

**Report No 1 - PHASE 1 BIOMETRIC VOTER REGISTRATION(BVR) PROCESS TO
THE LIBERIAN 2023 ELECTIONS**

EISA-International Election Observation Mission (EISA-IEOM)

20 March 2023 – 9 April 2023



EISA

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Background

As part of its commitment to support democratic development and promote credible, transparent, and accountable electoral processes in Liberia, the Electoral Institute for Sustainable Democracy in Africa (EISA) through its International Election Observation Mission (IEOM) to Liberia 2023 elections is observing the ongoing Biometric Voter Registration (BVR) exercise on an independent and nonpartisan basis.

EISA deployed electoral experts to Liberia to assess the first phase of the biometric voter registration process and the pre-election environment in advance of presidential and legislative elections expected on 10 October 2023. EISA's observer team conducted its work from 20 March 202 – 09 April 2023 and visited 21 voter registration centers (VRCs) in 11 electoral districts across 5 of the 6 counties of the first phase: Bomi, Grand Cape Mount, Grand Bassa, Margibi, and Montserrado.

EISA team members met with electoral authorities at the national, county, and district levels, including with members of different NEC departments, and the team which is handling the de-duplication process. EISA met with journalists, civil society organizations, domestic observers, youth, and women groups to gather insights and reflections on the BVR. EISA's voter registration assessment builds on its recent Needs Assessment Mission (NAM) conducted in February 2023 to assess the political environment and the status of technical preparations for the registration exercise and the upcoming elections. EISA will continue to monitor the ongoing BVR exercise and will issue a comprehensive report at the end of the BVR process in May 2023. EISA notes that the voter registration process is ongoing, and there are still important steps to be completed.

During the 2011 elections, public confidence in the voter register was good with international observers' reports mentioning sound procedures consistent with international standards. However, during the 2017 election several issues were raised with the voter registration process, including (1) non-functional camera errors in the coding system resulting in the misallocation of voters, and (2) voters not finding their names in the roll. In preparation for the 2023 elections, a BVR exercise was introduced to strengthen elements of Liberia's voter registration process, using biometrics to enhance the integrity and security of the voters' roll. The adoption of BVR technologies by the NEC is in line with international good practices for voter's roll verification and management. The use of BVR equipment to register voters is only one element of the voter-registration process, other components are equally important, such as procedures, legislation, regulations, implementation of eligibility and identification requirements, privacy and security during the collection, storage and the recruitment and training of staff. The voter's roll is a product of a fully enabling environment and therefore the use of BVR by itself should not be viewed as a full and final solution to address the concerns highlighted during the 2017 elections.

Legal and Constitutional framework

The Constitution of the Republic of Liberia, the elections law as amended by the Electoral Reform Laws of 2004 and the 2014 Act to Amend Certain Provisions of the 1986 Elections Law, the Law on Political Parties, and NEC regulations and decisions constitute the legal framework for voter registration and the conduct of the 2023 presidential and legislative elections in Liberia. Liberia's international obligations oblige it to take efforts to promote to ensure that its legislation is in line with international human rights obligations.

EISA noted that any additional changes to the existing legal framework for elections should ensure adequate time for debate, codification, dissemination, and public outreach ahead of elections. Liberia is a member of the Economic Community of West African States (ECOWAS) community and according to ECOWAS Protocol on Good Governance, changes to the legal framework for elections should not be made within six months of an election¹.

EISA noted that a 2014 modification to the New Electoral Law obliges voters to register where they "ordinarily reside," an amendment aimed at preventing "trucking," or bringing voters from outside of a district or the country to register and vote in an area where they do not ordinarily inhabit. However, neither the law texts nor the NEC's Trainer Manual for Voter Registration define ordinary residence or give guidance on how registration officials ought to determine where a voter often lives.

The primary papers required to demonstrate eligibility are a passport, a birth certificate, or a certificate of naturalization, according to the legislation. Other acceptable means of identification include the sworn testimony of two registered voters in person or confirmation by a traditional leader².

Methodology

For Phase 1 of the Liberia BVR process, EISA conducted site assessments at randomly selected registration centers in 5 out of the 6 counties, held consultations with the NEC and stakeholder groups and conducted desk research. A pre-approved checklist was used to collect data to inform the analysis and formulation of conclusions and recommendations. EISA will continue to monitor the integrity of the BVR process by evaluating NEC's procedures and adherence to the Liberian Constitution, Election Laws, and regional and international norms. The observation process allows EISA to observe widespread citizen participation and the steps that lead to the exercise of the fundamental right to vote. The evaluation centered on adherence to registration criteria and procedures, the overall electoral environment, inclusion, and violence.

Biometric Voter Registration

Based on recommendations regarding the management of the voters roll in previous elections, the NEC opted to implement a BVR system for the 2023 election to ensure a transparent and fair process in populating the voter's roll. The selected BVR system uses technology to capture and store voters' biometric data, such as fingerprints, facial recognition, and iris scans. This system helps to easily identify and resolve multiple and fraudulent registrations and ensures that only eligible voters are registered to vote. EISA observed that the present registration process safeguards against repeated registrants and is in line with international and regional best practices. The service provider, Laxton Group is an established entity with a track record in providing biometric solutions during elections to other African countries such as Zimbabwe and Nigeria.

¹ ECOWAS Protocol A/SP1/12/01 on Democracy and Good Governance Supplementary to the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping, and Security.

² Section 8.3. "Registration Process" National Electoral Commission, 2022. *Voter Regulations of 2022*, 7 October 2022. National Electoral Commission. Monrovia, Liberia.

Pre-registration preparations

On 9 February 2023, Front Page Africa quoted remarks apparently attributed to NEC Chairperson Davidetta Browne Lansanah (but without context) that the election body needed a payment of USD 5,4 million prior to the start of the voter registration for Laxton Group's contract. This information was at odds with a statement by the Laxton Group that the BVR contract with the NEC had been pre-financed by Laxton as part of the contract conditions. Front Page Africa reported at the time that the Laxton contract was understood to be USD 12 million. In March, the NEC announced that the Ministry of Finance and Development Planning (MFDP) had deposited amount totalling USD 27,5 million in total out of a projected 2-year budget of USD 53 million, ensuring that the BVR exercise could go ahead. Although the funding of the BVR process did not disrupt the NEC's timetable, the proximity of the payment to the start of the BVR is noteworthy, and EISA encourages the Government of Liberia to disburse appropriated funds to the NEC in a manner that facilitates a smooth electoral process.

The BVR exercise was divided into 3 phases, namely: a preparatory phase during which the pre-registration demonstrations, recruitment and training of NEC staff were conducted; Phase 1 which covered registration processes in 6 counties (Bomi, Gbarpolu, Grand Bassa, Grand Cape Mount, Margibi and Montserrado) and Phase 2 which will cover the remaining 9 counties. Training and demonstration sessions were held at several venues in Montserrado for political parties, international observers and media, while training sessions on the use of the BVR kits were held for NEC staff in each Phase 1 county. During registration, voters presented themselves for photographing and fingerprinting, and after their details were captured on the data collection device, each voter was provided with their voter registration card.

Recruitment of VRC staff

Recruitment of Voter Registration Centers staff in Liberia is done through an open and competitive process. NEC announced vacancies for the positions of Registration Officers, Assistant Registration Officers, Data Entry Clerks, and Support Staff. Interested candidates were required to submit their applications along with their resumes, academic transcripts, and other relevant documents. These applications then reviewed, and the most qualified candidates invited for interviews.

During the interview stage, candidates were assessed on their suitability for the position, including their experience in voter registration, knowledge of the electoral process, and ability to work in a team. Successful candidates were then selected and offered employment. To ensure transparency and fairness, the NEC published the names of the selected candidates in local newspapers and on its website.

The remuneration of Voter Registration Centers (VRC) staff in Liberia varies depending on the position held. Registration Officers are paid the highest, followed by Assistant Registration Officers, and then Data Entry Clerks and Support Staff.

Phase 1 Voter Registration

Phase 1 of the BVR process took place from 20 March 2023 – 9 April 2023. It covered 6 counties, namely: Bomi, Grand Cape Mount, Grand Bassa, Margibi, Gbarpolu and Montserrado.

The registration of voters, which determines eligibility to exercise the right to vote, is a vital process in an electoral system to ensure the integrity and credibility of an election. The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights recognize the right to vote as a

fundamental human right³. States must ensure that their citizens can exercise their right to vote without discrimination and to establish procedures for the registration of voters that are transparent, accessible, and non-discriminatory⁴. The use of BVR technologies to ensure that the voter's register is properly constituted and free of duplicate and fraudulent registrations is an important innovation in Liberia which contributes to the country's obligations under these international human rights frameworks.



Picture 1 – Voters Queuing at a registration center in Monrovia, Montserrado, 4 April 2023

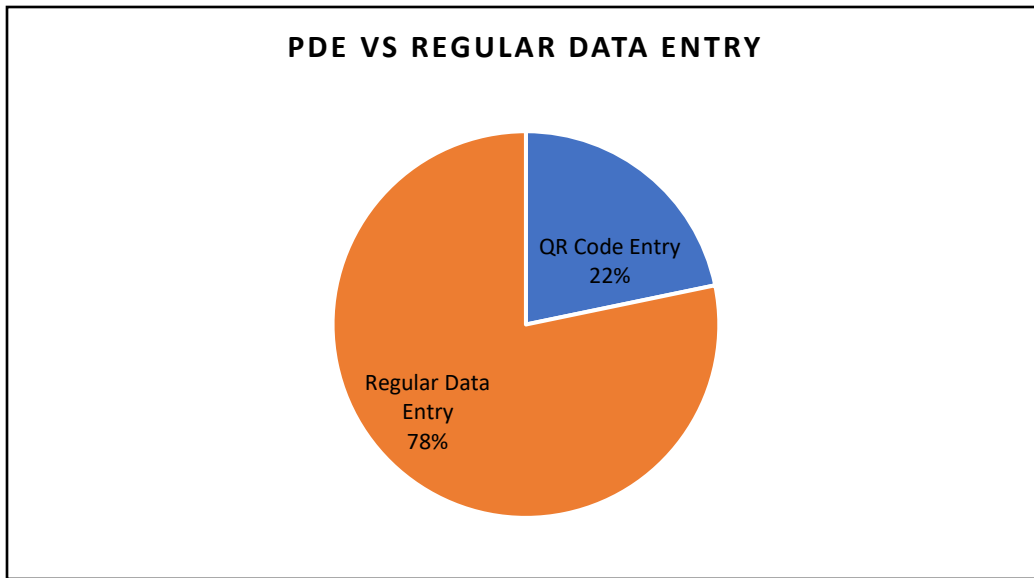
The complete voter registration period in Liberia is being conducted from 20 March 2023 - 11 May 2023 (Phase 1 & Phase 2 combined). EISA notes that according to the NEC election calendar for the voter registration period, voter registration centers were operational during the same period for the same length of time for all counties. This is commendable as it gives citizens across the country equal access to the process and an equal opportunity to register. The last voter register was established in 2017 for the general elections. The NEC also established registration centers in communities and trained registration officers to operate the equipment and assist applicants in completing the registration process. EISA observed the deployment of registration kits across Phase 1 counties. The kits consist of digital cameras, fingerprint scanners, and other hardware and software components necessary for capturing and verifying the biometric data of eligible voters. However, the team noted challenges faced by NEC to dispatch registration materials to Grand Bassa county, electoral District 5, because of poor road conditions.

Once the registration kits were deployed and the centers opened, eligible voters visited the centers and had their biometric information captured and verified. This information includes their name, date of birth, gender, and other relevant details, as well as their fingerprints, facial image, and signature.

³ United Nations Human Rights Office of the High Commissioner, "The Right to Participate in Public Affairs, Voting and Elections," accessed April 24, 2023, <https://www.ohchr.org/EN/Issues/Participation/Pages/ParticipationIndex.aspx>.

⁴ United Nations International Covenant on Civil and Political Rights, Article 25(b); African Union Declaration on the Principles Governing Democratic Elections in Africa, Article 1; United Nations Human Rights Council, General Comment 25, para. 11.

Illustration 1 – Proportion of registrations using the NEC online portal to pre-register



To register, individuals presented a valid form of identification, such as a national identity card, passport, or driver's license, and should provide proof of residency in the area where they wish to vote. The NEC VRC officials entered the data into the system, and the voter received a BVR card confirming their registration.

EISA noted efforts by NEC to establish the online portal for the optional Personal Data Entry and its use across the six counties which proved effective in facilitating quick registration by registrants. However, NEC Liberia needs to continue to raise more awareness around the use of the portal to save time at BVR centers as Phase 2 progresses.

EISA's observer teams noted some early operational problems to do with the use of the BVR kits, relating to the power supplies and use of solar charging packs, or relating to the system requiring a reboot. EISA noted however that as the NEC temporary staff became more familiar with the kits, the BVR Phase 1 moved along well in most stations visited. Operational difficulties were noted, mostly regarding instances of equipment failure or malfunction, limited interpretation services for the deaf and dumb, and issues of contracting and payment by the NEC to the temporary staff during the registration period. EISA noted reports from other observer groups of malfunctioning units but did not observe these issues in any stations where registration was delayed by more than the time taken to reset the data collection devices.

EISA observed inconsistent treatment of persons with disabilities, nursing mothers and the elderly. In some stations, special care and attention was given to these individuals to accommodate their registrations by allowing them to move to the head of the queue and with NEC staff providing them assistance during their registration. In other stations, EISA observed persons with disabilities struggling to access the registration center or to communicate with the NEC staff. In at least one station in Monrovia, EISA observers witnessed persons with disabilities grow frustrated at their inability to understand the registration process and exit the queue before they were registered on the system.

The Mission also noted the efforts by NEC to strengthen its communication strategies to enhance the trust, confidence, and transparency of the process. This included regular IPCC meetings at both national and county levels, national updates from the Chairperson in the form of press releases, and the use of the NEC social media platforms to communicate with the electorate. While there was widespread media coverage of Phase 1 of the election, the type of communication the media chose to report most often were anecdotes and stories of issues experienced at registration centers and first-person accounts. This created the impression of a process where basic systems were not functioning properly. While EISA observed some of the reported issues, it is also mindful that this is the first time that BVR kits are being used for election registration in Liberia, and while some challenges were observed, is of the view that for Phase 1, registration operations proceeded smoothly, and most applicants were able to register smoothly on the day and time that they presented at the registration centers.

Picture 2 – Voters receiving their voter registration cards, Grand Bassa Count, 2 April 2023

The EISA team was informed by NEC of its training of Party Agents in the six counties of BVR Phase One during the second week of March 2023. EISA commends NEC for this step as it is cardinal towards increased public outreach of the process. EISA will however assess the presence of party agents at registration centres.

EISA noted publication of voter registration precincts in the 6 counties under the first phase of the BVR exercise by the NEC. This was an important step towards ensuring that citizens know where they can register to vote and have access to accurate information about the process.



Issues noted during Phase 1

EISA teams on the ground during phase 1 directly observed specific challenges relating to the registration process. These included:

Power supply issues with BVR kits: In some centers, EISA witnessed delays to registration while power supplies, battery backups and solar panel, provided with the kits were not operating correctly. As the registration progressed, the NEC staff seemed to become more familiar with the operations of the kits and these disruptions were not observed by EISA at any stations during the final week of phase 1, suggesting that the NEC staff were now comfortable with the power supply arrangements.

Persons with Disabilities: EISA noted inconsistent application of NEC training when catering for the needs of persons with disabilities. In some stations, staff conduct was exemplary, and in line with the best international and regional standards, while in other stations, the physical location of the center made access for physically disabled persons extremely difficult, and catering for persons with sensory impairments was poor.

Allegations of Voter Trucking: EISA received multiple reports of voter trucking (where voters from outside of a district/area are trucked into the area to inflate registration and potential voting numbers in that district) throughout phase 1. Although voter trucking is clearly a serious issue which the NEC, LNP and Ministry of Justice among others need to address ahead of the election, EISA notes the ongoing challenges of verifying voters' eligibility in a country where not all eligible voters are able to produce valid verification of their identity or their place of residence. EISA did note, however, that the suspicion of voter trucking occurring remains a risk to the peacefulness of registration centers, with reports of locals protecting their centers against suspected voter trucking elevating the risk of conflict and violence. Given the perceptions of voter trucking and the widespread reporting on this issue by other observer groups and in the media, EISA urges the NEC to coordinate its response with the relevant authorities and ensure that voter verification and the process of objections on the voter's roll are carried out with the maximum transparency and credibility. Trust in the voter's roll is central to the integrity as well as perceptions of integrity for any election, and this issue needs to be dealt with comprehensively by all actors and stakeholders.

NEC Staff contracts, food allowances and payments: In response to reports from other observer groups, EISA observers queried NEC staff at registration centers about their NEC contracts, and whether food allowances and part-payments had been received by staff at the centers at the time of observation. In all counties where EISA observed, NEC staff in at least some registration centers reported that they did not have contracts, had not received any food allowances, or part-payments. According to the NEC, contracting and food allowance payments were due to be finalized at the end of training for the BVR process, but in some instances, staff reported only received their contracts in the final 7 days of phase 1. This is an administrative matter that is largely within the NEC's control to manage, and EISA encourages the NEC to improve on this aspect of election management for Phase 2 of the BVR process.

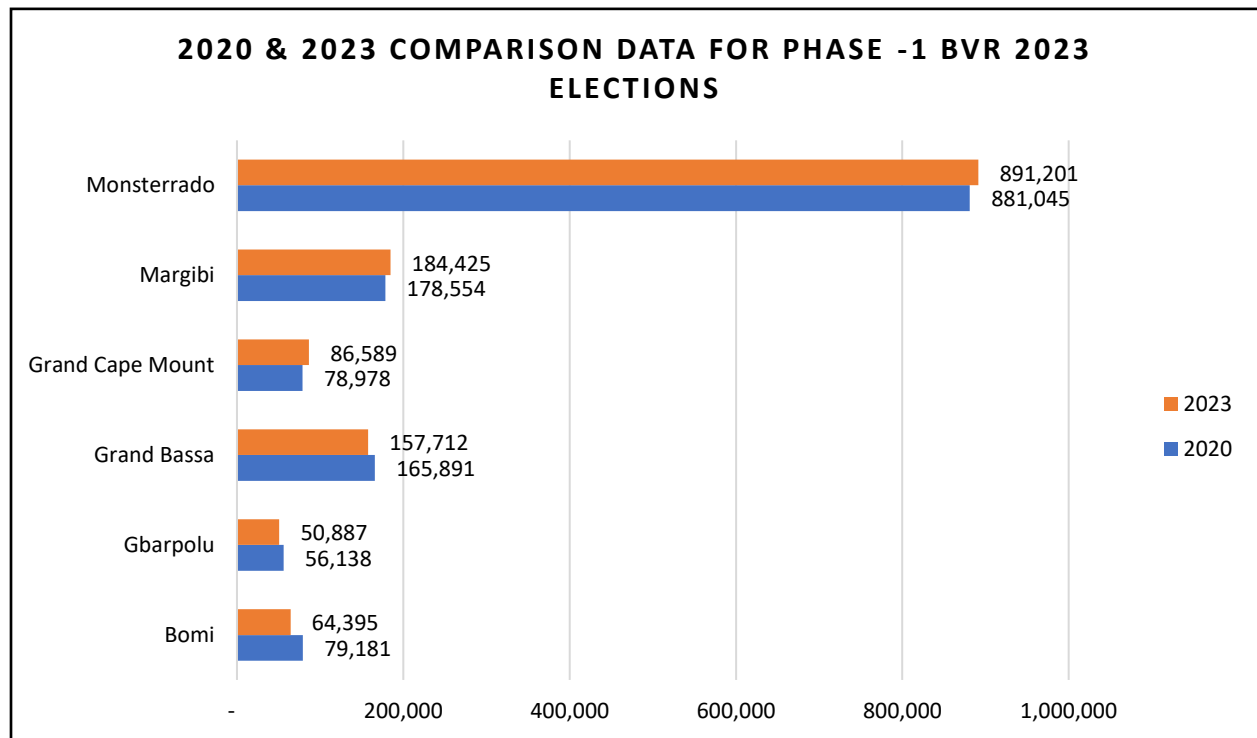
Liberia National Police & Immigration Officers: EISA noted that at every registration center visited, security in the form of either LNP or immigration officers were present. In all counties where EISA observed, LNP officials reported receiving no food allowances, and in instances where police officers were deployed from outside of their area of deployment, they also reported having to find and pay for their own accommodation. The security, peace and orderliness at registration centers is a necessary precondition to strengthening voter trust in the electoral process, and EISA calls on the Ministry of Justice to ensure that LNP officers are supported by the Government to perform their duties effectively during the registration.

In some districts, EISA noted that persons who indicated they were security officials were not in easily identifiable uniform. It is important that security should be easily identifiable to voters if a security situation occurs and can respond to the direction of security with confidence, rather than taking directions from a security officer in civilian attire, risking uncertainty and confusion.

Phase 1 Registration by numbers

On 21 April 2023, the NEC issued a press release on the outcomes of the Phase 1 registration in 6 counties. NEC Chairperson Lansanah announced that during this phase, 1,435,209 voters had been registered on the system, 711,410 females and 723,799 males⁵. Roughly half of the entire number of voters were registered in Montserrado county, where Liberia’s capital of Monrovia is located. After the press conference, the NEC released detailed and disaggregated figures for phase 1 by county. The release of these figures into the public domain in a timely manner enhances the transparency of the electoral commission and EISA recognizes this effort to strengthen trust in the voter registration process by the NEC. In comparison to the most recent registration figures available for the 2020 mid-term elections, the registration figures announced for Phase 1 counties closely align with these figures.

Illustration 2 – Comparison between 2020 and 2023 voter registration figures by county (Phase 1)



⁵ National Electoral Commission of Liberia, 2023. “Press Release: Summary of Phase 1 Voter Registration process”, 21 April 2023, Monrovia, Liberia.

Illustration 3 – 2023 Gbarpolu Registration figures disaggregated by sex (Phase 1)

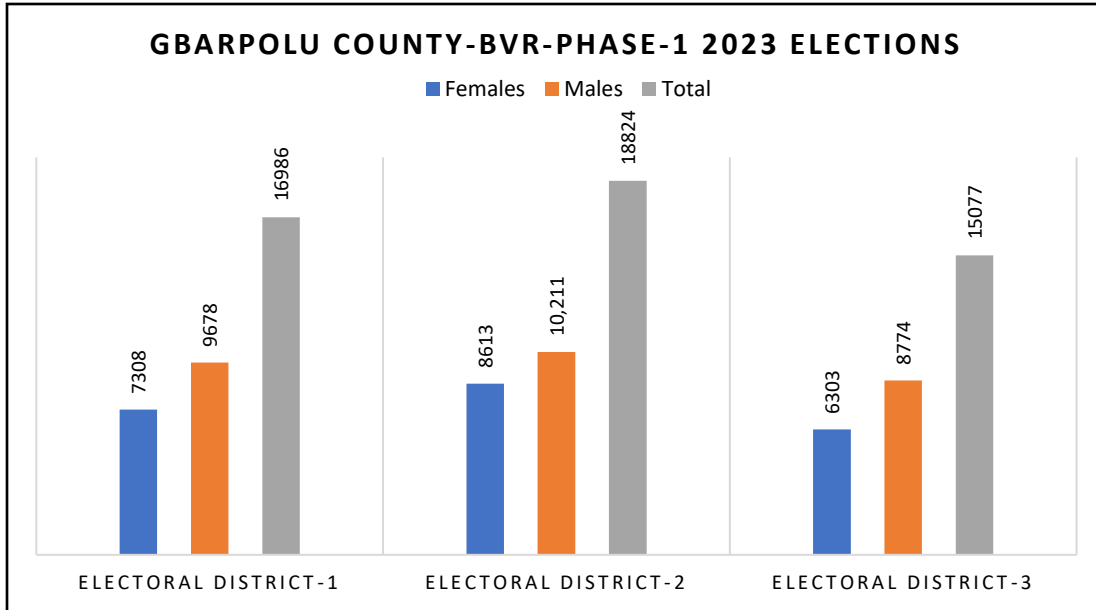


Illustration 4 – 2023 Bomi Registration figures disaggregated by sex (Phase 1)

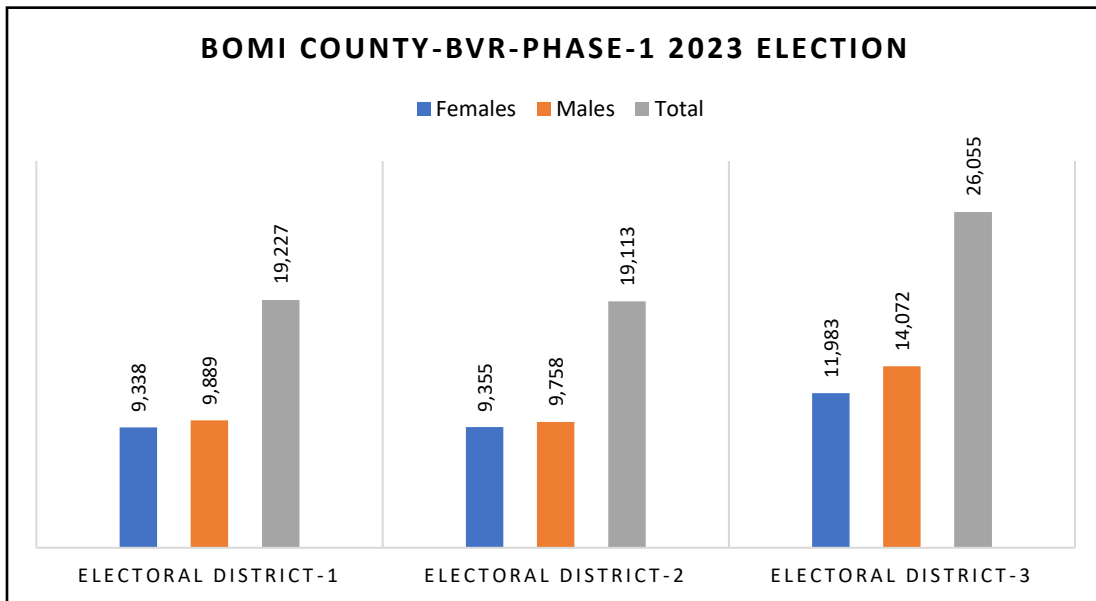


Illustration 5 – 2023 Montserrado Registration figures disaggregated by sex (Phase 1)

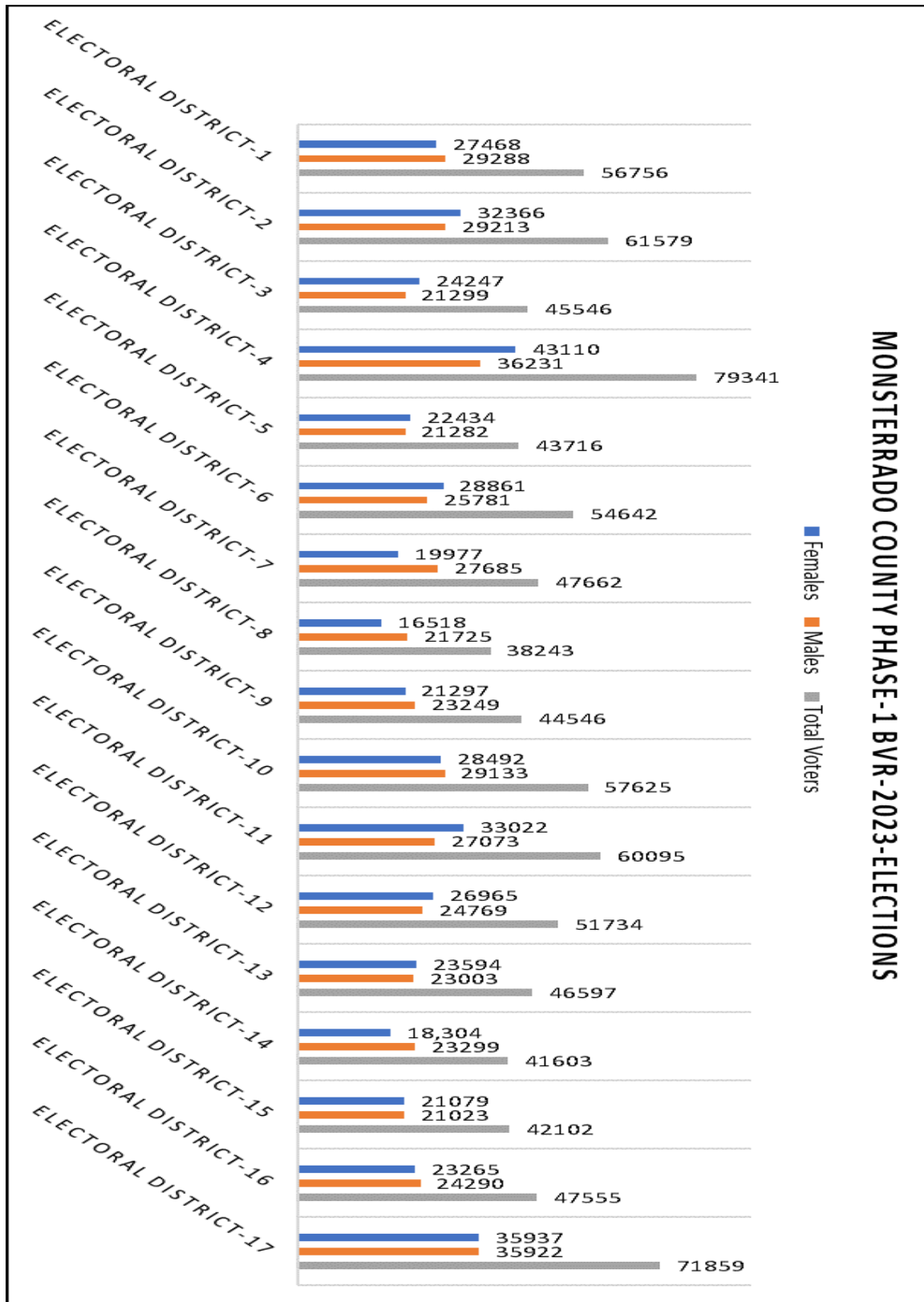


Illustration 6 – 2023 Grand Bassa Registration figures disaggregated by sex (Phase 1)

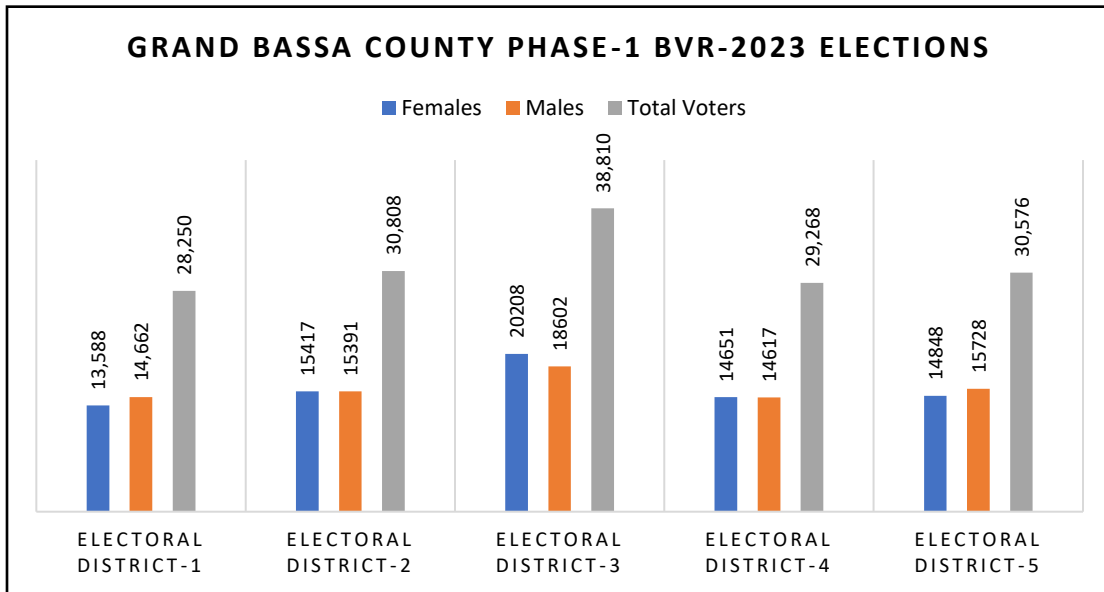


Illustration 7 – 2023 Grand Cape Mount Registration figures disaggregated by sex (Phase 1)

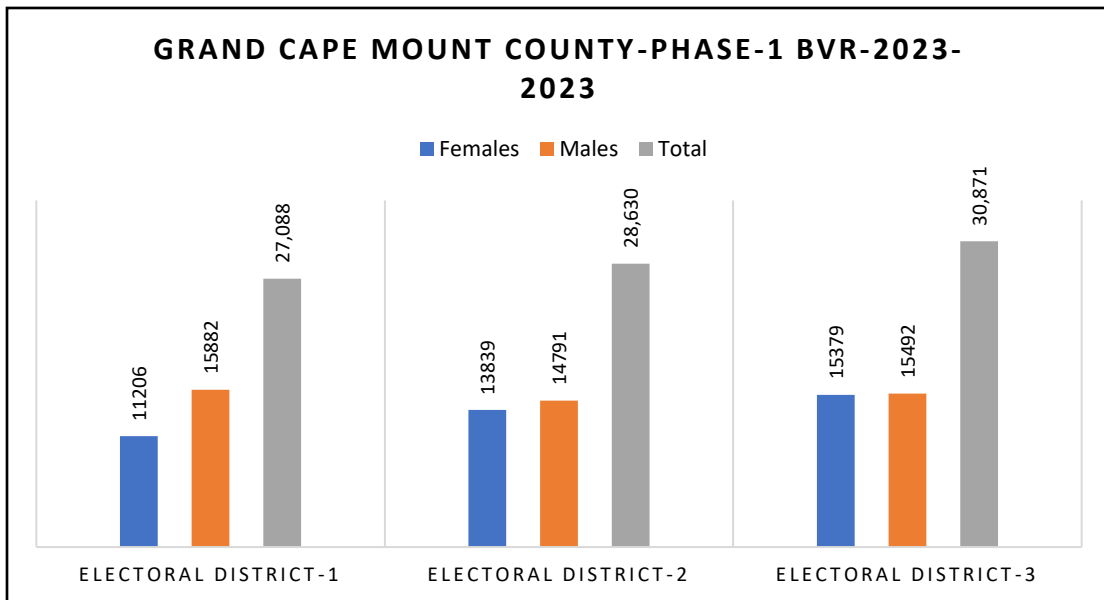
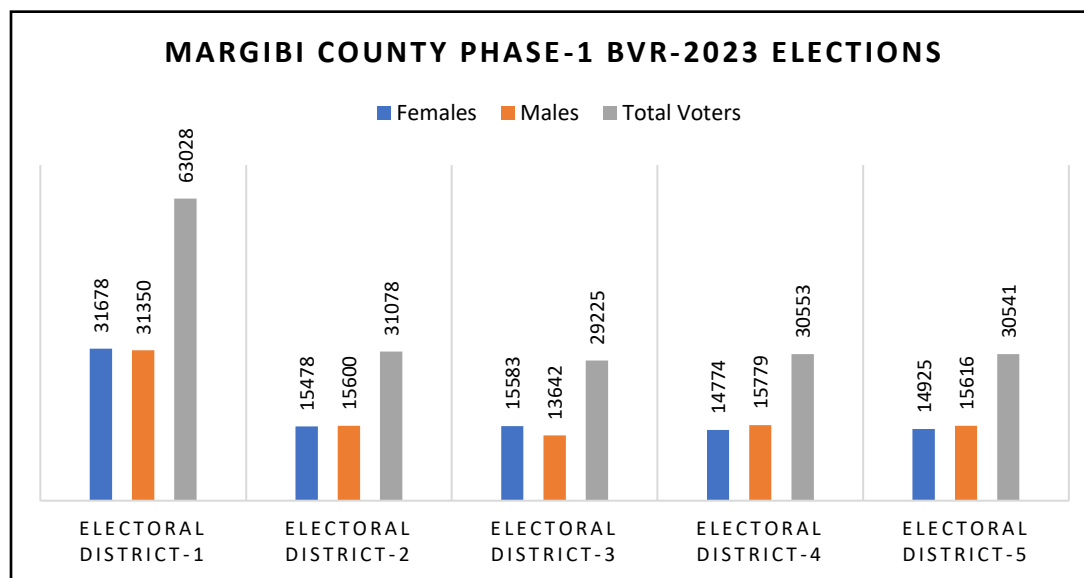


Illustration 8 – 2023 Margibi Registration figures disaggregated by sex (Phase 1)



Political party and candidate agents

EISA observed that nearly every each of the VRCs visited had at least one-party agent, and in most instances, they had two or more. None of the political party/candidate agents approached raised concerns about the process itself. EISA noticed that many of these agents were not very familiar with the procedures and regulations around registration. Political parties are urged to step up their efforts to train party agents properly and effectively in preparation for election day.

Even though the NEC offers fundamental training for political party agents before election day, no training for party agents was offered before the BVR period. The NEC nonetheless made a considerable effort to guarantee that political party agents were accredited. The Inter-Party Consultative Committee (IPCC) meets regularly at the NEC. These events draw a sizable crowd and seem to be a successful two-way channel of communication between political parties and the NEC.

Civil Society Observers

The EISA team reported the presence of civil society observers in 18 VRCs visited. Where citizen observers were present, they were primarily from LEON and ECC. EISA acknowledges the importance of public statements, regular updates, and analysis by the ECC and LEON citizens observer groups on the BVR exercise in general, particularly phase 1.

Civic education

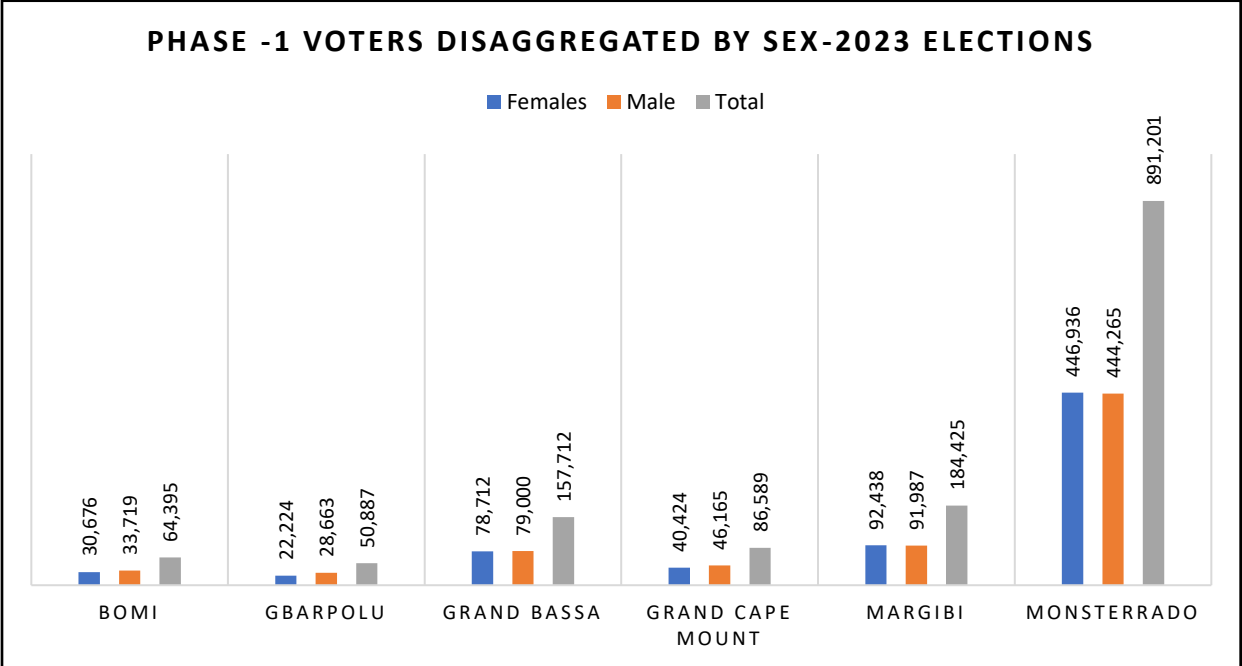
The NEC launched the official Civic and Voter Education (CVE) campaign for BVR phase 1 on 24 February 2023. The CVE campaign strategies included door-to-door campaigning, community meetings, public debates and broadcasts on radio stations throughout the respective counties. EISA noted the use of

traditional media, press releases and social media platforms, posters and billboards to share information about the registration period. Additionally, NEC announced that a total of 400 organisations had been accredited to conduct civic and voter education activities. Based on interactions with some of these organisations, however, it is apparent that many of these registrations were aspirational and many of these organisations did not have committed funds to carry out CVE activities. For many of these organisations, the accreditation was being used to source funding for an organisation’s activities after the fact. EISA will release a full report on the civic and voter education campaign separately in due course.

Gender and Social Inclusion

Liberia has signed several international treaties that require it to take specific affirmative steps to promote women’s equal participation in political life⁶. Liberia should take efforts to guarantee that women participate equally in the election process as candidates, members of political parties, party agents, observers, poll workers, voter-education officers, and voters to meet these commitments.

Illustration 9 – Country Registrations disaggregated by sex (Phase 1)



Although the voter registration process is still underway, EISA applauds the NEC for taking measures to make preliminary information from the BVR phase, including sex-disaggregated data(See table 1 below), public. EISA applauds UN Women, the NEC Gender Department, and civil society organizations, particularly women’s organizations, for their efforts to promote women’s political participation during the

⁶ “States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure women, on equal terms with men, the right (...) to be eligible for election to all publicly elected bodies.” Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), Art. 7.

registration process and encourages them to continue and increase their efforts in the final phase of registration.

Youth

According to Section 3.19 of the Election Law, the last practical deadline for changing the voter list is thirty days before an election; the only potential exception is a Supreme Court decision based on an obvious mistake. Officials from the NEC VRC enabled registrants who were 18 as of the day of registration to register, rather than on the date of the election. Civil society organizations are concerned that young people who turned 18 between the registration deadline and election day would be ineligible to participate in the electoral process.

Persons living with disabilities

33.3% of the of the BVR centers observed were not accessible to persons with disability and this could lead to poor participation of persons with disability. Issues limiting the participation of persons with disabilities included: access to stations, assistance for visually impaired and deaf citizens and inconsistent application of training procedures by NEC staff in some stations.



Picture 3 – NEC County Consultative Meeting in Margibi County, 28 March 2023

Conclusion:

EISA acknowledges NEC's determined efforts to guarantee that all eligible Liberians who want to register to vote may do so. This statement on the Phase 1 of the BVR observations highlights some issues which the NEC should consider as the country continues with the second round of voter registration and prepares for election day. The EISA congratulates the National Elections Commission NEC for holding the 2023 Biometric Voter Registration (BVR) on time so far and encourages all eligible voters to register. EISA would like to express gratitude to the NEC for making it possible for members of civil society, political parties, media, and international observers to observe the BVR process, and urges all stakeholders, including political parties, citizens, the media and civil society to show restraint and calm as the electoral process unfolds in preparation for the October 2023 elections.

Recommendations

To NEC:

1. Ensure that voter registration and education information are accessible to those with disabilities, particularly those with visual and hearing impairments.
2. For phase two of the BVR exercise and election day, BVR facilities must be easily accessible to allow everyone to participate, especially people with disabilities and the elderly.
3. NEC should increase an effective public awareness and voter education campaign to enlighten the public on the BVR process and its significance.
4. The NEC to urgently look at its measures to identify and address the issue of "voter trucking" and the credibility of the voter's roll.

To Government:

5. To guarantee that NEC has enough funding to complete the BVR process including the deduplication and voter's roll inspection process.
6. The legislature should prioritize the passage of legislation that will genuinely ensure equal political participation.

To political parties:

7. To ensure their representatives and agents are well trained to follow through the BVR processes within registration centers.
8. To refrain from facilitating or carrying out "voter trucking" of supporters from outside of an area into that area for the purpose of registration and manipulation of the voter's roll.

Liberia citizens

9. All eligible Liberians who haven't yet registered to vote should take advantage of their right to do so before the exercise ends.
10. All Liberian citizens to refrain from multiple registrations or registrations in areas outside of their area of residence.

About EISA:

The Electoral Institute for Sustainable Democracy in Africa (EISA) is a continental not-for-profit organization located in Johannesburg, South Africa, and Abidjan, Cote d'Ivoire with field offices in the Central African Republic, Democratic Republic of Congo, Gabon, Madagascar, Niger, Liberia Chad, and Sudan. EISA has continental and sub-regional programs in the field of elections and democracy throughout Africa. EISA strives for excellence in the promotion of credible elections, citizen participation, and the strengthening of political institutions for sustainable democracy in Africa.

About USAID Support to EISA-IEOM to Liberia:

The USAID-funded EISA International Election Observation Mission (EISA-IEOM) Activity seeks to enhance the integrity of the 2023 Liberia Presidential and Legislative elections through the deployment of an independent international election observer mission (EOM) to monitor, assess and report on all phases of the electoral process in accordance with international and regional benchmarks. The IEOM is implemented in close coordination with and the financial support of USAID/Liberia and will complement the efforts of other electoral stakeholders. This 18-month project is implemented by the Electoral Institute for Sustainable Democracy in Africa (EISA) from 1 December 2023 to 31 May 2023 with the generous support of the American People.

For further information on this project, please visit: Website www.eisa.org or Facebook <https://www.facebook.com/profile.php?id=100091677113640>