



OFFICE OF THE CHAIRMAN

# Republic of Liberia NATIONAL ELECTIONS COMMISSION (NEC)

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## DECISION OF THE BOARD OF COMMISSIONERS

Decision Number: 2005 -059

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 Samuel T. Kun Voting Precinct 30127, Electoral District#11, Lower Montserrado County.

Reference: Attached Memorandum

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

Meeting Number: Number -59

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 to exclude from the Declaration of Results by the Election Magistrate the Record of the Count from Samuel T. Kun voting precinct #30127, Electoral District#11.

#### Commissioners in Support Of the Decision:

#### Commissioners Opposed to the Decision:


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

NATIONAL ELECTIONS COMMISSION  
(NEC)  
LOWER MONTSERRADO COUNTY  
BREWERVILLE CITY, VIRGINIA, LIBERIA

Office of the Magistrate

MEMORANDUM

TO : Cllr. James N. Gilayeneh, Sr.  
**Executive Director**

FROM : Taweh S. Johnson   
**Elections Magistrate/Lower Montserrado County**

CC : Cllr. Frances Johnson Morris  
**Chairman**

✓ Cllr. Joseph N. Blidi  
**Legal Counsel**

Mr. T. Ernest Kruah  
**Deputy Executive Director/Operations**

Mr. Ray Kennedy  
**UNMIL Electoral Director**

SUBJECT : **REPORT ON POLLING AND TALLYING ACTIVITIES OF  
THE 2005 PRESIDENTIAL RUN-OFF**

DATE : November 11, 2005

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 Montserrado 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. *Leigh*
  
- ✦ 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.



Republic of Liberia  
**NATIONAL ELECTIONS  
COMMISSION  
(NEC)**



To Magistrate Lower Monsterrado  
Taweh Johnson

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

 11/10/05

Esther Barkon  
Assistant Magistrate



Republic of Liberia  
National Elections Commission



Record of the Count  
Presidential Run-Off

County: Montserrado

Electoral District Number: 11

Voting Precinct Code: 30127

Voting Precinct Name: Samuel T. Kwa

Polling Place Number: 01

To be Completed Before Polling	
Ballot box seal numbers at the start of polling (side seals)	0000416, 0000417 0000418, 0000357
(i) Number of ballots received	500
To be Completed During Polling	
(ii) Number of additional ballots received during the day	—
(iii) 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)	A 500
1. Number of spoiled ballots (from spoiled ballot paper envelope)	—
2. Number of discarded ballots in the Polling Place (from discarded ballot paper envelope)	-1-
3. Number of unused ballot papers	-169-
Total of 1 plus 2 plus 3	B <del>170</del> - 170
Number of ballot papers that should be in the ballot box (A minus B)	C -430- 330
Ballot box seal number at the end of Polling (slot seal)	026408 1
To be Completed at the end of Reconciliation	
Number of ballot papers taken from the ballot box (D must match C)	D -380-
Record the discrepancy between C and D	E -1- 50

To be Completed After Counting the Votes for Candidates	
Name of the Presidential Candidate	Votes Obtained
JOHNSON-SIRLEAF, Ellen - Unity Party (UP)	-97-
WEAH, George Manneh - Congress for Democratic Change (CDC)	-276-

Total of valid votes obtained	F -324-
Total of invalid votes	G -7-
Total of valid and invalid votes (F plus G)	<331>

Signature of Presiding Officer: [Signature]  
Name/Signature of Party/Candidate Representative: Burphy V. Wheaton

Date: 08, NOV. 05

1. Seuben Williams [Signature]

Date: November 8, 2005

2. Alexander T. Seaman [Signature]

Date: November 8, 2005

3. Yamuyan S. Sheriff (NACEM)

Date: Nov. 8, 2005