



The Future of Democracy and Governance in Liberia

Testimony of Rushdi Nackerdien
Regional Director, Africa, International Foundation for Electoral Systems (IFES)

House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights,
and International Organizations

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Mr. Chairman, Ranking Member Bass, and distinguished members of the Subcommittee: on behalf of the International Foundation for Electoral Systems (IFES), I deeply appreciate this opportunity to discuss the evolution of Liberia’s democracy, in the context of its electoral process.

Since 1987, IFES has worked in over 145 countries to support citizens’ right to participate in free, fair, transparent and accountable elections. IFES provides technical assistance to strengthen local capacity and electoral inclusiveness in societies that aspire to realize their full democratic potential. Stable democracies make for better trading partners, provide new market opportunities, improve global health outcomes, and promote economic freedom and regional security.

In addition to our current work in Liberia, IFES has empowered individuals and those institutions that make democracy work at every phase of the electoral cycle in Africa in countries such as Burkina Faso, Burundi, the Central African Republic, Côte d’Ivoire, Guinea, Kenya, Liberia, Mali, Nigeria, Sierra Leone, Uganda, Zimbabwe and others.

With support from the United States Agency for International Development (USAID) and numerous international partners – including the United Kingdom’s Department for International Development, Global Affairs Canada, the United Nations Development Programme (UNDP), and the European Union (EU) – IFES has supported credible, free, and fair electoral processes in roughly half the countries across the sub-region. In many parts of the world, including Liberia, IFES also works with its Consortium for Elections and Political Process Strengthening (CEPPS) partners – the International Republican Institute and the National Democratic Institute – under USAID’s Global Elections and Political Transitions mechanism on comprehensive democracy, human rights, and governance programming. IFES programs deliver expert technical assistance to help all electoral stakeholders participate in, plan for and administer inclusive political processes across the electoral cycle, from legal framework reforms, to voter registration, to civic education, the elections themselves, and results management beyond elections.

IFES’ Sub-Saharan African programs utilize generous donor support to strengthen both sides of the democracy scale: 1) Supply – in the form of credible political processes, administered by professional and independent institutions; and 2) Demand – in the form of an activated citizenry with protected rights and full access to the systems that impact their lives. IFES positions itself at the center of this equation, partnering with all electoral stakeholders to strengthen participation, transparency, responsiveness, and ultimately democratic performance. As a rule, the dynamism of all societies produces social and political changes that often outpace the ability of governments to respond in a timely and comprehensive manner. This is perhaps truer in Sub-Saharan Africa than anywhere else in the world.

Electoral Assistance: A Long-term Development Commitment

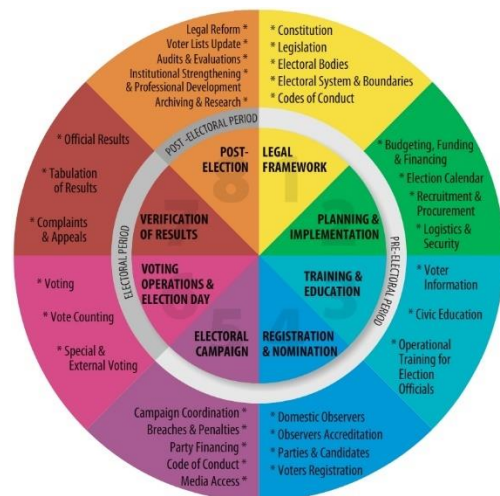


Figure 1: The Electoral Cycle

No team makes it to a championship without hard work in the pre- and regular seasons, as well as some intense post-season analysis and rebuilding. Similarly, although Election Day may be the “Super Bowl” of the electoral cycle (see Figure 1), it is simply one event in a long process.

To this end, effective electoral assistance demands investment several years in advance of an election date and in the period between elections. At the heart of a strong electoral cycle is the professionalism of the electoral management body (EMB) and an empowered civil society.

Consistent, long-term support throughout the electoral cycle also enhances stability during uncertain democracy building processes. Shorter term or immediate assistance does not allow for capacity building, the introduction of technology (or

the training and public education necessitated by it), or strategic planning.

The Liberian Electoral Context

Non-indigenous Americo-Liberians dominated Liberian politics between independence in 1847 and 1980; in fact, the country’s first 10 presidents were born in the United States. In 1980, a military coup led by Samuel Doe ousted President William Tolbert and effectively ended the First Republic. However, the Doe administration’s perceived favoritism for the Krahn ethnic group gradually generated widespread tensions across Liberia, particularly after he was formally elected president in 1985. In 1989, a militia led by Charles Taylor invaded Liberia from Côte d’Ivoire, sparking a conflict that would grow to span two largescale, devastating civil wars involving a variety of factions until the Economic Community of West African States brokered a ceasefire in 2003.

Following the 2003 Comprehensive Peace Agreement (CPA) and the cessation of conflict, Liberia held landmark elections in 2005 that saw the election of Her Excellency Ellen Johnson-Sirleaf. The elections broke a long-standing double glass-ceiling, resulting in the first elected female head of state in Africa and the first black woman head of state. These breakthrough elections were made possible through large-scale support of the international community, particularly through international peacekeeping forces led by the United Nations Mission in Liberia (UNMIL),¹ as well as with support and technical expertise provided by IFES with generous funding from USAID.

The United States-Liberia relationship runs deep – Liberia supported the United States during World War II, and served as a bulwark for American interests during the Cold War. In modern times, the U.S.-Liberian

¹ United Nations Security Council Resolution 1509 (2003), September 19, 2003. See [https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1509\(2003\)&referer=https://www.un.org/en/peacekeeping/missions/unmil/resolutions.shtml&Lang=E](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1509(2003)&referer=https://www.un.org/en/peacekeeping/missions/unmil/resolutions.shtml&Lang=E)

relationship has evolved into one of critical strategic importance. For example, our countries successfully partnered to contain Ebola and prevent it from reaching our shores in a significant way, and Liberia is a key trading partner of the United States – Liberia’s U.S.-owned-and-operated shipping and corporate registry is the world’s second-largest.²

Mr. Chairman, Liberia is on the verge of consolidating hard-fought democratic gains. However, from the perspective of a democracy with free and fair elections, Liberia has only recently emerged from a long history of single-party rule. There is much work to be done.

Governance and Election Management Architecture

Liberia’s government is comprised of executive, legislative, and judicial branches. The bicameral legislative branch consists of a Senate and a House of Representatives. There are 30 senators and 73 members of the House of Representatives, with two senators and a minimum of two representatives from each of Liberia’s 15 counties. At present, senators serve a nine-year term and representatives serve a six-year term. President Johnson-Sirleaf is presently serving her second (six-year) term in office and is ineligible to seek re-election in October 2017. The highest judicial body in Liberia is the Supreme Court, and includes five justices nominated by the president. The Senate must confirm each justice’s life-long tenure.

Liberia’s National Elections Commission (NEC) represents an autonomous public commission responsible for conducting elections for all elective public offices and administering and enforcing all elections laws. Established under Article 89 of Liberia’s 1986 constitution, the NEC has undergone a number of changes over the years, transforming from the Elections Commission (ECOM) in 1986 to the reconstituted NEC in the 2003 CPA, which ended 14 years of conflict in Liberia. The NEC has been responsible for major general elections in 2005 and 2011, the 2011 constitutional referendum, and the 2014 special senatorial elections – which it administered during the Ebola crisis. At present, seven administrators manage the NEC, including a chair, co-chair and five commissioners. With the Senate’s advice and consent, the president appoints each to a seven-year term.

Although the NEC officially administered the 2005 and 2011 general elections, the international community provided extensive financial, technical and logistical support. For example, for the 2005 election, UNMIL brought an electoral division into Liberia with a budget of approximately \$19 million. These funds were raised and made available through a collaborative arrangement between the NEC, the UN, IFES, the European Community and the UNDP, to cover NEC operations and the elections.³

² “U.S. Relations with Liberia,” U.S. Department of State Fact Sheet. August 29, 2017. See <https://www.state.gov/r/pa/ei/bgn/6618.htm>

³ UNDP (2010). *The Longer Term Impact of UNDP Electoral Assistance: Lesson Learned*. Available at: http://toolkit-elections.unteamworks.org/?q=webfm_send/541

Subsequent to the 2005 elections, UNMIL withdrew its electoral capacity to the NEC and formally handed over its electoral portfolio to the UNDP.⁴ The UNDP then assumed responsibility for the 2011 election.⁵

Several electoral assessment missions in Liberia in 2009 culminated in the 2010-2012 “Liberian Electoral Cycle Project,” through which the UNDP provided technical assistance to the NEC with a basket fund budget of over \$27 million used to update Liberia’s voters’ roll, undertake voter registration, empower government institutions and civil society organizations, train women aspirants in political participation, fund civic education, hold a national referendum on matters relating to elections, and procure, distribute and retrieve electoral materials for the October 2011 elections and November second-round run-off.⁶ Major funders included the EU and the governments of Denmark, Germany, Japan, Spain and Sweden.

However, an audit of UNMIL electoral assistance activities in Liberia between 2009 and 2011 deemed that the mission only partially fulfilled its mandate.⁷ Specifically, the audit found that although UNMIL assisted Liberia in its preparation for the presidential and legislative elections, it did not establish its electoral assistance capacity in a timely manner, and its electoral assistance strategy and plan of action was not in place until April 2011.

U.S. Government Support to Liberian Elections

The U.S. Government has consistently supported Liberia since its post-conflict transition. Following the signing of Liberia’s 2003 CPA, IFES conducted a field assessment of the NEC; these results formed the basis of a five-year program in Liberia, which began in November 2004. Through the follow-on program from 2009-2014, IFES developed sound working relationships with local election officials and civil society organizations that increased local ownership and cultivated domestic confidence in the NEC’s capacity, transparency and impartiality. IFES implemented this follow-on program, “Building Sustainable Elections Management in Liberia,” with \$18.8 million in USAID funding. The program provided technical and material assistance to develop the NEC’s capacity in several key election management areas including voter registration, civic and voter education, public outreach, legal reform and public information. IFES also played a major role in conducting civic and voter education for voter registration, the 2011 national referendum and the general and run-off elections. The program also produced three voter education films that were shown throughout the country in “mobile-cinemas,” reaching hundreds of thousands of voters with consistent and useful information.

⁴ Overall results relating to UNMIL’s effective implementation of its electoral assistance mandate were partially satisfactory (October 21, 2011). Available at:

https://usun.state.gov/sites/default/files/organization_pdf/186051.pdf

⁵ UNDP (2010). *The Longer Term Impact of UNDP Electoral Assistance: Lesson Learned*. Available at: http://toolkit-elections.unteamworks.org/?q=webfm_send/541

⁶ UNDP. *UNDP Liberia Annual Report 2011*. Available at:

http://www.undp.org/content/dam/liberia/docs/docs/UNDP%20in%20Liberia%20Annual_Report_2011.pdf

⁷ Overall results relating to UNMIL’s effective implementation of its electoral assistance mandate were partially satisfactory (October 21, 2011). Available at:

https://usun.state.gov/sites/default/files/organization_pdf/186051.pdf

With almost \$12 million in USAID funding through the CEPPS mechanism, IFES started its current “Liberia Elections and Political Transition” program in January 2015, with the goal of developing a cadre of election officials capable of managing the full electoral cycle by 2019. To achieve this, IFES is providing strategic learning opportunities, such as Building Resources in Democracy, Governance and Elections (BRIDGE)⁸ workshops, campaign finance regulations and monitoring training, as well as tailored trainings in electoral dispute resolution procedures and regulations for magistrates. Additionally, IFES has conducted and utilized an evaluation of the NEC – along with the NEC’s current strategic plan (mid-term evaluation and revision supported by IFES) – to elaborate specific program activities that have been and continue to be jointly identified and prioritized to maximize institutional strengthening. Among the initiatives conducted to date are focused learning opportunities for NEC staff and magistrates, such as technical assessment and improvement of information and communication technology management capacities, technical support on electoral legal framework management, the development of a persons with disabilities inclusion policy, graphic design assistance and training for voter registration and elections activities and materials (including ballot papers), long-term mass communications outreach support, and the development of social media outreach tools, including two nationally-broadcast radio programs and revised website design.

IFES has also provided more than \$1.5 million in commodity support directly and indirectly to the NEC, including the printing of civic and voter education materials, hardware and software for the Data Center, increased electoral awareness through national and interactive radio broadcasting, diesel generators and internet connectivity for each of the 19 magisterial offices, and a hybrid battery bank that provides uninterrupted power to the Data Center. Without this support, the total number of registered voters would be lower, the public’s level of electoral awareness would not be as acute, and the NEC would not be as prepared as it is today to administer the October 2017 elections.

The Impact of Electoral Support

IFES, alongside UNMIL, UNDP and other international partners, has continued its support to Liberian electoral processes up to the present, assisting the NEC in creating its own track record of credible elections in 2011 and 2014. IFES’ technical and material support to Liberia’s electoral processes has been critical to the country’s democratic evolution, and gives insight into the challenges and opportunities ahead. A recent Afrobarometer report⁹ found that 91 percent of Liberians feel free to choose who to vote for, while 90 percent feel free to join any political organization they wish. Furthermore, Liberians have seen an increase in their levels of trust in the NEC. Freedom House rates Liberia as “Partially Free,” with a score of 62 out of 100.¹⁰

A 2017 study conducted with USAID funding indicated that, the majority of Liberians interviewed, trust the NEC as an impartial and transparent body, which supports the 14.7 percent increase in voter

⁸ BRIDGE is an internationally-recognized training curriculum co-founded by IFES, the UNDP, the Australian Electoral Commission and International IDEA; for more information please see <http://www.bridgeproject.org/en/>

⁹ Afrobarometer Dispatch 121, October 2016; see <http://afrobarometer.org/publications/liberia-round-6-summary-results-2015>

¹⁰ <https://freedomhouse.org/report/freedom-world/2017/liberia>

registration since 2014. Of the 2.18 million registered voters, 67 percent are between the ages of 18-37, indicating that the NEC's civic and voter education strategy, which was revised with IFES' support, has been effective in engaging Liberia's largest demographic sector. IFES' technical support to the NEC has had other tangible results, as revealed in a 2015 survey funded by USAID,¹¹ which found that 82 percent of those surveyed correctly identified their polling place as their registration center, that nearly 75 percent recalled seeing or hearing NEC messages urging them to register or explain how to register to vote, and over 75 percent evaluated the NEC's performance as "good" with regard to educating citizens how to register to vote. More recently, IFES' input to a white paper requested by the Government of Liberia regarding biometric voter registration influenced the determination that, while plausible, it was neither a feasible, nor practical endeavor prior to the October 2017 elections, due to cost and logistical considerations.

With the upcoming October, 2017 general elections, Liberia has the opportunity to consolidate its democratic gains. As incumbent President Johnson-Sirleaf is ineligible to run for a third term, this election will mark the first democratic transfer of political power in Liberian history. While there were a variety of transitional transfers of power between the CPA in 2003 and the inauguration of President Johnson-Sirleaf, they took place in an immediate post-conflict setting with a large peacekeeping presence, and the leaders were not democratically elected but served transitional roles. The upcoming elections will be administered without the widespread peacekeeping forces of UNMIL, as the electoral security responsibilities nationwide has been handed over to the Liberia National Police.

Upcoming Electoral Challenges

On Election Day – October 10, 2017 – Liberians will recommit to democracy. Having learned from the technical expertise provided by organizations such as IFES, the NEC has a far greater institutional capacity to conduct nationwide elections than in either 2005 or 2011. Among the improvements include a demonstrable commitment to public engagement and communications, a more robust approach to results tabulation and management, greater appreciation and awareness of gender inclusion and ensuring equal access for persons with disabilities, and stronger in-house training capacities. However, despite this organizational progress, the NEC will face several challenges in the conduct of the October 2017 general elections.

Only 54 percent of Liberians viewed the 2011 national elections as completely free and or with minor problems, yet 78 percent of Liberians felt the 2014 special senatorial elections, conducted on the heels of the Ebola virus crisis, were completely free and fair or with minor problems.¹² Logistical challenges remain great, particularly in the absence of UNMIL peacekeeping forces that played a large role in transportation of electoral materials throughout the country in previous elections. The condition of Liberia's road network, while improving, remains fragmented and unreliable outside of a few major inter-city networks. Exacerbating this challenge is the fact that the elections will take place during the height of the country's rainy season, further deteriorating road conditions and lengthening transportation and travel timelines.

¹¹ See http://pdf.usaid.gov/pdf_docs/PA00KJW1.pdf

¹² *Ibid.*

The NEC has thus far met its planned electoral deadlines, and has set a strong foundation for the potential conduct of credible elections. However, with 5,390 polling stations spread throughout rural areas of the country's 19 electoral districts, logistical and transportation challenges remain an obstacle to be overcome. The NEC has planned for these challenges, and procured all-terrain vehicles and trucks, and has the option to hire private helicopters should that become necessary in the absence of sufficient UNMIL support.

An additional question is whether voter turnout will be adequate for elections inclusive of a large portion of Liberian citizens. Based on voter turnout from past presidential and general elections in 2005 and 2011, a turnout (in round one) of up to 80 percent is anticipated (compared to a turnout of about 60 percent for the United States' 2016 elections¹³). However, if there is torrential rain in many areas of the country on Election Day, it will have a direct impact on the willingness and ability of Liberians to reach their polling stations (sometimes up to 10 kilometers away, through difficult terrain).

Should it be necessary, the NEC is required to administer a second round (run-off) two weeks following the announcement of round one's final results. Both the 2005 and 2011 elections featured a second-round election for the presidency, and in both cases turnout was markedly lower. In 2005, second-round voter turnout dropped to 62 percent from 76 percent in the first round. In 2011, the second-round voter turnout was only 39 percent, down from 72 percent in the first round. With IFES' support, the NEC has developed contingency plans for a 2017 run-off. A run-off is a distinct possibility, given the high number of presidential candidates.

These challenges also highlight the need for the assistance of IFES and international partners. IFES has been instrumental in building the capacity of the NEC's Civic and Voter Education Section, providing training and technical advice about how to reach rural voters with effective messaging, as well as messaging specifically targeted at reaching women and persons with disabilities. Nearly 75 percent of the country's voting population resides outside of Monrovia, and many primarily communicate in a language other than English, so special emphasis must be placed on conveying messages in the appropriate language or dialect. Through IFES programming, supported by USAID, public service announcements related to elections are broadcast nationally in five major languages. As such, IFES continues to supplement civic awareness outreach throughout rural areas through funding local civil society organizations in coordination with regional NEC offices.

Competent election personnel are a critical element of any successful election. In addition to building the capacity of NEC staff in Monrovia, IFES has conducted training programs for election magistrates and assistant magistrates throughout the country to ensure that regional support complements competent national leadership. In addition, IFES has supported the NEC's training of temporary staff; in 2017, the NEC will hire and train some 27,000 temporary poll workers. Despite international support, and the NEC's

¹³ "2016 November General Election Turnout Rates," United States Elections Project. See <http://www.electproject.org/2016g>

experience conducting elections in 2005, 2011 and 2014, literacy and educational challenges that require additional attention persist. Even though the NEC is a permanent body, efforts to build a cadre of core technical and administrative staff capable of administering all phases of the electoral cycle independent of significant international assistance require continued support.

Conclusion

Liberia will continue to consolidate its gains as a democratic state and society through the upcoming election and political transition. The gradual strengthening of Liberia's electoral processes will generate second-order effects vital to the country's on-going recovery from two civil wars, the last of which ended less than 15 years ago.

Strong democracies are less prone to internal or external events capable of destabilizing or otherwise disrupting progress in areas such as economic growth, and service delivery of public healthcare and education. Liberia's ability to conduct senatorial elections in the wake of the 2014 Ebola crisis is an indication not only of the NEC's improved performance capacity, but also of its resolve to uphold its constitutional mandate. The October 2017 general and presidential elections will be a landmark achievement for Liberia, as they will not only confirm the country's determination for a peaceful and democratic political transition, but they will further instill public trust in those institutions responsible for upholding inclusive, democratic systems. Aside from solidifying peace, and the benefits of a democratically elected government and the implications for freedom for the citizenry, foreign investment would likely increase, improving the economy, and providing greater resources for the improvement of living conditions, health systems, and educational resources.

The United States has played a critical role in Liberia's post-conflict recovery through a myriad of direct and indirect inputs in diverse areas such as agriculture, education, healthcare, and vocational training, to name a few. The success of these vital socio-economic recovery and development platforms ultimately depends on the strength of Liberia's public institutions, which are themselves a function of participatory governance. Without a strong and confident elections management mechanism, no country can aspire to greater prosperity. Elections are not just episodic events; they are the temporary culmination of years of planning and preparation during the electoral cycle. Prematurely withdrawing or even curtailing election management support for Liberia would stifle its trajectory at a critical period in its growth since October 10, 2005. As with efforts to address corruption, improve government accountability, and strengthen the social contract through the provision of greater services, developing capable election management systems requires a long-term vision.

Although the new government will bring new approaches to Liberia's existing problems, it will also encounter new challenges. The United Nations' commendable tenure in Liberia is gradually coming to an end, as exemplified by the phase out of peacekeeping operations and diminishing financial support for elections. Continued U.S. Government support of good governance initiatives will therefore soon be even more critical to Liberia's continued emergence from the post-conflict era.

IFES is proud of its accomplishments since 2005, but there remain some areas of electoral management where continued and targeted support is necessary, including the possibility of conducting a constitutional referendum, the desired introduction of biometric voter identification and registration, and strengthened magisterial capacities.

Mr. Chairman, thank you for the opportunity to present IFES' views about the future of democracy in Liberia, a progression in which we are proud to have played a role through building the capacity of Liberia's National Elections Commission.



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