Republic of Liberia
NATIONAL ELECTIONS COMMISSION (NEC)
TUBMAN BLVD., SINKOR - P. O. BOX 2044
MONROVIA, LIBERIA

DECISION OF THE BOARD OF COMMISSIONERS

Decision Number: 2005-058

Subject: The Board of Commissioners’ decision to apply the Tally Exception Procedures for the Election of the President, the Senate and Members of the House of Representatives of the Republic of Liberia, approved by Decision No. 2005-49, to the Presidential Election at the CDB King Voting Precinct 30039, Electoral District #2, Lower Montserrado County.

Reference: Attached Memorandum

Time and date of meeting: 10:00 A.M. 15 November 2005

Meeting Number: Number -58

Commissioners Present: Chairman Johnson-Morris
Co-Chairman Fromayan
Commissioner Brownell
Commissioner Chelley
Commissioner Boyenneh
Commissioner Sackor

The Board of Commissioners decided:
That the Elections Magistrate for Lower Montserrado County be ordered to apply the above mentioned Tally Procedures and include the Record of the Count in the Presidential Run-Off Election of 8 November 2005 from Polling Precinct #30039, Polling Place #2, CDB King School, Electoral District #2, Central Monrovia, in the Declaration of Results.

Commissioners in Support
Of the Decision:

1. Chairman Johnson-Morris
2. Co-Chairman Fromayan
3. Commissioner Brownell
4. Chelley
5. Sackor
6. Boyenneh
7. Weedor

Commissioners Opposed to the Decision:
Polling for the 2005 presidential run-off was a huge success. The success was a product of experience from the first round of elections. Although long queues were absent from the run-off polls, the turn out at the polls in Lower Montserrado was impressive; some voting precincts accounted for up to 70% of their FRR. The polls opened and closed on time and were well managed; almost all the precincts completed counting and folding up by 9pm on November 8. The same night all sensitive and non-sensitive materials were retrieved from all voting precincts under UNMIL
Military escort to the Montserrat County Tally Center at the Unity Conference Center in Virginia.

Despite these gains, there were some problems at two (2) polling places during polling and tallying of the results.

1. Results from polling place #2 at the C.D.B. King Voting Precinct (30039) in Electoral District #2 have been quarantined. The UNMIL CEA-ops who was called on the scene explained that other observers at this polling place agreed that the Presiding Officer (PO) did not seal the ballot box until 3:30pm; while those observers including one CDC Party Representative (PR) ruled out fraud by the PO, another CDC PR caused disturbance when he alleged fraud by the PO and forced his partisan out of the polling place. The CEA-ops explained that he observed the counting and found that the requirement of reconciliation was fully met and that the CDC won the higher number of votes there. This polling place carried no more than 600 registered voters.

An official complaint relating to this case has been filed and the first hearing has been set for Wednesday, 16 November 2005 at the NEC Headquarters.

2. Results from polling place #1 at the Samuel T. Kun voting precinct (30127) in electoral district #11 have also been quarantined because the Record of the Count for the 2005 presidential run-off shows that votes count for Mr. George Weah of the CDC was tampered with and it is impossible to reconcile the ballots from the report submitted by the PO.

In my absence, the Assistant Magistrate and the CEA-ops called in the PO for questioning, but they reported that no sense could be drawn from his response as he was trembling during the investigation. The CEA-ops has already reported this to his authorities and said that he suspects fraud. See attached copy of the record of the count. This polling place carried no more than 500 registered voters.

Apart from these two cases the process of tallying is complete; and as soon as further instruction is received from the Board of commissioners, the orders will be followed accordingly and the results for the run-off declared without delay.
Recommendation

That the PO and other polling staff from polling place #1 at Samuel T. Kun (30127) be called in and jointly investigated by UNMIL and NEC Legal Sections. Findings from the investigation may help UNMIL effectively counteract the allegations that the electoral process favored a particular candidate.

That result from polling place #2 at the C.D.B. King voting precinct (30039) be considered for inclusion in the official tallying results. This should however be done only after sufficient media publicity of the facts relating to the unreasonable and unruly CDC PR’s behavior which happened to be the source of the CDC’s allegations of fraud against the PO.

Kind regards.
To Magistrate Lower Monsterrado  
Taweh Jonsson  

From: Assistance Magistrate  
Esther Barkon  

CC  
Chair Person  
NEC  

Dear Sir,  

Reference: Quarantine Box Center Number 30127 Polling Place 01  

This is to inform you that the above polling place has been quarantined. Information see below. A report has been sent to UNMIL – ED.  

Number of ballots received - 500  
Number of Unused ballot 169  
Discarded 01  
Number of ballots in the box 430  (Should be 330)  
Number of ballots taken from the box 380 (should be 330)  
Discrepancy 01 (Should be 50)  

Votes Obtained  
UP 97  
CDC 226 but changed to 276  
Total valid votes 324 (Should be 323 if he used 226 + 97, OR 373 if he used 276 + 97)  
Invalid votes 07  

Total Valid and invalid Votes 331 (but should be 330)  

Observation:  
Votes obtained by CDC was altered  
Discrepancy level 10%  
Upon questioning the presiding officer we still do not have a clear answer to the issue hence we request that the box be opened and recounted.  

Yours Faith fully  

Esther Barkon  
Assistant Magistrate
### Republic of Liberia
National Elections Commission

**Record of the Count**  
**Presidential Run-Off**

<table>
<thead>
<tr>
<th>County:</th>
<th>Montserrado</th>
<th>Electoral District Number:</th>
<th>11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voting Precinct Code:</td>
<td>31127</td>
<td>Voting Precinct Name:</td>
<td>Samuel J. Ria</td>
</tr>
<tr>
<td>Polling Place Number:</td>
<td>01</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### To be Completed Before Polling
- Ballot box seal numbers at the start of polling (side seals): 0007476, 0200417
- Number of ballots received: 500

#### To be Completed During Polling
- Number of additional ballots received during the day: —
- Number of ballots issued to another Polling Place: —

#### To be Completed After Polling Before Reconciliation
- Total number of ballots to be accounted for (I) plus (II) minus (III): 500
- Number of spoiled ballots (from spoiled ballot paper envelope): —
- Number of discarded ballots in the Polling Place (from discarded ballot paper envelope): —
- Number of unused ballot papers: —
- Total of 1 plus 2 plus 3: 500
- Number of ballot papers that should be in the ballot box (A minus B): 430
- Ballot box serial number at the end of Polling (slot seal): 0204831
- Number of ballot papers taken from the ballot box (D must match C): —
- Record the discrepancy between C and D: —

#### Name of the Presidential Candidate: JOHNSON-SIRLEAF, Ellen - Unity Party (UP)  
Votes Obtained: —97—

#### Name of the Presidential Candidate: WEAH, George Manneh - Congress for Democratic Change (CDC)  
Votes Obtained: —276—

#### Total of valid votes obtained: —324—
#### Total of invalid votes: —7—
#### Total of valid and invalid votes (F plus G): —331—

**Signature of Presiding Officer:**

**Name/Signature of Party/Candidate Represented:**
1. Reuben Williams
2. Alexander T. Seon
3. Yawuyin S. Sheriff (NACEM)

**Date:** 08 Nov 05

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**Date:** November 8, 2005
**Date:** November 8, 2005
**Date:** Nov. 8, 2005