



## **PRELIMINARY STATEMENT N°2**

### **Remarkably close and well administered run-off election**

**Monrovia, 16 November 2023**

*This second preliminary statement of the EU Election Observation Mission (EU EOM) is delivered before the completion of the entire electoral process. Critical stages remain, including the final declaration of results and adjudication of possible petitions, which the EU EOM remains in the country to observe. The EU EOM is at present solely in a position to comment on observation undertaken to date, and will later publish a final report, including full analysis and recommendations for future improvements of electoral processes. This statement should be read in conjunction with the first preliminary statement published on 12 October 2023.*

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#### **Summary**

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On 14 November 2023, Liberians participated in a run-off to elect the president for the next six years. These were the first post-conflict general elections solely organised by the Liberian institutions. During the interval between the two rounds, the campaign was largely peaceful and low-key. However, tensions grew towards the end of campaign and isolated incidents of election violence were reported days before the election day. The National Elections Commission (NEC) efficiently managed the preparations of the second round and improved its public communication. Freedom of press and of opinion continued to be respected but state-owned media offered most of their news coverage to the incumbent. Closer to the run-off date, derogatory speech, inflammatory language and misleading messages in social media intensified. While political freedoms of candidates and supporters were largely respected, the use of state resources by the ruling party and the lack of oversight of campaign finance regulations by the NEC continued to distort the level playing field.

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

Following the 10 October presidential election where no candidates reached the constitutional requirement of 50 per cent plus one vote, the run-off was called by the NEC on 24 October. The first round brought a very tight result as George Weah, leader of the Coalition for Democratic Change (CDC), received 43.83 per cent and Joseph Boakai, leader of the main opposition Unity Party (UP), received 43.44 per cent of the votes - a margin of some 7,000 votes, the closest margins observed in recent Liberian elections.

The NEC efficiently managed the election preparations for the second round and improved its public communication, though the atmosphere of low stakeholders' confidence remained. In an effort to reduce procedural irregularities in the run-off, the NEC organised refresher training programmes for lower-level personnel. Their civic and voter education campaign remained low-key, with more in-

person community-based activities observed about a week before election day. A significant number of citizen and international observers continued their activities in between the rounds and on run-off election day, contributing to the transparency of the process. A few days prior to election day, serious claims aiming to undermine the integrity and credibility of domestic and international observer groups were raised by both contesting sides.

The campaign was largely peaceful however tensions grew towards election day and isolated incidents of election violence were reported. Parties could freely exercise their rights to freedom of expression, assembly and movement. Civil society, traditional and religious leaders were active in their support of a peaceful election process. The EU EOM observed mainly small-scale campaign activities. The lack of enforcement of campaign finance regulations continued to fail to ensure transparency and a level playing field. The CDC had significantly more financial resources than the UP. The EU EOM observed directly the use of state resources by the incumbent in terms of government and local government staff campaigning during working hours, and the use of government buildings and vehicles. In some instances, government institutions were actively involved in the campaign.

Freedoms of expression and of the press continued to be respected but political patronage, low salaries, and a lack of diversified funding streams continued to negatively impact on the quality and diversity of the messages transmitted to the public. Out of the time attributed to political contestants by state-owned broadcaster Liberia Broadcasting System which operates radio station ELBC and television channel LNTV, 70 and 84 per cent respectively was allocated to the CDC. The UP received just under five per cent of airtime on LNTV during the prime-time hours.

The campaign in social media was dominated by narratives on endorsements and mutual accusations of betrayal and tribalism between politicians as well as public figures supporting either CDC or UP, including widespread derogatory speech. Facebook was the most used platform for online political discussions and campaigning for the run-off, marred by instances of dehumanisation rhetoric and fabricated content, which targeted electoral contestants and media figures. Positively, Liberian leading fact-checking initiatives promptly verified messages on electoral fraud and election-related violence, also using their networks in the regions, which facilitated voters' trust in the electoral process and their more informed choice.

While only one appeal was filed for the presidential race, some 60 post-election complaints were filed with NEC magistrates across the country, alleging malpractices and irregularities related to the senatorial and House of Representative elections. Many complaints were dismissed for lack of evidence while several others for lack of legal standing. Several hearings at NEC level are still ongoing.

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*The European Union Election Observation Mission (EU EOM) has been present in Liberia since 27 August following an invitation from the Liberian authorities. The Mission is led by Chief Observer, Andreas Schieder, Member of the European Parliament (Austria). In total, the EU EOM deployed 85 observers from all 27 EU Member States, Canada and Norway across the country to assess the whole electoral process against international obligations and commitments for democratic elections as well as the laws of Liberia. A delegation of the European Parliament, headed by Leopoldo López Gil, MEP, also joined the mission and fully endorses this Statement. On election day, observers visited 324 polling places in 63 of the 73 electoral districts and in all 15 counties of Liberia to observe voting and counting. The EU EOM is independent in its findings and conclusions and follows the Declaration of Principles for International Election Observation endorsed at the United Nations in October 2005.*

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## Preliminary Findings

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### I. BACKGROUND

The second round of the presidential election in Liberia was held on 14 November 2023. The run-off election opposed the incumbent George Weah, leader of the Coalition for Democratic Change (CDC), and Joseph Boakai, leader of the main opposition Unity Party (UP). The first round on 10 October brought a very tight result as George Weah received 43.83 per cent and Joseph Boakai 43.44 per cent of the votes (some 7,000 votes of margin). Of the remaining 18 candidates, only four received more than one per cent of the votes: Edward Appleton from the Grassroots Development Movement (GDM) 2.2 per cent, Lusinee Kamara from the All-Liberia Coalition Party (ALCOP) 1.96 per cent, Alexander Cummings from the Collaborating Political Parties (CPP) 1.61 per cent, and Tiawan Gongloe from the Liberian People's Party (LPP) 1.44 per cent.

Legislative elections were held together with the first round of the presidential elections. The CDC obtained 6 of the 15 elected seats in the Senate and 26 out of the 73 in the House of Representatives (HoR), while UP in a coalition with the Movement for Democratic Reconstruction (MDR) obtained 2 and 16 in the respective chambers. Independent candidates won 6 seats in the Senate and 17 in the House of Representatives. Considerably, there was a high turnover of the sitting members of the legislature as less than 40 per cent of them were re-elected.<sup>1</sup>

### II. ELECTORAL ADMINISTRATION

*Timely and efficiently managed technical preparations in an atmosphere of low stakeholder confidence following some first-round procedural shortcomings.*

By 24 October, the NEC concluded the tally and collation of the first-round general elections results.<sup>2</sup> The process in most tally centres observed by the EU EOM was generally assessed positively as well organised and efficient, with robust procedural safeguards and transparency measures and active role played by party agents during this phase. The EU EOM observers noted high incidence of result forms with corrected mistakes or requiring correction due to arithmetical errors or misplaced data which was indicative of insufficient understanding of the procedures among election personnel. Moreover, reconciliation procedures were not fully followed in a few instances and result data were adjusted by increasing numbers of invalid or unused ballots for minor discrepancies without a required recount; however with mutual consent of tally staff and party agents.<sup>3</sup> Contributing to transparency, during the period following the first election day, the NEC informed the public on relevant electoral developments, progressively announced the provisional results per county and electoral district and published them on a dedicated website. However, availability of the NEC results portal was affected by technical problems as well as distributed denial-of-service attacks on the website reported by the NEC, nonetheless, without compromising the off-line results management system.

After the first-round election day, the communication by the NEC increased and improved, yet in a few instances vague information and delayed reporting on results from some tally centres resulted

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<sup>1</sup> Four out of 13 running senators were re-elected for the Senate, along with two sitting members of the HoR who became senators. As for the HoR, 29 out of 71 contesting representatives were re-elected.

<sup>2</sup> On 20 October, a rerun of all contests was held in two polling places in electoral district 4 in Nimba county due to violation of integrity of the election materials during a violent attack.

<sup>3</sup> Observed in tally centres in Grand Bassa, Upper Montserrado, Margibi, Lower Nimba, and Maryland.

in confusion among the public and left room for speculation over conduct of the election personnel and announced results. A few reported cases of electoral malpractices reported by the NEC after the first round and ongoing investigations in this respect further undermined contestants' confidence in the electoral administration. Moreover, the low trust was further diminished by allegations of bias of some, primarily temporary, personnel of all levels in favour of individual candidates, raised by several first-round contestants. Regrettably, some electoral officials received various forms of threats related to discharge of their duties.

Despite the tight schedule for technical implementation of the run-off election and concurrent finalisation of the legislative contests, the election preparations were managed efficiently. Well ahead of the second round, the NEC launched preparatory operations, including arrangements to increase alternative transportation means, to ensure timely redistribution of election materials at magisterial level. While all election materials reached the magisterial offices about a week before election day, subsequent redistribution to voting precincts was held back to only few days prior to election day due to a limited security personnel to secure the materials in the precincts. Despite that, all election materials were delivered on time to conduct polls on determined election day. For the run-off, the Commission introduced certain positive modifications, including election-day procedures, polling place arrangements, and prior registration of party agents for tally centres.

In an effort to enhance understanding of the procedures, increase public confidence in the electoral process and address misinformation, the NEC took part in several stakeholder engagement events, focused on media coverage of the process and violence prevention dialogues in certain areas. However, while welcomed as an initiative by stakeholders, late organisation and area-specific focus resulted in relatively low awareness among the local actors, decreasing their potential impact on broader scale.

The composition of coordination, supervisory and polling teams remained largely unchanged for the run-off. Distribution of posts within several teams was adjusted and several presiding officers or voter identification officers were reallocated to lower-level posts due to their unsatisfactory performance on first-round election day. Positively, to address unsatisfactory report for duty among some temporary personnel, mostly attributed by the NEC personnel to transportation and meal allowances and salaries being paid in arrears, these arrangements were mostly adjusted. However, issues with delayed salary payments persisted in some magisterial areas, primarily due to issues with mobile payment system and incorrect or incomplete personal data provided by the staff.

In an effort to reduce procedural irregularities in the run-off, the NEC organised a workshop with election magistrates to discuss issues and challenges experienced during the first round. This lessons-learned event framed subsequent refresher training programme for lower-level personnel, with a special emphasis on closing and counting procedures, determination of validity of ballots, completion of electoral forms, and packing of electoral materials. The quality and instructiveness of training programme observed by the EU EOM varied across the country. While some sessions observed by the EU EOM were well organised, informative and included more practical rehearsal exercises, in some instances, effectiveness and comprehensiveness of lessons were impacted by overcrowding and purely didactic lecturing. Unfortunately, polling manuals used were not adjusted to reflect procedural changes and, in some areas, training targeted only higher-ranking polling staff, excluding personnel primarily affected by the procedural changes and whose performance on the first as well as run-off election days was assessed less positively.

The official civic and voter education (CVE) activities remained limited and low-key and primarily focused on areas close to county and district centres. The CVE campaign, starting about a week

before election day, intended to implement a more in-person approach, with door-to-door activities, a series of community meetings and a roadshow. The main messages included the importance of voting, voting steps and procedures, marking of the ballot and use of tactile ballot guide for voters with visual impairments. Similarly to the first round, the extent and intensity of the CVE campaign were affected by belated distribution of educational materials and payment arrangements to engaged organisations with limited resources for transportation options to ensure outreach to the remotest areas.

### III. CAMPAIGN ENVIRONMENT

*Largely peaceful and low-key campaign with freedoms ensured, but lack of oversight of campaign finance regulations and the use of state resources distorted the level playing field.*

The campaign before the run-off election, which started on 24 October and ended on 12 November at midnight, was low-key and less intensive in comparison to the campaign prior to the first round. The campaign was largely peaceful; however, tensions grew towards election day and isolated incidents of election violence were reported by the EU EOM observers in the last days of the campaign from Bong, Gbarpolu, Lofa, Grand Gedeh, and Nimba. Generally, parties could freely exercise their rights to freedom of expression, assembly, and movement. Civil society, traditional and religious leaders were active in their support for a peaceful election process. The EU EOM observed mainly small-scale campaign activities, door-to-door canvassing, roadshows, and town hall gatherings across the country. Campaigning intensified closer to election day, with large rallies organised in Monrovia and in several other towns. Campaign materials, such as billboards and posters, were less visible than during the campaign before the first round. Campaign messages focused on endorsements and personalities of the candidates and there was a notable lack of issue-based campaigns.

The lack of enforcement of campaign finance regulations continued to fail to ensure transparency and a level playing field. The CDC had significantly more financial resources than the UP, as reported by the EU long-term observers. The UP campaign activities were less visible than its opponent's and a notable part of the UP's budget was reportedly spent on boosting their network of party agents to be deployed on the election day.

The EU EOM directly observed the use of state resources by the incumbent in terms of government and local government staff campaigning during working hours, and the use of government buildings and vehicles.<sup>4</sup> In some instances, government institutions were actively involved in the campaign.<sup>5</sup> Shortly before the second round, the government announced financial support schemes to the rural development communities in Grand Bassa and Bong and these announcements were tied to the upcoming elections.<sup>6</sup> The use of state resources, the contestants' unequal financial resources, combined with a lack of oversight of campaign finance regulations by the NEC, created an unlevel playing field.

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<sup>4</sup> The use of state resources was directly observed in Bomi, Bong, Grand Bassa, Grand Cape Mount, Grand Gedeh, Grand Kru, Maryland, Montserrado, and Sinoe.

<sup>5</sup> One notable example is that on 1 November, the Ministry of Gender, Children and Social Welfare hosted a large campaign event for women in the Ministerial Complex under the banner "Women of Liberia in Support of the Weah-Taylor ticket 2023". Also, the superintendents and their offices were involved in campaigning.

<sup>6</sup> On 24 October, an LRD 5M support scheme to the Bassa Chapter of the National Rural Women was presented by the president and an LRD 16.5M support scheme was launched by the vice-president within the rural empowerment scheme in Bong.

The transactional nature of these elections was also reflected in the process of endorsements, where according to stakeholders, promises of government positions and other types of compensation were made in exchange for public support. The two contesting candidates and their parties focused on receiving endorsements from the remaining presidential candidates from the first round, the candidates in the legislative elections, and other prominent figures and organisations with political capital such as traditional chiefs, religious leaders, nurses, teachers, and of the rural and market women. Negotiations and speculations over endorsements gained notable attention during the campaign period, overshadowing other activities. Independent candidates often decided to actively support one side. Some parties split their endorsements, most significantly ALCOP, CPP and GDM.<sup>7</sup>

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

#### IV. MEDIA

***Media ownership contributed to a lack of diversified messages transmitted to the public while the state-owned broadcaster gave distinct advantage to the incumbent.***

Media freedoms were generally respected during the campaign period for the run-off election. Radio remained the main source of information, but political patronage, low salaries and a lack of diversified funding streams continued to negatively impact the quality and diversity of the messages transmitted to the public. Radio talk shows were often used by political parties to distribute unfiltered political views without journalistic moderation, especially on politically affiliated broadcasters. No presidential television or radio debates between the contestants took place during this period. NEC accredited 968 local journalists for the first-round election day. Their accreditation remained valid for the second round of the presidential elections.

EU EOM media monitoring showed that LBS channels continued to offer most of their news coverage to the government and the ruling party, which impacted on voters' ability to make an informed choice. Mistrust in state-owned media among opposition parties remained high, thus they relied on other media outlets for communication with their supporters. On TV channel LNTV and radio ELBC, 84 and 70 per cent respectively of the time allocated to political parties only went to CDC. UP received just under five per cent of airtime on LNTV during prime-time hours. EU EOM media monitoring further showed that voter education, including by NEC, was largely absent this time around.

Radio broadcaster Truth FM, which offered most of its political and election-related time to CPP in the first round, shifted its attention to CDC (47 per cent), while UP received 18 per cent of the content dedicated to political parties on the channel. OK FM and Prime FM were fairly balanced in

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<sup>7</sup> When Lusinee Kamara and his party ALCOP announced their support for UP, the vice-presidential candidate Matthew Darblo and a faction of ALCOP decided to support CDC. Alexander Cummings decided to remain neutral while CPP as a party endorsed CDC and some CPP candidates supported UP. The New Liberia Party (NLP) declared neutrality, but its chairman Richard Hoff endorsed UP. Ten youth wing groups belonging to opposition parties endorsed Weah, among them the youth wings of ALCOP, the Alternative National Congress (ANC) and the Liberty Party (LP).

the distributed airtime given to both CDC and UP during prime-time hours. ECOWAS Radio dedicated less time to the presidential election race overall, and was strictly neutral in its tone of coverage.

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

## V. DIGITAL COMMUNICATION AND SOCIAL MEDIA

*Derogatory rhetoric and falsehoods spread by political actors in social media marred the online campaign.*

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

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

Facebook remained the preferred platform for online political discussions and campaigning for the run-off. However, according to the EU EOM social media monitoring, this was marred by the instances of dehumanisation rhetoric and fabricated content, targeting electoral contestants, media figures and the international community, including the EU EOM, thus challenging the credibility of electoral actors in voters' perception. Inflammatory language originating from political opponents' personal pages included accusations of ritualistic crimes and personalized attacks, which remained largely unaddressed by the law enforcement bodies. Despite this practice breaching its Community Standards, Facebook did not remove these posts before the election day.

Positively, following the 10 October elections, Liberian leading fact-checking initiatives, including the Liberian branch of West-African project Dubawa, promptly scrutinized and verified messages on electoral fraud and election-related violence across the country, also using their networks in the regions. This facilitated the voter's knowledge about the performance of the NEC and regional authorities as well as activities of the electoral contestants, and benefited voters' trust in the electoral process and their more informed choice.

## VI. INTERNATIONAL AND CITIZEN OBSERVERS

*Continuous activities of the large number of citizen and international observers enhanced transparency of the process.*

Observer accreditations issued for the first round remained valid for the second round. In addition, the NEC permitted previously accredited observer groups to request additional and replacement accreditation for the run-off. Most domestic and international observers continued with their activities in the field, followed the first-round tally process and the subsequent run-off preparations, enhancing transparency of the process. The two main citizen observer platforms, the Elections Coordinating Committee (ECC) and the Liberia Elections Observation Network (LEON), reinforced their presence on run-off election day, with more district coordinators and mobile observer teams. The largest international observation missions included as in the first round the EISA and ECOWAS (with 31 and 95 observers respectively). A total of over 8,400 citizen and some 1,500 international observers were accredited to observe the second round of elections.

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

## VII. POLLING, COUNTING AND TRANSMISSION OF RESULTS

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

On run-off election day, EU observers visited 326 polling places across all 15 counties, within 63 electoral districts. Election day was overall orderly and the environment in polling places was calm; however, some isolated incidents involving physical violence took place in Grand Gedeh, Montserrado, and Nimba.

Some four hours prior to closure of the polls, the NEC issued a statement deploring actions by several party agents in polling places, who demanded the names of all voters be announced aloud, and called on the staff to refrain from acceding to this practice. The party agents invoked a memorandum of understanding outlined by the two political parties contesting the presidential race and submitted to the NEC which was, however, not discussed nor approved by the NEC Board of Commissioners since the CDC eventually did not sign it. Afterwards, the NEC held a planned press briefing to provide information on election-day developments and to declare against misinformation circulating in relation to alleged electoral irregularities, such as issuance of pre-marked ballots to voters.

The overall conduct of opening was smooth and efficient in all 32 polling places observed by the EU EOM. Opening procedures were largely followed, although the EU observers noted a few instances



of minor procedural omissions, such as non-diligent counting and recording of ballots received. Most of the polling places observed opened on time or shortly after.

Observers positively assessed the voting in 98 per cent of the 326 polling places observed, describing it as a well-organised, calm, and orderly process. Established procedures were generally respected, although certain steps were inconsistently implemented, indicating insufficient familiarisation of the polling staff with the run-off procedures. EU observers noted significant confusion over the inking procedure, as regards to correct voters' fingers to be inked and exact stage of the process when ink should have been applied (15 per cent of observed polling places). In some two out of five observations, the polling staff did not consistently instruct voters on the manner of voting. EU observers reported that not all voters marked their ballots in secrecy (8 per cent of observed polling places) and, in 6 per cent, the polling place layout, due to positioning of voting screens, potentially compromised the secrecy of the vote. Similarly to the first round, some 61 per cent of polling places observed were not independently accessible for persons with physical disabilities, and in 34 per cent, the layout inside polling places was not suitable for such voters.

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

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

The initial phase of the results tally process, observed in all 19 tally centres, was positively evaluated as transparent, efficient and professionally organised. The process progressed well in mostly peaceful and cooperative atmosphere, with only one observation of tensions reported from River Gee. Established tally procedures were largely followed. Positively, EU EOM noted significant reduction of result forms with miscalculations, other discrepancies or incomplete ones. Party agents and observers performed their respective duties attentively in all observed tally centres.

## VIII. ELECTORAL DISPUTES

### *Transparent albeit slow adjudication process of complaints and appeals.*

Following the 10 October elections, only one complaint was filed challenging the presidential election results on the grounds that the ballot paper did not include the party's name (Vision for Liberia

Transformation Party - VOLT) as such under its logo, but instead the name of another party (Grass-roots Democratic Movement - GDM); the complainant averred that the votes obtained by the GDM party should be given to VOLT. Both the hearing officer and the NEC Board of Commissioners dismissed the complaint, mainly due to the validation of the sample ballot paper by the complainant despite the error, as well as this error does not affect the election results for the run-off.

Some 60 complaints were filed with NEC magistrates across the country, alleging malpractices and irregularities related to the senatorial and House of Representative elections; notably a recount was ordered in 24 polling places in Margibi county on grounds of tampering with results sheets. Many complaints were not sufficiently detailed and dismissed for lack of evidence; and some were filed by voters or party agents, therefore dismissed for lack of legal standing. During the hearings observed by the EU EOM, most NEC magistrates and hearing officers demonstrated professionalism and knowledge of the process. Nevertheless, many hearings were overly concentrating on technicalities instead of fact-finding, while cross-examination of witnesses has been at times excessively tedious without offering more details to the case. Some 16 rulings were appealed to the NEC Board of Commissioners that remanded many of them for re-trial at magisterial level. Several hearings and rulings are still pending.

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An electronic version of this Preliminary Statement is available on the Mission website:

[www.eueom-liberia2023.eu](http://www.eueom-liberia2023.eu)

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