

**EISA IEOM Electoral Violence Monitoring and Mitigation Pre-election Assessment for the 2023 General Elections**



**3 October 2023**

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## Acronyms

AFL	Armed Forces of Liberia
AU	African Union
CDSCs	County and District Security Councils
CPA	Comprehensive Peace Accord of Accra
ECOWAS	Economic Community of West African States
ECONEC	ECOWAS Network of Electoral Commissions
ERU	Emergency Response Unit
EISA	Electoral Institute for Sustainable Democracy in Africa
EWER	Early Warning and Early Response
EU	European Union
EVMM	Electoral Violence Monitoring and Mitigation
IEOM	International Election Observation Mission
IPCC	Inter-Party Consultative Committee
JSC	Joint Security Council
LNP	Liberia National Police
LMS	Liberia Immigration Service
NCCRM	National Center for Coordination of Response Mechanism
NERG	National Election Response Group
NEWS	National Early Warning System
NESTF	National Election Security Task Force
PBO	Peacebuilding Office
PRC	People's Redemption Council
PRR	Provisional Registration Roll
SSA	State Security Agencies
WANEP	West Africa Network for Peacebuilding
UNOWAS	United Nations Office for West Africa and the Sahel
UN	United Nations
UNDP	United Nations Development Programme
UNMIL	United Nations Mission in Liberia

# 1. Executive Summary

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The Electoral Institute for Sustainable Democracy in Africa (EISA), through its International Election Observation Mission (IEOM) in Liberia, aims to assess Liberia's Electoral Violence Monitoring and Mitigation (EVMM) strategies enacted as preventive measures against electoral-related violence in anticipation of the 2023 Presidential and Legislative Elections. The report delves into the EVMM strategies instituted by governmental and non-governmental entities to proactively alleviate the risk of potential electoral violence.

These elections are the first Presidential and Legislative Election following the end of the United Nations Mission in Liberia (UNMIL). This is a significant step in the stabilization and democratization process of post-war and post-UN peacekeeping in Liberia, and, as such, safeguarding peace, security, and stability is key to avoiding the risk of a relapse into violence. The election is also being held within the limited capacity of State Security Agencies (SSA). The agencies, including the Liberian National Police (LNP), are understaffed and under-resourced.

That said, legal provisions, regulations, and guidelines exist to ensure the integrity and safety of the electoral process. These include the 2023 General Elections Regulations, the Voter Registration Regulations, the 2023 Campaign Guidelines to guide the conduct of the electoral processes and activities, and the Hearing Regulations and Procedures to address disputes and grievances. Provisions on electoral violence are also referenced in the 2023 Campaign Guidelines on the harmonization of campaign schedules and the 2023 Farmington River Declaration which commits candidates to renouncing violence, incitement and intimidation in the course of their campaigning and activities.

During the pre-election period EISA noted several issues which could undermine peace and security during the 2023 polls. The election is deemed high stakes, a dynamic explained by the high-profile competing candidates, determination to maintain or split party strongholds, and high cash investments. These are all elements with the potential to escalate tension and fear around the elections. Montserrado, Nimba and Lofa counties, being the strongholds/political base of political parties, coupled with determination for competing parties to make inroads makes these counties heavily contested. A highly contested election in a winner-take-all system, as in Liberia, is a zero-sum game where losing the election means losing everything. With stakes high, and the variance between winning and losing so significant, stakeholders are often willing to resort to any means to gain an advantage among voters.

The practice of mobilizing and training of militants/battle criers has grown more commonplace since the 2017 elections. Militants/battle criers refer to paramilitary wings of political parties or candidates that are deployed to provide private security as the electoral contest unfolds. Although gaps exist in state security provisions to maintain order and safety during mass political party gatherings, the country's post-war context and the tendency for these groups to become lawless and clash with or intimidate civilians is an ongoing risk. As these groups act without state

supervision or training, the risk of poorly trained by mobilized groups interacting with civilians or legitimate arms of state security that escalates rather than mitigates tensions is high.

The political polarization of the media landscape in Liberia has proliferated biased information opinion and dis/misinformation. Despite the low internet penetration,<sup>1</sup> online content is streamed through mainstream media outlets and informs political and election-related discourses. The high reliability of radio as the main source of information in Liberia and limited means to verify the information coupled with widespread dis/misinformation on both offline and online spaces can potentially lower voter confidence in the electoral process and trigger violence.

International and Liberian institutions have been conducting extensive conflict monitoring in the pre-election period, with several different mechanisms available to track this data over time. These include the Pre-Electoral Violence Early Warning Mechanism, the LERN/IREPORT, Joint Security Councils (JSCs), the National Center for the Coordination of Response Mechanism (NCCRM) and the Inter-Party Consultative Committee (IPCC). These platforms facilitate the sharing of political and electoral-related violence and security issues. The JSCs and the IPCC also double as mitigation mechanisms for political and election-related issues.

The arbitration of cases and effective electoral dispute management, including underage disputes, destruction of campaign materials, and voter card buying and enlisting of voter cards have been handled through the legislated processes described in the Electoral Act. The arbitration of these cases has been addressed through either the NEC Magisterial Court or the NEC.

## 2. Introduction

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Ensuring peaceful and equitable elections is a foundational requirement of democratic elections. This assessment briefly unpacks the theory of EVMM, emphasizing its role in assessing the potential risk factors that may escalate into violence during the electoral process. Drawing from specific cases in the 2023 pre-election period and empirical data from EISA and 3<sup>rd</sup> party sources, the assessment illustrates the various forms of electoral violence that have implications for the 2023 General Elections.

Furthermore, the assessment will evaluate existing EVMM in Liberia and components of an effective EVMM framework, encompassing the collaboration of national and international stakeholders, robust data collection and analysis mechanisms, timely information dissemination, and implementation of context-specific mitigation strategies. It will assess use of technology to track EVMM, and how the use of technology enhances the accuracy and efficiency of risk assessment and response.

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<sup>1</sup> Only 22% of the total population of Liberia accessed internet penetration in 2022. <https://datareportal.com/reports/digital-2022-liberia>

In the context of the 2023 General Elections, the assessment emphasizes the need for proactive nature of EVMM, advocating for its implementation as an integral part of pre-election preparations. By identifying potential violence triggers in a time-sensitive manner, and by targeting vulnerable regions, and engaging with local communities, authorities can work towards creating an environment conducive to peaceful and transparent elections.

### 3. Contextual Background

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Liberia's political trajectory has been indelibly shaped by the ongoing struggle for power between Americo-Liberians, specifically settlers of Congo, and the nation's 16 indigenous ethnic groups. This rivalry has been a catalyst for political turmoil, culminating in the overthrow of President William R. Tolbert on April 12, 1990, by a military junta led by Samuel K. Doe and CPL—Thomas Quiwonkpa, along with 15 other enlisted personnel from the Armed Forces of Liberia (AFL). The junta merged into the People's Redemption Council (PRC) and ruled for five years until the 1995 elections were organized. However, the credibility of these elections was fiercely disputed, sowing discord within the PRC leading to the splintering of figures like Samuel K. Doe and Thomas Quiwonkpa. This internal rift was pivotal in the onset of a devastating 14-year civil war, claiming over 250,000 lives, including peacekeepers from Nigeria, Ghana, and Sierra Leone.

The conflict displaced over a million civilians and substantially damaged the nation's infrastructure. The culmination of this strife occurred with the signing of the Comprehensive Peace Accord of Accra (CPA) on August 18, 2003.<sup>2</sup> The CPA paved the way for the establishment of the United Nations Mission in Liberia (UNMIL), a peacekeeping operation initiated in September 2003 to oversee a ceasefire following the resignation of President Charles Taylor and the cessation of the Second Liberian Civil War (1999-2003). UNMIL was pivotal in maintaining peace over a decade of tranquility and facilitating three consecutive democratic elections.<sup>3</sup>

Post-war and post-UN peacekeeping, Liberia achieved a peaceful alternation of government through the ballot box in the 2017 elections. Liberia has a plurality electoral system, with presidential candidates requiring an absolute majority (50% +1), failing which a run-off between the two most popular candidates is triggered. Since 2005, this has historically led to runoffs in all Presidential polls. The 2023 elections are anticipated to be fiercely contested, with 20 Presidential candidates and several candidates optimistic of a strong showing among voters.

In the post-UNMIL era (post-March 2018), Liberia's security agencies have built upon their existing capabilities to manage election security. In the 2017 elections, Liberia's security forces supported the work of UNMIL as an active partner in preparation for the closure of the peacekeeping mission. The security agents were organized under the umbrella of the National

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<sup>2</sup> [https://www.theadvocatesforhumanrights.org/Res/chapter\\_4-ackground\\_on\\_liberia\\_and\\_the\\_conflict.pdf](https://www.theadvocatesforhumanrights.org/Res/chapter_4-ackground_on_liberia_and_the_conflict.pdf)

<sup>3</sup> See the UN Peacekeeping, <https://peacekeeping.un.org/en/story-of-unmil-book-support-to-elections>

Election Security Task Force (NESTF)<sup>4</sup> to coordinate efforts. This task force comprises all national security institutions including NEC, LNP, LMS, and Military Intelligence and is in place for the 2023 elections.

The LNP provided security for polling staff, candidates, voting precincts, and secures election materials. The LNP is the primary agency responsible for providing election day security in the 2023 elections, but personnel constraints have encouraged a culture of privatised security among political parties as they cite the limited capacity of LNP to provide adequate protection. There are not enough officers to cover every polling station as well as provide standby forces and rapid response units in the 15 counties. The Emergency Response Unit (ERU), set up in 2008 to combat spiraling armed robbery, is functional and appears efficient, though based on revised needs assessments, it has only 344 officers instead of the originally targeted 500.

Other security structures aligned to securing elections include the County and District Security Councils (CDSCs), which are structures in Liberia that focus on coordinating security efforts at the local level. These councils are designed to promote collaboration and communication among various security agencies, local government officials, and community leaders. The aim is to address security challenges and maintain law and order within counties and districts. In elections, the CDSCs meet at the NEC magisterial office to coordinate a harmonized schedule to limit possible clashes between supporters and plan for security during the campaign period.

Legal provisions, regulations, and guidelines exist to ensure the integrity and safety of the electoral process. Some key aspects of the legal context of electoral security in Liberia include definition of the rules for the conduct of the election specified in the 2023 General Elections Regulations, and the Voter Registration Regulation and 2023 Campaign Guidelines; addressing the disputes and grievances specified on the Hearing Regulations and Procedures; and specific provision on electoral violence found in the 2023 Campaign Guidelines on the harmonization of campaign schedules to avoid a possible conflict and the 2023 Farmington River Declaration by candidates denouncing violence and committing to refrain from electoral violence.

## 4. Mechanisms for Violence Monitoring and Mitigation

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Electoral violence monitoring and mitigation refer to the processes and strategies to observe, prevent, and address violent incidents that may occur during elections, referendums, or other political events. Electoral violence can encompass a range of activities, from intimidation and harassment to physical violence and even armed conflict. Monitoring and mitigating violence in the elections' context aims to ensure that the electoral process remains free, fair, peaceful, and democratic.

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<sup>4</sup> The NSETF in 2017 was composed of the LNP, National Security Agency, Drug Enforcement Agency, Liberia Immigration Services, and the National Fire Service.

National Democratic Institute, *Final Report Liberia 2017 Presidential and Legislative Elections*

The 2023 elections will be the first post-war polls fully managed and secured by the Liberian government institutions without direct intervention from a UN peacekeeping force. It is understandable therefore that there are a wide range of EVMM monitoring efforts tracking pre-election violence in Liberia. This includes early warning mechanisms and data monitoring approaches. Liberia is therefore well supplied with extensive analysis from multiple sources on security issues such as historical data, political tensions, incident reports and demographic analysis and trends. Early warning systems provide alerts that help stakeholders take preventive actions before violence escalates. The JSCs and IPCC also double as mitigation mechanisms for political and election-related issues. These initiatives are discussed below.

### The LERN/iReport

This platform is being managed by the Peacebuilding Office (PBO). The PBO was established in 2009 with the help of the United Nations (UN), and the Ministry of Internal Affairs of the Government of Liberia host the office. The PBO works closely with organizations like the Independent National Commission on Human Rights, the Office of the National Peace Ambassador, and the National Traditional Council of Liberia.

The PBO has multiple functions, including developing and implementing peace and reconciliation programs. The iReport platform is supported by the European Union (EU) and the United Nations Development Programme (UNDP) under the EC-UNDP electoral assistance initiative. The iReport was formerly the Early Warning and Early Response (EWER) but was rebranded in 2022. The iReport includes a web platform and mobile app, allowing relevant national authorities to jointly report risks and incidents of electoral and gender violence and allow for prompt and coordinated nationwide verification processes and, ultimately, responses. To monitor electoral-related violence in the 2023 Presidential and Legislative context, the platform (iReport) was officially launched on 10 March 2023. According to the PBO policy brief<sup>5</sup>, there have been 94 incidents of electoral violence reported in Liberia so far. The counties with the highest number of incidents are Bong, Montserrado, Nimba, and Grand Bassa. These counties have also been identified as key hotspots for electoral tension in previous elections. The Peacebuilding Office is monitoring these trends and working with key stakeholders to prevent and manage electoral violence. They anticipate that the number of incidents will increase as the election campaign and day approaches.

The iReport platform has reported some of the electoral-related violence cases in the 2023 pre-elections period:

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<sup>5</sup> July 2023



Table1: Sample of LERN electoral-related violence cases in the pre-election period

County	Election Violence case
Nimba Wee-Gbehyi-Mahn	It was reported that representative Roger S.Y.W Domah supporters clashed with City Mayor Jerry Yangean on August 7, 2023. However, community elders and police intervened in the matter. Hon. Domah and Yangean made claims and counterclaims on the radio. However, calm has been restored in Saclapea-main, Nimba County
Montserrado - Greater Monrovia	The CDC, the current ruling party in Liberia, started campaigning in the principal street of Monrovia with a casket bearing the pictures of the opposition Unity Party standard bearer, Joseph N. Boakai chanting that Joseph Boakai is dead.
Rive Gee-Chedepo	A senatorial candidate's flyers and posters were torn off the streets. Hon France S. Dopoe, a sitting representative wanting to be elected as senator, flyers and posters were torn off the streets of Fish Town City by unknown men.
Bing-Jaquelin	On August 23, 2023, while representative aspirant Enoch S. Garlawolu of the UP program was ongoing in Garyea Town, representative aspirant Eugene J. M Kollie of CDC allegedly sent his supporters with a musical set to disturb their program. At the same time, Viola Cooper, an independent candidate, and her team appeared and there was so much tension. The authorities of Garyea Town later intervened.
Nimba-Kparblee	On August 23, 2023, a supporter of Hon. Gonpue Kargon of CDC was reported beaten and wounded by supporters of Senator Prince Johnson of MDR in Gbor Wehplay, Twah-River, Nimba. Their actions led to the breaking of the windshield of a pickup carrying Senator Johnson's militants. Both parties are engaged in a war of words over different local radio stations in Nimba.
Gbarpolu – Bopolu	In July 2023, youth and some members of the CDC protested due to the alleged cheating during the primary in Bopolu. They also refused to accept the results that were announced by the board.
River Gee	In June 2023, during the NEC Voters Registration Exhibition period in Yassaken, Kitteabo, some unknown persons removed some of the exhibition posters from the wall. This made it difficult for registrants to find their names.

Source: LERN Platform, 2023 weekly Situation reports.

### Joint Security Councils (JSCs)

The JSCs is composed of the NEC, LNP, Liberia Immigration Service (LIS), Fire Service, city mayors, county superintendents, political party/independent candidates, CSOs, and religious leaders. The NEC has facilitated JSC meetings to coordinate security efforts and discuss coordinating the

campaign that may develop into tension. At the county level, NEC Magistrates chair the council in each NEC Magisterial Area. In the 2023 pre-election period, the JSCs have been active in providing security during the candidate nomination process leading into the official opening of the campaign season on the 4th of August 2023, as per the 2023 Campaign 2023. EISA LTOs confirmed that the JSCs have been constituted in the following counties, Grand Bassa, Lofa, Montserrado, Nimba, Bong, Margibi, and Maryland<sup>6</sup>. During the campaign period, observed JSC meetings have focused on supporting the NEC in the effective coordination of campaign schedules to avoid possible clashes between political party supporters to oversee equitable access to public facilities and to ensure adequate provision of security.

### Inter-Party Consultative Committee (IPCC)

The IPCC is constituted by the *“Memorandum of Understanding Between NEC and Registered Political Parties Under the Inter-Party Consultative Committee (IPCC) Framework”*. The IPCC was established in Liberia as a platform for communication and collaboration among political parties engaged in the democratic process. Promoting dialogue, transparency, and cooperation among parties is vital to enhancing Liberia's democratic landscape. In the field, the IEOM has been granted full access to observe IPCC proceedings. The NEC utilizes the IPCC to provide updates on electoral preparations and to clarify its position on matters arising from political parties.

The IPCC facilitates discussions on electoral reforms, addresses election-related disputes, and develops guidelines for ethical conduct during elections. It aims to enhance the integrity of the electoral process, build trust among political stakeholders, and strengthen the democratic culture in the country by fostering open communication and inclusivity. The committee contributes to fair elections, constructive competition, and a representative democracy. Mechanisms which facilitate an exchange of information between the election management body responsible for an election and the political parties and candidates as key beneficiaries of this process serve as a very valuable trust-building mechanism in a democracy.

### National Center for Coordination of Response Mechanism-NCCRM

The NCCRM, serves as Liberia's early warning response coordination institution and provides specific recommendations for response actions based on data analysis and conflict-sensitive indicators throughout the country. These recommendations aim to guide government actions in safeguarding human security and mitigating incidents and triggers of violence and conflict that could jeopardize the peace and positive outcomes of the upcoming elections in Liberia. Its reports serve as a valuable resource for analysts on how different stakeholders coordinate and respond to potential threats during pre-election monitoring, with the aim of safeguarding the positive outcome of the upcoming election.

### West Africa Network for Peacebuilding (WANEP-Liberia)

EISA -IEOM noted that one of the mechanisms in place is the regional network for peacebuilding -WANEP. WANEP operates the National Early Warning System (NEWS) to monitor and address

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<sup>6</sup> Based on LTO interactions and direct observations of the JSC's in their Areas of Deployment

issues related to human security and this include elections. At the end of each month, WANEP-Liberia releases a monthly bulletin that provides valuable information to various stakeholders and partners. This bulletin is based on data collected both from WANEP-Liberia field monitors and from national and international media sources. The monthly peace and security bulletin offers a condensed analysis of incidents documented and reported during the month. Additionally, it includes key policy recommendations aimed at prompting timely actions by both governmental and non-governmental entities.

Furthermore, in August 2023, WANEP, in collaboration with its partners, introduced the National Election Response Group (NERG). The primary objective of NERG is to engage in discussions, develop response strategies, and recommend actions to address potential violent threats leading up to, during, and after the General and Presidential Elections scheduled for October 10, 2023. NERG consists of prominent individuals representing key state and non-state institutions, working in tandem with the government's efforts to prevent and mitigate violence associated with the elections. This collaborative effort highlights WANEP-Liberia's commitment to promoting peace, security, and the successful conduct of elections in Liberia by providing timely information and strategic response mechanisms.

### NEC Peace Messaging

NEC took steps to incorporate a peace messaging component into its overall civic and voter education strategy for promoting peace and inclusivity in the lead-up to the elections. This effort encompasses various localized initiatives aimed at ensuring peace. This approach recognizes the importance of involving local communities in the electoral process and building grassroots support for peaceful elections. The NEC peace messaging initiative was a collaborative partnership with the United Nations Development Programme (UNDP). To bolster security and maintain a peaceful environment, the NEC has coordinated closely with the Liberian National Police (LNP). This collaboration aims to ensure that law enforcement agencies are well-prepared to respond to potential security challenges during the electoral period. Recognizing the influential role of the media, the NEC has included them in its efforts to promote peaceful elections.

The peace messaging aspect of the NEC and other partner's strategy encompasses a range of activities, such as public awareness campaigns through posters and radio messages community dialogues, and the dissemination of information about conflict prevention and resolution. These efforts are designed to reach diverse segments of the population and ensure that the message of peace resonates widely.

### NEC Hearing Committees

Hearing Officers, in accordance with Section 5.12 of the Elections Law, are tasked with investigating complaints, evaluating evidence, and assisting Magistrates in making decisions regarding these complaints. Initially, the Chief Hearing Officer assesses complaints submitted to the Commission. Additionally, Section 12.0 of the Hearing Regulations and Procedures for 2022 empowers both Magistrates and Hearing Officers to conduct hearings, make determinations on

evidence, and impose fines on parties or their legal representatives for disregarding orders issued by the presiding officer or violating any other regulations.

During the Biometric Voter Registration, the role of Hearing Officers, according to NEC involved the following:

- Adjudicating disputes between political parties and rendering verdicts on them.
- Providing training on legal interpretation.
- Conducting training for temporary staff from the National Elections Commission (NEC) who are involved in the BVR.
- Holding political parties accountable for their pre-campaign activities and imposing fines on those found in violation of regulations. The political parties subject to these actions include UP, CPP, and CDC.

Through the work of this Committee, three political parties CPP, CDC, and UP were fined for pre-campaigning. However, immediately after the fine was imposed, CPP filed a lawsuit against the NEC challenging the penalty. Consequently, the CDC and UP have not yet initiated the process of paying their respective fines. CDC and UP are holding off on taking any action until the case's outcome is determined. As at the time of writing this report the case has not reached a final decision yet, it remains under consideration by the NEC Board of Commissioners.

For other election related dispute resolution taken care through this Committee during the and candidate nomination period, please refer to Table 3: Pre-Election Electoral Offences Case Tracker.

## 5. Pre-Election Trends on Electoral Violence and Security

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The stakes during elections in Liberia ensure that irrespective of the candidates or issues, tensions will run high. The history between the incumbent, President George Weah and former Vice President Joseph Boakai has added a personal twist to the needle during campaigning. The nomination of former warlords in Senatorial races, as well as individuals flagged for sanctions by the United States Government under the Magnitsky Act<sup>7</sup> add extra complexity to the electoral picture.

EISA Long Term Observer (LTOs) interactions with political stakeholders have noted that the despite Liberia's post-war history of Presidential run-offs, the stated goal of the governing party is to win the election outright during the first round.<sup>8</sup> To achieve the numbers necessary, LTOs

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<sup>7</sup> Press Release. August 15 2022. "Treasury Sanctions Senior Liberian Government Officials for Public Corruption." <https://home.treasury.gov/news/press-releases/jy0921>

<sup>8</sup> The youth league incumbent is noted to have said the party seeks to win the election in the first round. The Analyst "First Round Victory for Weah-CDC Youth League Leader Declares".

have noted intensive campaign efforts in counties such as Montserrado, Nimba, Bong and Lofa, where the total number of voters is relatively higher. Montserrado is the political base of the incumbent presidential candidate. The county is also deemed a stronghold of the party in government, with the party dominating that county since 2005. Since the 2017 elections however, the CDC's control of this vote rich county has slipped, with independents and opposition party candidates winning seats in the county. With increased competition for votes, parties look for any advantages, including practices specifically refuted under the Farmington River Declaration.

In Nimba, the CDC is making inroads to clasp presidential-making power from the county's Senator Prince Johnson considered the kingmaker for Presidential aspirants. Senator Johnson's endorsement of Jeremiah Koug as the running mate for the UP presidential candidate has elevated tensions with the CDC and other affiliated opposition parties. During the 2017 elections, Senator Johnson came out in support of President Weah, but his endorsement has caused uncertainty in the direction of Nimba county for the 2023 elections. During the campaign, EISA LTOs noted that opposition parties are also defecting to the CDC. Based on voter registration statistics, Nimba is the second-largest county in terms of the voting population base.<sup>9</sup> The prevailing argument is that the county has not been able to produce a Presidential Candidate due to historic patterns of vote trading during the second round. Nimba has also only produced two (2) Vice-Presidents up until 2003.

In the case of Lofa, the county is the stronghold of the Unity Party and the home county of its presidential candidate. In this year's election, influential members of the ruling party who also hail from that county are contesting for legislative seats and, as such, are determined to break the voting pattern in that county. The determination by those influential members of the ruling party to win or split votes in that county has been identified as one of the main factors driving tension in that county.

As with winner-takes-all electoral systems, highly contested elections become a zero-sum game where contenders feel the need to win the election at all costs. At the national and county levels, stakeholders have noted using the term 'cash violence' to describe the opulent use of money to influence prospective voters<sup>10</sup>. The use of cash to influence political activities has been observed across Liberia's 15 counties, but EISA's observation in Lofa has noted concentration of cash resources in this north-western county specifically. The distribution of cash comes with

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<https://analystliberiaonline.com/first-round-victory-for-weah-cdc-youth-league-leader-declares/>.

<https://frontpageafricaonline.com/politics/liberia-cdc-declaration-of-single-round-victory-under-scrutiny-up-says-its-only-possible-when-election-is-rigged/>

<sup>9</sup> See p19 of EISA's Summary BVR report : <https://www.eisa.org/storage/2023/08/3-EISA-IEOM-Report-No-3-Comprehensive-Report-on-the-Biometric-Voter-Registration-Process-to-the-Liberia-2023-Elections-14-August-2023.pdf>

<sup>10</sup> The Liberian vernacular term for the ability to give, deprive, or take away material rewards (e.g., bribes, contracts, license to predate in certain areas, etc. [Cash Violence: The Politics of Power and Peace in Liberia" Ben Spat, 2022]

expectations of reciprocity however, and EISA has noted reports of expectations regarding the outcomes of contests in the county in line with the disbursement of monies. If candidates are perceived to have succeeded in 'buying' elections, this can undermine confidence in the results and lead to violence. Conversely, if a candidate does not win an election, they believe they had 'paid' for, conflict can also ensue.

Intra-ethnic polarization along political lines means that within the same ethnic group, people are dividing and aligning themselves with different political factions. This dynamic is exacerbated by cross-border interactions, which are contributing to increased tension in these areas. EISA LTOs observed the political polarization and alignment of the three clans (Wuam, Tengieh, and Rankolei) of the Kissi between CDC and UP. This has influenced the mobilization and transportation of people from across the borders of Sierra Leone and Guinea to Liberia to register during the BVR process, a phenomenon referred to as 'voter trucking'. The polarization and heightened competition among the clans drive tension in Foya and have been cited by stakeholders as a potential source of violence.

Stakeholders have expressed concern over political parties' mobilization and training of young men and women as militants. EISA LTOs have also observed young persons in jackets with militant inscriptions at some political parties' events. Reasons noted for mobilizing and training militants include the need to provide security during political party events or activities, a service that the LPS is not trusted in the case of opposition parties. The Unity Party have referenced the forming of militant groups by the CDC and their use during the 2020 by-election to intimidate opposition party supporters as reasons for the training of militant groups. According to political actors that EISA LTOs interacted with, the experience gives indications of possible recurrence in this year's election. This, coupled with their mistrust of LPS, necessitated training militants to be party members and safeguard their interests.

The training of militants is symptomatic of a lack of trust in Liberia's existing security apparatus, particularly considering the country's post-war context. The mobilization of these groups has become a contest among parties, where rival parties attempt to demonstrate greater 'show of strength in numbers' at weekly demonstrations, which has unsettled communities and escalated as rival party supporters try to outdo one another. These groups can become undisciplined easily, a tendency some parties acknowledge is already happening. There has been a decision to demobilize and maintain them as "battle criers" to mobilize to cheer their party's standard bearer and candidates, a positive development and tacit admission of the dangers this posturing represents.

Extensive violation of election regulations on pre-campaigning were noted throughout Liberia from as early as February 2023. EISA LTOs observed the display of campaign posters and banners before the official opening of the registration period. Stakeholders referenced the CDC's February One-million march and the subsequent display of the party banner across the capital as a

flaunting of election regulation on pre-campaign.<sup>11</sup> According to the 2023 Campaign Guidelines: *“holding of a march, parade or other assemblies to solicit votes and promote an individual aspirant or candidate by way of speech, billboard, pictures, banners”* are activities allowed only during the official campaign period. Stakeholders identified the failure of the NEC to sanction the parties for pre-campaigning as an enabling factor for other political parties to erect campaign banners across the country. The UP and CPP, along with the CDC were handed fines by the NEC Commission for conducting pre-campaigning in accordance with the electoral act. The CPP has appealed this decision and the case is still pending finalization.

The EISA IEOM assessment notes a highly politicized and polarized media landscape with most media houses owned by politicians and divided along party lines. These dynamics influence information dissemination and reporting. Media platform ownership, patronage and connections to political figures have a strong impact on the type of content and coverage that is produced by that media platform.

Widespread dis/misinformation on both offline and online spaces has been prolific and intensified during the campaign period. This observation has implications for electoral security as biased information and dis/misinformation can potentially lower voter confidence in the electoral process. Despite the low internet penetration, EISA LTOs observation shows that online content is streamed through mainstream media outlets and informs political and election-related discourses. Access to the internet is largely concentrated in Montserrado county, meaning that much of the country remains reliant on community radio for their primary information sources. Coupled with the high reliability of radio as the main source of information in Liberia and limited means to verify the information, the radio stations, as observed by stakeholders, have powerful influence and can shape narratives and promote/undermine political figures.

## 6. Pre-Election Risk, Conflict, and Offenses Analysis

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The table below summarizes the risks and conflict triggers observed by EISA LTOs during the 2023 presidential and legislative pre-election period. Though not exhaustive, the identified triggers serve to demonstrate some of the potential flashpoints in the electoral process pertinent to the Liberia 2023 pre-election context. The “Scope” column attempts to estimate the severity of the conflict, specifically the likelihood of violence remaining isolated or localized versus more widespread. For this report, the risks and triggers relate to what was observed specifically during the BVR, PRR exhibition, and candidate nomination processes.

Table 2: Pre-elections Risk and Conflict Trigger Analysis

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<sup>11</sup> The Campaign period for the 2023 General Elections shall be from August 4, 2023, to October 8, 2023. There shall be no campaign activity(ies) outside the campaign period.

<b>Risks</b>	<b>Conflicts Trigger</b>	<b>Threats/Tactics</b>	<b>Scope</b>	<b>Actor</b>
<b>High stake political competition</b>	-Unleveled campaign field -cash violence	Intimidation, clashes, arrests	Localized	Political Parties and Politicians
<b>-Clash of the militants during campaigns -Intoxication of the youth in the campaign -Underage registration and voting</b>	Youth vulnerability	-Use of violence -Intimidation -Loss of life, destruction of property	Widespread	Political Parties and Politicians
<b>Non-enforcement of Electoral Regulation</b>	-Abuse of power and office -Disrespect for elections law, regulation and MoUs	Defiance of electoral rules and regulations	Widespread	NEC
<b>Politically polarised media, biased information and dis/misinformation</b>	Inflammatory media or political rhetoric	Intimidation, clashes, censor media	Widespread	Media, Political actors and government
<b>Lack of information on NEC capacity and mandate</b>	Confusion, misinformation on the electoral process	Withdrawal, possible confrontation/skirmishes at centers	Localized	NEC
<b>Poor socio-economic, historical, and emerging grievances</b>	-Entrenched poverty and inequality -High illiteracy & and low civic education -Political rhetoric to evoke emotions and sympathy	-Voter influence (cash violence) -Deprivation of socio-economic development -Intimidation, clashes	widespread	Political actors and government
<b>Lack of electoral security training and capacity of State Security Agents</b>	-perceived as unprofessional, untrained, or biased	-Intimidation and suppression of voters -Loss of public confidence in the electoral process	Localized	NEC Liberia Security Agents (LNP, LMS, etc)
<b>Vandalization and defacing of Campaign posters and banners</b>	Perceived as highly Provocative with the Propensity to attract violent reaction	Intimidation/demonstration of "turf" mentality	widespread	Party/candidate loyalists
<b>Gender bias</b>	Violence against women in elections	Gender discrimination underpinned by archaic patriarchal tendencies	localized	Candidate loyalists
<b>Lack of state security protection</b>	Use of party militants to intimidate and terrorize opponents	Threat to life and safety	localized	Party zealots
<b>Prevalence of Poor social-economic condition</b>	Buying of voters' card	-A challenge for the credibility of the electoral process -Undermines the right to vote	widespread	Party hierarchies
<b>Use of state resources for campaign purposes</b>	Violation of Elections law against use of state resources for campaign purposes	Intimidating and creating an unlevel political playing field	Too early to determine as this stage	Officials of Government/party officials



Table 3: Pre-Election Electoral Offences Case Tracker

<b>Case</b>	<b>Actors (Complainant Vs. Defendant)</b>	<b>Arbitration Institution (NEC, Court)</b>	<b>NEC Magisterial Area/District/Town</b>	<b>Implied Electoral Law &amp; Regulation violated</b>	<b>How it was resolved</b>
<b>Underage dispute</b>	Parents (Mother Vs Father/journalist) but with party backing (CDC & UP)	Foya Magisterial Court	Lower Lofa -District 1 Foya-	Constitution provision for legal age of voter registration Spreading rumors	The prosecutor entered nor prosecuted arguing he didn't have sufficient evidence to prosecute the case. The Magistrate informed the court that should sufficient evidence be found the case can be reopened.
<b>Destruction of Campaign material</b>	CDC Vs individual	Foya Magisterial Court	Lower Lofa - District 1 Foya-Lorloe	Farmington Declaration-section on electoral violence	The offender was fined 25 USD by the court.
<b>Voter Card Buying and enlisting of voter card details</b>	UP vs CDC in Foya-dis	NEC Headquarters	Lower Lofa -District 1 Foya-Foya City	The New Elections Law, 2004-Section 10.5 (a)	The team is following it up if it was reported by HoR District 1.
<b>MOL candidate using UP party symbols on campaign paraphernalia without UP endorsement</b>	UP candidate Vs Victoria Duncan (MOL)	Margibi Magistrate	Margibi District 4	No directly applicable electoral laws	The Magistrate ordered the UP candidate to engage the UP leadership to resolve the matter
<b>CDC Candidates Use of party symbols on campaign paraphernalia without party endorsement</b>	CDC candidate vs Independent Candidate	River Cess Magisterial Court	District 2 River Cess County	No applicable electoral laws	Candidates are encouraged to resolve disputes at party level as NEC is limited in resolving intra-party disputes
<b>Not Domiciled Questioned citizenship</b>	Sia Jamie Tandapolie, New Liberia Party, James Marwieh, Emmanuel K.B. Togbah, ALP et al., Vs. Thomas Nimene Tweh, aspirant	NEC Headquarters Final Judgment by Supreme Court of Liberia	District 11 Montserrado County	Article 30, B Lib. Constitution	The Aspirant was declared ineligible to contest elections by the Supreme Court of Liberia.
<b>Violation of the code of conduct</b>	Tolber Winston Doe Vs Teklo M. Grigsby	NEC Headquarters Hearing Officer	District 1, Sinoe County	Code of conduct	The case was heard and the objection prayed for was denied. The applicant is now a candidate.
<b>Didn't reach the age to participate in the election</b>	Hussein Suimavula Vs Bintu Marsaley	NEC Headquarters and final Judgment by	District 1, Grand Cape Mount County.	Article 30, (a) Lib. Constitution.	The petition was denied at the NEC and the NEC ruling was upheld at the Supreme Court of Liberia for lack of standing.

		<i>the Supreme Court of Liberia.</i>			
<b><i>Objection to the nomination on grounds of an alleged criminal conviction in 2018</i></b>	<i>Concerned Registered Voters of Sinoe County Vs. J. Milton Teahjay, Senatorial Aspirant</i>	<i>NEC Headquarters and final Judgment by the Supreme Court of Liberia.</i>	<i>Sinoe County</i>	<i>Civil Procedure Law Revised Code 1. 11.2(1)(e)</i>	<i>The Supreme Court upheld the NEC Board of Commissioners ruling for the lack of standing on the part of the petitioners.</i>
<b><i>Not domiciled</i></b>	<i>Joseph Y. Yarkpawolo Vs. Nathaniel F. McGill</i>	<i>NEC Headquarters</i>	<i>District 1, Margibi County</i>	<i>Article 30, B Lib. Constitution</i>	<i>The petition was denied at the NEC and the NEC ruling was upheld at the Supreme Court of Liberia for lack of standing.</i>
<b><i>Not domiciled</i></b>	<i>Advent Hill Community Sch. Nathaniel F. McGill</i>	<i>NEC Headquarters</i>	<i>District 1, Margibi County</i>	<i>Article 30, B Lib. Constitution</i>	<i>No hearing, case was withdrawn.</i>
<b><i>Alleged violation of Chapter 4 of the Elections Law</i></b>	<i>The Unity Party Vs National Elections Commission</i>	<i>NEC Headquarters</i>	<i>Bong, Montserrado, Gbarpolu, Margibi, Lofa, Nimba, Grand Cape Mount, Grand Bassa and Grand Gedeh</i>	<i>Chapter 4.1.2. of 2014 revised Elections Law</i>	<i>Case is ongoing</i>

## 7. Pre-elections Election Disputes Case Tracking

The election dispute case tracking table provides a summary of cases observed throughout the pre-election period. It not only records the cases themselves but also monitors the arbitration process when disputes arise. Additionally, the tracker identifies which electoral laws and regulations were violated in each case and outlines the methods through which the disputes were ultimately resolved or settled.

The IEOM has noted that the campaign period has raised the NECs mandate with regards to the resolution of electoral disputes. The NEC operates a three-tier system, with the NEC magisterial court as the first avenue for the hearing of grievances. If the complainant is aggrieved by the outcome, they can appeal to the NEC Board of Commissioners and if unsatisfied, the Supreme court can be approached as the court of last resort. Based on cases brought before the Magisterial Court, the NEC magistrates are playing an important role in the mediation and resolution of electoral disputes and yet its capacity to rule on intra-party disputes is limited. As in the pre-elections case tracker above, cases concerning the use of party symbols on campaign paraphernalia by candidates that are not endorsed by the affected political party were mostly left to the affected parties to resolve. The role of the NEC as both election administrator and as the jury poses a risk to its public perception as an impartial and autonomous body. This does not

allow the NEC to rule decisively on such matters owing to possibly greater repercussions and precedence.

The IEOM notes that the NEC is adopting proactive approaches in dispute resolution by advocating for preventive mechanisms to reduce heightened tensions during this campaign period. The training of Magistrates on election dispute resolution is a preventive measure aimed at strengthening the capacity of NEC magistrates however, such trainings should be conducted in a timely manner as they contribute to the overall success of electoral dispute resolutions.

Electoral dispute mechanisms should be applied to various stages of the electoral process and not just during the polling period. EISA EOM noted disputes during the BVR process, candidate nomination process, and campaign. It is for this reason that the need to have magistrates trained and equipped with EDR skills to ensure that all aspects of the electoral cycle are covered adequately.

## 8. Conclusion

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The 2023 Presidential and Legislative Elections in Liberia are taking place in a high-stakes environment marked by fierce competition among political parties, high cash investments, and intra-ethnic polarization along political lines. These dynamics underscore the importance of effective Electoral Violence Monitoring and Mitigation (EVMM) strategies to prevent electoral-related violence and safeguard peace, security, and stability in post-UNMIL Liberia. Several key observations include the substantial financial investments in the electoral contest, termed as "cash violence," the mobilization and training of political party militants, and concerns about the weak enforcement of election regulations. Additionally, the highly polarized media landscape and the spread of disinformation have the potential to erode voter confidence in the electoral process and incite violence.

To address these challenges and ensure a peaceful and credible electoral process, a series of recommendations have been proposed. These recommendations involve key stakeholders, including the National Electoral Commission (NEC), political parties and candidates, Liberia's security agencies, Civil Society Organizations (CSOs), and International Election Observer Missions. Key areas of focus include addressing logistical gaps, enhancing electoral dispute resolution mechanisms, engaging in constructive dialogue among stakeholders, and improving coordination between security agencies and election authorities.

In this context, this pre-election assessment underscores the proactive nature of EVMM, advocating for its integration into pre-election preparations. The collaboration of national and international stakeholders, robust data collection, and analysis, as well as timely information dissemination, are essential components of an effective EVMM framework. Moreover, the use of technology can enhance risk assessment and response in modern EVMM approaches.

The EISA IEOM is committed to supporting Liberia's efforts to hold peaceful and credible elections and continue to observe election related violence and conflict triggers as the election process unfolds. A comprehensive final report on the same shall be released in post-election. EISA calls on all stakeholders to work together to ensure that the 2023 elections are peaceful and orderly, allowing for the will of the voter to be fully expressed through the ballot box.

## 9. Recommendations

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### **National Elections Commission (NEC)**

- Conduct simulations before election day to understand deployment time and costs.
- Address the capacity constraints limiting the effectiveness of the county magistrates' offices.
- Engage parties in identifying measures to build confidence through transparency, openness and effective communication.
- Identify and train local complaint hearing officers early in the process.
- Review complaints mechanisms based on voter registration exercise outcomes.
- Provide increased training on dispute resolution for magistrates and incorporate complaint processing in polling staff training.
- Collaborate with the court system to ensure efficient facilitation of electoral complaints at the justice level.
- Train local NEC officials in conflict mitigation to manage conflicts at polling stations and county NEC offices.

### **Political parties and independent candidates**

- Seek to utilise established engagement structures to engage with electoral stakeholders NEC consistently and constructively, CSOs, the judiciary, and security agencies.
- Reinforce the role of the IPCC before, during, and after elections. Increase meeting frequency and address emerging challenges promptly involving top party leaders.
- Foster a meaningful working relationship between the LNP and political parties/independent candidates to build trust and ensure smooth coordination.
- Explore diverse mechanisms for resolving electoral disputes, such as court settlements or involving community structures like elders' councils and security councils. This approach promotes dialogue and conflict resolution.
- Train poll watchers extensively on electoral processes, equipping them with comprehensive knowledge about polling procedures, vote counting, tabulation, result transmission, and complaint procedures.

### **Liberia Security Agents and NEC**

- Harmonise and coordinate all electoral security plans to ensure effective collaboration before, during, and after election day.

- Security forces should receive specialized training tailored to their roles in safeguarding the electoral process.
- Regular strategic meetings between NEC and security agents should be mandatory, involving key decision-makers from both sides.

### **Civil Society Organization (CSO)**

- Monitor the pre-election activities in the lead-up to the election, including voter registration, candidate nominations, and political party activities.
- Monitor campaign rhetoric to identify any instances of hate speech, misinformation, or incitement to violence.
- Document incidents of violence and report any incidents of violence, intimidation, or harassment during the electoral process.
- Monitor whether political parties and candidates adhere to codes of conduct to promote ethical campaigning and prevent violence.
- Monitor whether the NEC is playing its oversight role fairly in the organization and administration of the elections.
- Assess the progress of civic and voter education programs, ensuring voters are well-informed about their rights, the voting process, and the importance of peaceful participation.

**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. EISA-IEOM has deployed international LTOs across Liberia to observe BVR Phase 2 of the registration and will compile a Phase 2 and comprehensive BVR report at the conclusion of the inspection process.

**For all resources, including EISA statements and reports from the 2017 Liberia Elections**  
<https://eisa.org/eoa-liberia.php>