of the reports and to impose sanctions. The fines for failure to submit the final reports range from USD 1,000 to USD 5,000. These low levels of fines do not respect the principle of proportionality and their effectiveness is questionable. Defeated candidates who fail to submit such reports shall additionally be barred from participating in future elections until campaign expenditure reports are submitted to the NEC. There are discrepancies between and within the legislative acts on whether the responsibility to submit a final report lies with the party or the candidate running under a party ticket, and who will be subjected to sanctioning.⁴⁹

Recommendation: Review the NEL and CFR, creating a coherent and clear legal framework for campaign finance to ensure equality and transparency.

⁴⁸ As per NEL § 7.3 (1), election expenses by “a candidate and or party” should not exceed the Liberian Dollar equivalent of USD 2,000,000.00 for president, USD 1,000,000.00 for vice-president, USD 600,000.00 for a senator and USD 400,000.00 for a member of the House of Representatives, and USD 75,000.00 for any other elective public office. Concerns about the ambiguous formulation were raised both by the NEC, the parties and other stakeholders, as it is unclear if the parties’ spending limits should be cumulated or not.

⁴⁹ The Constitution Art. 83 (d) and NEL § 7.7 states that the responsibility for submitting the reports lies with the party, while the CFR § 8.3 puts the responsibility and the sanctions on each candidate. The NEL § 7.10 states that fines may be applied for parties, coalitions, and independent candidates, but that the barring from future elections is applicable only for individual, defeated candidates.

Remove ambiguities regarding the spending limits, responsibilities, and sanctions for reporting. Specify the deadlines for reporting and disclosure.

Compliance by parties and candidates

As there is no public funding foreseen for parties and candidates, election campaigns were funded primarily from private sources. Candidates used their own assets, funds from friends and family, and some received contributions from the diaspora, mainly in the US and ECOWAS countries. Some parties have modest membership fees and they held smaller fundraising events to support specific campaign activities. However, the EU observers reported that funding from the parties to the legislative candidates was very limited, including from the two major parties.

The disproportionate spending on behalf of the ruling party and incumbent president distorted the fairness of the presidential campaign. EU observation showed an obvious disparity in terms of resources available to the CDC for the presidential campaign in all 15 counties regarding billboards, posters, vehicles, party regalia etc. While a few candidates spent far beyond the spending limits in all three elections, the vast majority of the 1,025 candidates did not even come close to them and many found them out of touch with reality.⁵⁰

Direct EU EOM observation and information from stakeholders showed a high level of monetisation and bartering of the electoral campaign. The widespread practice of distribution of cash and goods reduced transparency and had a corrupting influence on the voters.

Although bribery is explicitly prohibited in the NEL, both EU observation and information from various stakeholders showed that costly donations to communities and individuals were made in relation to the election campaign in form of money, trucks, motorbikes, and large sacks of rice and cement.⁵¹ In addition, voters and supporters expected small gifts in the form of money, food, drinks, or t-shirts from candidates to attend campaign events. The EU observed distribution of cash during the campaign, usually in the form of reimbursement for participants' transportation or other costs.⁵² The candidates openly admitted that they distributed money and goods throughout the process and saw it as part of their campaign spending.⁵³ This culture of

⁵⁰ The assessment is based on direct observation, information from stakeholders, including from candidates themselves. Most of the candidates for the legislature estimated their campaign costs to between USD 10,000 and 70,000, while a few acknowledged exceeding the spending limits.

⁵¹ For example, in Bomi, different religious groups received cars and motorbikes with signs "Donated by: Dr George Manneh Weah, President of Liberia" before the first round of the elections. Motorbikes were also donated to radio stations in Grand Gedeh, and to religious communities in Rivercess by Mr. Weah, through local administrative officials. The EU observed goods being distributed in the form of mattresses, large sacks of rice and cement for example in counties such as Grand Bassa, Montserrado, Nimba, and Sinoe.

⁵² The handout of money during campaign events was directly observed by the EU EOM in nine instances in the first round and seven instances in the second round in different districts (Bomi, Bong, Grand Cape Mount, Maryland, Montserrado, Lofa, and Sinoe). The EU EOM also observed cases of tension because the participants were not given what they were promised.

⁵³ Candidates admitting this practice cover all elections and several districts (e.g. Montserrado, Margibi, Bomi, and Grand Bassa).

monetisation posed a significant challenge for candidates who do not possess private wealth, in particular women and youth. To convey their political messages, they had to pay voters in one form or another to show up at their campaign events.

The knowledge of campaign finance regulations by the contestants was limited or poor and the EU EOM observed significant problems in candidates' and parties' adherence to basic requirements. Several candidates admitted to the EU EOM observers that they did not keep records of their spending and/or that they did not intend to submit a final report.⁵⁴ According to the NEC, merely 3.5 per cent of the contesting parties and/or candidates had submitted their final campaign spending reports by 28 November, two weeks after the deadline applied by the NEC.⁵⁵ Five parties failed to submit their yearly statements of assets and liabilities by 1 September.

Enforcement of the legislation

Lack of capacity and resources constrained the NEC to effectively fulfil its oversight and sanctioning functions. In February 2023, the NEC signed a MoU with the civil society organisation the Integrity Watch Liberia (IWL) to monitor campaign financing, outsourcing its oversight duty.⁵⁶ The IWL deployed 32 monitors on 1 September to all 15 counties to document misuse of state resources; to estimate the campaign spending; and to monitor the candidates' adherence to campaign finance restrictions and obligations on reporting and disclosure. The outsourcing of the oversight duty to a CSO was not without problems, as the IWL monitors reported difficulties with receiving information from the candidates, who questioned or lacked awareness of their role. The IWL presented its findings to the NEC, who has the sanctioning powers, but the NEC has yet to decide on what they will do with the documented breaches of regulations.⁵⁷ To improve the capacity of the stakeholders, the IWL has also conducted a policy dialogue and trained political parties on campaign finance regulations and reporting.⁵⁸

⁵⁴ The EU EOM observers' assessment of the candidates' knowledge of and respect for campaign finance regulations varies, but is largely negative. Candidates in Montserrado, Bong, Nimba, and Maryland admitted to the EU EOM that they didn't have separate bank accounts or treasurers and/or didn't keep track of their campaign expenditures. Two UP candidates in Montserrado stated that they don't intend to submit any final reports to their parties, as the parties have not supported their campaigns. The legal provisions for the responsibility to submit campaign spending reports are ambiguous, as the Constitution Art. 83 d and NEL § 7.7 states that the responsibility lies with the party who has nominated a candidate, but the 2022 CFR § 8.3 put the responsibility and the sanctions for non-compliance with the individual candidate.

⁵⁵ In the absence of a deadline for submitting final reports in the 2022 CFR, the NEC applies the deadline from the 2005 CFR, which is 15 days after the announcement of the election results. For candidates and parties contesting only the 10 October elections, this would have been 13 or 14 November. For candidates and parties contesting the run-off, 5 December. As of 28 November, two weeks after the first deadline, the NEC had received eight final reports out of 227 (31 parties had 828 candidates and 197 candidates were independent).

⁵⁶ The initiative for the MoU came from the IWL and the monitoring project was funded by the UNDP basket fund. The NEC has also received technical support on campaign finance from the UNDP under the Liberia Electoral Support Project (LESP).

⁵⁷ Stakeholders believe that the NEC will not act on the findings.

⁵⁸ The policy dialogue was held on 27 October and the trainings on 27-28 July and 8-9 November.

Stakeholders agreed that the lack of enforcement of the regulations by the NEC created a sense of impunity.⁵⁹ While the pre-election reporting obligations were enforced by the NEC, being a requirement for candidate registration, the final reporting obligations were not.⁶⁰ The campaign finance reporting forms do not constitute part of the CFR and were published on the NEC's website with a delay. This led parties and candidates to make individual requests to the NEC for the forms, further causing delays and difficulties with the compliance. The NEC has the authority to impose sanctions if final reports are not submitted, but despite the extremely low adherence by the contestants, no sanctions were applied. The NEC's obligation to publish the final reports was also not met while the EU EOM was in the country. As both reporting and disclosure are key elements to ensure transparency and accountability, this is a significant issue to address in future elections.

Priority recommendation: Empower the NEC through enhanced resources and capacity to enforce the campaign finance regulations to improve the equality, transparency, and accountability of the elections.

X. MEDIA

Major improvement of the legal framework of the freedom of the press but political patronage and self-censorship remain.

Media Environment

The expanding Liberian media environment is composed of some 50 newspapers and over 165 licensed broadcasters (TV and radio). Due to high levels of illiteracy and a well-embedded culture of oral storytelling,⁶¹ radio remains the most widely used medium and an accessible source of information. The media landscape included both private media and the state-owned Liberia Broadcasting System (LBS)⁶² that is operating in all counties of Liberia. Newspapers have a low readership overall and mainly in the capital Monrovia.

However, the media landscape is highly politicised.⁶³ This together with low salaries and a lack of diversified funding streams negatively affects the independence of the media and increase self-censorship and bias among journalists. Many outlets are largely dependent on a major donor,

⁵⁹ The last time any sanctions were applied in political and campaign finance was in 2014, when several political parties were de-registered on the ground of failing to submit the required financial statements.

⁶⁰ The pre-election reporting consists of a statement of assets and liabilities as foreseen in the Constitution article 83 (d). The information for the final reporting is as of 28 November, two weeks after the reporting deadline for the first round.

⁶¹ "I heard it on the radio, thus I believe", Liberians say about the importance of oral information.

⁶² Its establishment originally followed Chapter 87 of the Public Authorities Law; its name being later changed to LBS after amendment by the People's Redemption Council of the Armed Forces of the Republic of Liberia (PRC Decree No. 20). The television and radio network includes both TV Liberia National Television (LNTV) and radio Equatorial Latitude Broadcasting Corporation (ELBC).

⁶³ Out of which around 45 are owned directly by individuals, such as (or affiliated with) members of government, MPs, or people with other influential positions.

be it the state or individual politicians or political parties. Interlocutors raised concerns over the fact that the media's dependence on government advertisement, allocated by the Ministry of Information, Cultural Affairs and Tourism (MICAT), made them vulnerable and potentially subject to direct or indirect control.

Whereas the government exerts control over the state-owned media, which receives 60 per cent of its funding from the national budget,⁶⁴ local officials often control the content and operations of community-owned radio stations. Many political contestants have established their own private media outlets for communication with their audiences.

The National Media Council (NMC) of the Press Union of Liberia (PUL) fulfils the role of self-regulatory body for the media, following a journalism Code of Ethics.⁶⁵ Due to a pending leadership crisis, many currently see the PUL as ineffective and some journalists felt not represented by the union in the election campaign period, as reported also to the EU EOM observers. The lack of solid understanding of the Code of Ethics and insufficient training overall are part of the main challenges for independent journalism in the country, as confirmed by media professionals themselves.

The pre-election period was not marked by major media-related incidents. Journalists felt largely free to conduct their work and had access to a variety of political actors overall. Prior to the election campaign, a Code of Conduct for the elections was discussed, involving both the NEC and the media, but was not validated by the PUL. The PUL issued several press releases⁶⁶ on reported cases of intimidation during the campaign periods and received six complaints overall.⁶⁷ Positively, interlocutors reported on a well-embedded culture of respecting the period of electoral silence, also in the media, which was demonstrated prior to both election days.

The NEC accredited 968 local journalists for the first-round election day. Their accreditation remained valid for the second round of the presidential elections. The total number of national journalists accredited during the run-off was 1,108. The EU EOM observers reported on cases in which some local media outlets had difficulty requesting and obtaining accreditation timely via the online system.

Legal Framework for the Media

The Constitution provides for freedom of speech and of the press, further guaranteed since the repealing of several sections of the Penal Code in 2019 with the enactment of the Kamara

⁶⁴ The remaining 40 per cent is generated via the sales of advertisement, paid-for content and cooperation with international broadcasters.

⁶⁵ The code includes articles on e.g., denouncing attempts at bribery and corruption, the refraining from bias with political implications, and others.

⁶⁶ In which PUL called upon journalists and candidates' responsibilities and professionalism.

⁶⁷ The EU EOM observers also reported on isolated cases of intimidation of local media practitioners in the counties, which did not seem to negatively impact the perception of the degree of freedom in exercising their profession.

Abdullah Kamara (KAK) Act of Press Freedom,⁶⁸ a major improvement in the overall legal framework concerning media and freedom of expression, and in line with international standards on freedom of expression. Defamation remains a civil offence.

The Freedom of Information Act (FOI) guarantees easy and inexpensive access to records and documents from agencies and entities performing public functions or receiving public funding. Although there is no limit to the access to information, attempts to make use of this right are time-consuming and often frustrated in practice, according to journalists. The capacity of the Independent Information Commission (IIC) that acts as an oversight body could be increased and sufficient funding assured to be able to meet demands of the public and thus guarantee a better implementation of the FOI.

There is no legal provision for free airtime for political contestants on the state-owned LBS, and equitable access to political parties and candidates is not fully guaranteed.⁶⁹ Moreover, the LBS Director-General and the Deputy Director-General are directly appointed by the Head of State.⁷⁰ The 2023 campaign regulations referred to print, broadcast and social media as campaigning tools without further details.⁷¹ Next to the absence of a legal provision for free airtime, there is widespread mistrust among opposition parties towards the LBS which contributed to the lack of a level playing field for candidates, despite constitutional guarantees⁷² that access to state-owned media shall not be denied.

Recommendation: Guarantee equal and better access for parties through the transformation of the state-owned LBS into a full-fledged public service broadcaster, accountable to the public through the legislature rather than the government.

Several reforms have been initiated as part of the process of genuine media reform in Liberia. The establishment of a regulatory body with safeguards against government intervention was part of the recommendations related to a genuine media reform, as made by the EU EOM to Liberia in 2017. To date, registration, licensing and oversight remain in the hands of several different government institutions.⁷³ A recent draft bill foresees the transformation of the NMC into the Independent Media Commission (IMC) that could serve as an independent regulator with appropriate powers, an initiative that receives support from a wide range of local media stakeholders.

⁶⁸ This act decriminalised libel, sedition, and criminal malevolence, which previously resulted in the unbridled arrest of journalists and excessive prison sentences and fines for media houses.

⁶⁹ Article 17.3 of the African Charter on Democracy, Elections and Governance says that state parties shall “Ensure fair and equitable access by contesting parties and candidates to state controlled media during elections”.

⁷⁰ As established in Section 3 of the Public Authorities Law.

⁷¹ [2023 Campaign Guidelines](#).

⁷² Article 15 (d) of the Constitution says that “Access to state owned media shall not be denied because of any disagreement with or dislike of the ideas express”.

⁷³ Namely the MICAT, the Liberia Telecommunications Authority (LTA) and the Ministry of Posts and Telecommunications (MPT).

Recommendation: Introduce a permanent and independent media regulator that could contribute to a diverse and unconstrained media sector without direct or indirect state interference.

Acknowledging the importance of community-owned radio stations for a diverse local media landscape, a community radio sustainability bill⁷⁴ recently drafted provides for the allocation of one per cent of the national budget to sustain community-owned radio stations. It also foresees strengthening their independence and enhancing the quality of the content provided to the public. This is in line with the African Commission on Human and Peoples' Rights Declaration of Principles of Freedom of Expression and Access to Information in Africa.⁷⁵

Media Monitoring Findings⁷⁶

The media, especially the radio, played an important role in the campaign activities of political parties, particularly in the first round of elections. As the most used and accessible medium in the country, radio was an important vehicle in the distribution of election-related information, be it via its news or popular talk shows or through voter awareness initiatives and political messages.

a) General elections

The purchase of airtime for advertisement and talk shows during the campaign period was unregulated on both private and state-owned broadcasters. This favoured those with resources to use airtime as a powerful campaign tool. Especially talk shows were often used as a platform for political parties to distribute unfiltered political views and lacked journalistic moderation, diminishing the space for critical scrutiny of the political programmes. Candidates often relied on messaging via preferential broadcasters.⁷⁷ Two presidential debates, organised in collaboration with different state-owned and private broadcasters, were aired live on TV and radio stations nationwide and on Facebook and offered all candidates but the three main absent contestants who declined the invitation, a unique platform to share ideas with a large audience.

EU EOM media monitoring showed that LBS channels offered most of their news coverage to the government and the ruling party, making them a strong public-relations means for

⁷⁴ Act for the Ownership, Management, Licensing, and Operations of Community Radio Stations in Liberia.

⁷⁵ Principle 15 on community media.

⁷⁶ The media-monitoring unit of the EU EOM to Liberia consisted of five monitors and one assistant, and its activities included the daily monitoring of the state-owned broadcaster LBS (both TV and radio), four privately-owned radio stations (OK FM, Prime FM, Truth FM and ECOWAS Radio) and three daily newspapers (Front Page Africa, Daily Observer and The Inquirer) and started its work on 8 September. Prime-time hours monitored on radio and television: 06:00-10:00 and 18:00-21:00. Newspapers: five days a week. The monitoring of the campaign for the run-off started the moment the NEC announced the campaign kick-off on the eve of 24 October. For further details see Annex 5.

⁷⁷ The CDC for example, could rely on broadcasters such as Freedom FM and King's FM (owned by the President George Weah) and the UP had good access to media run by (online) TV and radio company Spoon Network. Truth FM demonstrated to be a strong CPP vehicle, owned by Musa Hassan Bility, a prominent figure within the party.

the government (see Annex 5, Chart 2). On both TV channel LNTV and radio ELBC, nearly 70 per cent of the time allocated to political parties went to the CDC.

Most private radio broadcasters offered coverage mainly to the main parties the CDC, the UP, the CPP, and on the presidential race. OK FM and Prime FM allotted most time to the CDC. On Truth FM, over 40 per cent of its time dedicated to political parties was to the CPP while the CDC (10 per cent) and the UP (13 per cent) received considerably less. ECOWAS Radio dedicated much less time to political contestants overall and to a small number of parties. It was also most neutral in its reporting. Of all election-related content on ECOWAS Radio, more than 20 per cent was dedicated to voter education. On state-owned channels LNTV and ELBC, voter education was largely absent during prime-time hours (see Annex 5, Chart 1). Broadcasters and newspapers on average dedicated a tenth of their time and space to women candidates, except for LBS channels (below four per cent) (see Annex 5, Chart 8).

Newspapers Front Page Africa and Daily Observer clearly focused on the main three contesting parties. The space allocated to each of them was well-distributed. Front Page Africa was the most equitable with between 15 and 27 per cent given to the UP, the CDC, and the CPP and to a wider variety of contestants. The third paper, The Inquirer, primarily focused on the CDC and the CPP, providing 37 and 23 per cent respectively (see Annex 5, Chart 6).

b) Presidential run-off

Media freedoms were generally respected during the campaign period for the presidential election run-off. No presidential television or radio debates between the contestants took place during this period.⁷⁸ Independent media houses reported a decrease in sales of paid-for content to political contestants.

EU EOM media monitoring showed that LBS channels continued to offer most of their news coverage to the government and the ruling party. On TV channel LNTV and radio ELBC, 84 and 70 per cent of the time allocated to political parties during prime-time hours went to the CDC. The UP received just under five per cent of airtime on LNTV (see Annex 5, Chart 3). EU EOM media monitoring further showed that voter education, including by the NEC, was largely absent this time around (see Annex5, Chart 1).

Truth FM, which offered most of its political and election-related coverage to the CPP in the first round, shifted its attention to the CDC (47 per cent), while the UP received 18 per cent. OK FM and Prime FM were fairly balanced in the distributed airtime given to both the CDC and the UP during prime-time hours. ECOWAS Radio dedicated less time to the presidential election race overall and was strictly neutral in its tone of coverage.

⁷⁸ The EU EOM observers reported on small-scale locally organised debates between party representatives, taking place in both the first and the second round.

The daily newspapers Front Page Africa, Daily Observer and The Inquirer dedicated most space to the CDC during the run-off campaign, attributing twice as much space to the ruling party. In contrast with the first round where the main contestants were still given an equal amount of space by the newspapers, except for The Inquirer which focused on the CDC all along (see Annex 5, Chart 6).

XI. SOCIAL MEDIA AND DIGITAL RIGHTS

Derogatory rhetoric, falsehoods and cyber-bullying marred the online campaign, whereas fact-checking initiatives contributed to a well-informed choice for voters.

Social Media Environment

More than 30 per cent of Liberians have an Internet access, with over 80 per cent using their mobile phones for this purpose.⁷⁹ In the social media landscape, Facebook is the most popular social media platform in the country with some 620 thousand active users, followed by Messenger, Instagram and X (Twitter).⁸⁰ Poor Internet coverage in most counties, illiteracy, and poverty prevent citizens from accessing online media outside predominantly urban areas, thus contributing to inequality of access to information across the country.

Facebook was the predominant platform used by political parties and candidates for campaigning, especially aiming at young, including first-time, voters as well as urban and educated population, followed by X (Twitter), Instagram and TikTok. Closed Messenger and WhatsApp groups⁸¹ enjoyed popularity with the candidates for the coordination of their campaign activities, communication with their teams or mutual support in case of online harassment targeting especially women candidates.⁸²

On 9 September 2023, the major political parties agreed to commit to responsible behaviour online and usage of social media to promote peace in the country during and after elections. However, several interlocutors as well as EU EOM social media monitoring confirmed that multiple insults on social media often originated both from accounts of the electoral contestants, and their supporters, across the country. Furthermore, throughout the whole campaign, political stakeholders disseminated many falsehoods on their Facebook pages, targeting in several occurrences domestic and international observer groups,⁸³ thus publicly challenging the credibility of observers and the electoral process.

⁷⁹ Datereportal gives the [number of 33.6](#) per cent as of January 2023. [Afrobarometer, Round 9 Survey, 2023](#) specifies that 90.8 per cent of urban population personally own a mobile phone, 68.2 per cent of rural population, and 65 per cent of mobile phone users have the Internet in the cities, whereas 12 per cent in rural areas. According to the data from September 2023 from the Liberian Telecommunications Authority (LTA) 46 per cent of country's population have access to the Internet. LTA informed EU EOM about a new survey with an improved methodology planned for the next year to determine the Internet penetration data.

⁸⁰ [Datareportal Liberia 2023](#).

⁸¹ EU EOM does not monitor Messenger and WhatsApp groups for data privacy reasons.

⁸² 'Female Candidates 2023' private WhatsApp Group with some 130 members.

⁸³ A CDC member, Mayor of Monrovia Jefferson Koijee, spread via his public Facebook account a video, claiming that it was a recording of an alleged meeting held by the head of the domestic observer group ECC

Between the two rounds, the EU EOM observed the intensification of false and misleading messages on Facebook, Messenger and WhatsApp groups, produced by the competing presidential campaign teams, also in local languages. According to the EU EOM interlocutors' assessment, despite the poor Internet coverage, due to the high mobility of population during the election period, the falsehoods spread easily across the country with the constant movement of voters. This amplified the detrimental effect of social media on the quality of electoral discourse and the reach of distorting narratives to the voters.

Manipulated and false content, such as fabricated images, video and photo, spread online even by leading traditional media, discrediting the electoral contestants and sapping voters' trust in the electoral process. Many EU EOM interlocutors stated that low media and digital media literacy among various electoral actors, including politicians and media but also general public, caused the rapid dissemination of falsehoods and misleading messages as well as irresponsible usage of online platforms by them, which negatively impacted on the well-informed choice of voters.

Recommendation: Implement media and digital media literacy programmes for journalists, educational institutions and vulnerable groups, such as women and persons with disabilities, in collaboration of fact-checking initiatives and relevant civil society organizations to facilitate a better-informed choice of voters.

Legal Framework

The Constitution of Liberia provides for freedom of expression and specifies in Article 15 the public's right to learn and to know about the government and its functions, through access to government documents, records, information, as well as the right of "non-interference with the use of mail, telephone and telegraph". Article 16 further provides for the right to privacy, stating that "no person will be subjected to interference with his privacy of person family, home or correspondence except by order of a court of competent jurisdiction".⁸⁴

Liberia's Freedom of Information Act (FOI)⁸⁵ stipulates that all citizens have the right to access, request and receive information about the country, and bans withholding of public information for personal use. The governmental Independent Information Commission, established to monitor the implementation of the FOI, *de facto* ceased to exist due to financial restrictions. Websites of state agencies and institutions, including the NEC, are often non-operational or

Oscar Bloh and UP senator, thus insinuating ECC partisanship during their election observation. The UP Spokesperson, Mohammed Ali, accused the ECOWAS of having received a bribe from the CDC, later though withdrawing his claims. A UP supporter, representative-elect Yekeh Kolubah, repeatedly spread misleading information about an alleged meeting of the Vice-President Jewel Taylor and the ECOWAS which aimed to rig the election results. In all three cases the messages were debunked by the organizations themselves and local fact-checkers (see Annex 6, Section 8).

⁸⁴ [Constitution of Liberia 1986](#). Liberia signed [ECOWAS Supplementary Act on Personal Data Protection 2010](#), but has not signed the [AU Convention on Cyber Security and Personal Data Protection 2014](#).

⁸⁵ [Liberia's Freedom of Information Act 2010](#).

frequently face technical difficulties, which undermines citizens' rights to an uninterrupted access to publicly important information.

There is no regulatory framework for digital rights. Liberia has not enacted either a general data protection law or a separate law on cybersecurity. The Cyber Crime Prevention and Mitigation Agency currently operates under the Ministry of Justice. The absence of a regulatory framework facilitates a fertile ground for instances of cyber-bullying, usage of inflammatory language and incitement messages, aimed often at vulnerable groups, such as women and LGBTQ.⁸⁶

Several EU EOM interlocutors admitted that the lack of cybersecurity regulations caused insecurity for many media professionals, and often discouraged political contestants to inform law enforcement agencies about the instances of cyber-bullying or online harassment they encountered. Both draft cybersecurity and personal data protection bills, initiated by the international community and civil society only recently, are awaiting further amendments before being presented to the legislative body.

Recommendation: Develop legislation with precise definitions of 'hate speech', 'incitement of violence', 'inflammatory language', 'disinformation', 'cyber-bullying' and 'cyber-stalking' to tackle the malicious usage of social media platforms by political actors, while taking into account regional and international standards and ensuring adherence to the freedom of expression.

The NEC 2023 Campaign Guidelines stipulated that electoral contestants could use print and electronic or social media or radio/TV interviews within the campaign period, which ended on 8 October. However, specific provisions on the electoral campaign regulations in social media were absent from the legislation. Neither a renewed Code of Conduct for media was adopted for the 2023 general elections, thus leaving online campaign space in a legal vacuum.

Social Media Monitoring Findings

The EU EOM conducted a quantitative and qualitative analysis of the most relevant platforms Facebook and X (see Annex 6).

The campaign discourse on social media was generally less aggressive before the general elections than between the two rounds. Of the 1,695 Facebook election-related posts analysed since the initial stage of the official campaign, some two per cent displayed derogatory language,

⁸⁶ Wokie Dolo, an independent representative candidate in Montserrado, ED 6, and former Miss Liberia, was targeted multiple times, labelled as 'lesbian', which is considered to be an insult in the local context, and being criticised for her bikini photos made in the past. Independent representative-elect in Bong, Moima Briggs-Mensah, was attacked offline and online by her male competitors, labelled as 'Delilah' and accused of performing ritualistic practices, initiated the trial against her opponents. The problem of cyber-bullying was raised by a consortium of CSOs in their final assessment of elections after the run-off.

and fabricated content.⁸⁷ For the second stage of the campaign, the EU EOM analysed 9,979 Facebook posts with election-related content, out of which one per cent contained derogatory language, misleading and fabricated content as well as online harassment instances, produced predominantly by the CDC, the UP and their supporters, which amplified the audience reach of such messages.⁸⁸ The narratives included age-based, sexuality-based and gender-based devaluating rhetoric.⁸⁹

For the run-off, the campaign in social media started before the announcement of the final results by the NEC and was dominated by narratives on endorsements, mutual accusations of betrayal, and tribalism between politicians as well as public figures supporting either the CDC or the UP.⁹⁰ Divisions within several other political parties over their decisions on endorsements further stirred up the derogatory rhetoric in social media. The increased instances of divisive language from regional political actors attacked also LGBTQ and religious groups, inciting tensions across the country.⁹¹

Facebook remained the preferred platform for online political discussions and campaigning with 3,808 election-related posts made by electoral interlocutors. However, according to EU EOM social media monitoring, this was marred by instances of dehumanisation rhetoric and fabricated content, targeting electoral contestants, media figures and the international community, including the EU EOM,⁹² thus challenging the credibility of electoral actors in voters' perception.

Inflammatory language originating from political opponents' personal pages included accusations of ritualistic crimes and personalised attacks,⁹³ which remained largely unaddressed

⁸⁷ Facebook pages of presidential candidates, political parties, political party leaders, senatorial and representative candidates as well as official bodies were analysed for the period of 5 August to 7 September, 2023 (see Annex 6).

⁸⁸ Facebook pages of presidential candidates, political parties, political party leaders, senatorial and representative candidates, official bodies, traditional media, digital creators, and civil society organisations were analysed during the period of 8 September to 10 October 2023 (see Annex 6). Facebook was used for political advertisement predominantly before the general elections with the CPP presidential and vice-presidential candidates Alexander Cummings and Charlyne Brumskine leading on it, with their total spendings of almost USD 10,000 altogether (see also Annex 6, Section 7).

⁸⁹ The main targets for online attacks were Joseph Boakai and his age, and George Weah and his circles being accused of blatant corruption. UP opponents' Facebook shared a video of a sexual character suggesting the UP spokesperson Mohammed Ali was part of it and labelling the UP as a 'pornhub' (see also Annex 6, Section 6).

⁹⁰ Facebook pages of presidential candidates, political parties, political party leaders, senatorial and representative candidates, official bodies, traditional media, digital creators and civil society organisations were analysed during the period of 11 October to 14 November 2023 (see Annex 6).

⁹¹ Senator Prince Y. Johnson in Nimba held a public prayer where he asked God to make George Weah a homosexual. In the same speech he criticised Mano people.

⁹² During the first week after the general elections, a fabricated Excel table, allegedly made by the EU EOM, where Joseph Boakai was winning in the first round, was spread initially in WhatsApp and then reached Facebook. Ultimately this falsehood was debunked by fact-checkers.

⁹³ After endorsing the UP for the run-off, an independent representative candidate in Montserrado Karishma Pelham-Raad launched a series of attacks against the Urey family and Henry Costa, former UP supporters, who endorsed the CDC candidate incumbent President George Weah for the run-off.

by the law enforcement bodies. Despite this practice breaching its Community Standards, Facebook did not remove these posts before election day. Limited presence of Meta in Liberia, without a local trusted partner who could perform debunking and moderating functions, further deteriorated the quality of election-related information available for voters on Facebook.

Campaign on X (Twitter) was hardly present during both general elections and the run-off. Thus, only 926 election-related posts were made by the electoral actors during the whole period of monitoring. All posts were neutral in their tone and did not demonstrate any issues related to derogatory speech or inflammatory language in the monitoring sample.⁹⁴

On a positive note, the main fact-checking initiatives Local Voices Liberia (LVL)/iVerify, The Stage Media, Campaigners against Misinformation and Disinformation, and Dubawa Liberia scrutinized political and electoral content in a timely manner, thus helping voters to make a better-informed choice. In addition, they conducted training on media literacy for various groups of population, including journalists and persons with disabilities.

During the whole course of the elections, the fact-checkers verified messages on electoral fraud and election-related violence across the country, also using their networks in the regions. This facilitated the voter's knowledge about the performance of the NEC and regional authorities as well as activities of the electoral contestants, and benefited voters' trust in the electoral process and their more informed choice.

XII. PARTICIPATION OF WOMEN

Few women were elected due to the absence of enforceable quotas and a lack of adequate financing.

Liberia is a state party to international and regional instruments that require states to eliminate discrimination against women, including the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (ACHPR-PW). The Constitution stipulates that all persons, regardless of their sex, are entitled to fundamental rights and freedoms. There is no separate act on gender equality.

Liberia was the first African state to elect a woman as a president in 2005 (Ellen Johnson Sirleaf, re-elected in 2011) and there are other notable women in leading positions, e.g. the chief justice Sie-A-Nyene Yuoh. The chairperson and co-chairperson of the NEC are women, as are two of the remaining five commissioners. Despite this, women remain seriously underrepresented in decision-making.

⁹⁴ See Annex 6.

Women make up 49.6 per cent of the population and 50.1 per cent of the registered voters⁹⁵ but their representation in the legislature has decreased after the 2005 elections to only 10.7 per cent of the seats in 2023. This proportion did not change after the 2023 elections. This is far below the African Union (AU) commitment to ensure equal representation of women.⁹⁶ A mandatory 30 per cent quota for women in party structures and party candidate lists was passed by the legislature and submitted to the president in October 2022, but not signed into law, after the president vetoed other provisions in the electoral amendment bill.⁹⁷ The parties and the NEC signed a MoU in May 2023, where the parties committed to apply a voluntary 30 per cent gender quota on the candidate lists and to take measures to promote women’s participation in the 2023 elections. Despite the commitment, the parties did not deliver. Merely 159 (15.5 per cent) out of the 1,025 candidates were women, an even lower percentage than in the 2017 elections. Of the two main contesting parties, the CDC nominated 15 per cent and the UP 18 per cent women. As a result, only one woman was elected for the Senate and eight women to the House of Representatives (HoR).⁹⁸

Two women ran for the presidency and six for the vice-presidency. The only woman candidate remaining in the run-off was Jewel Howard Taylor, the vice-presidential candidate for the CDC. To mobilise women voters, the CDC launched a large campaign specifically targeting women to vote for her as the only woman on the ballot paper. Among the target groups were rural women, women working in the markets, and female candidates from the legislative elections. The first lady, the Minister of Gender, Children and Social Services, and several leaders of CSOs campaigned actively for the CDC.

Women in Liberia face numerous structural and cultural barriers which affect their participation in politics and decision-making. The adult literacy gender gap is significant.⁹⁹ The prevalence of gender-based violence is extremely high and societal prejudices and traditional practices widespread. The campaign environment for women candidates was considered unsafe by the EU EOM interlocutors with a risk of abuse, violence, and sexual harassment. To prevent violence, the NEC and the political parties signed the Violence against Women in Elections and Politics (VAWIE/P) Protocol in February 2022. The EU EOM received reports from women candidates on having experienced harassment, violence, frequent destruction of posters, and abuse on social media.¹⁰⁰

⁹⁵ Provisional results of the 2022 National Population and Housing Census and 2023 final voter registration figures (NEC).

⁹⁶ The African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (ACHPR-PW), Article 9.

⁹⁷ Currently, the requirements in the NEL on women’s political participation is a soft obligation whereby political parties shall “endeavor to ensure” that the governing body and its list of candidates has no less than 30 per cent of its members from each gender (NEL article 4.5.1).

⁹⁸ Fifteen seats out of 30 were up for contesting in the Senate and 73 seats in the HoR. 10.2 per cent of the newly elected legislators are women. Together with the sitting senators, the total share of women in both chambers is 10.7 per cent.

⁹⁹ 34.1 per cent for women and 62.7 per cent for men in 2017, UNESCO Institute for Statistics (UIS).

¹⁰⁰ The EU EOM received information from women candidates in Montserrado, Margibi, Nimba, Grand Bassa, Bong, Sinoe, and Grand Gedeh on having experienced different types of harassment.

A major obstacle for women candidates is the lack of financing. The centralised candidate registration process requires all candidates to travel to Monrovia to submit their candidature. This is cumbersome for candidates from remote areas due to the logistical challenges of the country but imposes an even higher barrier for women who have structurally less access to money, time, and transportation. In addition, the relatively high costs of registration and campaigning posed a challenge for women. All stakeholders brought up the lack of adequate financing as the largest obstacle for women's political participation. Women candidates had insufficient funding for basic campaign activities such as transport, posters, and media outreach.

Priority recommendation: Adopt temporary special measures (gender quotas) to achieve gender equality in the legislature.

XIII. PARTICIPATION OF PERSONS WITH DISABILITIES

Poor access remains a major obstacle for persons with disabilities' opportunities to register and to vote.

Liberia has ratified the Convention on the Rights of Persons with Disabilities (CRPD). The NEL stipulates that the voter registration centres and polling places shall, to the extent reasonably and practicably possible, be accessible to PWDs. The registration and polling staff shall give preference to such voters and are obliged to keep the secrecy of their votes in cases they need assistance.

According to the UNICEF, about 16 per cent of Liberians live with some kind of disability, but only 12,399 voters registered as PWDs during the voter registration period, which is 0.5 per cent of the registered voters. Out of the 1,025 candidates, only two are known to have a disability. One of them faced online insults related to his disability during the campaign. None of them were elected.

PWDs continue to be marginalised in Liberian society. According to disability rights groups, the major challenges faced by PWDs are the lack of adequate infrastructures, stigmatisation and social discrimination, and difficult access to education linked to unemployment and poverty. The general logistical constraints in the country regarding undeveloped road infrastructure affect PWDs disproportionately and remain a significant obstacle to their opportunities to register and to vote.

In the first round, the EU EOM observed that some 63 per cent of the visited polling places did not provide for independent access for persons with physical disabilities and in 43 per cent, the interior layout was not suitable for such voters. In the second round, some 61 per cent of polling places observed were not independently accessible, and in 34 per cent, the layout inside them was not suitable. The EU EOM observed that in most instances PWDs, pregnant women and other voters in need of assistance were given preferential treatment in the queues. According to EU EOM observers' reports, the tactile ballot guides together with the mock ballots reached

most counties too late to ensure effective voter education for PWDs. On election day, the tactile ballot guides were largely available.¹⁰¹

Recommendation: Improve access and opportunity to vote for PWDs through information, accessible registration centres and polling places, suitable layout of polling places, provision of tactile ballot guides, and systematic civic and voter education.

XIV. CITIZEN AND INTERNATIONAL ELECTION OBSERVATION

Long-term activities of the large number of accredited citizen and international observers enhanced transparency of the electoral process.

While the NEL provides for presence of election observers as well as political party agents at polling premises on election day, the NEC guidelines extend observer rights to the whole electoral process, further define their rights and obligations and regulate the accreditation process, in accordance with international standards. In an inclusive manner, the NEC accepted requests for observer accreditation from all organizations wishing to observe the elections beyond the set deadline for the first round.¹⁰² In absence of specific provisions regulating accreditation process for the second round, the NEC decided that all observer accreditations issued for the first round would remain valid. In addition, the NEC permitted previously accredited observer groups to request additional and replacement accreditation for the run-off and further accepted a few new accreditation requests. A total of over 7,800 national observers and 1,450 international observers were accredited to observe the first round of elections which increased to around 8,400 citizen and some 1,500 international observers accredited for the run-off elections.

Despite challenging environment and financial constraints, civil society organisations (CSOs) were actively involved in various phases and aspects of the whole electoral process, with a wide scope of activities ranging from promotion of peace and stability, advocacy efforts for marginalised groups and electoral reforms, election observation, as well as civic and voter education. Considerable presence and involvement of observers throughout the whole electoral process contributed to enhancing the transparency.

The largest domestic observation efforts were conducted by two main observer platforms, the Elections Coordinating Committee (ECC) and the Liberia Elections Observation Network (LEON), which carried out long-term activities throughout the country, primarily focusing on observation of the voter and candidate registration processes, electoral campaign, and media monitoring. In a coordinated manner, the ECC and the LEON fielded over 1,500 and 1,000 observers respectively on the first election day and reinforced their presence on run-off election

¹⁰¹ In the run-off, the tactile ballot guides were available in 94 per cent of the polling places observed by the EU EOM.

¹⁰² The deadline for accreditation applications set in the electoral calendar by the NEC expired on 11 September 2023; however, the NEC regulations establish a deadline of not later than two weeks prior to election day. Eventually, the requests were accepted up until few days prior to election day.

day, with more district coordinators and mobile observer teams. Both organizations presented their findings from pre-election campaign and media monitoring through several reports, reported on their observations throughout both election days, including a sample-based parallel vote tabulation conducted by LEON, and followed the tally process in most tally centres across the country.

International observation missions were deployed by the Electoral Institute for Sustainable Democracy in Africa (EISA) with long-term presence in the country, following all crucial phases of the electoral process (with 32 and 30 observers deployed for the first and second round respectively), the Economic Community of West African States (ECOWAS) with 135 observers for the first and over 90 observers for the second round, and a three-member expert team by the Carter Centre. The African Union deployed a short-term mission comprising 63 observers for the first round and a four-member expert team for the run-off.

A few days prior to run-off election day, serious claims aiming to undermine the integrity and credibility of domestic and international observer groups were raised by the two political parties contesting in the second round. While the CDC leadership publicly accused the executive director of the ECC of partisanship and cooperation with the UP, the UP Campaign Spokesperson alleged that the ECOWAS observer mission had received money from the CDC to validate false election results. Moreover, these allegations were followed by instigations made by CDC party affiliates online to prevent the ECC observers from conducting their activities on election day. Although both statements were subsequently retracted as erroneous, such unprecedented and unfounded attacks against recognised organisations endangered one of the important components ensuring transparency of the electoral process.

XV. ELECTORAL DISPUTES

Transparent albeit slow adjudication process of complaints and appeals, especially of post-election ones, highlights the need for reform of the dispute resolution system and comprehensive training of all those involved.

Complaints and Appeals

The legal framework for electoral dispute resolution is contained in the Constitution of Liberia, the NEL, the NEC Hearing Regulations and Procedures of October 2022 and previous jurisprudence of the Supreme Court of Liberia.

The Constitution vests in the NEC the general responsibility for the examination of all disputes regarding the conduct of elections and the results thereof.¹⁰³ It stipulates that “any party or candidate who complains about the way the elections were conducted or who challenges the results thereof shall have the right to file a complaint with the Elections Commission” no later than seven days after the announcement of the election results. Furthermore, it specifies that the NEC has 30 days in its disposal to conduct an investigation of the complaint and render

¹⁰³ Article 83 c. of the Constitution of Liberia.

a decision therein, which may include the dismissal of the complaint or the nullification of the election of a candidate. Parties to the proceedings may appeal the NEC's decision to the Supreme Court of Liberia within seven days. The NEC has seven days to respond to the notice of appeal, whereas the Supreme Court must render its decision on the appeal within seven days.

The constitutionally prescribed method of appointment of the Supreme Court Justices and lower judiciary by the president with the approval of the Senate with no involvement of another authority lacks transparency. In combination with significant shortcomings in the administration of justice by courts at all levels, due to the lack of financial, material and human resources, it has led to limited confidence in judicial impartiality by election stakeholders.

The NEL provides further details on the dispute resolution process. All complaints are examined by the NEC election magistrates, while the Chief Dispute Hearing Officer (in Monrovia) adjudicates matters related to intra-party disputes and violations of campaign finance regulations. Their decisions are appealed to the NEC Board of Commissioners (BoC) within 48 hours after publication of the decision. Decisions of the NEC BoC may be appealed to the Supreme Court within 48 hours. For these elections, the NEC appointed 22 hearing officers, members of the Liberian National Bar Association, who were deployed in the counties to assist the NEC election magistrates in the adjudication of complaints, having concurrent jurisdiction.

Overall, the legal framework does not fully guarantee the right to an effective remedy. In particular, an ambiguous provision of the NEL¹⁰⁴ has led to an interpretation by the Supreme Court that §5.9 of the NEL that articulates who has the right to file a complaint, namely voters, candidates or registered political parties, only “applies to the time of voting and not nomination of candidates”.¹⁰⁵ In addition, as the NEL is silent on the legal procedures in case of rejection of an aspiring candidate’s application for registration, these are only defined in the NEC Nomination and Registration Procedures which allow challenges to the provisional list of candidates only by electoral contestants but not by voters. The combination of the aforementioned provisions leaves voters with no legal remedy for issues prior to election day except for objections related to voter registration; similarly, they can file complaints only on polling day and cannot challenge either the tallying process or the election results. This limited legal standing is contrary to international and regional commitments.¹⁰⁶

¹⁰⁴ Article §5.9 of the NEL stipulates that “A voter, candidate or a registered political party may file a complaint with the Commission alleging that an offence against the Constitution or the Elections law or a violation of a regulation issued by the Commission has occurred in connection with the administration of an election, during any stage of the election”.

¹⁰⁵ *National Elections Commission versus Amos Sieh Seibo*, Supreme Court of Liberia, Opinion of 5 September 2017, page 18-19.

¹⁰⁶ ICCPR, art. 2(3)(a): “To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity.” and ICCPR GC 31, para.15: “to ensure that individuals have accessible and effective remedies... Administrative mechanisms are particularly required to give effect to the general obligation to investigate allegations of violations promptly, thoroughly and effectively through independent and impartial bodies.”

Recommendation: The law to provide for a broader legal standing for pre- and post-election complaints and appeals.

A limited number of complaints were submitted prior to the 10 October general elections, mostly related to candidate nomination. In detail, 24 individual complaints were filed with the NEC, out of which 19 were challenging aspirant candidates on the provisional list published by the NEC. The NEC Hearing Section consolidated the complaints filed against the same respondents, and rendered 14 decisions, which were all appealed to the NEC Board of Commissioners. Out of these, five were further appealed to the Supreme Court, which disposed all but two cases by 13 September.¹⁰⁷ The majority were dismissed on procedural grounds, mainly lack of standing. The hearings before the NEC election magistrates/hearing officers and BoC were open to the public and the media, thus ensuring transparency of the process.

In addition, §6.6 of the NEL stipulates that “during the process of an election any irregularity observed shall be noted and filed (...) as a complaint not later than five days from the date of the Elections”, hence stipulating a different time limit to file a complaint than the time limit provided in §5.9 and also in §6.1 of the NEL. The lack of precision in the legal framework not only led to uncertainty for electoral contestants and legal professionals, but also to a number of post-election complaints that were dismissed on this ground by hearing officers, which were remanded on appeal by the NEC Board of Commissioners due to incorrect application of the law.

Following the 10 October elections, only one complaint was filed challenging the presidential election results on the grounds that the ballot paper did not include a certain party’s name as such under its logo, but instead the name of another party. The complaint was dismissed by both the hearing officer and the NEC Board of Commissioners, mainly due to the prior validation of the sample ballot paper by the complainant despite the error, as well as on the grounds that this error did not affect the results for the run-off election. No appeal was filed to the Supreme Court.

In addition, 62 complaints were filed with NEC election magistrates across the country, alleging malpractices and irregularities related to the Senate and House of Representative elections. Many complaints were not sufficiently detailed and dismissed for lack of evidence; and some were filed by voters or party agents, who cannot submit post-election complaints, therefore dismissed for lack of legal standing. By 30 November, 24 rulings were appealed to the NEC Board of Commissioners that remanded 10 of them for re-trial at magisterial level.¹⁰⁸ Nine appeals were dismissed thus confirming the rulings of the hearing officers. By the first week of December, a small number of hearings was still on-going and rulings were pending.

¹⁰⁷ These two were complaints challenging the constitutionality of a NEC regulation specifying financial requirements for independent candidates.

¹⁰⁸ When hearing an appeal on a complaint related to voting, the NEC BoC may decide to dismiss the complaint, order a recount, order a re-vote at a polling place, refer a complaint to the Minister of Justice for prosecution or order a punishment within its authority under the NEL.

Several EU EOM interlocutors argued that the NEC should not be entrusted with the adjudication of complaints and appeals challenging the elections that the NEC organizes. Nevertheless, the majority of NEC election magistrates and hearing officers demonstrated professionalism and knowledge of the process. Yet, many hearings were overly concentrating on technicalities instead of fact-finding, while cross-examination of witnesses has been at times excessively tedious without offering more details to the case. Although the 2022 NEC Hearing Regulations and Procedures restricted the grounds for application for interlocutory rulings to the NEC BoC to only two, namely for recusal or a change of venue for security reasons, it had a limited and not impactful enough impact to a protracted adversarial process which in several cases exceeded the 30-day time limit foreseen in the law. On a positive note, much latitude was given to complainants to ensure due process. However, several frivolous motions and objections filed by lawyers were entertained by some hearing officers. This could be possibly attributed to insufficient knowledge of the NEC Hearing Regulations, due to the very limited training of the hearing officers that was conducted in less than a day. Following the run-off presidential election, only two complaints were filed, one by the CDC in Nimba County that was dropped after the President Weah conceded defeat, and one by the UP in Gran Kru County.

Priority recommendation: In order to adjudicate the election complaints in a more expedient manner as well as to increase public confidence in the process, the secondment of court magistrates during the electoral period to adjudicate complaints at first instance level instead of lawyers, could be considered. Sufficient funding to be provided for the organization of multi-day training on electoral dispute resolution for NEC election magistrates and hearing officers.

Electoral Offences

An extensive range of electoral offences is established in the NEL, which provides a detailed list of activities prohibited during the election campaign as well as during polling and counting. These include offences related to fraudulent voter registration and impersonation, multiple registration, use of state resources in election campaign except for a state resource that is made available to all candidates and political parties for the election, bribery, undue influence, destruction or removal of ballot papers, multiple voting, and stirring up unrest and rebellion after declaration of election results. A person who commits an electoral offence is liable to a fine or imprisonment, or both. The NEL specifies that for offences committed by political parties the fine shall not be less than the equivalent of USD 2,500 and not exceed USD 50,000. With respect to offences committed by a natural person, the law states that the fine shall not exceed the equivalent of USD 500, except for ballot paper fraud and destruction and removal of ballot papers, for which fines of up to USD 5,000 are foreseen. Furthermore, there is a certain level of incoherence and uncertainty on fines foreseen by the law, with a broad scope on the application of some severe sanctions, such as those limiting suffrage rights.

In accordance with Section 2.24 of the NEL, election offences for which the penalty foreseen is not more than USD 500 are examined and determined in the first instance by election magistrates. However, the Supreme Court has ruled in the past that NEC election magistrates do

not have jurisdiction to hear criminal matters¹⁰⁹ and should refer them directly to the county attorney, once they identify that it is an electoral offence as such.

Prior to 10 October general elections, a small number of electoral offences was reported by the EU EOM observers, the majority relating to low level vandalism, such as destruction of campaign material; of these, two are under examination before the police and judicial authorities, others were resolved by mutual consent between the parties.

In several counties, the police informed the EU EOM that there were no election-related offences between the two rounds and after the run-off. In other counties, investigation for offences committed was either still open until the departure of the EU long-term observers on 29 November, or resulted in court hearings, or the perpetrators already convicted in a few cases.¹¹⁰

Recommendation: Review the provisions of the law related to election offences as well as review the scope and breadth of penalties and sanctions, in order to ensure greater certainty and enforceability of sanctions and remove ambiguities and inconsistencies.

XVI. VOTING, COUNTING AND TABULATION OF RESULTS

a) First election day

Orderly election day marked by high voter turnout, but cumbersome procedures reflected in considerable slowness of the process.

On the first election day, the EU EOM deployed 103 observers who visited 417 polling places across all counties of Liberia, except for Grand Kru due to logistical constraints. Election day was generally calm and peaceful, although isolated cases of incidents in and around voting precincts were reported by observers. These were mostly the result of long queues of voters, especially in morning hours, in conjunction with slow processing of polling or late opening in some observed polling places. Shortly before closing of the polls, the NEC informed the public about belated opening or non-opening of several voting precincts in the counties of Rivercess (15 voting precincts) and Sinoe (11 voting precincts) due to delayed arrival of the election materials, owing to logistical difficulties, where voting was extended or postponed to later days.

Overview of Voting

The morning hours of election day were marked by a considerable participation of voters, reflected in large queues observed in vast majority of the visited voting precincts. The opening of polls was assessed as orderly and smooth in 38 of 40 polling places observed by the EU EOM

¹⁰⁹ *Madam Botoe Kanneh, 2020 Senatorial Aspirant in Gbarpolu County versus Coalition for Democratic Change (CDC) on behalf of its Senatorial Candidate/Aspirant in Gbarpolu County, Supreme Court of Liberia, Opinion of 24 March 2021.*

¹¹⁰ These include offences committed in Margibi, Lofa, Bong, Nimba, and Grand Bassa counties.

observers. Most polling places opened on time; however, 13 observed polling places experienced slight delays due to disorganisation, unclarity over some procedures or insufficient numbers of polling personnel present. While procedures were largely followed, some procedural oversights were observed, such as the failure to count the received ballots (8 cases) or record their numbers (16 cases).

Observers positively assessed the voting process in 86 per cent of 348 polling places observed, characterising it as overall well-organised. Voting procedures were generally respected. Although the EU EOM observers noted inconsistent implementation of certain procedures, most notably in case of inking of voters' fingers which were not always inked before the ballots were cast (12 per cent of observations) as required by established procedures. Party and candidate agents, from all political forces, monitored the process in large numbers in all polling places visited, while citizen and international observers were present in some 60 per cent of them, contributing to transparency.

The secrecy of vote was not always sufficiently protected. Due to poor lightning in some observed polling places, voters were seen stepping out of behind the voting screens in order to mark their ballots or requesting further assistance due to such conditions (12 per cent of observed polling places), thus potentially revealing their vote. Polling staff in some 21 per cent of visited polling places did not consistently instruct voters on the manner of voting and to fold the ballots after marking them. Furthermore, in some 10 per cent of polling places, the secrecy of vote was further compromised by improper positioning of the voting screens.

Most EU EOM observers reported that certain procedures, such as finding voters in the FRR, issuance and pre-folding of ballots as well as actual marking and casting of ballots, necessitated a considerable amount of time, significantly slowing down the process. This gave rise to frustration among voters waiting in long queues in front of the polling places. The high voter turnout, combined with slow processing of voters and inadequate polling place layouts resulted in queuing and overcrowding in some 21 per cent of the observations.

Counting

Almost two thirds of observed polling places closed with a delay, mostly up to one hour, primarily to accommodate voters waiting to cast the ballot. The vote count was assessed as transparent and smooth in 21 of the 27 polling places where it was observed; however, insufficient understanding of the procedures by polling personnel resulted in inconsistent implementation of several important steps. In 40 per cent of polling places observed, the polling staff failed to follow the established order of procedures, especially for those set for reconciliation of ballots (7 cases), or did not complete the closing procedures correctly in close to half of the observations before the start of the count.

The determination of ballot validity was generally reasonable and consistent; however, the EU EOM observers reported frequent cases when validity of ballots was disputed and noted relatively high numbers of invalidated ballots, including those with clear intention of voters.

The final election results published by the NEC indicated the overall ratio of invalid ballots at 5.9 per cent in the presidential election, with the highest percentages detected in Rivercess (9.3 per cent) and Grand Bassa (9.8 per cent). However, numerous individual polling places recorded significantly higher percentages, amounting up to 20 or 30 per cent.¹¹¹

The complexity of the counting procedures reflected in slowness of this stage of election day. While the closing and counting procedures, as outlined by the NEC regulations and manuals, contain numerous integrity measures, lack of some important control safeguards, such as establishing the total number of voters who voted by counting respective marks in the FRR or including voters added to the FRR on election day to the total number of voters registered,¹¹² impacts on the comprehensiveness and integrity of the counting procedures. Moreover, the fact that these figures are not included in the records of count resulted in slightly distorted reporting of electoral data and at times required additional verification by the NEC personnel before being processed during the tabulation. In a fifth of all observed counts, the polling personnel experienced difficulties in reconciling the data and filling in the result protocols, showing a lack of training in this respect.

Recommendation: Review election-day procedures and results forms; and conduct comprehensive training programme for all polling staff to ensure their coherent implementation and avoid procedural errors.

Tabulation of Results

By 24 October, the NEC concluded the tally and collation of the first-round general elections results.¹¹³ The process in most tally centres observed by the EU EOM was generally assessed positively as well organised and efficient, with robust procedural safeguards and transparency measures and active role played by party agents during this phase. Protraction of the process was at times necessitated by corrections of errors and inconsistencies in result forms, explanations of the procedures, and some disruptions by party agents.

The EU EOM observers noted high incidence of result forms with corrected mistakes or requiring correction due to arithmetical errors or misplaced data which was indicative of insufficient understanding of the procedures among election personnel. Moreover, reconciliation procedures were not fully followed in a few instances and result data were adjusted by increasing numbers of invalid or unused ballots for minor discrepancies without a required recount; however, with mutual consent of tally staff and party agents.¹¹⁴

¹¹¹ Considerable difference can also be noted among individual electoral districts, with highest percentages amounting up to 11 per cent in Grand Bassa (see Annex 4).

¹¹² Certain categories of voters, such as polling and security personnel on duty at voting precincts, drivers of international observers and those omitted from the FRR with a valid claim for inclusion, could be added to the registration rolls on election day, without submitting a prior request. These voters remain included in the voter registration rolls of their permanent registration.

¹¹³ On 20 October, a rerun of all contests was held in two polling places in electoral district 4 in Nimba county due to violation of integrity of the election materials during a violent attack.

¹¹⁴ Observed in the tally centres in Grand Bassa, Upper Montserrado, Margibi, Lower Nimba, and Maryland.

b) Second election day

Transparent and well-organised run-off election day despite perceptible tensions caused by disruptive actions of some party agents.

On run-off election day, 85 EU EOM observers visited 326 polling places across all 15 counties, within 63 electoral districts. Election day was overall orderly and the environment in polling places was calm; however, some isolated incidents involving physical violence took place in Grand Gedeh, Montserrado, and Nimba. For the run-off, the Commission introduced certain positive modifications, including adjusted design of the ballot, election-day procedures (regarding folding of ballots), polling place arrangements, and prior registration of party agents for tally centres.

The composition of coordination, supervisory and polling teams remained largely unchanged for the run-off. Distribution of posts within several teams was adjusted and several presiding officers or voter identification officers were reallocated to lower-level posts due to their unsatisfactory performance on the first-round election day.

Some four hours prior to closure of the polls, the NEC issued a statement deploring actions by several party agents in polling places, who demanded the names of all voters be announced aloud, and called on the staff to refrain from acceding to this practice. The party agents invoked a memorandum of understanding outlined by the two political parties contesting the presidential race. Although the text of the memorandum was shared with the NEC's political affairs section, it was not discussed nor approved by the NEC Board of Commissioners since the CDC eventually did not sign it and the polling personnel never received any instructions in this respect. Afterwards, the NEC held a planned press briefing to provide information on election-day developments and to declare against misinformation circulating in relation to alleged electoral irregularities, such as issuance of pre-marked ballots to voters in Lofa.

Overview of Voting

The overall conduct of opening was smooth and efficient in all 32 polling places observed by the EU EOM. Opening procedures were largely followed, although the EU observers noted a few instances of minor procedural omissions, such as non-diligent counting and recording of ballots received. Most of the polling places observed opened on time or shortly after. Thanks to the logistical improvements, all election materials were delivered on time to conduct polls on the determined election day.

Observers positively assessed the voting in 98 per cent of the 326 polling places observed, describing it as a well-organised, calm, and orderly process. Established procedures were generally respected. While polling staff showed better understanding of the process compared to the first round, certain steps were observed to be inconsistently implemented, indicating insufficient familiarisation with the run-off procedures. The EU EOM observers noted significant confusion over the inking procedure, as regards to correct voters' fingers to be inked and exact stage of the process when ink should have been applied (15 per cent of observed polling places). In some two out of five observations, the polling staff did not consistently instruct voters on the manner of voting. The EU EOM observers reported that not all voters marked their ballots in

secrecy (8 per cent of observed polling places) and, in 6 per cent, the polling place layout, due to positioning of voting screens, potentially compromised the secrecy of the vote.

Authorised party agents monitored the process in all polling places observed except one, while accredited citizen and international observers were present in 46 per cent of them, contributing to transparency. At the same time, the EU EOM observers reported that in many instances the party agents interfered in or directed the voting process. This related primarily to the fact that many party agents compelled the polling staff to announce voters' data aloud, notwithstanding that there was no approved procedure in this matter. In 38 per cent of observed polling places, the party agents of both contestants, but more often the UP, were seen keeping track of voters arriving at polling places, having copies of the final registration roll, raising concerns over undue influence on and intimidation of voters. In a few cases, party agents were also observed requesting voters to show them their voter cards.

Counting

In 26 of the 29 observations, the vote count was mostly carried out efficiently, accurately, and in a transparent manner. The EU EOM observers nevertheless reported frequent cases in which the polling staff failed to follow basic reconciliation procedures before opening the ballot box (11 observations) and omitted certain prescribed procedures for sorting and counting of ballots (4 observations), largely in an effort to speed up the process. Negative assessments from three polling places were associated with significant non-adherence to procedures, altercations inside the polling place, pressure on polling staff and undue interference in the count. Positively, the determination of ballot validity was generally reasonable and consistent.

Tabulation of Results

Prior to the second round, the NEC updated the tally procedures, introducing additional transparency measures and listing more precise instructions for the tally personnel. The run-off results tally process, observed in all 19 tally centres, was positively evaluated as transparent, efficient and largely professionally organised. Established tally procedures were largely followed. Positively, the EU EOM noted significant reduction of result forms with miscalculations, other discrepancies or incomplete ones. Party agents and observers performed their respective duties attentively in all observed tally centres.

The process progressed well in a mostly peaceful and cooperative atmosphere, with only one observation of tensions reported from River Gee. Most tally centres finalised the data entry within two days. Only announcement of the partial results from the Nimba County was postponed until 20 November, due to a rerun held in one polling place in the electoral district 4 where the electoral data were not processed on the grounds of detected malpractices (the number of votes cast exceeded the total number of voters registered by 50).

For the second round, the EU EOM had the opportunity to be continuously present at the NEC Data Centre during the transmission and collation of the election results at the national level and observe the quality checks performed on received data and verification process of the quarantined records of count. In total, there have been 42 records of counts quarantined during the run-off, with the highest numbers in Grand Gedeh (17) and Grand Kru (20). These were mainly flagged based on pre-set criteria in the results management system, such as extremely high turnout, exceeding numbers of votes compared to registered voters, extreme

number of votes for a leading candidate, and updates made to the tallied data (after verification of materials or recounts). All these were eventually approved as records with plausible results and did not initiate any recounts since there were no objections raised by the party agents at any prior stage. There are no provisions which would require the NEC to investigate such issues further.

XVII. RESULTS AND POST-ELECTION ENVIRONMENT

Publication of Results

Contributing to transparency, during the period following both election days, the NEC informed the public on relevant electoral developments, progressively announced the provisional results per county and electoral district, where applicable, and published them on a dedicated website. Electoral results per polling place were available for each contest, enhancing transparency. However, availability of the NEC results portal after the first election day was affected by technical problems as well as distributed denial-of-service attacks on the website reported by the NEC, nonetheless, without compromising the off-line results management system. The website availability was stabilised for the second round and most technical issues were fixed.

Elected candidates from the legislative elections were declared progressively, following the finalisation of the tally process in each respective constituency. On 24 October, the NEC announced the final results of the first round of the presidential elections with a record high turnout of 78.86 per cent, and declared the run-off to take place on 14 November between the two candidates who had obtained the highest number of votes: George M. Weah of the CDC with 804,087 valid votes (43.8 per cent) and Joseph N. Boakai with 796,961 votes (43.4 per cent). On 20 November, the NEC announced the final results of the presidential run-off elections, declaring Joseph N. Boakai and Jeremiah K. Koung of the Unity Party ticket elected with 50.64 per cent of the valid votes. The run-off turnout reached 66.12 per cent.

Post-election developments

As a result of the run-off, the opposition leader Joseph Boakai won election with a margin of some 20,000 votes. The incumbent President George Weah accepted his defeat and congratulated to his opponent prior to the official declaration of results by the NEC. The President Weah's timely concession (just a few hours after the NEC's declaration of progressive results based on 99.8 percent of all polling places) was an important moment in the history of Liberian elections. It significantly contributed to the peaceful transition of power and further consolidation of democracy in the country.

XVIII. RECOMMENDATIONS

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL PRINCIPLE / COMMITMENT
LEGAL FRAMEWORK						
1		The New Elections Law is characterised by shortcomings related to the absence of criteria for the establishment of political parties, uneven legal requirements for candidate registration, limited legal standing as well as loopholes and ambiguities related to the jurisdiction of election magistrates, electoral dispute resolution and electoral offences.	<p>Review the legal framework in a holistic manner in order to address loopholes, ambiguous and contradictory provisions related to candidate registration, campaign finance and submission and adjudication of complaints and appeals for all stages of the electoral process so as to ensure a coherent application and implementation by the NEC election magistrates and hearing officers, as well as better understanding by electoral stakeholders.</p> <p>(Priority recommendation)</p>	Review of New Elections Law and NEC Regulations	Legislature NEC	<p>Rule of Law</p> <p><i>ICCPR, Art 2(2)</i></p> <p>A/HRC/RES/19/36, 2012, p. 16: [The Human Rights Council] calls upon States to make continuous efforts to strengthen the rule of law and promote democracy by: (c) <i>“Ensuring that a sufficient degree of legal certainty and predictability is provided in the application of the law, to avoid any arbitrariness.”</i></p>
2		The Constitution requires establishment of electoral districts for the House of Representatives which shall comprise approximately equal population in accordance with the population figures following a national census. Following	Review delimitation of the electoral constituency boundaries in line with the national legislation, international standards and good practice, to uphold equality of the vote and proportionate representation.	Introduction of a new legislation on electoral threshold for delimitation of electoral constituency boundaries Amendment to NEC	Legislature NEC	<p>Equal suffrage</p> <p>ICCPR, art. 25: <i>“Every citizen shall have the right and the opportunity (...) to vote and to be elected at genuine periodic elections which shall be by universal and equal</i></p>

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		<p>the census, the Legislature must adopt a new law on the electoral threshold, determining an average number of voters per constituency. This serves as a basis for the NEC’s decision on delimitation of the constituency boundaries. The last reapportionment of electoral districts took place prior to the 2011 elections. Consequently, there is a significantly unequal distribution of registered voters amongst the electoral districts, with some two thirds of electoral districts significantly deviating from an average ratio of voters per seat (more than 15 per cent), which undermines the principle of equality of the vote and proportionate representation in the elective body.</p>		<p>regulations</p>		<p><i>suffrage.”</i></p> <p>UN HRC General Comment 25 on the ICCPR, para. 21: “[...] <i>within the framework of each State’s electoral system, the vote of one elector should be equal to the vote of another. The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters [...]”.</i></p>
ELECTION ADMINISTRATION						
3		<p>The NEC lacks financial autonomy. Funds for elections and NEC’s recurrent expenditure are allocated from the National Revenue by the Ministry of Finance as per approved annual budget. While the NEL art. 11.2 indicates quarterly release of funds, the main text of the article obliges the Ministry to disburse the approved budgetary amounts biannually. Severe</p>	<p>Provide the NEC with the requisite and timely allocated financial resources corresponding to its legal and operational responsibilities to ensure its independence and efficiency.</p> <p>(Priority recommendation)</p>	<p>Harmonisation of the art. 11.2 of the NEL</p> <p>Administrative measures</p>	<p>Ministry of Finance</p> <p>Legislature</p>	<p>Genuine elections that reflect the free expression of the will of the people</p> <p>UN HRC General Comment 25 on the ICCPR, para. 21: <i>“An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in</i></p>

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		<p>budgetary constraints and belated disbursement of funds significantly restricted the NEC’s operational capacity and ability to fulfil its mandate independently and negatively impacted election preparations and various election-related activities.</p>				<p><i>accordance with established laws which are compatible with the Covenant.”</i></p> <p>AU Declaration on the Principles Governing Democratic Elections in Africa, section III, item g): <i>“We commit our Governments to:... ensure the availability of adequate logistics and resources for carrying out democratic elections.”</i></p> <p>African Charter on Democracy, Elections and Governance, art. 15, para. 1 and 4: <i>“State Parties shall establish public institutions that promote and support democracy and constitutional order. [...] State Parties shall provide the above-mentioned institutions with resources to perform their assigned missions efficiently and effectively.”</i></p>
4		<p>Communication and information sharing by the NEC remains one of their main weaknesses in the process. There are no legal provisions for openness in NEC’s work and NEC’s decisions and other election-related information and documents were not systematically published. Diverse communication channels at the</p>	<p>Publish relevant information on all aspects of the electoral process, including decisions, regulations and general documentation, in a timely and comprehensive manner to enhance transparency and public confidence in the NEC’s work.</p>	<p>No legal change. Administrative measures</p>	<p>NEC</p>	<p>Transparency and access to information</p> <p>UN HRC GC 34 on the ICCPR, para. 19: <i>“To give effect to the right of access to information, States parties should proactively put in the public domain Government information of public interest. States parties should</i></p>

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		<p>NEC’s disposal, such as website and Facebook page, press briefings and various stakeholder engagement events, were not always efficiently used. Although attempts to improve communication strategy were noted, the NEC failed to effectively address the stakeholders’ concerns and communicate with the general public. This often resulted in confusion and misunderstanding over the electoral process as many of the NEC’s responses were vague or incomplete.</p>				<p><i>make every effort to ensure easy, prompt, effective and practical access to such information.”</i></p> <p>African Charter on Human Rights, art. 9, para 1: <i>“Every individual shall have the right to receive information.”</i></p>
5		<p>Throughout the whole electoral period, the election administration was confronted with low stakeholders’ confidence in its work and independence, and multiple accusations challenging the integrity of the electoral process, arising from poor stakeholder’s understanding of the process and insufficient information shared by the election administration. On a different note, the NEC suffers from a shortage of experienced and skilled personnel at lower levels who could assume vacant posts in view of forthcoming retirement of various officials from the senior management, demonstrating the need to strengthen the current internal capacities. These issues</p>	<p>Strengthen capacities and broaden scope of activities of the NEC training department to implement comprehensive and continuous training for permanent and temporary electoral personnel.</p>	<p>No legal change. Administrative measures</p>	<p>NEC</p>	<p>Genuine elections that reflect the free expression of the will of the people</p> <p>African Charter on Democracy, Elections and Governance, art. 12: <i>“State Parties undertake to implement programmes and carry out activities designed to promote democratic principles and practices as well as consolidate a culture of democracy and peace.”</i></p> <p>AU Declaration on the Principles Governing Democratic Elections in Africa, para. 4, item e): <i>“Democratic elections should be conducted... by impartial, all-inclusive competent accountable electoral institutions staffed by well-trained personnel and</i></p>

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		<p>might be addressed by strengthening capacities and extending the scope of activities of its training department in order to develop and implement comprehensive long-term educational programmes aimed at various groups of stakeholders and provide continuous training for the permanent electoral personnel.</p>				<p><i>equipped with adequate logistics.”</i></p>
VOTER REGISTRATION						
6		<p>While the legislation guarantees the right to vote for all Liberian citizens over the age of 18, with certain limitations established by the law, many eligible voters remained effectively disenfranchised as a result of the current voter registration procedures. Given the active system of registration, a lack of specific provisions prevents registration of all those turning 18 in the interim between the registration period and election day as well as all those who cannot present themselves at registration centres, such as detainees or persons in in-patient facilities. Moreover, even if registered, there are no specific measures for the latter category to exercise the right to vote in case they cannot arrive to</p>	<p>Introduce effective measures to ensure equal opportunity to register and exercise the right to vote for all eligible voters.</p>	<p>Amendment to the NEL and NEC regulations</p>	<p>National legislature NEC</p>	<p>Right and opportunity to vote UN HRC General Comment 25 on the ICCPR, para. 11: <i>“States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed.”</i> UN HRC General Comment 25 on the ICCPR, para. 4: <i>“... the exercise of [electoral] rights by citizens may not be suspended or excluded except on grounds which are established by law and which are objective and reasonable.”</i></p>

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		assigned polling places.				UN HRC General Comment 25 on the ICCPR, para. 14: <i>“Persons who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote.”</i>
7		The current voter registration system is hampered by lack of sufficient safeguards to ensure verifiability of voters’ eligibility and actual records and to prevent potentially fraudulent registrations. In absence of comprehensive database of citizens’ records, such as civil register, collected data during the voter registration exercise cannot be thoroughly verified and crosschecked. Voters’ identity and eligibility can be proven not only by official documents, but also by oral testimonies.	In a coordinated effort of all relevant state institutions, continue establishing the national civil register by harmonising all pertinent registers and databases to provide an accurate and reliable basis for verification of the voter registration roll.	Amendment to the national legislation and the NEL Revision of NEC and regulations and procedures	Government National legislature National Identification Registry NEC	State must take necessary steps to give effect to rights ICCPR, art. 2(2) <i>“Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.”</i>
8		Eligible voters could register within a scheduled period at one of the 2,080 registration centres according to their place of ordinary residence. However, since most voters could not reliably prove their ordinary residence with supporting documentation, this has been interpreted in a broad manner during the voter registration. For many voters, long distances to their	Further decentralise the voter registration process and increase the number of voter registration centres to provide appropriate opportunities for voters to participate in the electoral process. (Priority recommendation)	No legal change. Administrative measures	Government NEC	Right and opportunity to vote UN HRC General Comment 25 on the ICCPR, para. 12: <i>“Positive measures should be taken to overcome specific difficulties, such as ...impediments to freedom of movement which prevent persons entitled to vote from exercising their rights effectively.”</i>

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		<p>assigned registration centres entail travelling for several hours, potentially discouraging or preventing them from doing so. In such cases, voters might be incentivised by electoral contestants, as widely reported by citizen and international observers during these elections, to accept organised transportation even to registration centres outside the area of their residence and thus avoid costs of their own transportation. Further travelling is required during exhibition period of the provisional registration rolls or to request corrections in registered data.</p>				
REGISTRATION OF CANDIDATES AND POLITICAL PARTIES						
9		<p>The national legislation retains several limitations on the right to stand as well as registration of political parties. Moreover, undue registration requirements, in particular considerable registration and processing fees, financial deposit and disproportionate numbers of supporting signatures for independent candidates, in connection with the centralised registration system requiring in-person presence as well as considerable time, posed unreasonable obstacles to candidacies, primarily for already</p>	<p>Revise candidate registration and nomination requirements, such as registration and processing fees, bank deposit and unified numbers of supporting signatures for independent candidates, and facilitate the corresponding administrative process to ensure equal opportunities to participate in elections.</p>	<p>Amendment to the NEL Revision of NEC regulations</p>	<p>National legislature NEC</p>	<p>Right and opportunity to participate in elections UN HRC General Comment No. 25 to the ICCPR, para. 15: <i>“No person should suffer discrimination or disadvantage of any kind because of that person’s candidacy.”</i> UN HRC General Comment 25 to the ICCPR, para. 16: <i>“Conditions relating to nomination dates, fees or deposits should be reasonable and not discriminatory.”</i> UN HRC General Comment 25 to the ICCPR, para 17.: <i>“If a candidate is</i></p>

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		<p>underrepresented groups, especially women. These requirements negatively impact on equal opportunity to stand for office.</p>				<p><i>required to have a minimum number of supporters for nomination this requirement should be reasonable and not act as a barrier to candidacy.</i></p> <p>AU Declaration on the Principles Governing Democratic Elections in Africa, section IV, para. 2: <i>“Every citizen has the right to fully participate in the electoral processes of the country, including the right to vote or be voted for, [...], without any kind of discrimination.”</i></p>
CAMPAIGN ENVIRONMENT						
10		<p>The widespread use of state resources in the campaign was observed by the EU EOM observers in the form of staff, institutions, buildings (e.g. public schools), and vehicles. In addition, the EU EOM observers reported that in several cases the public venues used for the campaigning by the ruling party were not accessible to the opposition. Many appointed officials at county or electoral district level were publicly campaigning in favour of the ruling party during working hours. The National Code of Conduct for All Public Officials and Employees of the Government of Liberia, amongst other things, prohibits all</p>	<p>Make operational the Office of the Ombudsman, as established in the Code of Conduct Law of 2014, to effectively monitor and sanction abuse of state resources during election campaigns.</p>	<p>No legal change required</p>	<p>Government</p>	<p>Prevention of corruption / Fairness in the election campaign</p> <p>ICCPR, GC, para. 19: <i>“Persons entitled to vote must be free to vote for any candidate for election... and free to support or to oppose government, without undue influence or coercion of any kind which may distort or inhibit the free expression of the elector's will. Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”</i></p> <p>UNCAC, article 17: <i>“Each State Party shall adopt such legislative and</i></p>

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		<p>public officials appointed by the president from engaging in political activities, canvassing or contesting for elected offices. In addition, it provides for the creation of the Office of Ombudsman, with original jurisdiction to oversight, monitor and evaluate adherence to the Code of Conduct as well as to receive and investigate complaints of alleged violations of the Code. Up to this date, the Office of Ombudsman has not been established, therefore there is no forum to receive and address complaints of alleged violations of the Code.</p>				<p><i>other measures as may be necessary to establish as criminal offences, when committed intentionally, the embezzlement, misappropriation or other diversion by a public official for his or her benefit or for the benefit of another person or entity, of any property, public or private funds or securities or any other thing of value entrusted to the public official by virtue of his or her position.”</i></p>
CAMPAIGN FINANCE						
11		<p>The legislative framework for campaign finance is comprehensive, but there are ambiguities and discrepancies between and within the different legislative acts (the Constitution, the NEL and the CFR). It is unclear if the ceilings for campaign expenditures are set for the individual candidates or per party, and who is responsible for reporting and may be sanctioned if the candidate is nominated by a party. Proportionality and effectiveness of the fines for noncompliance are questionable. There are no</p>	<p>Review the NEL and the CFR, creating a coherent and clear legal framework for campaign finance to ensure equal opportunity and transparency. Remove ambiguities regarding the spending limits, responsibilities and sanctions for reporting. Specify the deadlines for reporting and disclosure.</p>	<p>Amend Chapter 7 of the New Elections Law and the 2022 Campaign Finance Regulations</p>	<p>Legislature NEC</p>	<p>Transparency Prevention of corruption / Fairness in the election campaign</p> <p>AUCPCC, art. 10: <i>“Each State Party shall adopt legislative and other measures which proscribe the use of funds acquired through illegal and corrupt practices to finance political parties; and incorporate the principle of transparency into funding of political parties.”</i></p> <p>UNCAC, art. 7.3: <i>“Each State Party shall also consider taking appropriate legislative and</i></p>

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		deadlines for neither the submission nor publishing of campaign finance reports.				<p><i>administrative measures... to enhance transparency in the funding of candidatures.”</i></p> <p>HRC, CCPR, GC No. 25, para. 19: <i>“Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party.”</i></p>
12		Due to lack of resources and capacity, the NEC is currently not enforcing the campaign finance regulations for collecting, scrutinising, and disclosing financial reports, and is not addressing violations. The absence of enforcement resulted in an unlevel playing field.	<p>Empower the NEC through enhanced resources and capacity to enforce the campaign finance regulations to improve the equality, transparency and accountability of the elections.</p> <p>(Priority recommendation)</p>	No legal change required.	Government NEC	<p>Transparency</p> <p>Prevention of corruption / Fairness in the election campaign</p> <p>AUCPCC, art. 10</p> <p>UNCAC, art.7.3</p> <p>HRC, CCPR, GC No. 25, para. 19.</p>
MEDIA						
13		There is no legal provision for free airtime for political contestants on the state-owned broadcaster LBS and equitable access to political parties and candidates is not fully guaranteed. The LBS Director-General and Deputy Director-	Guarantee equal and better access for parties through the transformation of the state-owned LBS into a full-fledged public service broadcaster, accountable to the public through the legislature rather	Amend Chapter 87 of the Public Authorities Law which under Section 2.7 says that LBS has the objective <i>“To represent the Government’s</i>	Legislature Government and NEC	<p>Freedom of expression</p> <p>ICCPR GC art. 34.16: <i>“States parties should ensure that public broadcasting services operate in an independent manner. In this regard,</i></p>

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		<p>General are directly appointed by the Head of State. There is a widespread mistrust among opposition parties towards the LBS which contributes to the lack of a level playing field for candidates, despite constitutional guarantees that access to state-owned media shall not be denied.</p>	<p>than the government. The broadcaster could make sure that the public receives politically balanced information, particularly during election periods.</p>	<p><i>interest in national and international broadcasting or radio conferences and activities.” And under Section 3 “The Director-General and Deputy Director-General shall be appointed by the Head of State...”</i></p>		<p><i>States parties should guarantee their independence and editorial freedom. They should provide funding in a manner that does not undermine their independence.”</i></p> <p>The African Commission on Human and Peoples’ Rights Declaration of Principles of Freedom of Expression and Access to Information in Africa, principle 11.2: <i>“State and government-controlled broadcasters shall be transformed into public service broadcasters, accountable to the public through the legislature or other mechanism for public accountability.”</i></p> <p>African Charter on Democracy, Elections and Governance, art. 17.3: <i>“Ensure fair and equitable access by contesting parties and candidates to state controlled media during elections.”</i></p>
14		<p>To date, registration, licensing and oversight of the media are in the hands of several different government institutions such as the Ministry of Information, Cultural Affairs and Tourism, the Liberia</p>	<p>Introduce a permanent and independent media regulator that could contribute to a diverse and unconstrained media sector without direct or indirect state interference.</p>	<p>Introduction of a new law bringing the scattered responsibilities for media registration, licensing and frequency distribution</p>	<p>Legislature and Government</p>	<p>Freedom of expression</p> <p>The African Commission on Human and Peoples’ Rights Declaration of Principles of Freedom of Expression and Access to Information in Africa,</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL PRINCIPLE / COMMITMENT
		Telecommunications Authority and the Ministry of Posts and Telecommunications. As such, government institutions have disproportional powers which potentially could be used to influence or curtail the operational activities of the media.		together in the creation of one new independent commission of which its members shall be independent and appointed in an open and transparent manner.		principle 14.3: “States shall establish an independent regulatory body to issue broadcasting licenses and to oversee the observance of license conditions.” The African Commission on Human and Peoples’ Rights Declaration of Principles of Freedom of Expression and Access to Information in Africa, principle 17.1: “A public regulatory authority that exercises powers in the areas of broadcast, telecommunications or internet infrastructure shall be independent and adequately protected against interference of a political, commercial or other nature.”
SOCIAL MEDIA AND DIGITAL RIGHTS						
15		Manipulated and false content, spread online even by leading traditional media during the campaign, discredited the electoral contestants and sapped voters’ trust in the electoral process. Low media and digital media literacy among various electoral actors, including politicians and media, but also general public, caused the rapid dissemination of misleading messages as well as	Implement media and digital media literacy programmes for journalists, educational institutions and vulnerable groups in collaboration of fact-checking initiatives and relevant civil society organizations to facilitate a better-informed choice of voters.	No legal change required	Ministry of Education Ministry of Youth and Sports CSOs Media	Freedom of expression and opinion Right to Access to Information CCPR GC 25: “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.” UN, OSCE, OAS, ACHPR Joint declaration on freedom of expression

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL PRINCIPLE / COMMITMENT
		irresponsible usage of online platforms by them, which negatively impacted a well-informed choice of voters.			Fact-checking initiatives	<p>and ‘fake news’, disinformation and propaganda, 3 March 2017, 6(a): “<i>All stakeholders – including intermediaries, media outlets, civil society and academia – should be supported in developing participatory and transparent initiatives for creating a better understanding of the impact of disinformation and propaganda on democracy, freedom of expression, journalism and civic space, as well as appropriate responses to these phenomena.</i>”</p> <p>UN, OSCE, OAS, ACHPR, Joint declaration on Freedom of Expression and Elections in the Digital Age, 2020, p. 1(b.5): “<i>States should make a concerted effort to promote digital media and information literacy, including in relation to elections.</i>”</p>
16		On 9 September 2023, the major political parties agreed to commit to responsible behaviour online and usage of social media to promote peace in the country during and after elections. However, the online campaign of political actors was marred by instances of cyber-bullying, usage of inflammatory language and incitement messages, targeting also women and LGBTQ, as well as falsehoods, discrediting	Develop legislation with precise definitions of ‘hate speech’, ‘incitement of violence’, ‘inflammatory language’, ‘disinformation’, ‘cyber-bullying’ and ‘cyber-stalking’ to tackle the malicious usage of social media platforms by political actors, while taking into account regional and international standards and ensuring adherence to	Adoption of (a) new law (s)	President House of Representatives CSOs Media	<p>Freedom of expression and opinion Right to Access to Information</p> <p>ICCPR, art. 19: “<i>Everyone shall have the right to freedom of expression [...]</i>”</p> <p>ICCPR, art. 19, HRC GC 34, para. 35: “<i>When a state party invokes a legitimate ground for restriction of freedom of expression, it must demonstrate in specific and individualized fashion the precise</i></p>

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		in several cases observer groups.	the freedom of expression.		Fact-checking institutions	<p><i>nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat.</i>”</p> <p>ICCPR, art. 20: <i>“Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.”</i></p> <p>African Commission on Human and Peoples’ Rights, 32nd Session, Declaration of Principles on Freedom of Expression in Africa, 17 – 23 October 2002, art. 13(1): <i>“States shall review all criminal restrictions on content to ensure that they serve a legitimate interest in a democratic society.”</i></p> <p>UN, OSCE, OAS, ACHPR Joint declaration on freedom of expression and ‘fake news’, disinformation and propaganda, 3 March 2017, 2(d): <i>“State actors should, in accordance with their domestic and international legal obligations and their public duties, take care to ensure that they disseminate reliable and trustworthy information, including about matters of public interest, such as the economy, public health, security</i></p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL PRINCIPLE / COMMITMENT
						<i>and the environment.”</i>
PARTICIPATION OF WOMEN						
17		<p>Women’s participation in political life is far below the AU target (equal participation of women in political life) and has been decreasing since the 2005 elections. The existing soft quota in NEL § 4.5 is not adhered to by parties. The share of women in both chambers is 10.7 per cent and did not change after the elections. A mandatory 30 per cent quota for women in party structures and party candidate lists was passed by the legislature in 2022, but not signed into law, after the president vetoed other provisions in the electoral amendment bill.</p>	<p>Adopt temporary special measures (gender quotas) to achieve gender equality in the legislature.</p> <p>(Priority recommendation)</p>	<p>Amend NEL § 4.5 or consider enacting affirmative action bill</p>	<p>Legislature</p>	<p>Women’s participation in public affairs/ Equality between men and women</p> <p>African Union Constitutive Act, art. 4: <i>“The Union shall function in accordance with the following principles: [...] promotion of gender equality; respect for democratic principles, human rights [...]”</i></p> <p>CEDAW, art. 7: <i>“Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life and shall ensure to women, on equal terms with men, the right to vote and to be eligible for election to all publicly elected bodies.”</i></p> <p>Art. 4.1. <i>“Adoption by State Parties of temporary special measures aimed at accelerating de facto equality between men and women.”</i></p> <p>UN, CEDAW, General Recommendation (GR) No. 5: <i>“Recommends that States Parties make more use of temporary special measures such as positive action,</i></p>

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						<i>preferential treatment or quota systems to advance women's integration into education, the economy, politics and employment.</i>
PARTICIPATION OF PERSONS WITH DISABILITIES						
18		PWDs continue to be marginalised in Liberian society. An estimated 16 per cent of Liberians live with some kind of disability, but PWDs constituted only 0.5 per cent of the registered voters. Registration centres and polling places are difficult to access because of undeveloped road infrastructure, and often the layout inside polling places is unsuitable. While the tactile ballot guides were largely available on election days, they reached most counties too late to ensure effective voter education for PWDs.	Improve access and opportunity to vote for PWDs through access to information, accessible registration centres and polling places, suitable layout of polling places, provision of tactile ballot guides, and systematic civic and voter education.	No legal change required.	NEC	<p>Right and opportunity to vote Freedom from Discrimination</p> <p>CPRD, art. 29: <i>“States Parties shall [...] undertake to: a) Ensure that persons with disabilities can effectively and fully participate in political and public life [...] by: i. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use.”</i></p>
ELECTORAL DISPUTES						
19		Prior to election day, voters can only file complaints related to voter registration; similarly, they can file complaints only on polling day and cannot challenge either the tallying process or the election results.	The law to provide for a broader legal standing for pre- and post-election complaints and appeals.	New Elections Law	Legislature	<p>Right to an effective remedy:</p> <p>ICCPR article 2(3)(a);</p> <p>African Union Declaration on the Principles Governing Democratic Elections in Africa, IV (6);</p>

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20		<p>Several post-election complaints were dismissed by the hearing officers due to incorrect application of the law, and then remanded by the NEC Board of Commissioners; in addition, many hearings were overly concentrating on technicalities instead of fact-finding resulting in numerous cases not being finalized by the NEC within the 30-day legal time limit.</p>	<p>Secondment of court magistrates during the electoral period to address complaints at first instance level could be considered, in order to adjudicate complaints in a more expedient manner and increase public confidence in the process. Sufficient funding to be provided for the organization of multi-day training on electoral dispute resolution for NEC election magistrates and hearing officers.</p> <p>(Priority recommendation)</p>	New Elections Law	Legislature	<p>Right to an effective remedy ICCPR, art. 2(3)(a); OAU/AU Declaration on the Principles Governing Democratic Elections in Africa, IV (6);</p> <p>Genuine Elections that Guarantee the Free Expression of the Will of the Electors ICCPR GC 25, Para. 20;</p> <p>African Charter on Democracy, Elections and Governance (ACDEG), Art.17;</p>
21		<p>The NEL provides for election offences for which the penalty foreseen is not more than USD 500, to be examined and determined in the first instance by NEC election magistrates. However, the Supreme Court ruled in the past that NEC election magistrates do not have jurisdiction to hear criminal matters and should refer them to the court. Furthermore, there is a certain level of incoherence and uncertainty on fines foreseen in the NEL allowing</p>	<p>Review the provisions of the law related to election offences as well as review the scope and breadth of penalties and sanctions, in order to ensure greater certainty and enforceability of sanctions and remove ambiguities and inconsistencies.</p>	New Elections Law	Legislature	<p>Right to an effective remedy ICCPR, art. 2(3)(a);</p> <p>OAU/AU Declaration on the Principles Governing Democratic Elections in Africa, IV (6);</p>

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		for a broad scope on the application of some severe sanctions, such as those limiting suffrage rights.				
VOTING, COUNTING AND TABULATION						
22		While intended to provide robust safeguards for the integrity of the electoral process, some election-day procedures appear to be too cumbersome, such as reconciliation and counting procedures, resulting in slowing down of the process, non-adherence to procedures or difficulties to complete them, and lack of understanding among polling personnel led to their inconsistent implementation. On the other hand, some important measures, such as accounting for voters who voted or those who were added to registration roll on election day into election data, are missing.	Review election-day procedures and results forms; conduct comprehensive training programme for all polling staff to ensure their coherent implementation and avoid procedural errors.	No legal change. Revision of NEC regulations and operation manuals	NEC	State must take necessary steps to give effect to rights ICCPR, art. 2(2) <i>“Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.”</i>

ANNEX 1 – VOTERS PER SEAT – WEIGHT OF VOTE

County	Electoral District (single-mandate)	Registered voters per ED	Deviation from average cost of mandate
Bomi	ED 1	19,236	-43.2%
	ED 2	19,143	-43.5%
	ED 3	24,733	-26.9%
Bong	ED 1	37,046	+9.4%
	ED 2	30,691	-9.4%
	ED 3	41,840	+23.6%
	ED 4	30,029	-11.3%
	ED 5	32,051	-5.3%
	ED 6	30,930	-8.7%
	ED 7	32,200	-4.9%
Gbarpolu	ED 1	16,869	-50.2%
	ED 2	18,988	-43.9%
	ED 3	14,758	-56.4%
Grand Bassa	ED 1	27,962	-17.4%
	ED 2	30,726	-9.3%
	ED 3	38,527	+13.8%
	ED 4	30,749	-9.2%
	ED 5	30,499	-9.9%
Grand Cape Mount	ED 1	26,631	-21.4%
	ED 2	28,451	-16.0%
	ED 3	31,447	-7.1%
Grand Gedeh	ED 1	20,407	-39.7%
	ED 2	20,026	-40.9%
	ED 3	23,509	-30.6%
Grand Kru	ED 1	20,439	-39.6%
	ED 2	21,957	-35.2%
Lofa	ED 1	39,844	+17.7%
	ED 2	26,710	-21.1%
	ED 3	29,606	-12.6%
	ED 4	43,061	+27.2%
	ED 5	37,908	+11.9%
Margibi	ED 1	62,849	+85.6%
	ED 2	33,434	-1.3%
	ED 3	30,547	-9.8%
	ED 4	28,510	-15.8%

	ED 5	29,961	-11.5%
Maryland	ED 1	21,122	-37.6%
	ED 2	24,934	-26.4%
	ED 3	21,544	-36.4%
Montserrado	ED 1	56,614	+67.2%
	ED 2	61,495	+81.6%
	ED 3	51,064	+50.8%
	ED 4	75,517	+123.0%
	ED 5	45,395	+34.1%
	ED 6	61,958	+83.0%
	ED 7	44,311	+30.9%
	ED 8	36,899	+9.0%
	ED 9	44,038	+30.1%
	ED 10	57,119	+68.7%
	ED 11	59,901	+76.9%
	ED 12	54,396	+60.7%
	ED 13	49,468	+46.1%
	ED 14	39,859	+17.7%
	ED 15	41,673	+23.1%
	ED 16	48,302	+42.7%
	ED 17	73,153	+116.1%
Nimba	ED 1	36,197	+6.9%
	ED 2	38,662	+14.2%
	ED 3	39,525	+16.7%
	ED 4	35,350	+4.4%
	ED 5	29,823	-11.9%
	ED 6	29,994	-11.4%
	ED 7	35,775	+5.7%
	ED 8	34,283	+1.3%
	ED 9	27,645	-18.4%
River Gee	ED 1	12,008	-64.5%
	ED 2	13,756	-59.4%
	ED 3	12,043	-64.4%
Rivercess	ED 1	20,240	-40.2%
	ED 2	19,701	-41.8%
Sinoe	ED 1	20,783	-38.6%
	ED 2	18,439	-45.5%
	ED 3	16,357	-51.7%
Average cost of mandate	73	33,858	

ANNEX 2 – CHANGES IN VOTER REGISTRATION DATA

County	Number of female voters	Number of male voters	Total number of voters per county 2023	Total number of voters per county 2017	Deviation of 2023 data in comparison to 2017	Total number of voters per county 2020	Deviation of 2023 data in comparison to 2020
Bomi	30,684	32,428	63,112	61,022	+3.4%	79,181	-20.3%
Bong	120,155	114,632	234,787	208,123	+12.8%	226,784	+3.5%
Gbarpolu	22,266	28,349	50,615	48,650	+4.0%	56,138	-9.8%
Grand Bassa	79,241	79,222	158,463	145,523	+8.9%	165,891	-4.5%
Grand Cape Mount	40,476	46,053	86,529	66,389	+30.3%	78,978	+9.6%
Grand Gedeh	30,269	33,673	63,942	63,202	+1.2%	69,204	-7.6%
Grand Kru	20,052	22,344	42,396	35,531	+19.3%	43,380	-2.3%
Lofa	91,828	85,301	177,129	167,427	+5.8%	187,775	-5.7%
Margibi	93,678	91,623	185,301	154,108	+20.2%	178,554	+3.8%
Maryland	34,056	33,544	67,600	57,140	+18.3%	66,464	+1.7%
Montserrado	457,049	444,113	901,162	778,291	+15.8%	881,045	+2.3%
Nimba	155,337	151,917	307,254	279,601	+9.9%	302,843	+1.5%
River Gee	18,056	19,751	37,807	35,191	+7.4%	41,085	-8.0%
Rivercess	19,248	20,693	39,941	35,540	+12.4%	41,833	-4.5%
Sinoe	24,862	30,717	55,579	47,891	+16.0%	57,201	-2.8%
Total	1,237,257	1,234,360	2,471,617	2,183,629	+13.2%	2,476,356	-0.2%

County	Electoral District	Number of female voters	Number of male voters	Total number of voters per ED 2023	Total number of voters per ED 2017	Deviation of 2023 data in comparison to 2017
Bomi	ED 1	9,419	9,817	19,236	23,026	-16.5%
	ED 2	9,421	9,722	19,143	16,889	+13.4%
	ED 3	11,844	12,889	24,733	21,107	+17.2%
Bong	ED 1	18,186	18,860	37,046	31,604	+17.2%
	ED 2	15,482	15,209	30,691	26,855	+14.3%

	ED 3	22,706	19,134	41,840	34,100	+22.7%
	ED 4	15,528	14,501	30,029	28,323	+6.0%
	ED 5	16,364	15,687	32,051	30,678	+4.5%
	ED 6	15,949	14,981	30,930	26,186	+18.1%
	ED 7	15,940	16,260	32,200	30,377	+6.0%
Gbarpolu	ED 1	7,315	9,554	16,869	15,257	+10.6%
	ED 2	8,679	10,309	18,988	17,226	+10.2%
	ED 3	6,272	8,486	14,758	16,167	-8.7%
Grand Bassa	ED 1	13,548	14,414	27,962	26,959	+3.7%
	ED 2	15,409	15,317	30,726	27,694	+10.9%
	ED 3	20,097	18,430	38,527	34,313	+12.3%
	ED 4	15,344	15,405	30,749	29,468	+4.3%
	ED 5	14,843	15,656	30,499	27,089	+12.6%
Grand Cape Mount	ED 1	11,030	15,601	26,631	19,364	+37.5%
	ED 2	13,799	14,652	28,451	23,027	+23.6%
	ED 3	15,647	15,800	31,447	23,998	+31.0%
Grand Gedeh	ED 1	10,304	10,103	20,407	23,355	-12.6%
	ED 2	8,645	11,381	20,026	20,370	-1.7%
	ED 3	11,320	12,189	23,509	19,477	+20.7%
Grand Kru	ED 1	9,800	10,639	20,439	15,807	+29.3%
	ED 2	10,252	11,705	21,957	19,724	+11.3%
Lofa	ED 1	20,869	18,975	39,844	27,348	+45.7%
	ED 2	13,048	13,662	26,710	36,319	-26.5%
	ED 3	15,907	13,699	29,606	28,356	+4.4%
	ED 4	22,482	20,579	43,061	41,605	+3.5%
	ED 5	19,522	18,386	37,908	33,799	+12.2%
Margibi	ED 1	32,028	30,821	62,849	39,615	+58.6%
	ED 2	16,579	16,855	33,434	32,514	+2.8%
	ED 3	16,253	14,294	30,547	27,377	+11.6%
	ED 4	13,968	14,542	28,510	29,356	-2.9%
	ED 5	14,850	15,111	29,961	25,246	+18.7%
Maryland	ED 1	10,744	10,378	21,122	18,320	+15.3%
	ED 2	13,086	11,848	24,934	20,827	+19.7%
	ED 3	10,226	11,318	21,544	17,993	+19.7%
Montserrado	ED 1	27,557	29,057	56,614	41,769	+35.5%
	ED 2	32,346	29,149	61,495	50,143	+22.6%
	ED 3	27,473	23,591	51,064	45,323	+12.7%
	ED 4	40,942	34,575	75,517	63,786	+18.4%

	ED 5	23,479	21,916	45,395	46,580	-2.5%
	ED 6	32,826	29,132	61,958	53,882	+15.0%
	ED 7	19,899	24,412	44,311	43,429	+2.0%
	ED 8	16,567	20,332	36,899	36,826	+0.2%
	ED 9	21,267	22,771	44,038	41,516	+6.1%
	ED 10	28,445	28,674	57,119	42,861	+33.3%
	ED 11	32,974	26,927	59,901	44,589	+34.3%
	ED 12	28,483	25,913	54,396	46,313	+17.5%
	ED 13	24,686	24,782	49,468	38,950	+27.0%
	ED 14	18,147	21,712	39,859	45,617	-12.6%
	ED 15	21,007	20,666	41,673	39,005	+6.8%
	ED 16	23,909	24,393	48,302	41,898	+15.3%
	ED 17	37,042	36,111	73,153	55,804	+31.1%
Nimba	ED 1	19,237	16,960	36,197	33,583	+7.8%
	ED 2	20,003	18,659	38,662	32,601	+18.6%
	ED 3	19,591	19,934	39,525	32,927	+20.0%
	ED 4	17,828	17,522	35,350	35,453	-0.3%
	ED 5	15,091	14,732	29,823	26,190	+13.9%
	ED 6	15,001	14,993	29,994	27,866	+7.6%
	ED 7	17,730	18,045	35,775	33,251	+7.6%
	ED 8	17,352	16,931	34,283	31,024	+10.5%
	ED 9	13,504	14,141	27,645	26,706	+3.5%
River Gee	ED 1	5,586	6,422	12,008	12,210	-1.7%
	ED 2	6,569	7,187	13,756	12,377	+11.1%
	ED 3	5,901	6,142	12,043	10,604	+13.6%
Rivercess	ED 1	9,608	10,632	20,240	17,712	+14.3%
	ED 2	9,640	10,061	19,701	17,828	+10.5%
Sinoe	ED 1	9,984	10,799	20,783	18,919	+9.9%
	ED 2	7,458	10,981	18,439	14,820	+24.4%
	ED 3	7,420	8,937	16,357	14,152	+15.6%

ANNEX 3 - PERCENTAGE OF ELECTORATE FOR REQUIRED SUPPORTING SIGNATURES

County	Electoral District	Total number of voters	Percentage of electorate for required signatures for senatorial elections	Percentage of electorate for required signatures for HoR elections
Bomi	ED 1	19,236		1.56
	ED 2	19,143		1.57
	ED 3	24,733		1.21
Total		63,112	0.79	
Bong	ED 1	37,046		0.81
	ED 2	30,691		0.98
	ED 3	41,840		0.72
	ED 4	30,029		1.00
	ED 5	32,051		0.94
	ED 6	30,930		0.97
	ED 7	32,200		0.93
Total		234,787	0.21	
Gbarpolu	ED 1	16,869		1.78
	ED 2	18,988		1.58
	ED 3	14,758		2.03
Total		50,615	0.99	
Grand Bassa	ED 1	27,962		1.07
	ED 2	30,726		0.98
	ED 3	38,527		0.78
	ED 4	30,749		0.98
	ED 5	30,499		0.98
Total		158,463	0.32	
Grand Cape Mount	ED 1	26,631		1.13
	ED 2	28,451		1.05
	ED 3	31,447		0.95
Total		86,529	0.58	
Grand Gedeh	ED 1	20,407		1.47
	ED 2	20,026		1.50
	ED 3	23,509		1.28

Total		63,924	0.78	
Grand Kru	ED 1	20,439		1.47
	ED 2	21,957		1.37
Total		42,396	1.18	
Lofa	ED 1	39,844		0.75
	ED 2	26,710		1.12
	ED 3	29,606		1.01
	ED 4	43,061		0.70
	ED 5	37,908		0.79
Total		177,129	0.28	
Margibi	ED 1	62,849		0.48
	ED 2	33,434		0.90
	ED 3	30,547		0.98
	ED 4	28,510		1.05
	ED 5	29,961		1.00
Total		185,301	0.27	
Maryland	ED 1	21,122		1.42
	ED 2	24,934		1.20
	ED 3	21,544		1.39
Total		67,600	0.74	
Montserrado	ED 1	56,614		0.53
	ED 2	61,495		0.48
	ED 3	51,064		0.59
	ED 4	75,517		0.40
	ED 5	45,395		0.66
	ED 6	61,958		0.48
	ED 7	44,311		0.68
	ED 8	36,899		0.81
	ED 9	44,038		0.68
	ED 10	57,119		0.53
	ED 11	59,901		0.50
	ED 12	54,396		0.55
	ED 13	49,468		0.61
	ED 14	39,859		0.75
	ED 15	41,673		0.72
	ED 16	48,302		0.62
	ED 17	73,153		0.41
Total		901,162	0.06	
Nimba	ED 1	36,197		0.83

	ED 2	38,662		0.78
	ED 3	39,525		0.76
	ED 4	35,350		0.85
	ED 5	29,823		1.01
	ED 6	29,994		1.00
	ED 7	35,775		0.84
	ED 8	34,283		0.86
	ED 9	27,645		1.09
Total		307,254	0.16	
River Gee	ED 1	12,008		2.50
	ED 2	13,756		2.18
	ED 3	12,043		2.49
Total		37,807	1.32	
Rivercess	ED 1	20,240		1.48
	ED 2	19,701		1.52
Total		39,941	1.25	
Sinoe	ED 1	20,783		1.44
	ED 2	18,439		1.63
	ED 3	16,357		1.83
Total		55,579	0.90	

ANNEX 4 – PERCENTAGES OF INVALID VOTES PER COUNTY AND ELECTORAL DISTRICT (GENERAL ELECTIONS)

County	Electoral District	Presidential election	Senatorial elections	HoR elections
Bomi	ED 1	4.66	4.27	3.98
	ED 2	5.01	5.39	4.69
	ED 3	6.34	5.68	5.34
	Overall	5.41	5.15	4.72
Bong	ED 1	8.35	7.36	6.42
	ED 2	8.73	7.31	5.78
	ED 3	6.50	6.41	5.48
	ED 4	9.39	8.33	6.64
	ED 5	8.96	6.97	8.93
	ED 6	9.41	8.81	7.84
	ED 7	9.69	8.51	8.14
	Overall	8.62	7.61	6.96
Gbarpolu	ED 1	5.55	5.69	5.55
	ED 2	6.74	6.07	5.36
	ED 3	5.45	5.06	4.84
	Overall	5.97	5.65	5.28
Grand Bassa	ED 1	11.16	9.65	8.93
	ED 2	11.44	9.99	10.83
	ED 3	5.46	4.94	5.34
	ED 4	11.19	8.66	7.63
	ED 5	10.90	8.95	9.40
	Overall	9.77	8.23	8.43
Grand Cape Mount	ED 1	7.48	6.20	4.93
	ED 2	5.28	5.58	5.66
	ED 3	6.75	5.47	5.46
	Overall	6.46	5.73	5.36
Grand Gedeh	ED 1	4.88	5.85	4.58
	ED 2	7.15	7.13	5.90
	ED 3	5.02	5.01	4.47
	Overall	5.63	5.93	4.95
Grand Kru	ED 1	8.40	5.59	6.00
	ED 2	7.65	5.77	6.18
	Overall	8.02	5.68	6.09

Lofa	ED 1	6.58	5.68	5.07
	ED 2	6.28	4.94	4.51
	ED 3	4.68	3.72	3.33
	ED 4	6.22	5.28	4.29
	ED 5	4.17	4.00	4.41
	Overall	5.54	4.73	4.33
Margibi	ED 1	6.13	8.43	8.56
	ED 2	4.23	3.92	3.95
	ED 3	6.05	6.50	5.17
	ED 4	6.02	7.01	6.06
	ED 5	8.62	7.88	7.65
	Overall	6.17	6.97	6.60
Maryland	ED 1	7.01	6.42	6.62
	ED 2	8.53	7.25	6.68
	ED 3	9.09	6.99	6.84
	Overall	8.23	6.90	6.71
Montserrado	ED 1	6.78	10.24	9.93
	ED 2	4.97	8.98	6.41
	ED 3	3.27	7.81	5.51
	ED 4	3.44	7.88	6.90
	ED 5	3.61	7.82	6.06
	ED 6	3.10	8.29	5.21
	ED 7	3.53	5.83	4.33
	ED 8	2.53	5.54	3.85
	ED 9	2.28	5.30	3.32
	ED 10	2.66	5.64	3.33
	ED 11	3.08	6.74	6.54
	ED 12	3.17	6.95	5.78
	ED 13	4.19	6.22	5.86
	ED 14	4.56	6.85	6.19
	ED 15	3.72	6.47	4.79
	ED 16	3.36	5.58	4.22
	ED 17	4.00	7.00	6.63
	Overall	3.69	7.12	5.71
Nimba	ED 1	4.92	5.14	4.51
	ED 2	7.81	6.68	6.50
	ED 3	7.52	6.96	6.27
	ED 4	6.29	4.73	5.33
	ED 5	8.28	6.34	6.00
	ED 6	6.26	5.62	4.62

	ED 7	5.84	5.00	4.69
	ED 8	6.48	5.33	5.04
	ED 9	6.00	5.02	4.11
	Overall	6.61	5.67	5.28
River Gee	ED 1	6.92	5.80	5.84
	ED 2	8.47	6.52	6.06
	ED 3	8.21	6.67	7.13
	Overall	7.90	6.36	6.32
Rivercess	ED 1	9.88	7.05	7.03
	ED 2	8.65	7.86	7.74
	Overall	9.27	7.45	7.38
Sinoe	ED 1	7.96	4.89	6.14
	ED 2	7.83	6.31	6.21
	ED 3	6.16	3.72	4.34
	Overall	7.38	4.98	5.62

ANNEX 5 – MEDIA MONITORING FINDINGS

The EU EOM conducted quantitative and qualitative media monitoring of all election-related programmes (news, talk shows, voter education and political advertisement) during the last month of the election campaign period for the first round (8 September – 8 October) and for the entire duration of the election campaign for the run-off election (24 October – 12 November). Prime-time hours monitored on radio and television were 06:00-10:00 and 18:00-21:00 hours. Newspapers were monitored five days a week (Monday – Friday). The monitoring of the campaign for the run-off started the moment NEC announced the campaign kick-off on the eve of 24 October. During the election campaign for the first round, some broadcasting transmissions were sporadically hampered due to bad weather.

The media-monitoring unit of the EU EOM to Liberia consisted of five monitors and one assistant, and its activities included the daily monitoring of the state-owned broadcaster LBS (both TV and radio), four privately-owned radio stations (OK FM, Truth FM, Prime FM and ECOWAS Radio) and three daily newspapers (Front Page Africa, Daily Observer and The Inquirer). The media monitoring was conducted using media monitoring tools and software, while following the EU EOM media monitoring methodology.¹¹⁵ The sample of the traditional media monitored was selected based on importance and reach nationwide.

1. TELEVISION AND RADIO

LBS, running TV channel LNTV and radio ELBC, is the state-owned broadcaster which reaches up to 80 per cent of the population. Its primary task is to disseminate government messages.

ECOWAS Radio, formerly known as United Nations Mission in Liberia (UNMIL) Radio, reaches approximately 40 per cent of the population and its primary focus is that of being a public information channel promoting democracy, peace, stability and good governance.

OK FM is a privately-owned radio station reaching around 40 per cent of the population. Notably, the “OK Morning Rush” is the most popular talk show in Liberia.

Prime FM is a broadcaster, reaching roughly 35 per cent of the population. Prime FM airs the “Prime Morning Drive”, one of the most widely followed talk shows in Monrovia.

Truth FM (part of Renaissance Communications Inc.) is owned by politician Musa Hassan Bility of the Collaborating Political Parties (CPP) and reaches approximately 30 per cent of the population.

¹¹⁵ See section 4.8 Media, p.78-84, Handbook for European Union Election Observation, third edition, 2016, EODS, https://www.eods.eu/library/EUEOM_Handbook_2016.pdf

2. NEWSPAPERS

Front Page Africa has an estimated readership of 50,000 people, both in hardcopy and online. **Daily Observer** has an estimated readership of 30,000 people, both in hardcopy and online. **The Inquirer** has an estimated readership of 20,000 people, both in hardcopy and online.¹¹⁶

3. MEDIA MONITORING FINDINGS

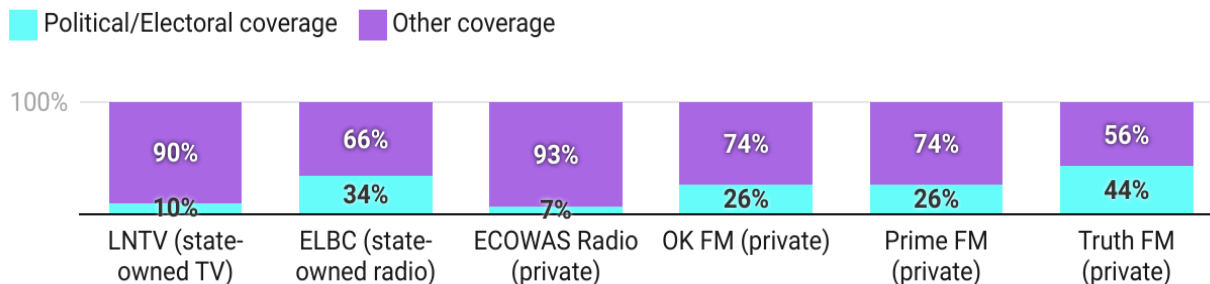
Political and election-related communication were monitored for the first and second round of elections on TV (LNTV) and on five radio broadcasters (state-owned and private).

Except for ECOWAS Radio, which focused less on political and election-related content overall, radio showed to be broadcasting most of the content related to the elections. Noticeable is that both ELBC (state-owned) and Truth FM (politically affiliated) dedicated more time to political messaging than independent broadcasters OK FM and Prime FM in the first round. Truth FM’s share dropped in the second round of presidential elections. Its affiliated candidate was not running.

Base chart general elections:

Total volume of political and electoral coverage (TV & Radio)

8 September - 8 October 2023, 06:00-10:00 and 18:00-21:00 daily

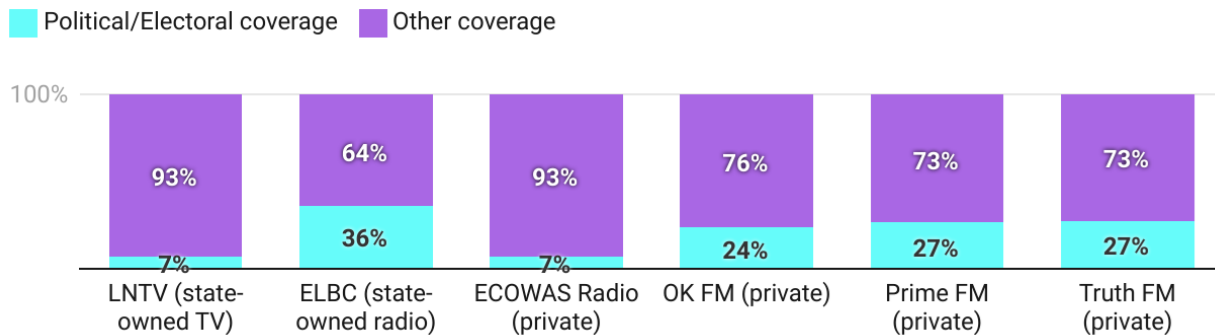


LNTV (state-owned TV) 21 hrs 52 min 46 sec, ELBC (state-owned radio) 73 hrs 56 min 39 sec, ECOWAS Radio 14 hrs 57 min 35 sec, OK FM 57 hrs 4 min 21 sec, Prime FM 56 hrs 58 min 25 sec, Truth FM 94 hrs 44 min 34 sec. Total time of political and electoral content monitored 319 hrs 34 min 20 sec. Total monitored time per broadcaster 217 hrs. Total monitored time for all broadcasters 1,302 hours.

¹¹⁶ Most newspapers have a limited number of hardcopies circulating and no more than 1,500 a day.

Base chart presidential run-off:

24 October - 12 November 2023, 06:00-10:00 and 18:00-21:00 daily



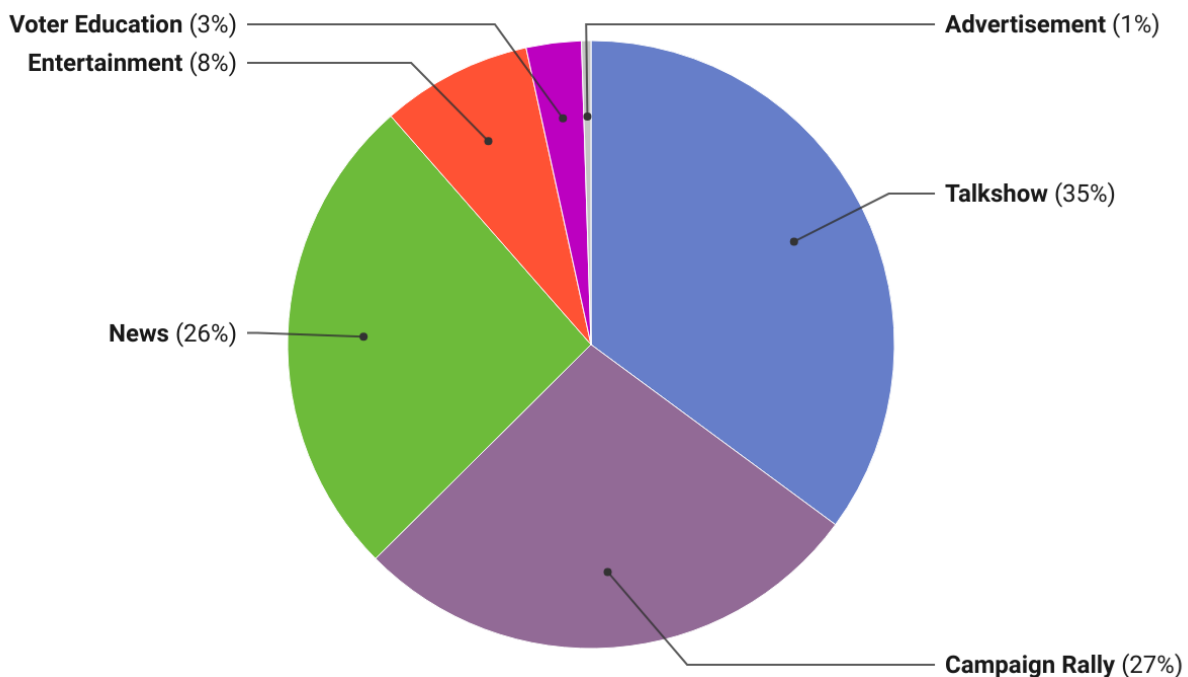
LNTV (state-owned TV) 8 hrs 8 min 5 sec, ELBC (state-owned radio) 41 hrs 21 min 39 sec, ECOWAS Radio 7 hrs 34 min 18 sec, OK FM 28 hrs 25 min 45 sec, Prime FM 32 hrs 15 min 52 sec, Truth FM 30 hrs 54 min 4 sec. Total time of political and electoral content monitored 148 hrs 39 min 43 sec. Total monitored time per broadcaster 136 hrs. Total monitored time for all broadcasters 816 hours.

Chart 1. Type of political and election-related content monitored per broadcaster

General elections:

TV - LNTV (state-owned)

8 September - 8 October 2023, 06:00-10:00 and 18:00-21:00 daily

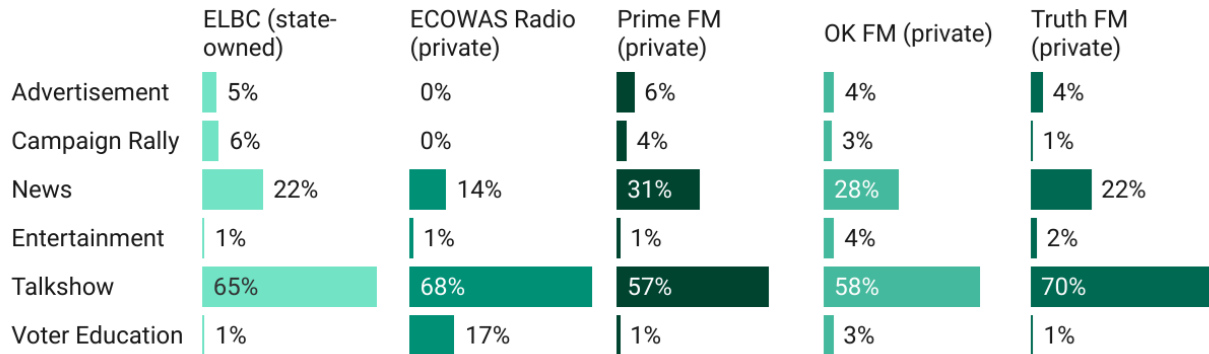


Base Time: 21 hrs.

Radio

8 September - 8 October 2023, 06:00-10:00 and 18:00-21:00 daily

ELBC (state-owned) ECOWAS Radio (private) Prime FM (private) OK FM (private) Truth FM (private)

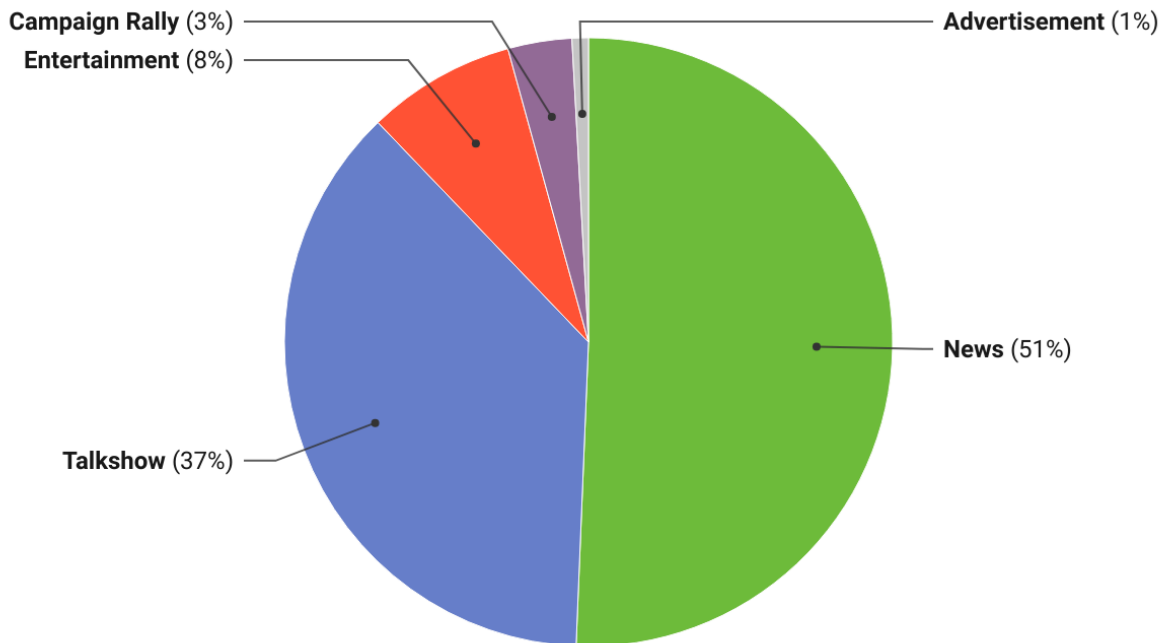


Base Time: ELBC (state-owned radio) 73 hrs 56, ECOWAS Radio 14 hrs 57, Prime FM 56 hrs 58 min, OK FM 57 hrs 4 min, Truth FM 94 hrs 44.

Presidential run-off:

TV - LNTV (state-owned)

24 October - 12 November 2023, 06:00-10:00 and 18:00-21:00 daily

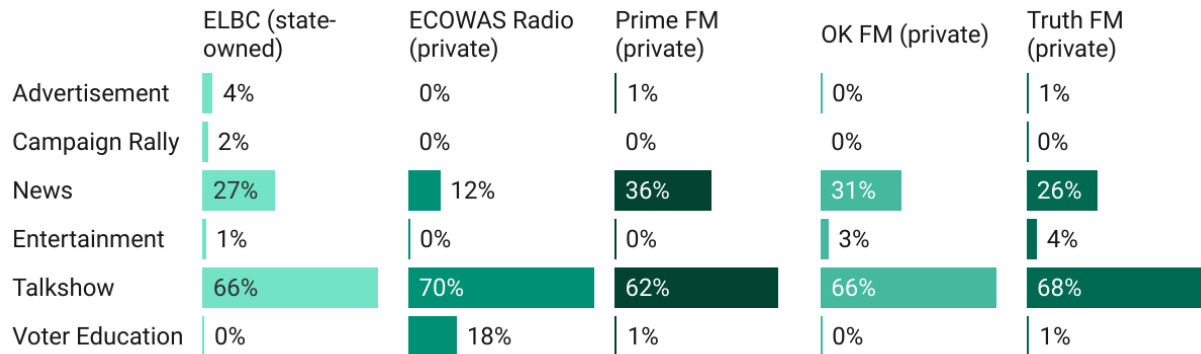


Base Time: 8 hrs.

Radio

24 October - 12 November 2023, 06:00-10:00 and 18:00-21:00 daily

■ ELBC (state-owned)
 ■ ECOWAS Radio (private)
 ■ Prime FM (private)
 ■ OK FM (private)
 ■ Truth FM (private)



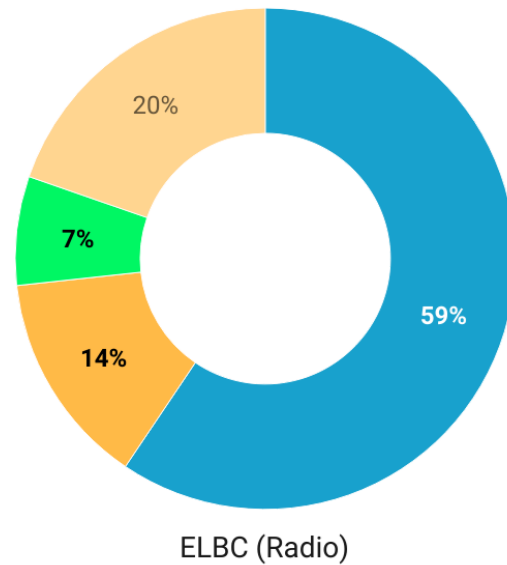
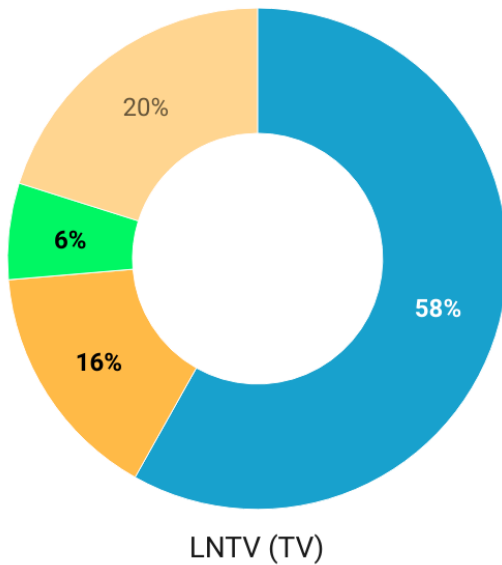
Base Time: ELBC (state-owned radio) 41 hrs 21, ECOWAS Radio 7 hrs 34, OK FM 28 hrs 25, Prime FM 32 hrs 15, Truth FM 30 hrs 54.

Chart 2. State-owned broadcaster, time dedicated to political actors, including the government

The tone of coverage was overall mostly neutral on state-owned broadcaster LBS channels (LNTV and ELBC), except for ELBC talk shows which had instances of positive tone towards CDC during prime-time hours.

General elections:

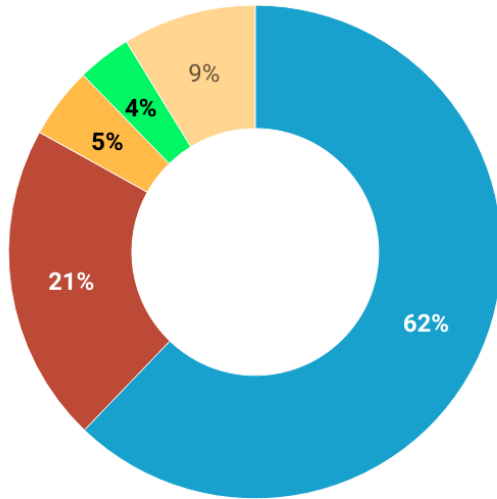
■ CDC ■ Government ■ UP ■ Others



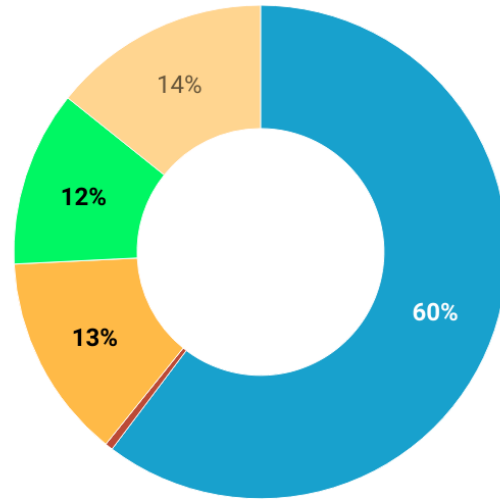
Base Time: LNTV 20 hrs, ELBC 65 hrs.

Presidential run-off:

CDC President Government UP Others



LNTV (TV)



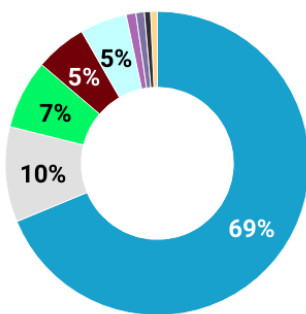
ELBC (Radio)

Base Time: LNTV 7 hrs, ELBC 36 hrs.

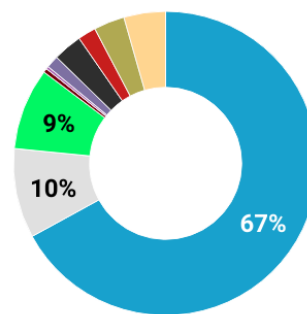
Chart 3. State-owned broadcaster, time dedicated to political parties and candidates only

General elections:

CDC Independent UP LPP Rebuilders LINU CPP MPC ALCOP
 LRP Others



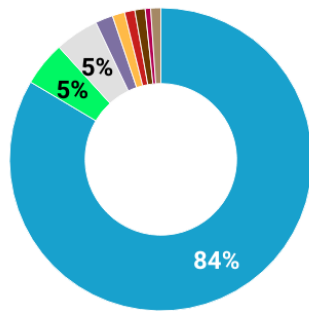
LNTV (TV)



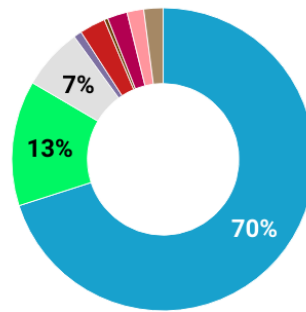
ELBC (Radio)

Base Time: LNTV 16 hrs, ELBC 52 hrs. Without advertisement.

Presidential run-off:



LNTV (TV)

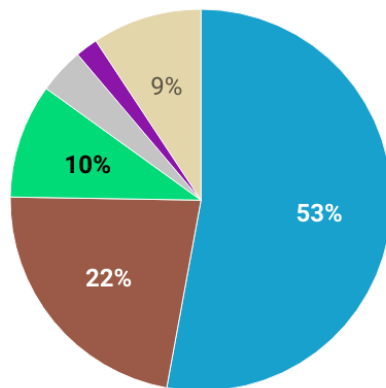


ELBC (Radio)

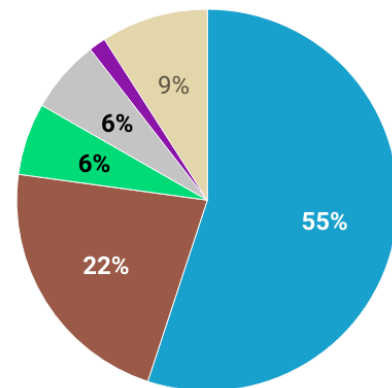
Base Time: LNTV 5 hrs, ELBC 28 hrs. Without advertisement.

Chart 4. State-owned broadcaster, time dedicated to political actors in the news

General elections:



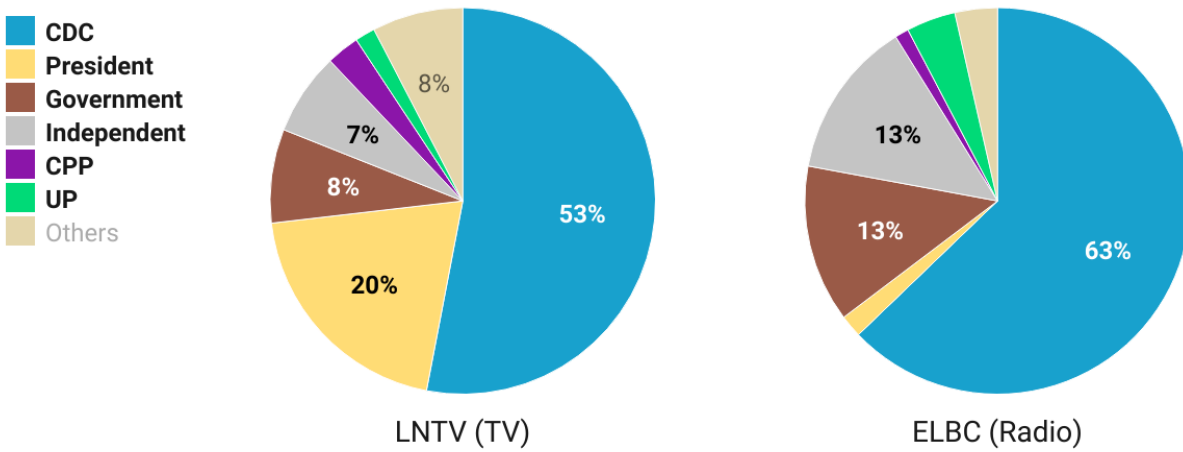
LNTV (TV)



ELBC (Radio)

Base Time: LNTV 4 hrs, ELBC 12 hrs.

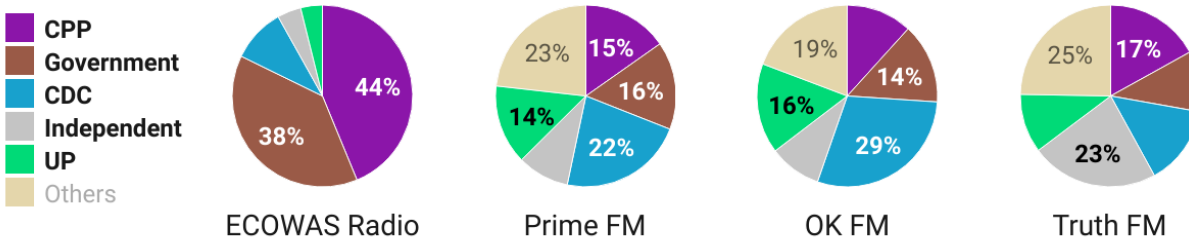
Presidential run-off:



Base Time: LNTV 3 hrs, ELBC 9 hrs.

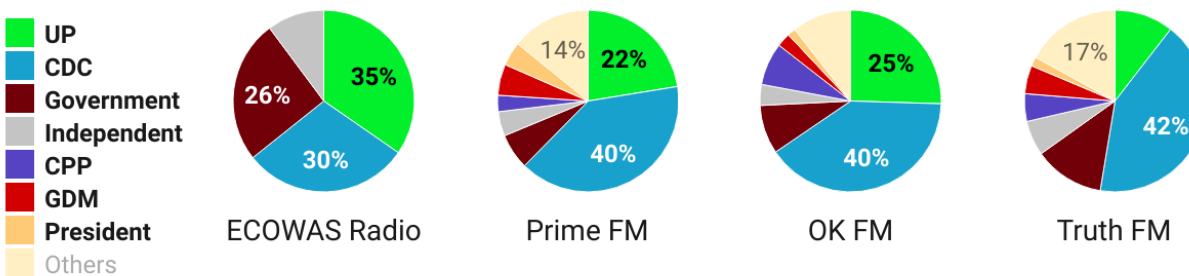
Chart 5. Private radio broadcasters, time dedicated to political actors in the news

General elections:



Base Time: ECOWAS Radio 0 hrs 32, Prime FM 12 hrs, OK FM 11 hrs, Truth FM 15 hrs.

Presidential run-off:

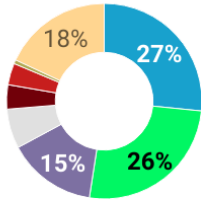


Base Time: ECOWAS Radio 0 hrs 29, Prime FM 9 hrs, OK FM 7 hrs, Truth FM 7 hrs.

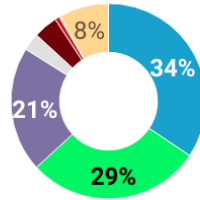
Chart 6. Coverage of political parties and candidates in daily newspapers

General elections:

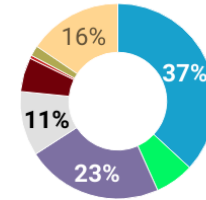
■ CDC ■ UP ■ CPP ■ Independent ■ LPP ■ ALCOP ■ LRP ■ Others



Front Page Africa



Daily Observer

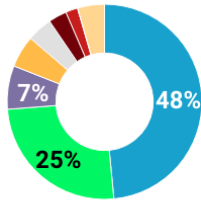


The Inquirer

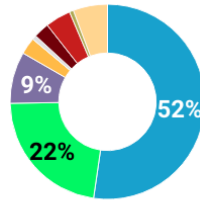
Space measured: Front Page Africa 47,979.9 cm², Daily Observer 35,331.3 cm², The Inquirer 29,902.3 cm².

Presidential run-off:

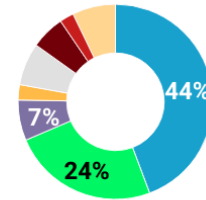
■ CDC ■ UP ■ CPP ■ ALP ■ Independent ■ LPP ■ ALCOP ■ LRP ■ Others



Daily Observer



Front Page Africa



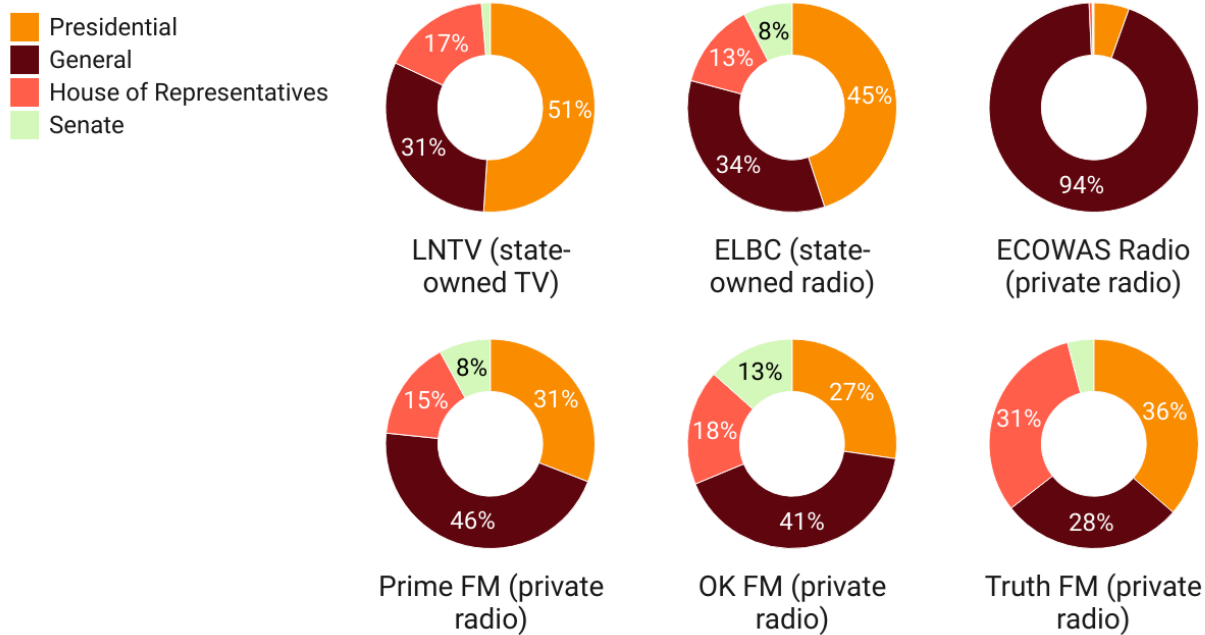
The Inquirer

Space measured: Front Page Africa 33,932.5 cm², Daily Observer 22,919.8 cm², The Inquirer 23,995.1 cm².

Chart 7. Type of election covered

General elections (TV and Radio):

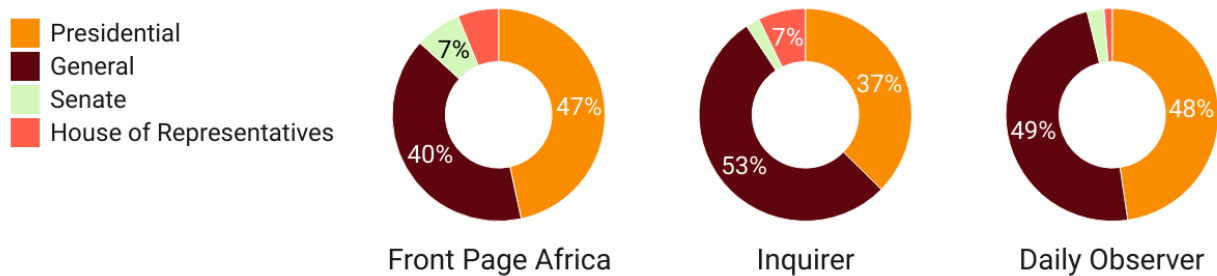
Percentage of the time dedicated to the different type of elections: presidential, House of Representatives, Senate and general (elections overall).



Base Time: LNTV (state-owned TV) 21 hrs, ELBC (state-owned radio) 73 hrs, ECOWAS Radio 14 hrs, Prime FM 56 hrs, OK FM 57 hrs, Truth FM 94 hrs.

General elections (Newspapers):

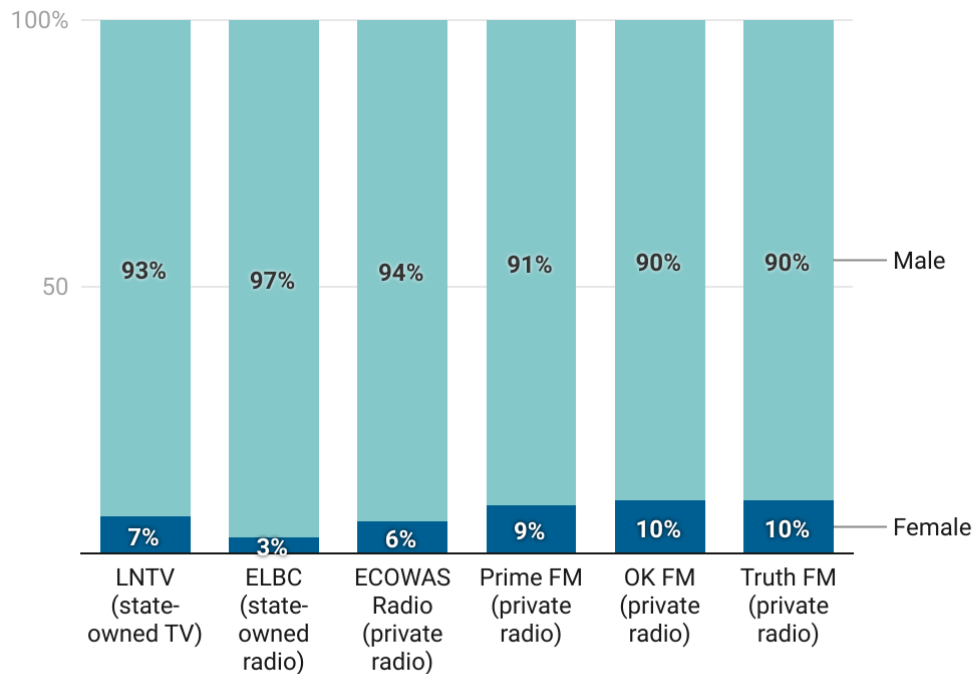
Percentage of the space dedicated to the different type of elections: presidential, House of Representatives, Senate and general (elections overall).



Space measured: Front Page Africa 78,426.7 cm², The Inquirer 65,042.7 cm², Daily Observer 62,512.8 cm².

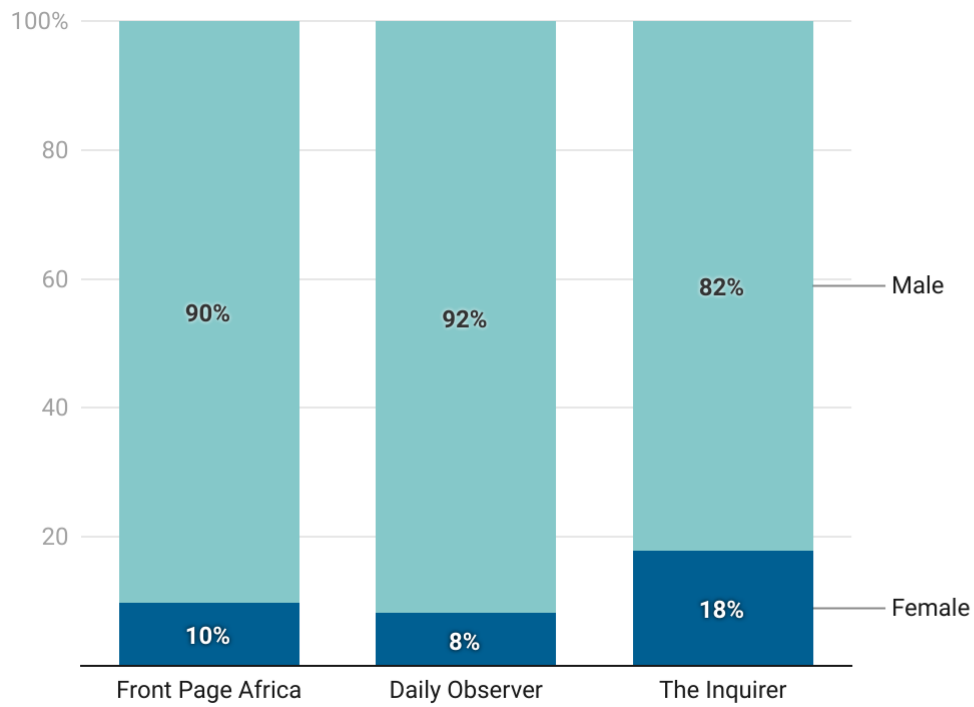
Chart 8. Airtime and space given to women candidates during prime-time hours

General elections (TV and Radio):



Base Time: LNTV (state-owned TV) 16 hrs, ELBC (state-owned radio) 55 hrs, ECOWAS Radio 0 hrs 48, Prime FM 38 hrs, OK FM 37 hrs, Truth FM 75 hrs.

General elections (Newspapers):



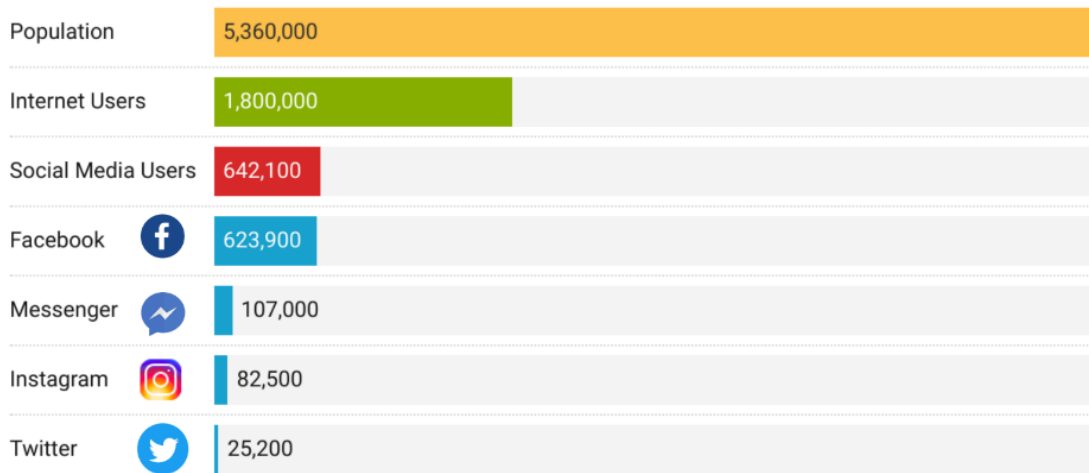
Space measured: *Front Page Africa 47,979.9 cm², Daily Observer 35,331.3 cm², The Inquirer 29,902.3 cm².*

ANNEX 6 – SOCIAL MEDIA MONITORING FINDINGS

1. Social Media Environment

Both data on the Internet penetration and social media users is very scarce and differs significantly, depending on the source of information.¹¹⁷

Internet and Social Media Usage in Liberia



Source: Datareportal 2023

[Source: Datareportal, Liberia 2023](#)

2. Social Media Monitoring Methodology

The EU EOM carried out a social media monitoring, applying quantitative and qualitative analysis on the most relevant platforms during the election campaign, Facebook and X (Twitter). Instagram, TikTok and YouTube encompassed predominately entertainment content and thus was excluded from the monitoring sample. Information from WhatsApp and Messenger

¹¹⁷ According to the data from September 2023 from the Liberian Telecommunications Authority (LTA), 46 per cent of country's population have access to the Internet. Independent international resources believe that around 30 per cent of Liberians have access to the Internet. LTA informed EU EOM about a new survey with an improved methodology planned for 2024 to determine the Internet penetration data.

groups¹¹⁸ was analysed only in case it contained important election-related content and reached Facebook, then it automatically became part of the Facebook qualitative or quantitative monitoring sample, depending on a Facebook page or group account it reached.

Facebook Monitoring Sample

Number of Pages and Groups Monitored 8 September - 14 November 2023.

	Pages	Groups
Traditional Media Outlets	79	32
Political Parties	60	104
Digital Creators	58	27
State Institutions	40	18
Non-Governmental Organizations	30	3
Regional Media Outlets	18	7
Representative Candidates	14	8
Presidential Candidates	10	0
Senatorial Candidates	10	2
Party Leaders	9	0
Fact-Checking Institutions	5	0
Media Monitoring Team	3	3
Influential Business People	2	0
NEC	1	0

Source: EU EOM Liberia 2023

Facebook monitoring sample included 339 Facebook pages and 204 Facebook groups of political parties, presidential, senatorial and representative candidates, official institutions, civil society organisations, media and digital creators (influencers).¹¹⁹ In case of less popular in the country X (Twitter), although used by mostly media, digital creators and domestic fact-checking initiatives. Hence, the monitoring sample included 47 actors or keywords, connected to predominately media and digital creators, with only a few accounts passively run by electoral contestants.

For the retroactive social media monitoring on Facebook, three stages were identified:

- 1) Stage 1 (5 August – 7 September) captured the start of the campaign. The sample for this stage included only political actors and official bodies;
- 2) Stage 2 (8 September – 10 October (E-Day)) included the national and regional media outlets, influential businesspeople, digital creators (influencers), and fact-checking institutions;
- 3) Stage 3 (11 October – 14 November (run-off)) had the same sample as the Stage 2.

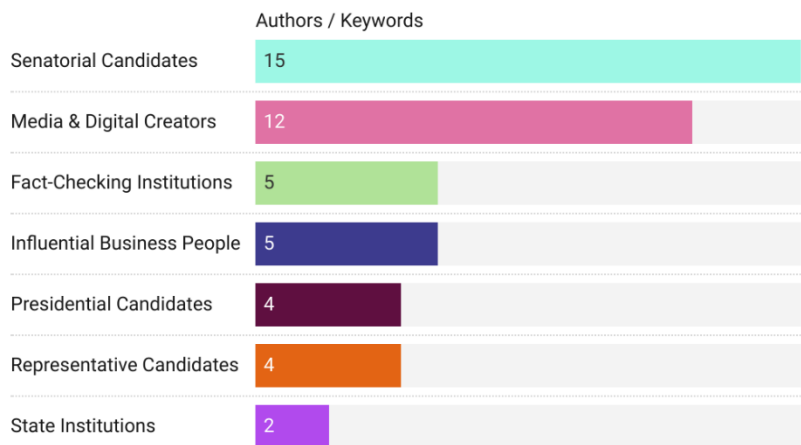
On Facebook, the EU EOM analysed throughout the monitoring period:

¹¹⁸ EU EOM does not monitor Messenger and WhatsApp groups for data privacy reasons.

¹¹⁹ Digital creators – since 2020 an official name used by platforms when categorizing public pages, and a self-name used by formerly ‘digital influencers’.

X (Twitter) Monitoring Sample

Monitoring Period 5 August - 14 November 2023.



Source: EU EOM Liberia 2023

- 1) 2,219 posts, 1,695 of which were election-related from Stage 1;
- 2) 19,410 posts, 9,979 of which were election-related from Stage 2;
- 3) Stage 3 encompassed 12,871 posts, including 3,808 election-related ones.

In order to analyse X (Twitter), the EU EOM applied both quantitative and qualitative approach. The same timeframes were used as in Facebook to

analyse the campaign on X (Twitter). For Stages 1 and 2, the EU EOM analysed 924 posts with 551 election-related ones. The monitoring period between the two rounds encompassed 700 posts with 375 containing election-related information.

Analysed Social Media Posts - General Elections

Posts analysed from 8 September to 10 October 2023.

	X (Twitter)	Facebook
Media & Digital Creators	689	7,197
Fact-Checking Media Institutions	54	112
Influential Business People	85	57
Media Monitoring Team		2
NEC		17
Non-Governmental Organizations		174
Party Leaders		746
Political Parties		556
Presidential Candidates	57	176
Regional Media Outlets		1,176
Representative Candidates	1	448
Senatorial Candidates		133
State Institutions	38	285
Traditional Media Outlets		8,331
Total: 20,334	924	19,410

Source: EU EOM Liberia 2023

Analysed Social Media Posts

Posts analysed between two rounds - from 11 October to 14 November 2023.

	X (Twitter)	Facebook
Online Media and Digital Creators	631	4,757
Fact-Checking Media Institutions	32	116
Influential Business People	33	58
NEC		14
Non-Governmental Organizations		156
Party Leaders		213
Political Parties		357
Presidential Candidates		153
Regional Media Outlets		640
Representative Candidates		196
Senatorial Candidates	1	66
State Institutions	3	165
Traditional Media Outlets		5,980
Total: 13,571	700	12,871

Source: EU EOM Liberia 2023

3. Campaign on social media by electoral actors

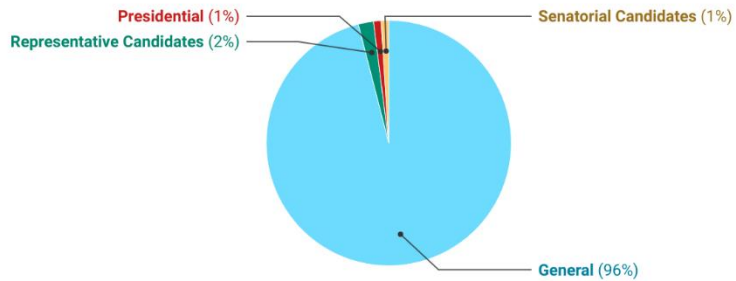
3.1. General Elections, First Round

Before the first round, the vast majority of Facebook posts was devoted to general elections as a whole. The UP, the CDC, the CPP, the ALCOP, the ALL, the EFFL, and the ALP led the online discourse, with the highest number of interactions, comments and shares, summing up solely for the UP and the CDC to one million in total.

Among the election-related topics indirect campaigning, news, personal opinions, campaign on topics and negative campaigning dominated online election discourse on Facebook. Topics registered by the EU EOM on X (Twitter) were much less versatile predominantly contained news.

Total Number of Posts on Facebook by Political Actors - First Round

Monitoring Period 8 September - 10 October 2023. Allocation in percentage per a type of elections.

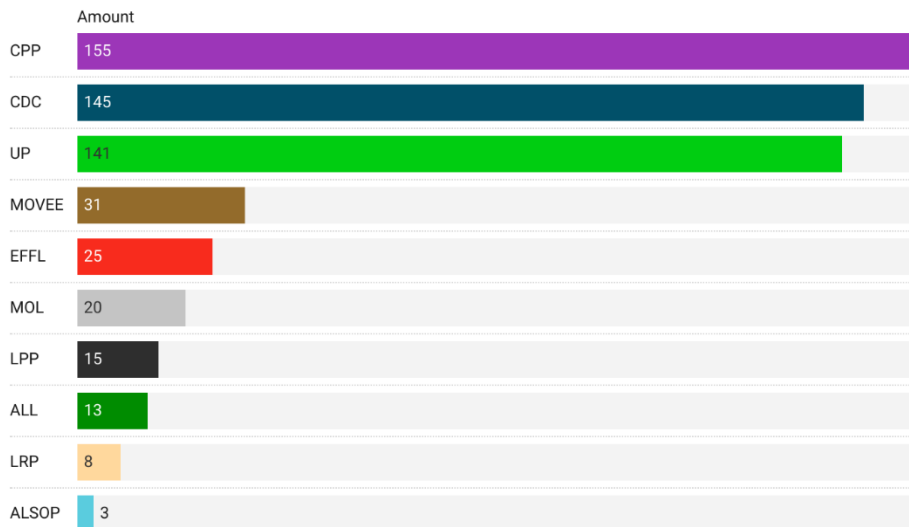


Source: EU EOM Liberia 2023

Among the presidential candidates, Sara Nyanti (ALL), Tiawan Gongloe (LPP), and Clarence Moniba (LINU) had the highest number of posts on Facebook. Among the political parties – the CPP, the CDC and the UP took the lead in the number of made posts.

Posts by Political Parties on Facebook - General Elections

Monitoring Period 8 September - 10 October 2023. Total number by pages affiliated with the parties.



Source: EU EOM Liberia 2023

Total Interactions by Political Parties on Facebook

Monitoring Period 8 September - 10 October 2023.

	Interactions	Comments	Shares
UP	560,629	136,372	45,251
CDC	327,947	72,813	35,598
CPP	75,917	14,956	4,266
LPP	3,895	765	435
ALCOP	2,470	688	548
ALL	1,225	211	396
EFFL	939	213	136
ALP	218	33	73
LRP	169	32	15
ALSOP	20	12	4

Source: EU EOM Liberia 2023

Posts by Presidential Candidates on Facebook - First Round

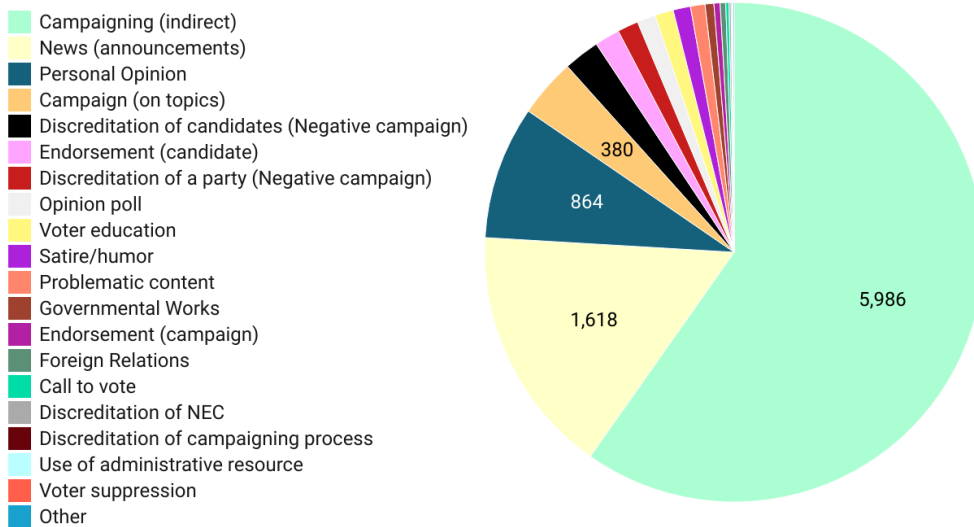
Monitoring Period 8 September - 10 October 2023.

Sara Beysolow Nyanti (ALL)	41
Tiawan Saye Gongloe (LPP)	33
Dr. Clarence K. Moniba (LINU)	30
Alexander B. Cummings (CPP)	23
Luther Yorfee (LRP)	11
Joseph Nyuma Boakai Sr (UP)	1

Source: EU EOM Liberia 2023

Topics on Facebook - General Elections

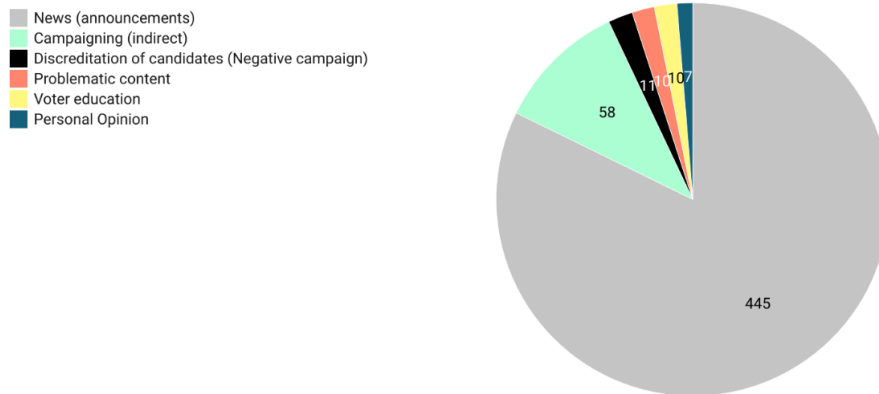
Monitoring Period 8 September - 10 October 2023. Number of posts.



Source: EU EOM Liberia 2023

Topics on X (Twitter) - General Elections

Monitoring Period 8 September - 10 October 2023. Number of posts.



Source: EU EOM Liberia 2023

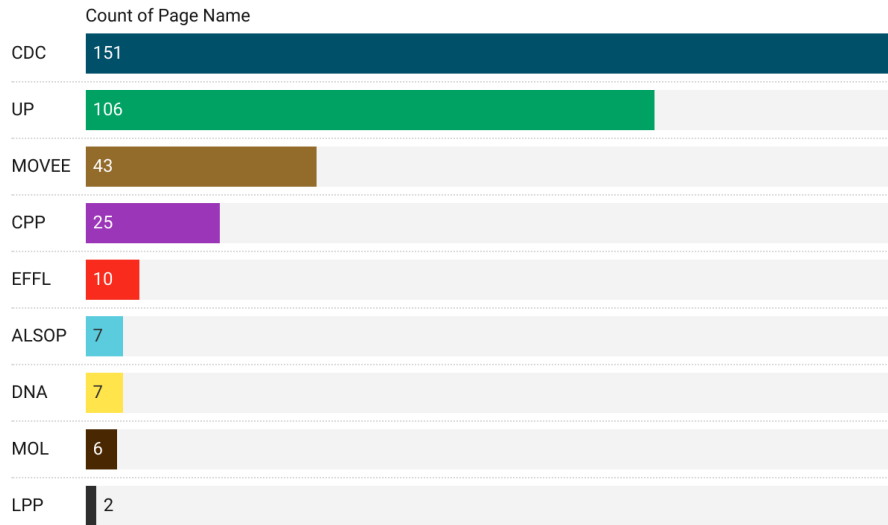
3.2. Run-off

As in the first round, political parties concentrated their online campaign activities on Facebook. The CDC party pages actively campaigned for George Weah who did not use his public page for campaigning, whereas the UP run-off candidate Joseph Boakai and his running mate Jeremiah Koung used extensively their public Facebook pages for campaigning.

The UP party pages had almost 50,000 many more interactions than their CDC opponents. Following the first round, endorsements of the candidates became one of the leading narratives on Facebook, in addition to indirect campaigning, news and personal opinions, also leading in the first round among the election-related topics.

Posts by Political Parties on Facebook - Run-off

From 11 October to 14 November, political Parties published 357 amount Posts on Facebook



Source: EU EOM Liberia 2023

Total Interactions by Political Parties on Facebook

Monitoring Period 11 October - 14 November 2023.

	Interactions	Comments	Shares
UP	249,208	51,240	22,373
CDC	180,723	51,311	19,771
EFFL	12,118	3,341	2,478
CPP	11,767	3,621	1,357
GDM	9,988	2,773	1,313
NLP	1,597	330	112
NDP	363	117	32
PLP	179	31	2
PUP	70	7	3
ALSOP	46	10	24
ALCOP	25	5	3
ALL	12	2	2
ANC	12	4	1
NDL	2	0	0

Source: EU EOM Liberia 2023

Number of Posts by Presidential Candidates on Facebook - Run-Off

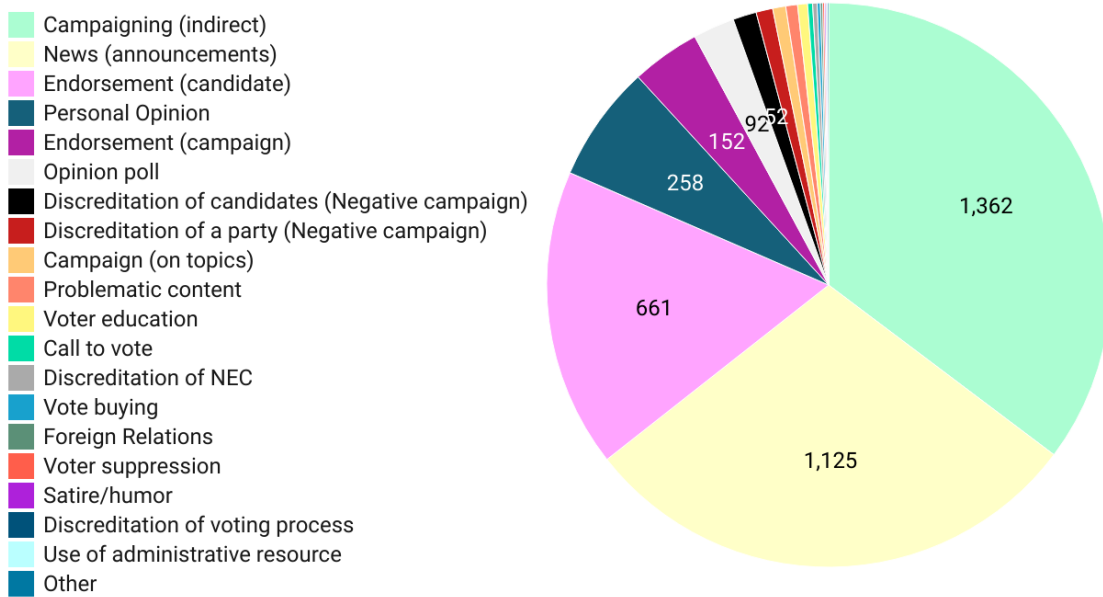
Monitoring Period 11 October - 14 November 2023.

Jeremiah Koung (UP - Running)	42
Joseph Boakai (UP - Running)	12
Sara Nyanti (ALL)	9
Alexander Cummings (CPP)	3
Clarence Moniba (LINU)	3
Charlyne Brumskine (CPP)	1
George Weah (CDC - Running)	1
Sheikh Moustapha Kouyateh (LFM)	1

Source: EU EOM Liberia 2023

Topics on Facebook

Monitoring Period 11 October - 14 November 2023. Number of posts.



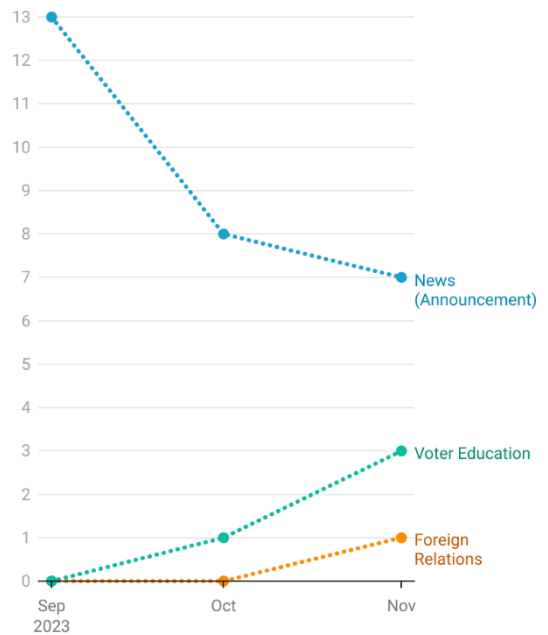
Source: EU EOM Liberia 2023

4. NEC activity on Facebook

Social media monitoring conducted by the EU EOM showed that NEC sporadically used their Facebook page despite a high number of active followers. The number of voter education posts started to raise gradually only closer to the run-off, nevertheless considered by many EU EOM interlocutors as insufficient.

National Election Commission (NEC) on Facebook

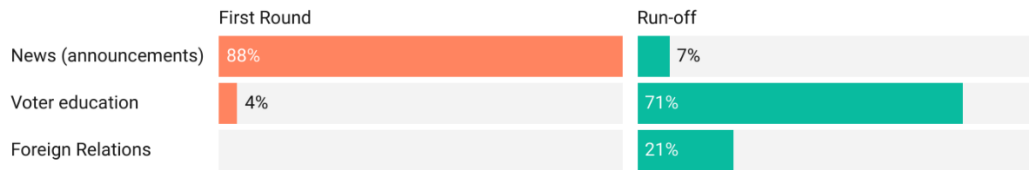
Performance during the Campaign 5 August - 14 November 2023. Number of posts.



Source: EU EOM Liberia 2023

National Election Commission (NEC) Activity on Facebook - Both Rounds

Topic of posts by percentage during 8 September - 14 November 2023.



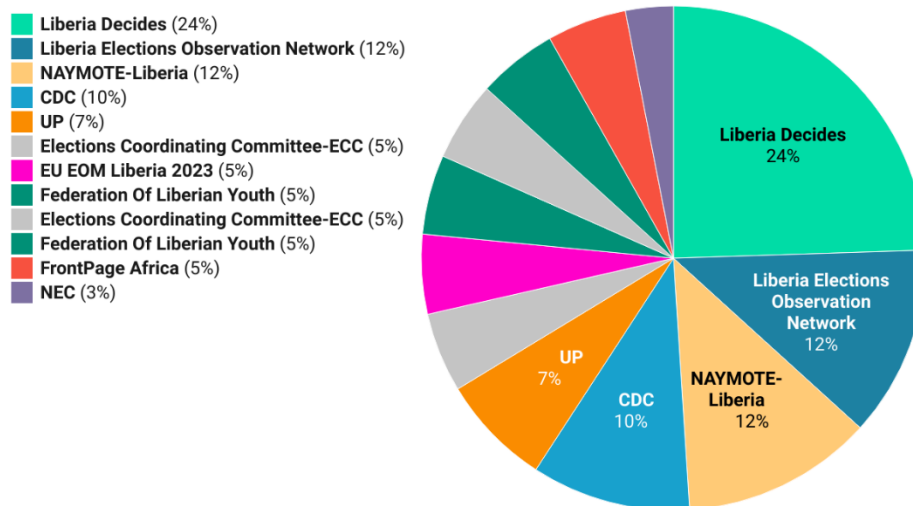
Source: EU EOM Liberia 2023

5. Voter Education

EU EOM social media monitoring demonstrated that civil society organisations and political actors championed voter education online both before the first round and between the two rounds on Facebook.

Voter Education on Facebook - General Elections

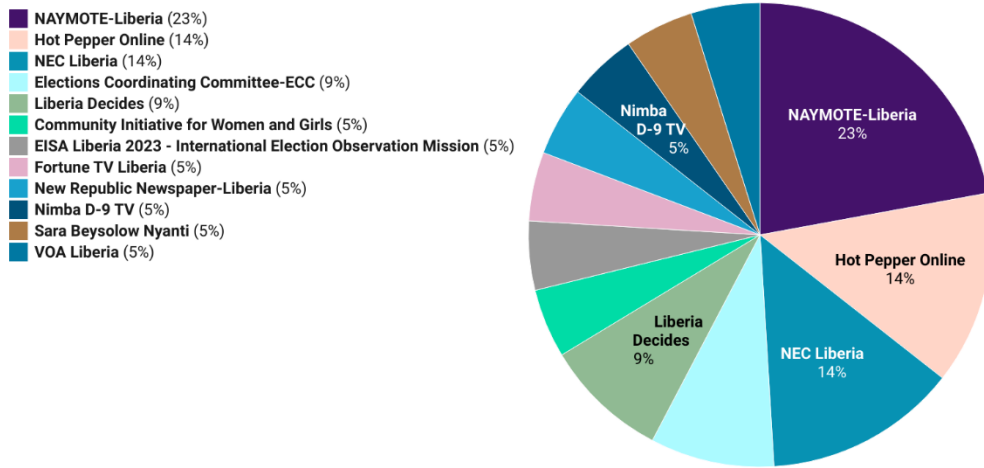
Monitoring Period 8 September - 10 October 2023. Allocation by Actors in Percentage.



Source: EU EOM Liberia 2023

Voter Education on Facebook - Run-Off

Monitoring Period 11 October - 14 November 2023. Allocation by Actors in Percentage.



Source: EU EOM Liberia 2023

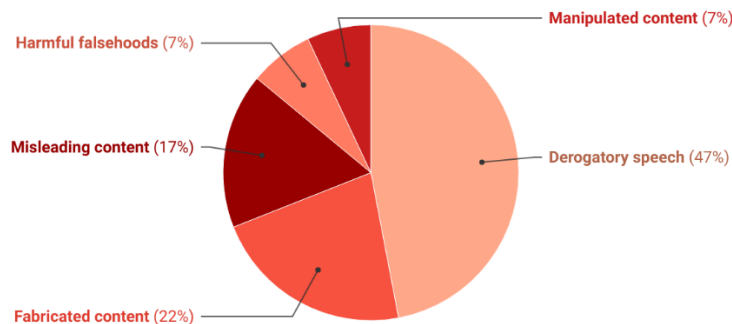
6. Derogatory speech during the campaign

During the course of the electoral campaign, the EU EOM registered in their social media monitoring sample some one per cent of the posts attributed to derogatory speech, manipulated and fabricated content as well as intentional or unintentional falsehoods.

Before the general elections day, CDC and UP-affiliated or leaning to them politicians produced approximately the same number of derogatory, misleading and false narratives. Between the two rounds, the majority of instances with derogatory speech, manipulated and fabricated content as well as intentional or unintentional falsehoods were produced by the CDC party members and their supporters.

Derogatory Language and Falsehoods on Facebook - First Round

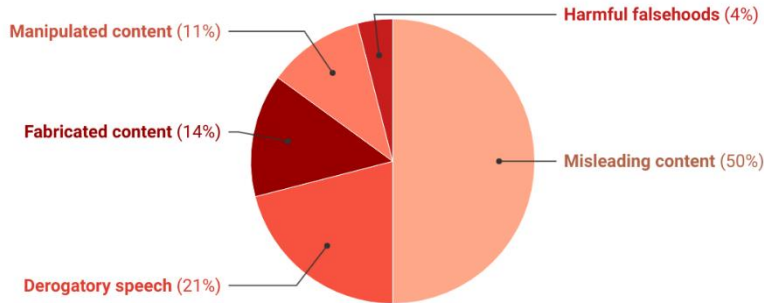
Monitoring Period 8 September - 10 October 2023. Allocation in Percentage.



Source: EU EOM Liberia 2023 • Created with Datawrapper

Derogatory Language and Falsehoods on Facebook - Run-off

Monitoring Period 11 October - 14 November 2023. Allocation in Percentage.



Source: EU EOM Liberia 2023 • Created with Datawrapper

Derogatory Speech and Manipulated Content by Actors - First Round

Monitoring period 8 September - 10 October 2023. Number of posts.

From Party/Actor	About Party/Actor	Amount
CDC	UP	2
George Weah (CDC)	Joseph Boakai	2
Sekou Kalasco (CDC)	Joseph Boakai	2
CDC	Joseph Boakai	1
Gary the Blogger (CDC)	UP	1
Jeremiah Koung (UP)	George Weah	1
Josephine Davies (CDC)	Yekeh Kolubah	1
Kanio Bai-Gbala (CDC)	Darius Dillon	1
Martin Kollie (UP)	CDC	1
Martin Kollie (UP)	George Weah	1
Mohammed Bamba (CDC)	Joseph Boakai	1
Samuel Nagbe (UP)	CDC	1
Samuel Nagbe (UP)	George Weah	1
Samuel Nagbe (UP)	Jusuf Bility	1
Samuel Nagbe (UP)	Philipbert Browne	1
Sekou Kalasco (CDC)	UP	1
Shine Liberia (CDC)	UP	1
Shine Liberia (CDC)	Joseph Boakai	1
Unity Party Newsroom	George Weah	1
Unity Party Newsroom	CDC	1
Unity Party Alliance for Boakai	George Weah	1
UP	CDC	1
Yekeh Kolubah (IND, proUP)	George Weah	1

Source: EU EOM Liberia 2023

Derogatory Speech and Manipulated Content by Actors - Run-Off

Monitoring period 11 October - 14 November 2023. Number of posts.

From Party/Actor	About Party/Actor	Amount
CDC	UP	3
CDC	ECC	2
Jefferson Kojjee (CDC)	ECC	2
Liberia Human Rights Defender	ECC	2
Alexander Kesselly (UP)	CPP	1
CDC	Yekeh Kolubah	1
Freedom Radio Liberia (pro-CDC)	ECC	1
Shine Liberia (pro-CDC)	Amarah Konneh	1

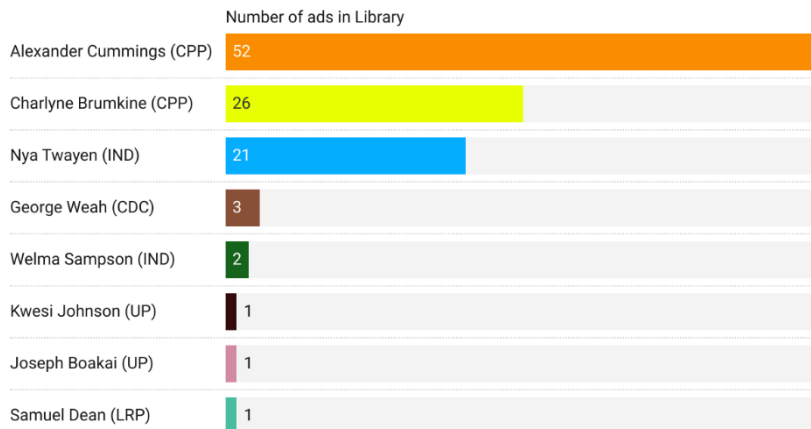
Source: EU EOM Liberia 2023

Despite a comparatively low number of derogatory speech and manipulated content cases, such narratives had large impact on online and offline discourse, due to the fact, that they were produced by major electoral actors and also touched upon the crucial ones.

7. Paid for Advertisement on Facebook

Number of Paid for Ads on Facebook - First Round

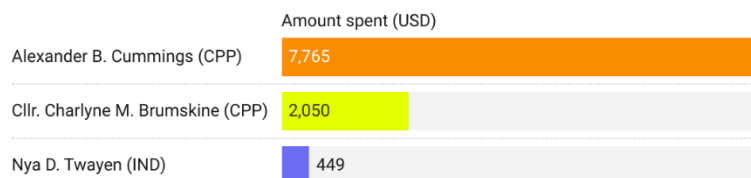
By Political Actors During the First Round



Source: EU EOM Liberia 2023

Paid for Ads on Facebook - First Round

Highest Spenders on Facebook Ads during the First Round



Source: EU EOM Liberia 2023

Paid-for advertisement was not a popular campaign instrument in Liberia. Hence, only a few candidates used it with an individual spending not exceeding USD 8,000. Most of the political actors spent less than USD 100 on paid-for ads on Facebook throughout the course of the electoral campaign. The highest spenders for the whole campaign were the CPP presidential and vice-presidential candidates. For the second round, none of the run-off candidates from the CDC and the UP used paid-for ads on Facebook.

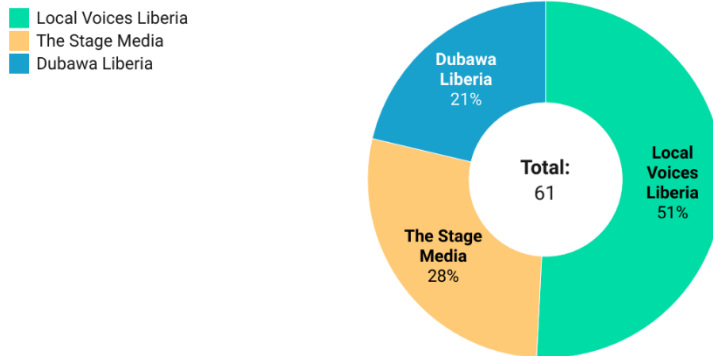
8. Information manipulation and domestic fact-checking during the campaign

Liberian and regional fact-checking initiatives played a crucial role in debunking falsehoods and misleading content during the electoral campaign. Local Voices Liberia (LVL)/iVerify, The Stage Meda, Campaigners against Misinformation and Disinformation in Liberia as well as West-African initiative Dubawa verified and scrutinized a number of crucial stories related to the NEC activities, electoral fraud, electoral violence and statements made by electoral candidates during the campaign, including the debates held before the first round.

To amplify their reach, they used traditional media such as OK FM weekly programme in case of LVL/iVerify, and social media as their communication channels. However, none of their fact-checked stories were reposted by the NEC Facebook page.

Fact-Checked Stories about the Elections

Election-related Stories during the Whole Campaign (5 August - 14 November 2023).



Source: EU EOM Liberia 2023

Within the EU EOM monitoring sample, manipulated and fabricated content only appeared on Facebook. However, several stories targeting domestic and international observer groups, originated from the CDC and the UP leaders with high number of Facebook followers, and thus, reached a huge audience, undermining credibility of election observation among a large number of Facebook users.

The first crucial story targeting the EU EOM appeared already after the general election, on 15 October 2023, initially in WhatsApp groups. Later, it reached bigger media and ultimately was debunked [by LVL/iVerify](#) (see Pictures 1 and 2).



On Saturday, October 15, a spread sheet with purported tallied results of the just ended October 10 elections went viral – it was being shared via messaging apps WhatsApp and Messenger. Those spreading the disinformation alleged that the data represent "Projections for JNB First Round Victory (Best Case Scenario for CDC)," claiming that it was "90 percent" of the results released by the European Union Observation Mission (EU-OM) to Liberia.

A thorough verification of this information found that the spreadsheet or its screenshot was not released by the EU-OM. A FrontPage Africa [news report](#) quoting the EU Ambassador to Liberia, Nona Deprez furthered debunked this as "Fake".

Picture 1.



The EU OM has refuted disinformation spread on social media and messaging apps like WhatsApp that they released the spreadsheet (pictured above)

Amid this trend of disinformation and the attribution of manipulated or fabricated information to international organizations, here is what you need to know about the Mission of the EU-OM to Liberia 2023 presidential and legislative elections.

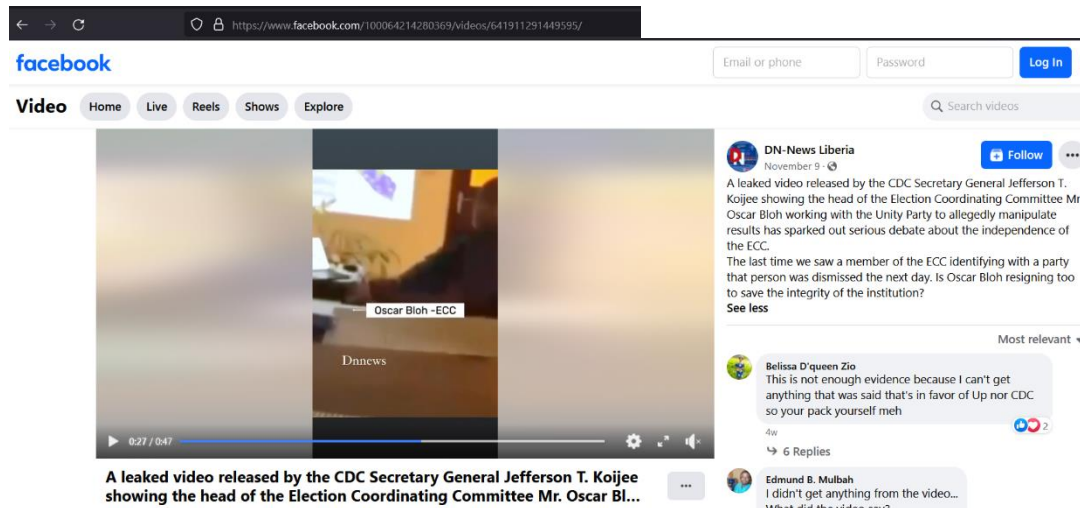
To understand the mission of the EU-OM, we contacted Jarek Domanski, Deputy Chief Observer of the EU Election Observation Mission, who outlines the purpose of the Mission to in observing Liberia.

Why is Election Observation Important

Election observation is an essential component of European Union activities to promote democracy, human rights, and the rule of law worldwide. Election observation can contribute to strengthening democratic institutions, build public confidence in electoral processes and help deter fraud, intimidation, and violence.

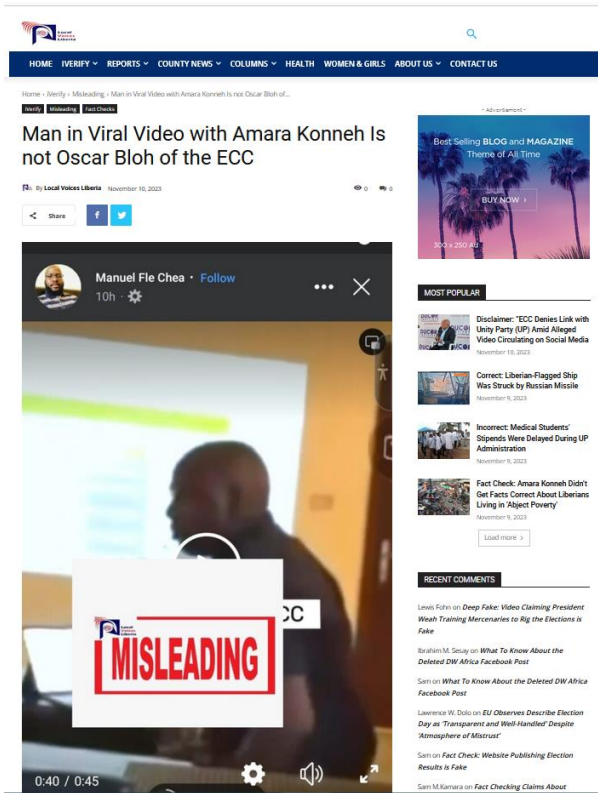
Picture 2.

Attack against the domestic observers – ECC: On 9 November, a CDC member, Monrovia mayor Jefferson Kojjee, posted on his official Facebook page a video purporting to be evidence of the chairman of the ECC Oscar Bloh, and Gbarpolu County senator-elect Amara Konneh, meeting at the ‘War Room’ of the Unity Party. The video was later deleted but remained on Facebook pages of some media (E.g. see Picture 3, [DN-News Liberia](#)).



Picture 3.

On 10 November, [LVL/iVerify](#) fact-checked the claim made by the CDC Secretary General and said as quote *“Based on these facts derived from the analysis of the video, we therefore conclude that the man in the video is not Oscar Bloh. We also conclude that the conversation in the video is unrelated to the October 10, 2023, elections. The claim that the man in the video is Mr. Bloh of the ECC is misleading.”* (See Pictures 4 and 5).



Picture 4.



An analysis of the voice in the video and the voice of Mr. Bloh are not the same.

We also analyzed the image of the man in the video, comparing it with Mr. Bloh's by using [image analysis and comparison tool](#). We screenshot an image of the man in the video and compared it with a previous photo of Mr. Bloh taken from the same angle. The result shows that the persons in the two images are not the same.



Analysis of the two image show that they are not the same person.

We also manually reviewed the physical structure of the man in the video and compared his features with Mr. Bloh's. Our analysis result is that the skin pigmentation, facial, and body structures are not the same.

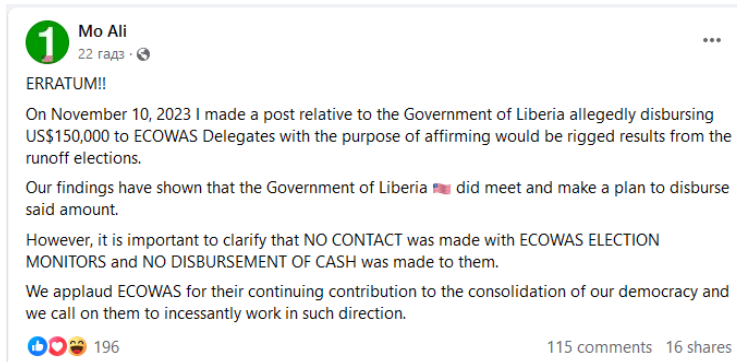
Conclusion

Based on these facts derived from the analysis of the video, we therefore conclude that the man in the video is not Oscar Bloh. We also conclude that the conversation in the video is unrelated to the October 10, 2023, elections. The claim that the man in the video is Mr. Bloh of the ECC is misleading.

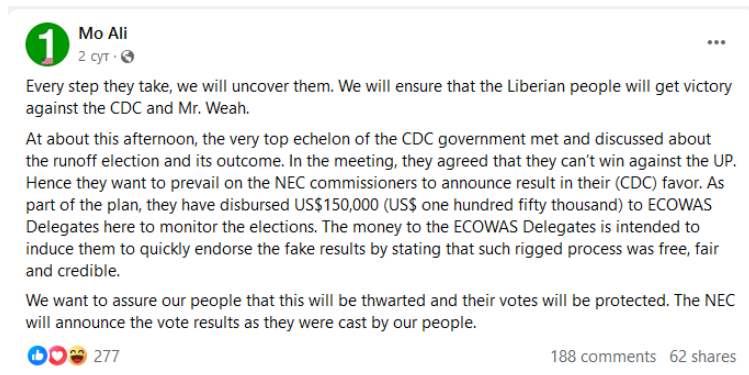
This report was developed with the support of Internews through the USAID Media Activity project. The funder has no say in the editorial decision leading to the production of this content

Picture 5.

Attack against international observers – ECOWAS: The UP Campaign Spokesperson Mohammed Ali (Mo Ali) made a post on 10 November on his public Facebook page accusing the ECOWAS of having received a bribe from the CDC (see Picture 6). After a public denouncement of this information by the ECOWAS, Mo Ali made a post where he admitted that he had made a mistake (see Picture 7). Subsequently, both posts were deleted from the page.



Picture 6.



Picture 7.

**EU Election Observation Mission in Liberia
General Elections 10 October, presidential run-off 14 November 2023**

Final Report

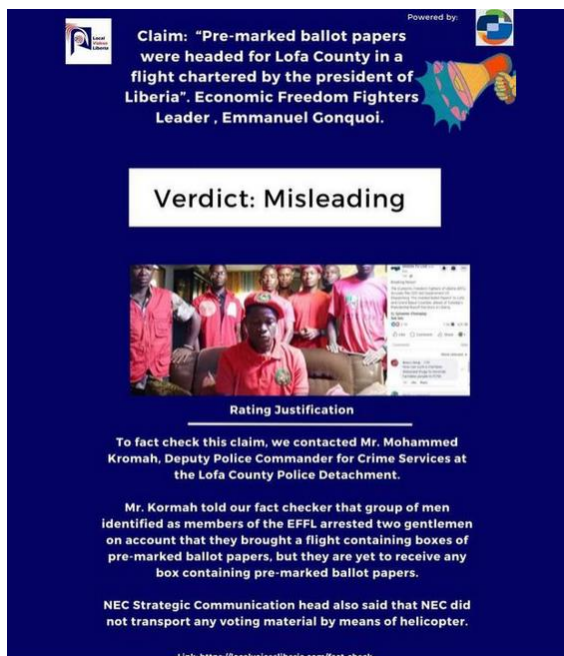


Picture 8.



Picture 9.

CDC vs UP in Lofa county before the run-off: A misleading story about pre-marked ballots appeared on Facebook the night before run-off, on 13 November, in two opposite interpretations. One, captured on Picture 8, victimised the CDC and demonized the UP. The other, captured on Picture 9, insinuated that the CDC tried to distort the election results by sending pre-marked ballots by helicopter to Foya. And spread further by the EFFL who claimed they had been part of the incident. LVL/iVerify and Dubawa Liberia subsequently debunked the story (see LVL/iVerify debunk on Picture 10).



Picture 10. Debunk on LVL/iVerify Facebook page.

