



## **PRELIMINARY DECLARATION**

### **I- INTRODUCTION**

- 1- In pursuance of the provisions of the ECOWAS Supplementary Protocol on Democracy and Good Governance, and within the framework of the Programme of Assistance to Member States organizing elections, **His Excellency Alain Marcel de Souza**, President of the Economic Community of West African States (ECOWAS) Commission, deployed an election observation mission (EOM) to the presidential and representative elections of 10 October, 2017 in the Republic of Liberia.
  
- 2- The ECOWAS Observation Mission, which comprised of 50 short term observers and 21 Long term observers, was led by **His Excellency John Dramani Mahama**, immediate past president of the Republic of Ghana. The Mission comprised of representatives of ECOWAS Member States ambassadors accredited to ECOWAS, representatives of parliamentarians in the ECOWAS Parliament, experts drawn from Member States' relevant Electoral Management Bodies, civil society organizations, the media and ECOWAS training centres of excellence. The Mission was supported by a technical team from the ECOWAS Commission, led by **Her Excellency, Mrs. Halima Ahmed**, Commissioner for Political Affairs, Peace and Security.

### **II- BACKGROUND TO THE GENERAL ELECTIONS**

- 3- The October 10, 2017 presidential elections in Liberia marked the first political transition from one democratically elected government to another. It is against this backdrop and guided by the ECOWAS Supplementary Protocol on Democracy and Good Governance; the African Charter on Democracy and Governance; the International Declaration on the Principles of Election Observation and the relevant legal texts guiding electoral processes in the Republic of Liberia, the ECOWAS EOM sought to support the conduct of credible and peaceful elections in solidarity with the people of Liberia and their efforts to further consolidate democracy in the country.
- 4- It is worth recalling that since the end of the country's Civil War, Liberians have demonstrated commitment to democracy through the organization of regular elections. These elections have been conducted by Liberia's national institutions, which include the National Elections Commission (NEC) with the support of the Liberia National Police (LNP), the Armed Forces, Immigration Services, Fire Services, Drug Enforcement Agency, and Customs.
- 5- In the course of organizing the previous elections and the current October 10, 2017 elections, many international stakeholders supported to the electoral process, which contributed immensely to the successes recorded in the elections. These include the African Union, the United Nations Mission in Liberia (UNMIL), the European Union, the Carter Center, Electoral Institute for Sustainable Democracy in Africa (EISA), and foreign missions in Liberia. ECOWAS worked closely and collaborated with these important stakeholders in training electoral officials, transportation of electoral materials, etc.

### **III- ECOWAS SPECIFIC SUPPORT TO THE 2017 ELECTORAL PROCESS**

- 6- Through its Early Warning and Response Mechanism and the Office of the Special Representative of the ECOWAS President in Liberia (SREP), ECOWAS extensively engaged with various national and international actors to monitor the political and security situation in the country in the preparatory stage to the elections and

during the elections. In this regard, the ECOWAS Commission systematically carried out the following specific actions:

- ✓ the deployment of a pre-election Fact-finding Mission, from 17 – 21 July 2017, to assess the institutional and legal framework under which the election would be organised. Jointly, with the ECOWAS Network of Electoral Commissions (ECONEC), the Commission also paid a solidarity visit to the leadership of the Liberian National Elections Commission (NEC) and played a critical role in carrying out advocacy on behalf of the National Elections Commission to get the support of all national stakeholders and Donor Partners.
- ✓ The deployment of a Long Term Election Observation Mission (LTEOM) from 16 September to 16 October, 2017, with the objective of observing the most critical stages of the electoral process in order to identify and rapidly recommend corrective measures for any issues that could derail the process and;
- ✓ The deployment of a short term election observer mission from 5 to 14 October 2017.
- ✓ conducted back-channel mediation training for Civil Society Organisations in the country, from 18- 22 July 2017, and closely followed it up with a training for Media professionals on responsible election reporting.
- ✓ The organization of a Gender and Election training workshop to encourage the political participation of women in the country.
- ✓ Provided financial assistance to the Government of Liberia towards the conduct of the elections.

#### **IV. ECOWAS OBSERVATION OF THE ELECTIONS**

##### **A. ELECTORAL CAMPAIGN AND MEDIA**

7- In line with the electoral calendar, the election campaigns kicked off on 31 July 2017 and took place across the country. Candidates were able to visit the various counties to campaign for votes. Political parties and candidates conducted themselves in an exemplary manner and the campaign was generally calm and peaceful, with only few reported cases of incidence. The Liberian

National Police (LNP) provided sufficient security at the various political campaign rallies and demonstrated professionalism in dealing with issues.

- 8- The Mission noted a liberal and pluralistic media landscape that provided the space for diverse opinions and the opportunity for the expression of views without hindrance. In a bid to ensure an issues-based campaign, a Presidential debate was held on 17 August 2017 involving the six party front runners. The ECOWAS long term observer mission attended the second round of Presidential debates that took place on 26 September 2017.

## **B. ECOWAS CONSULTATIONS & DEPLOYMENT**

- 9- In achieving the objectives of the ECOWAS Observation Mission, The Head of Mission, His Excellency **John Dramani Mahama**, upon arrival in Liberia on 5 October, 2017, held extensive consultations with various stakeholders involved in the electoral process. The Head of Mission also paid a courtesy visit to Her Excellency, Ellen Sirleaf Johnson, President of the Republic of Liberia.
- 10- During his consultations, the Head of Mission met with the NEC Chairman and the Inspector General of Police (IGP), the presidential candidates or their representatives, leaders of civil society organizations, and heads of other international observation missions (AU, EU, EISA, Carter Centre and NDI). The Head of Mission also met with International Foundation for Election Systems (IFES) and the Open Society Initiative for West Africa (OSIWA).
- 11- In addressing the press, His Excellency **John Dramani Mahama**, congratulated the various stakeholders (the security agencies, the media), and appealed to all candidates and political parties to respect their commitment to peaceful elections, as contained in the “Farmington Declaration”. He also called upon all stakeholders to retain confidence in the democratic process and the various institutions.
- 12- These consultations enabled the Mission to note some concerns including, among others (i) the series of court cases bordering on

resignation of candidates and residency of contesting representatives and (ii) the concern expressed by political parties and other stakeholders over the non-display of Final Registration Roll (FRR) by NEC.

**13-** The Mission noted with satisfaction the following:

- Efforts made by the police to provide security during the pre-electoral period particularly its collaboration with the NEC to deploy elections security officers to all magisterial areas;
- The initiative by the LNP dubbed at “Yes to Peace & No to Violence” campaign to build trust and confidence between Communities and the Police;
- The signing and commitment of the political parties to the Farmington Declaration and the use of the Inter-Party Consultative Committee (IPCC) to foster understanding and provide a platform for addressing issues raised by political parties;
- Efforts by Civil Society Organizations’ engagement in a robust non-violent elections campaign and their complimenting role in supporting the NEC in civic and voter education across the country;
- The participation of women as candidates in the 2017 elections, though encouraging, remains low. There was slight increase in the number of women candidates over previous elections. However, despite the existence of non-discriminatory clause, over 90% of political parties failed to meet the 30% threshold for a particular gender in political representation, as set by section 4.5 of the amended elections law of 2014.

**14-** Following further briefings, the ECOWAS Technical Team equipped and deployed ECOWAS Observers to twelve (12) of the 15 counties in the country, namely, Montserrado, Margibi, Grand Cape Mount, Gbarpolu, Lofa, Bong, Bomi, Nimba, Grand Bassa, River Cess, Grand Gedeh and River Gee.

## **C. OPENING, CONDUCT OF THE ELECTION AND VOTE COUNTING**

15- After preliminary assessment of the information forwarded to the Situation Room by observers deployed in the field and after a debriefing session with some of the observers upon their return from the field, the Mission noted:

- a) The timely distribution of electoral materials throughout the country and the early delivery of materials in sufficient quantities, as well as, the early arrival of electoral officials at the polling stations, which allowed voting to commence within an average of 25 minutes of the stipulated opening time of 8am, in most of the polling centres visited; Although, in a few cases, voting started late, at about 9:10 am, it was mainly due to delay in setting up of the electoral place and understanding of voting procedures in for example, ***District 1 GW Perlson School in Nimba*** and ***New Court High school in Greater Montserrado***;
- b) The discreet and non-obtrusive presence of security agents across the country;
- c) The presence of different party agents at the polling places ranging from 5-15;
- d) The Final Registration Roll (FRR) and index list were used in admitting voters for the elections. However, the non display of the FRR caused difficulties for voters to identify their polling places. That contributed to delays in the voting process;
- e) The polling officials generally conducted themselves well. However, some of them failed to demonstrate adequate knowledge of their roles leading to a slowness of the voting process and resultant long queues outside some voting precincts;
- f) In accordance with the provisions of the NEC, voters with special needs were in general assisted to cast their votes, with the exception of few crowded polling places;
- g) The positioning of the polling booths guaranteed the secrecy of the ballot;
- h) The presence of international observers group, which include the AU, the EU, observers from the US Embassies, EISA, Carter Centre and NDI; and a large number of local observers (such as Women Situation Room, Election Coordinating Committee (ECC), the Liberia Elections Observation Network (LEON), & the Liberia Council of Churches);
- i) By 6pm, many voters were observed still in the queues in many polling stations visited by the ECOWAS team. There were

tensions and fear among the voters of losing the opportunity to exercise their franchise;

- j) In spite of the late closing of polls in some polling stations due to the late opening, the counting and tallying processes at the polling stations were conducted in a transparent and credible manner, and under the watchful eyes of party agents and observers.

## **V. PRELIMINARY CONCLUSIONS AND RECOMMENDATIONS**

17. Despite the logistical challenges observed during the October 10, 2017 polls, the Mission noted with satisfaction the early start of the voting process. However, this was hampered by the difficulties caused by the use of the FRR and the difficulty some voters experienced in finding their names, leading to extension of the voting period beyond 6pm.
18. The Mission notes with concern the isolated cases of violence during the electoral process in some parts of the country, and therefore commends the efforts of the security forces especially the Liberia National Police (LNP) for arresting the situation.
19. The Mission specifically congratulates the NEC leadership and officials for the professionalism demonstrated throughout the electoral process. It also pays tribute to the security agencies for their impartial and exemplary conduct during the elections, especially in the identified flash points and the entire country. The Mission commends UNMIL in assisting to airlift electoral material (both sensitive and non-sensitive materials) to counties that are inaccessible by road.
20. The Mission congratulates the candidates, their parties, supporters and the electorates for their maturity during the campaign and the voting process. It urges all candidates to put Liberian first by maintaining the peace. It appeals the candidates to gracefully accept the will of the people and in the event of genuine grievances, to resort exclusively to legal means to seek redress.

21. The mission congratulates the Liberian people for their enthusiasm in participating in all aspects of the election process. Liberians have taken the opportunity of the process to exercise their sovereign right to decide who leads them.
22. The mission believes thus far, that with the environment in the lead up to the election, voting day activities, sorting and counting of the ballots, Liberia is on track to achieve a credible poll.
23. The Mission urges the Electoral Commission to approach the concluding phases of the process with fairness, and transparency until the proclamation of the results. It calls on the party leaders, the candidates, their followers and the media to maintain the same posture of restraint, serenity and patriotism till the collation and announcement of the results.
24. The ECOWAS Observation Mission urges NEC to expedite action on the proclamation of the provisional results, to prevent further anxiety within the polity.

## **VI. RECOMMENDATIONS**

25. In the light of the few challenges identified by the ECOWAS Observers in the field, ECOWAS would like to put forward the following recommendations:
  - ✓ The NEC should look into the issue of the FRR and improve it by arranging names in alphabetical order and ensuring that the photos match serial numbers of voters;
  - ✓ Timely voter verification exercise should be conducted by NEC in accordance to the law to enhance voter identification of their names and polling places prior to elections;
  - ✓ Improved provision should be made by NEC for vulnerable groups, including pregnant women, nursing mothers, disabled, visually impaired, and the aged, by giving them priority to cast their votes;
  - ✓ Assistance should be provided at the precincts to voters to identify their polling station queues in a timely manner.

- ✓ All controversial constitutional matters should be resolved prior to elections;
- ✓ NEC should conduct relevant and early training for electoral officials to being trained in a haphazard manner;
- ✓ Adequate financial resources should be made available to the NEC in a timely manner to facilitate its operations;

26. Finally, the ECOWAS Mission expresses gratitude to the Government and people of Liberia, the National Electoral Commission (NEC), security agencies and UNMIL for creating the enabling environment which enabled them to effectively accomplish their mission.

**DONE AT MONROVIA THIS 11<sup>TH</sup> DAY OF OCTOBER 2017**

**His Excellency John Dramani Mahama**

**Head of Mission**