Republic of Liberia

National Elections Commission

Voter Registration Regulations

August 12, 2016
Monrovia, Liberia
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Preamble

Whereas, Article 77 (b) of the January 6, 1986 Constitution of the Republic of Liberia provides that every Liberian citizen not less than 18 years of age shall have the right to be registered as a voter;

Whereas, Article 89 (b) of the January 6, 1986 Constitution of the Republic of Liberia established the National Elections Commission as an Autonomous Public Commission;

Whereas, Chapter 2, Section 9(g) of the 1986 New Elections Law further empowers the National Elections Commission to conduct all elections for elective public offices, including the chieftaincy election and all referenda and declare the results thereof;

Whereas, Chapter 2, Sections 9(h) of the 1986 New Elections Law further empowers the National Elections Commission to formulate and enforce electoral guidelines;

Whereas, Chapter 2, Section 9(k) of the 1986 New Elections Law, empowers the National Elections Commission to maintain a register of all qualified voters which shall be subject to inspection under the Law;

Whereas, Chapter 2, Section 24 of the 1986 New Elections Law, empowers the Magistrate of Elections to hear and determine objections of Voters Registration claims within his/her area of Jurisdiction;

Whereas, Chapter 3, Section 1 of the 1986 New Elections Law, empowers the National Elections Commission to issue regulations and to establish procedures for Voter Registration;

Whereas, Chapter 3, Section 1 (a) of the 1986 New Elections Law, empowers the National Elections Commission to carry out Voter Registration for eligible citizens and Voter Registration Update periodically;

Whereas, the National Elections Commission recognizes the vital need for an accurate and comprehensive register of eligible Liberian voters and, the need to prepare such a register that will include all qualified voters;

Whereas, the requirements of the above referenced legal provisions and instruments have been respected and the Elections Commission has been in full compliance with the same;

NOW THEREFORE, it is hereby promulgated as follows:
General Provisions

Article 1. Purpose and Citation
1.1. These Voter Registration Regulations establish the rules and procedures for conducting nation-wide Voter Registration of all eligible citizens residing in Liberia; thereby creating a Voter Registration Roll to be used for Elections and/or Referendum.
1.2. The National Elections Commission (NEC) shall decide and publicly announce the start and the end dates of the Voter Registration exercise.
1.3. The NEC shall publish the list of Voter Registration Center locations at least two weeks prior to the commencement of the Voter Registration exercise.
1.4. These Regulations shall be cited as “Voter Registration Regulations” and shall come into force and effect on the date of its publication.

Article 2. Definitions
In this Voter Registration Regulations, unless context otherwise requires:

a) “Applicant” means a person arriving in the Voter Registration Center to be registered.

b) “BOC” means Board of Commissioners of the NEC.

c) “Claim” is a written application for registration as a voter or an application for the correction, inclusion or objection to the inclusion of name/s appearing on the Voters Registration Roll;


e) “Final Registration Roll (FRR)” means the final list of registered voters certified by the NEC which is kept in the form prescribed by the NEC that contains the photo, family name, given name, residence and sex of each voter.

f) “Liberian Traditional Leader” is an elder or eminent citizen recognized by his/her people within community;

g) “Magistrate of Elections” means an election officer representing the National Elections Commission in the area of his appointment to perform such duties and functions, prescribed under the supervision and direction of the NEC.

h) “NEC” means the National Elections Commission.

i) “Political Party” means an association that has been duly registered with the NEC having a membership of not less than five hundred qualified voters in each of at least six counties of Liberia and whose activities include canvassing for votes on any public issue or in support of a candidate for elective public office.

j) “Provisional Registration Roll” means the list of registered voters which contains particulars of voters registered in Registration Centers during Voters Registration Period, which list is not certified by the NEC as the Final Registration Roll.

k) “Registrar” means the person appointed by the NEC who will manage and be responsible for the activities of a team of Registration officers at a Registration Center.
l) "Registration Card" means the identification card issued by the NEC to each voter after his/her name has been entered on the Registration Roll entitling the voter to vote during an election.

m) "Registration Center" means a place designated by the NEC where voters are registered.

n) "Representative" means a person representing an association or organization accredited by the NEC to observe the Voter Registration process.

o) "Voter Registration Period" means a period of time designated by the NEC for the registration of voters.

p) "Voter Registration" means an exercise conducted by the NEC to register eligible citizens who are 18 years or older; thereby giving them the opportunity to exercise their right to vote as provided for in the 1986 Constitution of Liberia, the 1986 New Elections Law, Chapter 3 and these regulations;

Article 3. Eligibility (who may register)

3.1. A Liberian citizen who has attained the age of 18 years or older, may register as a voter except one who has been judicially declared to be incompetent, or of unsound mind, or who has been disenfranchised as a result of a conviction of an infamous crime and has not been restored to citizenship.

3.2. A person must register to vote at the Voter Registration center established by the NEC for the place where he or she ordinarily resides.

3.3. No person shall be allowed to register more than once during a Registration Period.

Registration Centers

Article 4. Registration Centers.

4.1. The NEC may establish Registration Centers wherever it deems necessary.

4.2. A Registration center is managed by the Registrar and is operated by a team of Registration Officers appointed by the NEC.

4.3. The NEC shall use all possible means to inform the public about the locations of Registration Centers through publication including, but not limited to, print media, electronic broadcasting and the usage of other printed materials in local communities.

4.4. There shall be no political propaganda, debate or display of political materials inside the Registration Center or within immediate vicinity of the Registration Center.

4.5. The location and arrangement of Voter Registration Centers shall, to the extent reasonable and practical, be accessible to all eligible citizens including those with disabilities.
Article 5. Registration Staff

5.1. In appointing registration staff pursuant to Section 2.25 of the New Elections Law, the NEC shall ensure that every registration staff subscribes to, and signs an oath of affirmation in the prescribed form to faithfully perform the duties under the Law without partiality, fear or favor.

5.2. No person who is a political party member/representative, candidate for election, member of the National Legislature, or an executive appointee shall be appointed as a registration staff.

5.3. No persons shall be appointed as a registration staff if he/she has not satisfactorily completed the NEC Voter Registration training requirements.

5.4. The Registrar is responsible for managing the Registration Center. He/she shall maintain order at the Registration Center and shall regulate the number of applicants to be admitted inside the Registration Center at a time.

5.5. The Registrar may order any person to leave the registration center if it is established that there is a breach of any of the provisions of these Regulations, and/or for obstruction to the Voter Registration process.

5.6. Any person, who fails to leave the registration center when so ordered for breaching any of these regulations and/or for obstructing the Voter Registration process, shall be deemed to have committed an election offence and may, by order of the Registrar, be removed from the Registration Center with the aid of any law enforcement officer or security assigned to the center.

5.7. The Powers conferred by this section shall, as far as possible, not be exercised to prevent a qualified applicant from having an opportunity to register.

5.8. Registration staff shall give preference to physically challenged persons, the elderly and pregnant women at the Registration Centers.

Registration Process

Article 6. Registration process

6.1. If a Registrar has no reason to doubt that an applicant meets the legal criteria for registration, he/she shall register the applicant and issue a Registration Card.

6.2. If a Registrar has doubt that an applicant meets the legal criteria for registration, he/she shall request proof of eligibility.

6.3. Applicant may provide proof of his/her eligibility through one of the following:
   a) A valid Liberian Passport;
   b) Voter registration card previously issued by NEC;
   c) The sworn testimony by two other registered voters who shall appear in person before the Registrar and confirm the applicant's eligibility to register;
   d) Confirmation by a Liberian traditional leader who shall appear before the Registrar and confirm the applicant's eligibility to register;
   e) A birth certificate;
   f) A certificate of naturalization.
Article 7. Rejection of the Applicant

7.1. If the proof of eligibility does not meet the legal criteria for registration, the Registrar shall issue the applicant a notice of rejection in a prescribed form stating reasons for the rejection and informing the applicant of his/her right to appeal against the rejection.

7.2. The Registrar shall maintain a record showing the names and other particulars of every applicant whose application for registration has been rejected.

Article 8. Appeals against Rejection

8.1. Any person who is aggrieved by a rejection of the Registrar may appeal to the Magistrate of Elections by filling an appeal form, no later than 48 hours after the rejection.

8.2. Appeal must be submitted in writing to the office of the Magistrate in person by a rejected applicant.

8.3. If the Magistrate determines that the appeal has merit, a voter’s card shall be issued to the applicant as provided for in these regulations.

8.4. A record shall be kept of all appeals that are accepted or rejected by the Magistrate of Elections.

8.5. The decision of the Magistrate of Elections on all appeals may be posted at the office of the Magistrate of Elections and/or by notifying the applicant as provided for under section 1.5 of the New Elections Law of 1986.

8.6. Any person who wishes to appeal the decision of the Elections Magistrate may do so to the Board of Commissioners not later than 48 hours after such decision.

8.7. Any person aggrieved by a decision of the Board of Commissioners may appeal the matter to the Supreme Court not later than seven (7) days after the decision is rendered.

Exhibition Period

Article 9. Exhibition of the Provisional Registration Roll

9.1. Provisional Registration Roll shall be printed separately for each registration center, containing data on voter’s identification number, name, age, gender, photograph and residence.

9.2. Provisional Registration Roll shall be available for public inspection during the exhibition period at each Registration Center, and the dates for the exhibition shall be announced at least two weeks prior to the starting date.

9.3. The NEC shall encourage registrants and other interested stakeholders to verify their particulars on the exhibited Provisional Registration Roll.
**Article 10. Corrections, Claims and Objections during the exhibition period**

10.1. Correction, claim for inclusion or objection to the provisional registration roll can be made only during the Exhibition Period.

10.2. Only individuals with valid Registration Cards/receipts may make claim for inclusion of their names on the Registration Roll or correction thereof during the Exhibition Period.

10.3. Only registered voters with valid registration cards, registered political parties and/or accredited Civil Society Organizations may make an objection for the inclusion of another registered person(s) on the Registration Roll during the exhibition period.

10.4. All claims and objections shall be made on the forms prescribed by the NEC and such forms shall be available at various Registration Centers during the Exhibition Period.

**Article 11. Determination of Claims for inclusion and correction**

11.1. Determination of claims for inclusions and corrections shall be made by the Registrar at the time the claim is made.

11.2. If the Registrar determines that the claim for inclusion or correction is valid, such determination shall be transmitted to the Magistrate of Elections who will send the decision to the NEC for inclusion or correction.

11.3. If the Registrar determines that the claim for inclusion or correction is invalid, the decision should be posted at the Registration Center during the Exhibition period.

**Article 12. Period for Determination of Objections**

12.1. Objections are received at the Registration Center by the Registrar during the exhibition period and forwarded to the Magistrate of Elections for determination.

12.2. The determination of objections shall be made by the Magistrate of Elections at the magistrate office during the period for the Determination of Objection which shall be announced and posted at the magisterial office.

**Article 13. Objection Hearing**

13.1. An Objector shall appear in person at the Magistrate office during the Determination Period as published for the hearing.

13.2. The Magistrate of Elections shall notify the person objected to about the objection by notifying him/her as provided for under Section 1.5 of the New Elections Law of 1986 relating to Service.

13.3. An Objector shall bear the burden of proof, and must provide evidence to prove his/her claim of objection during the hearing.

13.4. The person objected to shall then have the opportunity to refute the Objection or offer evidence to the contrary.

13.5. In the event that one or both of the parties are not present, the Magistrate upon proof of service shall proceed with the determination of the objection.
13.6. All objection determinations shall be made by the Magistrate within the Objection Determination Period.

**Article 14. Determination of Objections**

14.1. If the Magistrate of Elections determines that the objection is not valid, the reasons for the Magistrate’s determination to deny the objection shall be made available to the objector and recorded in the prescribed form and the voter in question shall remain on the Provisional Registration Roll.

14.2. If the Magistrate of Elections determines that the objection is valid:

   a) The reasons for the Magistrate’s determination shall be recorded in the prescribed form;
   b) The person objected to shall be informed in person if present, or with public notice if absent, that his/her name will be removed from the voters list and that he/she is entitled to appeal the Magistrate’s decision;
   c) Decision of the Magistrate to exclude an individual’s name from the Provisional Registration Roll shall be posted at the magisterial office concerned;
   d) Voter’s data shall be excluded from the Registration Roll, if in possession of Registration card, said card shall be cancelled, retrieved and/or retained until all appeals shall have been exhausted;

**Appeals**

**Article 15. Appeals**

15.1. Any person not satisfied with the decision and/or affected by a determination of the Magistrate of Elections may appeal such decision to the Board of Commissioners within 48 hours of the determination.

15.2. Decision of the Board of Commissioners may be appealed to the Supreme Court no later than 7 days after the Board of Commissioners renders its decision.

**Article 16. Card Replacement**

16.1. The NEC may announce Replacement Period for those who have lost or damaged their registration cards.

16.2. Application for card replacement shall be processed during the Replacement Period and, the applicant must appear in person at the designated Replacement Centers or at the office of the Magistrate of Elections.

16.3. Only the voter whose record appears on the Registration Roll may apply for replacement.

16.4. All replacement of voter registration cards shall be done not later than 90 days before an ensuing election.
Persons Allowed in the Registration Centers

Article 17. Persons allowed in Registration Centers

17.1. Representatives/observers of registered political parties, candidates, associations, media or organizations accredited by the NEC may observe the Registration Process in the Registration Centers. No more than one accredited observer representing an association or organization may be present in the Registration Center at the same time. Representatives shall fully abide by their respective Code of Conduct issued by the NEC.

17.4. Special guests accredited by NEC may observe the Registration Process.

Article 18. Rights of Representatives/Observers

18.1. Every representative/observer accredited may only observe the Registration Exercise carried out by the Registration staff at the Registration Center or office of the Magistrate of Elections for which he or she is accredited.

18.2. Representatives/observers shall not interfere with the Voter Registration Exercise in any manner or form.

18.3. Representative/observer who violates his/her duties and obligations under these Regulations and other relevant laws shall be ordered by the Registrar to leave the Registration Center.

18.4. Representatives/observers in a Registration Center shall not make any remark or act in any manner that seeks to obstruct/dissuade others from registering while at the Voter Registration Center.

18.5. Representatives shall not display anything which identifies them as representatives of a particular political party except the NEC accreditation card. Only observers and Media representatives may wear additional identification issued by their organizations.

18.6. Every representative/observer shall display the accreditation card issued by the NEC. If required, the Registrar may request the representative/observer to produce an additional identity.

18.7. Every accredited representative/observer shall abide by the Constitution of Liberia, New Elections Law, Guidelines and all other relevant laws, including the relevant code of conduct.

18.8. Space considerations and the need to maintain the orderly flow of applicants may limit the number of representatives/observers that can be allowed at any one time in a Registration Center.

18.9. Representatives/observers shall not use camera inside the Registration Center and shall ensure the privacy and secrecy of the registrants’ data.

Article 19. Accreditation

19.1. An observer organization, political party or a media institution desiring to observe the Registration Process shall nominate its representatives and submit the list to the NEC Headquarters or the Magistrate Office not later than 25 days prior to the beginning of the Registration Process.
19.2. Representative/observer shall sign a pledge to respect and uphold codes of conduct for observers, political parties or media.

19.3. International organization shall submit request for accreditation accompanied by a copy of proof of registration in the country of origin or instrument establishing the organization, or a letter signed by the head of the international organization's election observation mission, stating that one of the primary activities of the international organization is election observation.

19.4. Application forms for accreditation shall be free-of-charge and made available at the NEC Headquarters in Monrovia, on the NEC website, and/or at the offices of the Magistrates.

19.5. The NEC Headquarters or the Magistrate offices shall issue the accreditation cards to the selected organizations to be used by their representatives/observers.

19.6. Magistrates of Elections shall submit to the NEC Headquarters the list of all accredited representatives/observers in their respective areas of jurisdiction.

19.7. A registered organization may at any time during the accreditation period and with written notice to NEC or the Magistrate of Elections revoke the nomination of any of its representatives and replace same as provided for under this section.

19.8. The NEC may decline to issue accreditation cards to any organization or specific representatives/observers for cause. Such decision may be appealed to the Supreme Court of Liberia within 7 days after the decision has been rendered to the applicant organization.

19.9. The NEC may revoke the accreditation of an organization and/or its appointed representative/observer upon a determination that the representative or organization has:

a) Failed to comply with a lawful instruction, direction or order issued by or on behalf of the NEC;

b) Demonstrated a bias in favor of a particular political party;

c) Hindered or obstructed any official of the NEC in the conduct of his/her duties; or

d) Violated any portion of the Elections Law, these Regulations and/or the Code of Conduct.

**Article 20. Security inside the Registration Centers**

20.1. Assigned state security officers shall be allowed at the Registration Centers to ensure a secure environment free from violence, intimidation, and obstruction or campaigning.

20.2. Assigned state security officers shall enter or remain in the Registration Center only if requested by the Registrar.

20.3. While inside the Registration Center or office of the Magistrate of Elections, security officers shall be subject to the instruction of the Registrar or Magistrate.
Final Registration Roll

Article 21. Registration Roll Cleanup
21.1. If NEC suspects inaccuracies before the certification of the Final Registration Roll, NEC shall initiate internal investigation to remove fraudulent entries on the Registration Roll, following due process.

21.2. When the name of the same voter appears on the Registration Roll more than once, the NEC shall remove multiple name entries to leave only one name.

Article 22. Final Registration Roll
22.1. NEC shall certify the Final Registration Roll and print one copy for each polling place.

22.2. Copies of the certified Final Registration Roll shall be the Registration Roll for all polling places and shall remain in force until rendered invalid by subsequent certified Registration Rolls.

22.3. The NEC shall make a copy of the certified Final Registration Roll available at the office of the Magistrate of Elections for viewing during ordinary business hours.

22.4. The NEC shall make electronic copies of the certified Registration Roll available at Headquarters to electoral stakeholders upon request.

22.5. No certified Final Registration Roll shall be altered within a period of thirty (30) days immediately prior to an election, including Election Day or Referendum, except upon orders of the Supreme Court of Liberia on the determination of a manifest error.

Article 23. Mismomer
23.1. No mismomer or inaccurate description of any person or place in any notice, Registration Roll, list of claims or objections, shall prejudice the operation of that document with respect to that person in any case where the description of the person or place is such as to be commonly understood.

Offences Related to Registration Process

Article 24. Fraudulent Registration
24.1. The following acts constitute election offences during the Voters Registration process and are punishable as provided for under Chapter 10, Section 10.2(1) of the 1986 New Elections Law:

a) Making a false statement to an Elections Officer at any point during the voter Registration process, including a statement on the residence of voter;

b) Impersonating when applying to register to vote;

c) Registering or attempting to register more than once during the Voter Registration process;

d) Registering when under 18 years old or not a citizen of Liberia;

e) Any other fraudulent act relating to Voter Registration.
Article 25. Offences Related to Registration Card

Article 25.1. Any person who does any of the following acts shall be guilty of an election offense and punishable as provided for under Chapter 10, Section 10.2 (2) of the 1986 New Elections Law:
   a) Unauthorized printing or distributing any Registration Card;
   b) Altering any registration card;
   c) Selling or buying of Voter Registration Card;
   d) Using or attempting to use at any election, a registration card issued to another voter.

Article 26. Offences during Exhibition Period

26.1. Any person who willfully makes a false statement in any objection to registration, a claim or to any name on a registration roll, or who willfully makes a false statement in any registration claim, application, return or declaration, or who signs as the claimant on a claim to register as a voter in the name of any other person, is guilty of an election offense and punishable as provided for under Chapter Section 10.2(1) of the 1986 New Elections Law.

26.2. Any person who induces a claimant for registration to give him custody of a signed claim for registration for transmission to the appropriate registrar or who accepts such custody upon request and fails to transmit such claim to the appropriate registrar without just cause, is guilty of an election offense and punishable as provided for under Chapter 10, Section 10.1 of the 1986 New Elections Law.

Article 27. False Witness

27.1. Any person who witnesses the claim of a claimant for registration or of an application of an applicant to substitute a statement or qualification, without being personally acquainted with the truth of the statement contained in the claim or application or without satisfying him/herself by inquiring from the claimant or applicant or otherwise that the statements contained in the claim or application are true, is guilty of an election offense and punishable as provided for under Chapter 10, Section 10.2(1) of the 1986 New Elections Law:

Amendments and Entry into Force

Article 28. Amendments

28.1. These Regulations may be amended or revised at any time and published by the NEC. All Amendments and revisions shall become effective upon publication.

Article 29. Entry into Force

29.1. These Regulations shall come into force upon publication by the NEC and shall be binding on all citizens, political parties, candidates, alliances and coalition of Liberia.
Approval of Voter Registration Regulations:


Signed:

Boakai Amadu Dukuly
COMMISSIONER

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