Liberia:
Refugees and Internally Displaced Persons in the October 2005 Elections

Participatory Elections Project (PEP)

Action Plan III

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Executive Summary

This IOM/PEP Action Plan identifies issues surrounding the participation of refugees and internally displaced persons (IDPs) in the 2005 Liberian elections. The Plan provides an overview of the main actors and recommends a framework to ensure that these conflict-forced migrants are fully integrated into the voter registration and balloting process, whether they remain displaced at the time of the election or have recently returned to their home communities.

Out of a total population of three million persons, between 400,000 and 600,000 Liberians are internally displaced and another 200,000 to 300,000 remain as refugees in third-states. If the high-end estimates are accurate, potentially 30% of the Liberian electorate is currently in some form of conflict-forced displacement.

Planning must begin now to incorporate this population into the election process. Specific programmatic recommendations, however, must address a number of issues, including: 1) The inability to predict population movements over the next 18 months; 2) The varying levels of access to information about the peace and elections process; 3) The refusal of some neighboring states to allow elections-related activity in their territories; and 4) Statutory and constitutional issues, which include the electoral formula and documentation problems.

The objective of the Action Plan is to identify processes by which refugees and IDPs can register and cast ballots in the upcoming elections while protecting them in residence and in movement before, during and after the elections. It is not designed to provide a detailed operational plan. Instead, we highlight early interventions and suggest possible programs to ensure that the overall election framework addresses the complexities of displaced voting.

First, a Refugee/IDP Elections Working Group (REWG) or focal point should be established to work with the National Elections Commission to develop a strategy for the participation of refugees and IDPs in the electoral process. The REWG would be charged with: 1) Monitoring political developments and population movements until registration begins; 2) Developing operational plans, in conjunction with the National Elections Commission, the Ministry of Internal Affairs, UN agencies and others for registration of the displaced, including contingencies for different movement scenarios; 3) Fostering discussions on the Guiding Principles on Internal Displacement and their relationship to free and fair elections; and 4) Finding donors and facilitating democracy sensitization programs for displaced populations and sponsoring capacity building workshops for journalists.

Second, the international community should encourage both Côte d'Ivoire and Guinea to allow Liberian registration and election activities to occur within their territory. The experiences of previous elections that included refugee voting-in-asylum (Bosnia,

Kosovo, East Timor) can be used to demonstrate the utility of these programs and convince the governments that fears of election related insecurity are overstated. In addition, donor states might find this process a unique opportunity to strengthen the commitments of these governments vis-à-vis their own democratization processes.

Third, a voter registration process will need to be conducted. In an ideal environment, voter registration could be linked to a country-wide civil registration process. Unfortunately, the technical, infrastructure and funding requirements of civil registration make this option unlikely. Election organizers will therefore need to organize voter-registration that accounts for displaced populations and can accommodate movements and returns leading up to Election Day. For refugees in the neighboring states, border stations should be established for temporary returnees and programs for facilitated movement coordinated with UNHCR or IOM. All IDP camps should be provided designated registration stations. For non-camp IDPs, all regular registration centers should be trained and equipped to register displaced voters who wish to cast their ballot for their district of origin. Election organizers must allow sufficient time between the close of registration and Election Day to calculate which ballots will be needed at which polling station, and ensure sufficient time to transport these ballots.

A related issue is ensuring that only those who qualify for Liberian citizenship and meet other eligibility requirements are registered. Given the wide scale lack of documents, some form of social validation of voter eligibility will be required. Election organizers should consider combining social validation with officially-issued ration-cards issued by humanitarian agencies. While these documents are not particularly secure, they could be listed as a secondary proof of eligibility in the election law.

Fourth, a mechanism must be in place to account for displaced populations during the delimitation of electoral districts. If the electoral formula will utilize sub-national districts, relying on repatriations will present a technical challenge. This suggests that either registration should be finished several months prior to Election Day or that an alternate program for constituency apportionment be in place.

Fifth, the Liberian government should be encouraged to publicly adopt, implement, and disseminate the Guiding Principles on Internal Displacement as a core component of its legislative and elections framework. The NEC, with the support of its international partners, should also commit to observing the Principles in all phases of election planning. The election law should contain a clause referencing the Principles as a basis on which the election will be conducted.

Finally, displaced Liberians need to be provided comprehensive information on electoral process and political party platform information. A constellation of governmental and NGO actors should be engaged to conduct education and training on election process information, and the NEC should organize a "political party pact" stipulating that parties will not campaign coercively within organized displaced communities and not intimidate or manipulate voters.

The Plan is organized in four parts. Part 1 provides basic background information on the Liberian Peace process, the imperatives for refugee and IDP inclusion in elections, and discusses Liberia's last elections, in which refugees were almost entirely excluded from the elections process. Part 2 provides an overview of the nature and scale of displacement in Liberia, including an overview of various refugee populations in the neighboring states. Part 3 discusses the key obstacles to refugee and IDP participation. Part 4 suggests and number of interventions and donor sponsored programs to ensure that Liberia's displaced are provided equitable access to the election process. The proposals are based on field visits and consultations with refugees, IDPs, NGOs, UN Agencies, and the Liberian government conducted during a two week assessment to Liberia and Guinea during March, 2004.

Acronyms and Organizations

ARC	American Refugee Committee
AU	African Union
BCR	Bureaux de Coordination des Refugies - Guinea
BNCR	Bureau National de Coordination des Refugies - Guinea
CFM	Conflict Forced Migrant
CSO	Civil Society Organization
CVT	Center for Victims of Torture
DDRR	Disarmament, Demobilization, Rehabilitation, and Reintegration
ECOMOG	ECOWAS Monitoring Group
ECOWAS	Economic Community of West African States
EMB	Election Management Body
EU	European Union
FIND	Foundation for International Dignity
HIC	Humanitarian Information Center
ICCPR	International Covenant on Civil and Political Rights
IDP	Internally Displaced Person
IFES	International Foundation for Election Systems
IOM	International Organization for Migration
IECOM	Independent Election Commission (1997)
IRC	International Rescue Committee
LRRRC	Liberia Refugee Repatriation and Resettlement Commission
LURD	Liberians United for Reconciliation and Democracy
MODEL	Movement for Democracy in Liberia
MoU	Memorandum of Understanding
NEC	National Elections Commission
NTGL	National Transitional Government of Liberia
NTLA	National Transitional Legislative Assembly
OCHA	Office for the Coordination of Humanitarian Affairs
PEP	Participatory Elections Project
PMF	Potential Movement Form
PR	Proportional Representation
PUL	Press Union of Liberia
RPG	Refugee Policy Group
REWG	Refugee Elections Working Group
SCG	Search for Common Ground
SMC	Single Member Constituency
SRSG	Special Representative of the Secretary General
UDHR	Universal Declaration of Human Rights
UNAMISL	United Nations Assistance Mission in Sierra Leone
UNDP	UN Development Program
UNHCR	UN High Commissioner for Refugees
UNICEF	UN International Children's Emergency Fund
UNMIL	UN Mission in Liberia
USAID	United States Agency for International Development
USCR	US Committee for Refugees
WFP	World Food Program
ZAR	Zone d'Accueil des Refugies

Part I: Background

Introduction

This IOM/PEP Action Plan identifies issues surrounding the participation of refugees and internally displaced persons (IDPs) in the 2005 Liberian elections. The Plan provides and overview of the main actors and recommends a framework to ensure that these conflict-forced migrants are fully integrated into the voter registration and balloting process, whether they remain displaced at the time of the election or have recently returned to their home communities.

Out of a total population of three million persons, between 400,000 and 600,000 Liberians are internally displaced and another 200,000 to 300,000 remain as refugees in third-states. The largest IDP concentrations are in Monrovia (200,000 in camps and another 200,000 accommodated by residents) and Bong County (106,000). The largest known refugee populations are in Guinea (100,000 to 150,000), Sierra Leone (50,000) Ivory Coast (50,000), and Ghana (30,000). An additional 20,000 Liberians are believed to reside in the United States. If the high-end estimates are accurate, potentially 30% of the Liberian electorate is currently in some form of conflict-forced displacement.

Under the terms of the August 2003 "Accra Agreement,"[1] Liberia will conduct national elections no later than October 2005. The rationale for completing an Action Plan at this point rests on the recognition that the elections process offers an opportunity to facilitate the repatriation and reintegration of a traumatized, but dynamic segment of the Liberian population. However, the unpredictable nature of population movements over the next 18 months will make planning for refugee and IDP voting problematic. Early interventions and technical assistance will be required if the displaced are to participate fully in the elections.

Enfranchising Liberia's displaced involves overcoming several sets of issues: First, developing a comprehensive overview of refugee/IDP locations and conditions and determining the available databases that can be used to register and track population movements; Second, providing the resources and technical skills necessary to build a national registration and election framework that accounts for the political rights of the displaced; Third, proposing strategies to the National Elections Commission (NEC), Liberian stakeholders and the international community to ensure that refugees and IDPs are provided opportunities to participate under conditions that meet criteria for free and fair elections, including secure, transparent, informed, and secret balloting;[2] Finally, developing an *ad hoc* constellation of political parties, civil society organizations (CSOs),

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[1] *Comprehensive Peace Agreement Between the Government of Liberia and the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) and Political Parties.* Available at: http://www.usip.org/library/pa/liberia/liberia_08182003_toc.html. Hereafter "The Agreement"

[2] See Elkit, Jørgen and Palle Svensson. 2001. "What Makes Elections Free and Fair?" *The Global Divergence of Democracies.* Baltimore: Johns Hopkins University Press. 200.

and donors to implement programs to ensure that the displaced are provided with information and opportunities for full enfranchisement.

Conflict-forced Migrants and Elections

Post-conflict elections provide an opportunity for warring parties to resolve their differences at the ballot box rather than on the battlefield. [3] However, these elections are also complex and delicate affairs, requiring careful planning and highly transparent procedures to ensure that all parties perceive the process as genuine. Irregularities in the voting can heighten suspicions and lead to a resumption of hostilities.

Unfortunately, conflict-forced migrants (CFM), including refugees, asylum seekers, and IDPs, are frequently excluded from post-conflict elections. The denial of franchise to these populations violates fundamental human rights norms and weakens the reconciliation value of the elections. [4] If properly organized, CFM enfranchisement can support the broader objectives of reconstruction and reconciliation. Their inclusion provides a political voice to those displaced by violence and human rights abuses, weakening the electoral prospects of those who use forcible displacement as a political tool. Electoral participation can also re-establish the link between the displaced and their home communities, preparing the way for their eventual return and reintegration. [5] Finally, elections provide an opportunity to establish communications among displaced communities so that there is visibility, transparency, and confidence in the election outcome. Taken together, these outcomes contribute to the value of the elections as one component of a larger peace-building process.

At the same time, mechanisms to ensure displaced enfranchisement can have unintended consequences that open avenues for electoral coercion and fraud. First, CFMs often rely on either governments or militias to protect their security, meet their survival needs, and maintain their legal status. As a result, CFM voters should be considered "subject voters" in that their capacity to make free political choices is compromised by this dependence. This necessitates 1) close coordination and cooperation with neighboring states, which may have preferred candidates and interests; 2) fully observed and transparent registration and balloting in refugee and IDP camps to ensure that the vote is not manipulated, and 3) guarantees of free access to election-related information and ballot secrecy.

Second, the mechanics of CFM registration and balloting can open a number of windows for electoral fraud, including potential double voting and problems with guaranteeing observer access to registration and polling stations. If handled correctly, the registration

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[3] For an overview of the unique considerations and issues surrounding post-conflict elections and their reconciliation value, see: United States Agency for International Development, Center for Development Information and Evaluation. 1997."From Bullets to Ballots," From Bullets to Ballots: Electoral Assistance to Postconflict Societies (Synthesis Report)," Available at: http://www.dec.org/usaid_eval

[4] For an analysis of the basic human rights norms related to political participation and conflict-forced migrants, see Jeremy Grace. "The Electoral Rights of Conflict Forced Migrants: A Review of Relevant Legal Norms and Instruments." Available at http://www.iom.int/pep/Review_of_Legal_Final.pdf.

[5] See PEP Angola Action Plan. Available at http://www.iom.int/pep/angola_action_plan_1.pdf.

process can mitigate many of these concerns, and can even represent a first link between the displaced and their home community. If not conducted properly, however, the registration of those displaced can jeopardize the legitimacy of the election outcome.

Finally, CFM voting faces a number of technical and political issues that consistently work against full participation. In the case of Liberia, the premier issue is the unpredictable scale of possible returns prior to Election Day. The Republic of Guinea has consistently refused to allow the election activities of neighboring states to occur in its territory. This refusal (first in 1997 and later in the 2002 Sierra Leone elections) leaves repatriation as the only viable option for refugee participation. It also makes it difficult for voters to fully comprehend the platforms and policies of various political candidates.

In an ideal environment, voting would occur in the refugee host-state. While the Liberian authorities and the international community should certainly open the issue for discussion with neighboring states, this action plan assumes that absentee voting (at least in Guinea) is not an option.

A related problem stems from the current anarchy in neighboring Cote d'Ivoire, where the deteriorating security situation makes it unlikely that a voting-in-asylum program could be established. The lack of central government control, combined with wide-scale and untracked movements of Liberian refugees in the *Zone d'Acceuil des Refugies* (ZAR) will make it exceedingly difficult to carry out comprehensive registration and polling activities.

Overview of the 1997 Elections in Liberia

Liberia last held elections in July 1997. Despite an initially strong commitment refugee voting, very few refugees were able to participate. Internally displaced populations, on the other hand, were generally provided access to the ballot.

The Refugee Policy Group (RPG), an *ad hoc* team funded by the International Foundation for Election Systems (IFES) and the United Nations High Commission for Refugees (UNHCR), and housed at the Brookings Institution, conducted field-studies leading up to the 1997 election and a comprehensive post-mortem, explaining why the refugee voting failed.[6] Building on this work, IOM/PEP produced a case study on the 1997 Liberian elections as part of its efforts to better understand the complexities of refugee and IDP voting and to propose guidelines and standards for CFM enfranchisement.[7]

These studies identified a number of problems. Most importantly, opposition from neighboring states prompted the Liberian Independent Election Commission (IECOM) to decide against voting in asylum. According to the RPG, "The Ivorian and Guinean

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[6] See Farr et al., "Refugees in Elections: The Liberian Experience," Refugee Policy Group, August 1997. and Mauro de Lorenzo et al., "Field Report: Refugee Repatriation and Electoral Participation in Liberia," Refugee Policy Group, June 1997.

[7] Case study documents are available through IOM/PEP at http://www.iom.int/pep/liberia.htm

governments … refused on grounds that Liberian political activities on their soil would destabilize their countries."[8] This perspective was restated several times by the Guinean government during the current assessment. Other observers added that both governments believed that the best hope for peace in Liberia was a commanding electoral victory for Charles Taylor. Since it was widely assumed that the refugees would vote against Taylor, both governments sought to limit their participation.[9]

Once it became clear that no registration or voting would occur in asylum, the only mechanism for refugee participation was through either permanent repatriation or two temporary returns to Liberia – once to register and once to vote. While sporadic repatriations continued in the months leading up to the election, predicted large-scale returns never materialized; Security remained poor, and much of the country lacked the economic and social infrastructure to support permanent repatriation.

The only remaining option was for temporary return. The single national district adopted by IECOM made this a realistic and feasible strategy, as refugees were not required to return to their home communities to participate, but only to the nearest registration and polling station to their country of asylum.[10] As one report notes: "This decision [also] allowed Liberia to defer the difficult process of conducting a census and redistricting, but it was never understood by many Liberians."[11]

However, a number of obstacles prevented refugees from taking advantage of this option. The following points summarize the main problems, as identified by RPG:[12]

- *Access to Impartial Voter Information and Education.* Guinea and Côte d'Ivoire both prohibited political campaigning on their territory. High rates of illiteracy and misinformation contributed to a lack of understanding of the refugee's electoral rights. Limited access to imbalanced information about the electoral process prevented refugee participation under conditions of full knowledge about election processes or platforms;

- *Security.* Refugees in Guinea were strongly suspicious of Economic Community of West African States (ECOWAS) Monitoring Group's (ECOMOG) ability to protect them if they crossed into Liberia on Election Day. This does not appear to have been an important factor in the Ivory Coast, where the border was better secured;

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[8] Farr et al., "Refugees in Elections: The Liberian Experience," Refugee Policy Group, August 1997. and Mauro de Lorenzo et al., "Field Report: Refugee Repatriation and Electoral Participation in Liberia," Refugee Policy Group, June 1997.

[9] Congress, House of Representatives, Subcommittee on Africa of the Committee on International Relations, *The Liberian Elections: A New Hope?,* 105th Cong., 1st sess., 24 June 1997, available from http://commdocs.house.gov/committees/intlrel/hfa43195.000/hfa43195_0.htm

[10] Voters were required to register and vote at the same location.

[11] Lyons, Terrence. 1998. "Peace and Elections in Liberia." *Postconflict Elections, Democratization & International Assistance.* Boulder: Lynne Reinner Publishers. 182.

[12] Refugee Policy Group, "Refugees in Elections: The Liberian Experience," (August 1997) 16-17.

- *Border Closings and Control.* Guinea formally closed its borders with Liberia the night before the election. The Guinean military also reinforced patrols along the border region and apprehended persons crossing the border unofficially. In Côte d'Ivoire, rumors circulated that similar actions would be taken. Following several days of active lobbying by the UNHCR, however, the government decided to allow the borders to remain open and even allowed refugees to cross at several unofficial stations.

- *Transportation.* The cost of making the trip worked against any significant numbers of refugee returns on Election Day. Moreover, refugees in Guinea who had managed to return prior to the border closing found themselves unable to return to Guinea after the election. Guinean officials explained that if refugees returned home to vote, they must feel secure enough to stay permanently.

- *Election Technical Issues.* Many refugees did not understand the voter eligibility requirements, and rumors circulated that those outside the country were ineligible. In addition, many voters were unsure which documents would be accepted as proof of identity or eligibility. While the electoral code allowed for "social documentation," this option was not widely known among refugee populations;

- *Electoral Timeframe.* July is a particularly busy season in the agricultural cycle of the region and the time necessary to travel to Liberia prevented many farmers from participating. The school year was also in session at the time of the election, prompting many parents not to make the trip.

- *Fear of political association.* Refugees feared that participating in the election would be interpreted by host-state authorities as signaling support or opposition to a particular party.

- *Loss of refugee status.* Many refugees, particularly in Guinea, believed that participating in the election would cause them to lose their refugee status. Lack of information contributed to this perception.

Data on IDP participation is not available, although since the election employed a single national district, it is assumed that most IDPs were able to register and vote in their current place of residence. Liberians in the camps, however, complained of an almost total lack of information on the election process. As a result, many IDPs were under the impression that Taylor's party knew how they were voting and/or that IDPs were offered food and money for their vote. Displaced Liberians were indeed "subject voters" in that they relied either on the government or on local militia groups for their survival and primary information on the elections process.

Since many voters did not possess adequate identification, IECOM approved a social documentation process where registrants were obliged to vouch that they were in fact Liberian citizens and were eighteen years of age. The process relied on community leaders (i.e. District Commissioners, Chiefs, and Teachers) to validate individual

claims.[13]   Unfortunately there is no real information as to how many refugees or IDPs used social documentation to register or whether this process was subject to wide-scale abuse.

The Peace Process and Main Actors

With the signing of the Accra Agreement, the international community has returned in force to Liberia. Humanitarian, diplomatic, and donor agencies are scrambling to provide humanitarian services and begin the process of establishing a comprehensive and lasting peace. As often in these situations, coordination is sometimes problematic, and turf battles – both amongst the IC actors and between the IC and Liberian authorities – are not uncommon. The humanitarian agencies and NGOs are generally well organized and Office for Coordination of Humanitarian Affairs (OCHA) is providing good coordination in the health, sanitation, and nutrition sectors. At the political level, however, there are reportedly problems, particularly in terms of the Disarmament, Demobilization, Rehabilitation and Reintegration Program (DDRR), which collapsed in December and has yet to resume. Restarting this process is critical to prospects for refugee/IDP returns and the conduct of elections.

The following discussion provides and overview of the main agencies.

National Transition Government of Liberia (NTGL)

The authority of the NTGL stems from Article 12 of the Accra Agreement, which tasks the government with: 1) Implementation of the provisions of the Ceasefire Agreement; 2) Overseeing and coordinating implementation of the political and rehabilitation programs; 3) Promotion of reconciliation to ensure the restoration of peace and stability; and 4) Contribution to the preparation and conduct of internationally supervised elections in October 2005.

The NTGL is composed of three branches: the National Transitional Legislative Assembly (NTLA); the Executive; and the Judiciary. A Transitional Chairman, Mr. Gyude Bryant, has been appointed to act as chief executive during the transition. Cabinet ministries are distributed to the Liberians United for Reconciliation and Democracy (LURD), the Movement for Democracy in Liberia (MODEL), and political parties according to a formula established by Annex 4 of Accra. None of the ministers in the NTGL may contest the elections of 2005.

The NTLA replaces the previous National Assembly elected in 1997. Representatives were appointed by the parties at Accra, with seats distributed as follows: Government of Liberia (Taylor Loyalists) - 12 seats, LURD - 12 seats, MODEL -12 seats, Political Parties -18 seats, Civil Society and Special Interest Groups -7 seats, Counties -15 seats. The NTLA's core functions include approving the policies and programs of the NTGL

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[13] The IECOM elections package referenced social documentation as a valid form of voter identification in sections 3.8 through 3.10. IECOM, "Electoral Package for the 1997 Liberia Democratic Elections." See also Lyons, 186; and RPG, "Participation of Refugees," (March 1997) 8, 14.

for implementation by the Cabinet and "supporting the emergence of a new democratic space, particularly in the areas of human rights and freedom of expression."

National Elections Commission (NEC)

The NEC has been recently restructured and, following confirmation by the NTLA, was sworn into office on April 29, 2004 by the Chair of the NTGL. [14] Of the seven members, five are new to the Commission, with two members, Mary Brownell and James Chelley, having served under the previous Commission. However, none of the Commissioners and the Executive Director have conducted elections before. One commissioner, Madam Brownell, was herself a refugee briefly during the fighting. She is passionately in favor of refugee voting, but believes that most refugees will have returned home by Election Day.

Accra demands that the NTGL uphold the provisions of a variety of human rights instruments, including the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the African Charter, all of which speak to electoral rights and standards.[15] The NEC is obligated to operate "in conformity with UN standards … and [ensure] that the elections are organized in a manner that is acceptable to all."

In terms of planning, the NEC will need to conduct a transparent and accessible process of electoral reform that includes all stakeholders. Key considerations include: 1) whether to utilize the 1986 FPTP, 1997 PR, or a semi-proportional system; 2) whether to conduct sub-national elections concurrently with national elections; and 3) mechanisms for boundary delimitation and apportionment (if required). In addition, the NEC will need to develop an operational plan, identify and refurbish election faculties, and conduct all logistical elements of the registration and balloting.

LRRRC (Liberia Refugee Repatriation Resettlement Commission)

The LRRRC is the government agency mandated with caring for IDPs and refugee issues. They maintain a presence throughout the country, particularly in the IDP camps, and work in close partnership with UNHCR and the relief community. LRRRC also coordinates with the host-state governments, and feeds into UNHCR's discussions regarding repatriation plans and schedules. LRRRC has full access to the camp registration databases and is working closely with OCHA on a program to conduct a comprehensive survey of Liberia's displaced (see below).

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[14] The NEC appointees are: 1) Cllr. Frances Johnson-Morris: Chair; 2) Cllr. Karmo Soko Sackor: Commissioner; 3) Hon. James K. Chelley: Commissioner; 4) Cllr. Elizabeth Boyenneh: Commissioner; 5) Hon. James Fromayan: Co-Chair; 6) Hon. Jonathan Weedor: Commissioner; 7) Hon. Mary Brownell: Commissioner; and, 8) Cllr. James Gilayeneh: Executive Director.

[15] Article 12(1) of Accra holds that: The Parties agree that the basic civil and political rights … adopted by the United Nations, African Union, and ECOWAS, in particular, the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, and as contained in the Laws of Liberia, shall be fully guaranteed and respected within Liberia. These basic civil and political rights include the right to … freedom of conscience, expression and association, and the right to take part in the governance of one's country."

UNMIL

UNMIL was established with a robust Chapter VII mandate by Security Council Resolution 1509 in September 2003. It began operation in October and is currently nearing the full deployment of 15,000 peacekeepers, which should be finished by Summer 2004. In addition to enforcing the ceasefire, UNMIL has a wide-ranging mandate to assist in the political transformation and humanitarian activities in Liberia. Top priorities include managing the DDRR process (described below) and providing assistance and support to Liberia's new political institutions.

Under 3(c) of Security Council Resolution 1509, UNMIL is authorized to "assist the transitional government, in conjunction with ECOWAS and other international partners, in preparing for national elections scheduled for no later than the end of 2005." An Electoral Unit has been established in the Division of Civil Affairs. As of late March, this unit contains one full time staff member and another civil-affairs officer who is tracking elections related activities. A team from the UN Division of Electoral Assistance conducted a pre-election assessment in early April to make recommendations as to the nature of UN support to the electoral process.

DDRR

DDRR is a four-stage program to disarm and reintegrate Liberia's militia members. The process is critically important to every other facet of peace-building in Liberia, including refugee/IDP returns and the elections; UNHCR and other humanitarian actors are refusing to endorse returns until after the weapons are out of hands of the fighters. Liberia's political leaders (including MODEL and LURD) are committed to DDRR, but their command and control of the fighters is not complete.

The initial program (December 2003) was suspended due to logistical problems and lack of funding. The DDRR program resumed in April, beginning with the opening of a disarmament site in Gbarnga on April 15. A revised operational plan has been approved, funding is in place, and most observers believe it will begin on schedule. In the absence of reintegration activities, however, ex-fighters rely on their weapons to steal and loot.

The revised operational plan presents the following scenario:

1) Disarmament: Fighter arrives with weapon at a processing site staffed by UNMIL troops. An interview is conducted and registration form completed; fighter keeps one copy of the form and potentially a wrist tag; weapon is removed to be destroyed;

2) Demobilisation: Fighter is trucked to cantonment sight; a more detailed interview is completed to determine area of origin and/or area the fighter proposes to reside; fighter is also registered with the National Commission on DDRR (NCDDRR) (the Liberian government counterpart in the process); medical screening is

completed; some civil society training is provided; fighter remains in cantonment anywhere from one day to one week; on last day of cantonment, fighter receives USD 150 cash and is trucked to their proposed community of resettlement.

3) Rehabilitation: At this point, other actors take the lead. Depending on available resources, UNHCR, UNDP, and NGOs begin offering job and skills training and a perhaps a resettlement package.

4) Reintegration: Relevant actors are still discussing options and programs for reintegration activities. Focus is on gaining acceptance as active members of their communities; programs include: participating in community social and traditional events; extending social network beyond their ex-military circle; improving their perception of personal security;

Of particular interest for elections is the proposed registration process of the fighters. Each will be issued an identity document that includes biometric information and linked to a registration database maintained by the Liberian government. Some proposals call for some of the data to be made available to the Humanitarian Information Centre (HIC) as well. Unlike some survey and registration processes in the country, the data will use existing location codes (P-codes), making it potentially valuable to election planners.[16]

United Nations Development Programme (UNDP)

UNDP plays the lead role in the design and implementation of DDRR. It also assists IDPs and other conflict-affected people through a community-based recovery programme. Current projects include capacity building assistance to local governments and community institutions, skills training, peace building, income generation and restoration of public services.

United Nations High Commissioner for Refugees (UNHCR)

UNHCR's primary focus is on repatriation and reintegration of refugees, returnees and ex-combatants. The agency is devising mechanisms to facilitate repatriation, providing quick impact projects in communities where large numbers of returns are expected, and providing assistance in the IDP camps.[17] Since January 2004, UNHCR reports over 10,000 returns in Grand Cape Mount county (near the Sierra Leonean border), 11,500 in Bong (across from Nzerekore in Guinea) and a mixed population of some 35,000 returnees and IDPs in the northern Lofa County.

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[16] See http://www.humanitarianinfo.org/liberia/infocentre/pcodes/index.asp for a description of the P-Code system. All segments of database development and election activities should employ these codes.

[17] According to the 2004 Consolidated Inter-Agency Appeal, UNHCR believes that "A large proportion of these returnees … will be absorbed normally into their communities of origin and become beneficiaries of community-based reintegration assistance provided by the UN and NGOs. Later in the year [2004] UNHCR will prepare for facilitated return, which will include the registration of returnees … UNHCR will provide shelter and protection on the way home in the existing refugee camps and way stations along all three borders. See "UN Consolidated Appeals Process: Liberia 2004."

OCHA

OCHA provides coordination between the UN system, the NGOs, and the Liberian Government and is centrally involved in the management of the IDP camps. Of particular interest for elections purposes is the OCHA Humanitarian Information Center, which houses an enormous volume of both raw and analyzed data, including extensive GIS data, information on refugee/IDP origins and current locations, and the "who what where" spreadsheets. The OCHA IDP unit is currently organizing a "survey" of the IDP camps, which will yield substantial data on IDP numbers, locations, origins, and intended district of return (further discussed below). In terms of election planning (both regular and for displaced), OCHA will be a critical resource.

NGO Sector

While UNHCR is the dominant conduit of funds, international NGOs deliver the majority of services to both displaced and non-displaced Liberians. Most are focused on the core relief activities of food, shelter, water and sanitation, and housing. Nevertheless, there are several involved in human rights training and civil society building, notably, the International Rescue Committee, Search for Common Ground, Mercy Corps, and Talking Drum Studio.

Domestic Liberian NGOs are also flourishing, although it is sometimes difficult to determine precisely what they are doing. In the current environment, it is relatively easy to create an NGO and go hunting for donors. The following were suggested as reputable partners for election related activities and programming)the HIC maintains further contact information): Better Society Foundation; Center For Peace Building & Democracy INC.; Community Empowerment Project; Human Rights Monitor -United Methodist Church; Liberia Community Development Foundation; Mano River Women's Project (This organization also operates in Guinea and Sierra Leone); National Internally Displaced People Association of Liberia; National Resettlement and Development Organization; National Women's Commission of Liberia; National Youth Movement for Transparent Elections; Peace Building Resource Centre

The Press

Liberia has a vigorous and independent press. New media appear regularly and independent radio outlets are consolidating coverage throughout the country. Television service is operational. Almost all media outlets and journalists are members of the Press Union of Liberia, which advocates on behalf of press freedom and provides legal services to journalists. The press is vibrant and critical, if occasionally over-enthusiastic.

Part II: The Nature and Scale of Displacement

Worst Effected Communities

Liberians have been displaced from every county in Liberia. The most widely effected (those with more than 80,000 currently displaced) are Lofa (mostly to Guinea), Bomi (mostly to Sierra Leone and internally displaced in Monrovia), and Harper (mostly to Côte d'Ivoire). Other counties with between 40,000 and 80,000 displaced include Grand Cape Mount, Gbarpolu, Bong, Nimba, and Grand Gedeh. Some constituencies are almost completely depopulated.

Guinea

There are between 100,000 to 300,000 Liberian refugees in the Republic of Guinea, both in and out of refugee camps. Estimates vary because of continued instability in the Côte d'Ivoire, combined with an accelerating flow of refugees back into Sierra Leone as that country's peace process moves forward. Most refugees reside in the southeastern "Forest Region" along the Sierra Leone and Liberian borders.

Liberian militias and government forces frequently entered Guinea during the war, and refugee populations often served as recruiting grounds for the warring factions. Between 1998 and 2001, Taylor forces launched attacks against urban centers in the Forest Region. In response, Guinea provided military and other support directly to the LURD movement and established a network of refugee camps well away from the primary towns of the region. Although the attacks have ended, some camps remain infiltrated by militia groups and are politically polarized. UNHCR expressed concern regarding a recent spate of arsons in some of the camps, believing them linked either to vendettas, or more worrying, competition between different political factions. The region is subject to wide-scale banditry and remains at UN Security Phase V.

The Guinean Government's Bureau National de Coordination des Réfugiés (BNCR), which falls under the interior ministry, is divided into regional counterparts called the Bureaux de Coordination des Réfugiés (BCR). BNCR provides all security in all the camps and maintains a good working relationship with UNHCR. According to an assessment conducted by the Foundation for International Dignity (FIND), however, "[w]hile the relationship with partners is generally good, the agency is known to be difficult at times, taking sides against some NGOs and making life difficult for them."[18]

The United Nations has a broad representation on the ground, working with a network of international NGOs providing humanitarian assistance. Conditions for the camp-refugees are generally good; the creation of the camps improved the security situation and has provided UNHCR and the humanitarian community with centralized access to the refugees. Coordination between agencies is strong, and camp-based refugees receive an array of social and economic services. Some refugees complain that the procedures for

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[18] See O'Connor, Hilary. 2003. FIND Guinea Assessment Report.

deciding their asylum status and resettlement opportunities are not fully transparent. Overall, however, the refugees seem generally satisfied with their conditions.

UNHCR has fairly detailed databases on the camp-based refugees, although it has not issued biometric identification documents to all adults. Heads of family are provided a ration card linked to the database, which contains information on the entire family group. There is some concern that refugees from Sierra Leone are posing as Liberians in order to avoid repatriation and receive benefits. Some Guineans are also suspected of attempting to register as Liberians in order to receive food benefits.[19]

Reflecting UNHCR's increasing emphasis on refugee participation, all of the camps contain indigenous civil society organizations. Camp residents have elected "Refugee Committees" and established a variety of groupings (such as conciliation mechanisms and gender-awareness organizations) that advocate on behalf of the refugees. This experience with civil society will hopefully allow the refugee community to be at the forefront of a vibrant democratic culture in Liberia upon their return.

However, a large number of refugees continue to reside in the towns. Major concentrations are in Conakry, Kissidougou, and N'Zerekore, although almost all villages in the southern region also house refugees. This population consists largely of individuals who had found employment or accommodation with Guinean families and did not want to relinquish self-sufficiency for the total dependence that the camp-refugees experience. The urban refugees are unregistered and do not receive benefits from UNHCR, and a proposed initiative to identify and register this population appears to have been put on hold. The BCR regional coordinator in Kissidougo expressed strong support for an initiative to conduct a comprehensive registration/census of non-Guineans in the region.

Table1: Camp Data in the Forest Region as per 5 February 2004[20]

Location	Camp	Families	Individuals
	Boreah	2,822	7,604
KISSIDOUGOU	Kountaya	5,811	16,185
	Telikoro	3,398	9,109
Sub Total		**12,029**	**32,898**
	Kouankan	9,397	32,704
	Kola	1,782	6,497
N'ZEREKORE	Nonah	1,761	7,082
	Laine	10,005	32,139
Sub Total		**22,945**	**78,422**
TOTAL		34,974	111,320

Origin	Families	Individuals
Liberians	28,132	89,813
Sierra Leonean	5,089	14,443
Ivorian	1,753	7,064
Total	**34,974**	**111,320**

Refugees arrived from Côte d'Ivoire:		
Ivoiriens	7,064	21%
Liberians	28,037	79%
Sierra-Leoneans	30	0%

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[19] These individuals consist largely of Guineans who had lived and worked in Liberia up until the fighting, and thus speak the local patois English and can pass as Liberian to registration officials.
[20] Source, UNHCR.

Community meetings at the camps were facilitated by UNHCR and the BCR and were well attended. Four camps were visited: Koutnaya, Telikoro, Boreah, and Kola. Camp-residents were generally enthusiastic in discussions on the elections, and the core interests and issues emerged as follows:

- When speaking in front of large groups, refugees repeatedly stressed their priority for third-country resettlement rather than repatriation or any particular concern with elections. "Most Liberian refugees have gone through ordeals during this 14 year-old conflict that have terrorized and traumatized them to the extent that we cannot afford to return to that country," according to one speaker.

- Some refugees voiced skepticism regarding the value of elections to the peace process. Speakers recounted the failure of the 1997 elections to solidify peace in the country. "We've been told all this before" typified these comments.

- When discussing elections in smaller groupings, however, it is apparent that most accept the inevitability of repatriation. In these discussions, the refugees became passionate about the democratic process, and offered highly constructive suggestions regarding how their interests and participation can best be secured.

- The majority (at least 70%) of the refugees in the camps possess only a UNHCR ration card for documentation. These cards do not contain biometric information, but are linked to a UNHCR database that contains a picture of each family-member. One young man from Lofa County produced a letter on official looking letterhead from Taylor forces advising him that he was a criminal and had twenty-four hours to leave the country, "otherwise we will have no choice but to kill you and your family."

- The dominant concern is security inside Liberia. The refugees have good access to information on the DDRR program and UNMIL deployment schedules and implementation. However, they remain skeptical that the DDRR, as currently organized, will work. Many claim that they will not be comfortable repatriating until the election is over and a stable government is installed.

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- In the Northern camps surrounding Kissidougo, the primary source of information is radio. Camp residents stated that they receive information from the BBC, VOA, UNICEF Radio, and Radio Guinea. Secondary sources include the occasional print media that makes it into the camps and word-of-mouth information from traders and from individuals who have visited their home communities to assess prospects for return.

- The Southern camps surrounding N'Zerekore, the primary radio is "Radio Rural" (run by the Guinean government, but carrying programming from UNICEF and Search for Common Ground) and the BBC. BBC's West Africa Service has provided extensive coverage of the peace process, and refugees are familiar with

the slow pace of UNMIL military deployment and the apparent breakdown of the DDRR process.

- Aside from its humanitarian activities, the International Rescue Committee (IRC) is also providing peace-building training.

- In regards to preferences for how to vote, refugees are highly supportive of registration and voting in the camps, rather than through repatriation. There are widely held fears that the elections process will be linked to forced repatriation. Several refugees spoke of the difficulties of crossing the border to vote in 1997.

Overall, the refugees are enthusiastic about the chance to participate in Liberia's reconstruction and reconciliation process. Providing them this opportunity, however, will require careful planning and a commitment by the international community, the Government of Guinea, and Liberian political actors.

Côte d'Ivoire

Until the rebellion broke out in 2002, Liberian refugees in Côte d'Ivoire had been largely well treated, both by the host communities in the western region, sometimes referred to as the *Zone d'Accueil des Refugies* (ZAR), where many refugees had settled, and in the urban centers, where the government offered protection generally in accordance with the 1951 Refugee Convention. The humanitarian community maintained a strong presence in the region, providing humanitarian assistance and protection programs.

According to the United States Committee for Refugees (USCR) 2003 Country Report on Côte d'Ivoire, "[a]t the beginning of 2002, most of the Liberian refugee population lived peacefully along a 300-mile corridor near the Côte d'Ivoire-Liberia border. The majority of refugees … lived a somewhat integrated lifestyle in small Ivorian villages, towns, and rural sites where they supported themselves, but remained vulnerable to local discrimination. About 15,000 occupied the sole official refugee camp, Nicla, where several thousand of the newest and neediest refugees received food assistance."[21]

Conditions in Côte d'Ivoire deteriorated dramatically following a rebellion beginning in 2002.[22] With substantial areas of the country now in rebel hands (including most of the ZAR), the international humanitarian presence has been reduced and tensions run high between the refugees and locals. Liberian refugee populations have been recruited by all sides of the conflict, and MODEL forces from Eastern Liberia routinely enter the ZAR, where they maintain their rear support bases. According to Amnesty International,

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[21] See USCR Country Report 2003: Côte d'Ivoire. Available at
http://www.refugees.org/world/countryindex/cote_d'ivoire.cfm
[22] The rebellion in Cote d'Ivoire has split the country essentially in half. The government retains control of the Southern portions of the country and two rebel groups, the *Mouvement populaire ivoirien du Grand Ouest* (MPIGO - Western Côte d'Ivoire People's Movement) and the *Mouvement pour la paix et la Justice* (MPJ - Peace and Justice Movement) control the west and north. Since early 2003, French peacekeepers have separated the forces, and in February 2004, the Security Council dispatched a 6,000-strong multinational peacekeeping force.

refugees in government controlled areas "…are harassed, humiliated and sometimes arrested. Members of the security forces and certain sectors of the Côte d'Ivoire population, encouraged by xenophobic sectors of the media, consider them to be accomplices of the armed opposition groups..."[23]

On the eve of the rebellion, estimates of the total Liberian refugee population ranged from 50,000 to 100,000. Since the fighting began, however, tracking refugees has been virtually impossible; best estimates range from 40,000 to 50,000. Large movements of both Liberians and Ivorians were reported to have crossed into Liberia in 2002, only to return again as fighting between MODEL and government forces intensified. In mid-2003, several thousand (UNHCR estimates 20,000) Liberian refugees in Côte d'Ivoire entered Guinea, and the international community braced for a major movement along these lines that never materialized.

In terms of documentation, Liberians in Côte d'Ivoire fall into two groups. Those in the ZAR were registered by UNHCR and possess ration cards linked to a database. Those residing in the Eastern parts of the country, including Abidjan, were registered by the Ivorian authorities and issued a "laissez passé," which includes biometric information and is linked to both UNHCR and Ivorian databases. New refugees who fled fighting between MODEL and Liberian Government forces in 2002/2003 probably do not possess any documents.

Refugees in Côte d'Ivoire will likely be the most difficult population to reach with election-related activities.

Sierra Leone

The following bullets are excerpted form the 2003 USCR Country Report on Sierra Leone (facts and figures as of December 2002):[24]

- Widening civil war in Liberia pushed some 40,000 new Liberian refugees into Sierra Leone during 2002. They joined 15,000 to 20,000 Liberian refugees who had fled to Sierra Leone during the 1990s;
- By year's end, about 40,000 refugees lived in seven camps near the towns of Bo and Kenema in south central Sierra Leone. Two of the camps were newly constructed, while five others previously had served as transit centers for Sierra Leonean refugees returning home. The camps ranged in size from 4,000 to 7,000 occupants;
- About 20,000 Liberian refugees lived on their own, including nearly 5,000 in Freetown and more than 3,000 in Bo and Kenema. More than 10,000 continued to live in border villages with little or no assistance.

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[23] See Amnesty International. April 2003. "No Escape: Liberian Refugees in Western Côte d'Ivoire."
[24] See USCR Country Report 2003: Sierra Leone. Available at
http://www.refugees.org/world/countryindex/sierra_leone.cfm

Ghana

The following bullets are excerpted form the 2003 USCR Country Report on Ghana (facts and figures as of December 2002):[25]

- Ghana hosted more than 40,000 refugees at the end of 2002, including some 35,000 from Liberia;
- Thousands of Liberian refugees and asylum seekers fled to Ghana in 1990–91. ... Smaller numbers arrived in subsequent years. Approximately 3,000 new Liberian asylum seekers fled to Ghana during 2002;
- Most Liberian refugees and asylum seekers lived in Buduburam camp, 25 miles (40 km) west of Accra, the capital. Although an estimated 27,000 individuals, including some Ghanaian citizens, lived in Buduburam camp during 2002, the Ghanaian government claimed that fewer than 5,000 were Liberians;
- A census conducted by the Ghanaian government estimated that approximately 8,000 Liberian refugees and asylum seekers lived outside of refugee camps during 2002. Most Liberians living outside of camps resided in Accra, where they struggled to earn income and fully support themselves in Ghana's depressed employment market;
- Ghana is a party to the UN Refugee Convention. With guidance from UNHCR, the Ghanaian government reconstituted the Ghana Refugee Board in November (2002).

Internally Displaced Persons

Up to 600,000 people are currently displaced within Liberia. The vast majority are in Monrovia and greater Montserrado County, with other major concentrations in the northern counties. About half the IDPs are registered and live in one of the twenty-three official camps, where they receive rations and basic assistance from OCHA, World Food Program (WFP), UNHCR, NGOs, and the LRRRC. OCHA believes that while only about half of the IDPs reside full time in camps, many attempt to register with the WFP and LRRRC in order to secure access to relief assistance. The actual extent of this practice is not known.[26]

As with the refugees, most camp-based IDPs do not carry any formal documentation other than a ration card issued by WFP. This card does not contain biometric information, only a serial number and monthly tick-box to signify receipt of rations. The serial number is linked to a database maintained by WFP, although UNHCR, LRRRC, and Camp

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[25] See USCR Country Report 2003: Ghana. Available at
http://www.refugees.org/world/countryindex/ghana.cfm
[26] According to the CAP 2004: "More than 300,000 persons have been registered by humanitarian agencies and are receiving assistance, including WFP food aid, in several camps in Montserrado, Margibi, Bong, and Grand Bassa Counties. There is also a segment of the population who is displaced, residing with friends and relatives in the various communities within Monrovia and other provincial capitals. In some rural areas where insecurity continues to prevail, people are believed to be displaced and live in the forest unable to farm, or have access to relief assistance that is being provided. See CAP 2004, page 13.

management agencies have access to the data. LRRRC and OCHA are currently designing a survey of the camp populations, which will include the name, age, family-members, current camp, county of origin, and intended return destination (if different from origin). Once the survey is complete, the data will be used to coordinate the provision of services in communities where large-scale returns are likely. The survey will not issue any form of identification, but it will result in the creation of a searchable database maintained by the HIC.

Geographically, the survey codes the country to the district level, not municipality or village. The coding is based on existing Liberian regional codes, where the first two digits indicate the county and the second two digits indicate the district. This data could be made available to UNMIL and other actors, including the election management body.

The camps are organized for a degree of self-governance. Each camp has an elected "IDP Committee," which liaises with relevant agencies and provides a political structure within the camps. Elections to the IDP Committee are organized by LRRRC and the lead agency within the camp (the lead agency is an international NGO that has overall responsibility for all areas of camp management) as follows:

- The camp is divided into a number of blocks;
- Individual candidates (they are not allowed to be affiliated with parties) canvass their home block for support;
- On Election Day, The candidates stand in a public area. Voters line up next to their preferred candidate and the LRRRC tallies the support;
- Once each block has a representative, the winners form the camp committee and select a chairman and assistant chairman.

The LRRRC organized Committee elections in February, so the IDPs have recent experience with elections. In addition, the camps contain a variety of CSOs related to human rights, women's issues, and other interests.

Liberian law prohibits political parties from canvassing within the camps. The prohibition is largely followed, although OCHA has received occasional reports that parties are infiltrating the camps. Most camp residents, however, claim to be unaware of this. In 1997, parties and candidates were allowed to actively campaign in the camps during the official campaign season. Some ex-combatants are suspected to reside in the camps, but the last major incident of armed criminal activity occurred in January. Security in the camps is provided by the reconstituted Liberian police and occasional UNMIL patrols.

A meeting with IDPs was organized at the Blamasee Camp, on the outskirts of Monrovia. The camp committee, LRRRC, and several NGO local hires attended the meeting to discuss election related issues. The key points emerging from discussion were:

- As with the refugees, camp residents are divided over whether they will return home as soon as conditions are stable or will wait until after the election to see if peace takes hold.

- Although all are eager to return, as long as food relief is available in the camps, the IDPs will remain. Some IDPs are undertaking visits to their home areas (only if close to Monrovia and under UNMIL control) to survey their property. In general, they bring back news of the devastation up-country, which is discouraging self-initiated repatriations.

- Camp residents receive most of their news and political information via radio. Popular stations and programs include: UNMIL Radio, IRBC, and Radio Veritas. "Talking Drum" is very popular with camp residents. Many residents, however speak only "market English," and thus require tailored language programming, which is broadcast infrequently on UNMIL radio. No more than 5% of camp residents own a radio, and several participants expressed interest in the provision of self-winding radios that could be community-owned and operated.

- No newspapers are available in the camps. Even if literacy rates were higher (some estimate no more than 30% can read), the cost of a newspaper is prohibitive for the IDPs, and no market exists for bringing them into the camps.

- In 1997, political campaigning was allowed in the camps during the official campaigning season. LRRRC expressed the belief that this should e allowed again in order for the IDPs to make a more informed decision regarding the ballot.

- Blamasee contains a unique group known as the "Peace Building Dramatic Club," which produces plays and skits related to the peace process, gender sensitivity, health, and other issues. The organization is financed entirely by the camp, and has the potential to be a valuable resource for distributing election sensitization information (discussed below in the Action Plan).

Part III: Issues and Obstacles Confronting CFM Electoral Participation

Planning must begin now to incorporate the Liberia's displaced into the election process. Specific programmatic recommendations, however, must address a number of issues, which can be divided into several general areas: 1) The inability to predict with any confidence population movements over the next eighteen months; 2) The varying levels of CFM access to information about the peace process and overcoming refugee skepticism regarding the value of democratic elections; 3) the refusal of neighboring states to allow elections-related activity in their territories; and 4) Statutory and Constitutional Issues, which include the electoral formula and documentation problems.

Unpredictable and Wide-Scale Movements

The ceasefire has produced spontaneous movements of people both within Liberia and from outside its borders. As UNMIL reaches full deployment and DDRR takes hold, it is expected that returns will become substantial.[27] UNHCR Monrovia is planning for 100,000 refugee returns in 2004, 150,000 in 2005, and 60,000 in 2006, comprising almost the entire refugee caseload. Spontaneous and unassisted returns have already been recorded; OCHA reports that refugees have returned to Lofa and Nimba from Guinea and are currently arriving in Monrovia from Sierra Leone.

Returning Liberians generally feed into an *ad hoc* UNHCR program of either transit or IDP camps. The existing IDP camps have little spare capacity, yet do accommodate some of the returnees. UNHCR is building additional transit shelters, and operating a registration process for returnees in order to transmit this data to offices in the sending countries. However, the agency is not yet operational in Southern Liberia, and thus cannot provide assistance or registration services to returnees into Maryland County.

Substantial IDP movements can also be expected in the coming months. As with the refugees, the IDPs are waiting for full UNMIL deployment, completion of DDRR, and reintegration assistance programs in their home communities. Most of the rurally displaced are desperate to be home in time for the fall planting season, beginning in October. As long as humanitarian assistance and food aid are available in the camps, however, many IDPs will seek to remain registered in the camps in order to receive benefits. Some displaced report having travelled to their home communities to assess conditions there and prospects for return.

A best-case scenario for returns might look as follows:

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[27] In Guinea, UNHCR is planning to begin voluntary facilitated repatriations beginning in late 2004, and will begin to actively promote repatriation by early 2005. Promoted repatriation, however, will only occur under a tripartite agreement between Guinea, the UNHCR and the NTGL that includes specific benchmarks that must be met in Liberia before UNHCR will promote repatriation. In Sierra Leone, repatriation is under way and the number of remaining Liberians decreases daily. In Côte d'Ivoire, conditions are unstable and projections on a repatriation schedule cannot be made.

- UNMIL fully deployed by June 2004;
- DDRR begins late April and is complete by July 2004;
- Reintegration programs (including reintegration packages containing seeds and farming kits) available throughout the country by late October;
- UNHCR begins promoting repatriation by November.
- Nationwide voter registration begins in mid-2005.

If the movements proceed as expected, the return and reintegration process will likely occur simultaneously with the preparations for elections, posing challenges to voter registration, proof of residence, and identity. In addition, repatriation will likely continue after the voter registration program ends, which will require that a mechanism be in place to register Liberians who return after this time.

Election organizers should not, however, be over-optimistic regarding the prospect for returns. Previous experiences with refugee voting in Liberia and elsewhere suggest the need for comprehensive planning in the event that much of the electorate remains outside of their home communities during registration and up until the elections.

Lack of Information

Displaced Liberians have differing levels of access to news and information about political developments in their home communities due to: 1) differing media availability in their current residences; 2) lack of press coverage of events outside Monrovia and other urban centers; and 3) their education level and language capabilities. While most receive regular information and are knowledgeable of national-level political events, many are desperate for news from home. Some, however, do not know and claim not to care, expressing considerable scepticism regarding the political process. This attitude may reflect either a socially reinforced belief that the elite will manipulate elections to suit their own ends, regardless of the voice and vote of average Liberians, or simply represent a "giving up" on Liberia's future and desire to find a better life permanently outside the country.

Although Liberia has a vibrant and largely free press, resource constraints prevent comprehensive reporting from all corners of the country. Most journalists rely on a network of contacts for any story occurring outside of Monrovia, with press articles often beginning: "Reports reaching this paper via cell-phone from …." While the completion of UNMIL deployments should expand access to and coverage of under-reported areas (including Lofa, Nimba, and Maryland Counties), funding constraints will continue to hamper the quality and comprehensiveness of press coverage. Furthermore, many displaced Liberians speak only elementary English, and there is little print media or radio broadcasting in the local and regional dialects.

Liberian Radio transmitters, which reached the contiguous regions in neighbouring states up until 2001, have been destroyed by fighting and are currently being repaired. It is hoped that by the end of the year, Liberian programming will be available across the

border.[28] The Camp Refugees in Guinea seem to be well informed, with good coverage provided by BBC, Radio Rural (Guinean Government), and tailored programs such as Talking Drum and UNICEF Radio. While few refugees own radios, news travels quickly as the camp-populations discuss and debate the issues reported by these sources. It is unknown how well informed refugees are in Cote D'Ivoire, although conditions in the ZAR would not seem to preclude comprehensive access to radio. Outside of the sub-regions, refugees and migrants rely on BBC, CNN, and several West Africa Internet sites.

Liberian print media is unobtainable outside Monrovia. Most domestic newspapers do not maintain internet sites, although there are some good West Africa Internet news outlets, including the Integrated Regional Information Networks (IRIN), Relief Web and allafrica.com. However, internet access is not widespread in the neighbouring regions, and these outlets should only be considered useful for reaching the broader Diaspora and the urban refugees.

The IDPs also rely primarily on radio and word-of-mouth for information about their home communities. In terms of coverage of IDP-related issue coverage, the press focuses almost exclusively on humanitarian programs, rather than on the political issues facing the IDP communities. Print media are virtually non-existent inside the camps.

One final issue related to election information and the displaced stems from a common sentiment (particularly among refugees) that the elections and democratization programs in Liberia will not contribute to peace and long-term stabilization in the country. Many Liberians expressed scepticism that elections will have any affect on the underlying causes of the war.

Host-State Relations

It is almost certain that Guinea will not allow voting-in-asylum, although it may allow for a comprehensive registration process. The anarchy in Côte d'Ivoire will make this area very difficult to reach, even if the government and rebel groups consent to election activities in their respective areas of control. Sierra Leone and Ghana would probably allow both registration and election activities to occur in asylum.

One of the major obstacles to full refugee participation in the 1997 elections was denial of the voting-in-asylum option in neighbouring states, and the signals sent by Guinea that returning to Liberia to vote would terminate Guinea's legal obligation to the refugee. This problem is not unique to Liberia, as refugee voting is often interpreted by host states as signifying that conditions in the home country warrant repatriation, perhaps against the refugee's will. The argument is that since the violence is over and conditions have

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[28] Mercy Corps is running an interesting program providing "radio in a box" to community groups throughout the country. The program provides a low-level transmission package and training on journalist ethics to civil society groups.

stabilized to the point that elections are possible, the *non-refoulement* prohibition no longer applies.[29]

When determining their basic subsistence and survival needs, refugees prioritize safety, shelter and food-security over participation in an election. Signals sent by the host-state regarding the effect of election participation on the refugee's legal status also play a decisive role in determining levels of participation. The dynamic is somewhat different inside the camps – particularly if they are managed by international agencies – but election planners should be careful how the relationship between electoral participation and humanitarian/legal status is presented to the displaced. If participation is seen to threaten the continued provision of humanitarian benefits, displaced populations will almost always choose food and shelter over voting.

On the other hand, allowing election activities to occur inside the host-states raises a number of problems regarding the transparency of the election. Sovereign states are under no obligation to allow representatives of political parties from another state to campaign within their territory, making it difficult for the voter to evaluate the platforms of contending candidates. Furthermore, UNMIL and the NEC might find it difficult to control the behavior of campaigners outside Liberia. This problem can be particularly acute when election activities occur in refugee camps. Political parties often maintain a strong, if informal, presence in the camps, and might be in a position to manipulate or control the information available to voters.

Since the NEC has no jurisdiction in the host state, election organizers would need to rely on Memorandums of Understanding (MoUs) with the host state government that stipulate the rights and obligations of political parties vis-à-vis refugee voters. If voting in asylum does occur, the MoUs would cover issues such as right to information access, provision of security, freedom of movement for election workers, and host-state commitments not to interfere with the integrity of the election process. Even if voting in asylum does not occur, the host-states will need to make formal commitments to not use the elections as a chance to *refoul* the refugee populations against their will.

Statutory and Constitutional Framework of Elections

Authority for Elections Management

There is some confusion in the language regarding the role of the international community in the elections process. Article 19 of the Accra Agreement holds that: "The Parties agree that the Transitional Government provided for in this Agreement shall

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[29] This notion has been reinforced by statements in peace agreements and electoral codes that link participation with intent to return. The 1997 Rules and Regulations for the Bosnian election, for example, held that "[t]he exercise of a refugee's right to vote shall be interpreted as confirmation of his or her intention to return to Bosnia and Herzegovina (BIH). By Election Day, the return of refugees should already be underway, thus allowing many to participate in person in elections in Bosnia and Herzegovina." While this language can be interpreted positively as reinforcing the refugee's fundamental right of return, it could also be interpreted by the refugees as implying that their participation might influence their status and ability to remain in the host country.

request the United Nations, the African Union, ECOWAS and other members of the International Community as appropriate, to jointly *conduct, monitor, and supervise* the next elections … Voters education and registration programs shall be organized by the newly reconstituted NEC, in collaboration with other national and International organizations under the supervision of the United Nations [emphasis added]."

NEC members recognize that they do not have the resources and capacity to organize comprehensive and transparent elections without significant assistance from the international community. However, Commissioners point to other components of Accra that delegate substantial authority directly to the NEC. As Chairman Frances Johnson Morris noted in his inaugural address, "…under Article XVIII (1&2a), the NEC is charged with the onerous and Herculean task of reforming the present electoral system in order to ensure that the rights and interests of Liberians are guaranteed and that the elections are organized in a manner that is acceptable to all ... Consequently, the NEC envisages the role of the … International Community to be one of support, facilitation, and collaboration with the NEC rather than a role which would have the effect of supplanting the National Elections Commission (NEC)."[30]

Regardless of who winds up with ultimate authority over the elections, the task will be daunting. Election organizers need to agree to a new electoral formula, draft a new election law, design a voter registration process and organize the balloting. All of this should be done in a transparent process that accounts for the needs of the displaced. While October 2005 provides a feasible timeline for election planners, the sooner a formal relationship that details respective role and responsibilities is established, the sooner election planners can begin to plan for the participation of the displaced, which requires significant leads time over regular registration and voting operations.

Electoral Formula

Liberia will engage in a consultative process over the next several months to determine the electoral framework for the 2005 elections. Many Liberians and international observers argue that the use of the single national district in 1997 was confusing to the average voter and placed too much power in the hands of the Presidency.[31] In discussions on the 1997 formula, two general positions became apparent: many Liberian voters did not understand proportional representation, and those who did understand it, did not like it. Nevertheless, the technical requirements of delimitation may prompt a decision in favor of a PR formula with sub-national districts, perhaps based on the 15 counties.

While the use of a majority/plurality system is certainly feasible, most immediate post-conflict elections have utilized a PR formula, oftentimes with a single national district. Many students of electoral systems in deeply divided societies tend to favor a PR model as it provides a maximum sense of inclusiveness and can be tailored to promote

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[30] "Inaugural Address Of Cllr. Frances Johnson-Morris Chairman, National Elections Commission (NEC)." Executive Mansion, Monrovia, April 29, 2004
[31] Lyons.

cooperative forms of conflict resolution.[32] In terms of enfranchising refugees and IDPs, a single district also provides a straightforward formula that is easy to implement, as it eliminates the need to provide the displaced with a unique ballot based on their area of origin and does not require constituency delineation and apportionment.[33] Election organizers will need to balance the simplicity of a PR system against the preference of many Liberians for a return to FPTP.

Prior to 1997, Liberians voted for a bicameral parliament, including a House of Representatives with 64 members, elected for a six-year term in single member constituencies (SMCs) and a Senate with twenty-six members, half elected for a nine-year term and the other half to a six-year term, from two-seat constituencies (the thirteen counties)[34]. The 1986 Constitution holds that: "Every Liberian citizen shall have the right to be registered in a constituency, and to vote in public elections only in the constituency where registered, either in person or by absentee ballot; provided that such citizen shall have the right to change his voting constituency as may be prescribed by the Legislature."

If a multi-district (either SMC or PR with multiple districts) formula is adopted, constituency boundaries will need to be delimited and/or apportioned. Given the extensive population movements since the districts were last delimited and the likelihood of large-scale returns up to and continuing after the registration process, redistricting will be required.[35] This could be done based on the results of the registration process, but a number of questions need to be addressed if delimitation is to be fair and non-discriminatory. Most importantly, how should Liberia's displaced be counted when apportioning districts: based on their original locations or in their place of current residence? Furthermore, will there be sufficient time and technical capability between the close of registration and the printing of ballots to conduct the delimitation process?

Refugees can either be assigned to their original district of residence or to a special "non-geographic" district (as in France or Croatia).[36] IDP populations, however, could potentially be assigned their original or their current district, based on their stated

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[32] See Arend Lijphart 1977. *Democracy in Plural Societies: A Comparative Exploration. New Haven: Yale University Press*.

[33] It should be noted that elections conducted for multiple administrative levels already require that displaced voters receive different ballots based on their region of origin.

[34] Two counties have seen been created: Gbarpolu and River Gee.

[35] The Venice Commission Guidelines present a comprehensive set of guidelines on redistricting, including recommendations that the delimitation produce: "... a clear and balanced distribution of seats among constituencies on the basis of one of the following allocation criteria: population, number of resident nationals (including minors), number of registered voters, and possibly the number of people actually voting…." The Venice Commission also recommend that: "a) any deviation between district representation and population never exceed 15%; b) that districts should be redefined at least every ten years to account for population movements, and; c) that delimitation committees should always include members of national minorities."

[36] In BiH, however, refugees were able to choose a "future municipality" option, in which they declared in advance that they intended to live in a different district from the one from which they were displaced. In terms of district delimitation, this presents obvious problems to electoral actors, as the population dynamics of each district are not known until the close of registration. Other problems with the "Future Municipality" option are further discussed below.

intentions during registration. In this case, the question of returns again becomes important. If IDPs are assigned to their original districts but large-scale returns do not immediately follow the election, the districts would be malapportioned. This problem reinforces the critically important role of a comprehensive registration process, including gathering data on each individual displaced person's intended district of permanent residence.[37]

Documentation Issues

The majority of Liberians do not possess a formal identity document containing biometric information. The last national registration program was conducted by the Ministry of Finance in 1984 – 1986, and no country-wide registration has been conducted since. Given that the majority of Liberians were displaced at some point during the war, it is not surprising that most no longer possess these documents. In addition, an entire generation has reached the age of majority in the previous 20 years, and may never have been registered or issued any documents whatsoever.

The most common document is a birth certificate, although very few displaced even possess this document. Hospitals maintained records and issued certificates throughout the war and much of this information has been centralized at the Ministry of Health. Those not born in hospitals or who have lost their certificate can apply for a replacement at the Ministry of Health, either a regional branch (if it still has records and is operational) or in Monrovia. If the Ministry of Health locates a record, the applicant is re-issued the birth certificate for 800 Liberian Dollars (16 USD) a prohibitive expense given that this amount will feed a family of four for one month. If no record is available (either due to the applicant not having been born in a hospital or the destruction of records), an "affidavit" process can be employed. This process requires the applicant to present themselves at the Ministry of Justice with two Liberians who can vouch for them. The affidavit costs an additional 500 Liberian Dollars (10 USD).

The Ministry of Foreign Affairs issued Liberian passports throughout most of the fighting, but these are notoriously easy to counterfeit and there is a general sense that many are fraudulent. Obtaining a passport requires a birth certificate.

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[37] In Angola and several other states, refugees are provided with special "external" districts. This process could simplify the delimitation and mechanics of displaced voting, but should be approached cautiously. Key issues include what weight the external district carries relative to regular in-country districts and ensuring that external voters do not receive disproportionately more or less seats in the legislature. If large numbers of refugees return after the registration or elections, then the reserved seats will be disproportionate to the seats held by regular in-country voters. Thus, if reserve seats are to be used, the number of these seats should be subject to regular review and revision.

Part IV: Action Plan

The objective of the Action Plan is to identify processes by which refugees and IDPs can register and cast ballots in the upcoming elections while protecting them in residence and in movement before, during and after the elections. It is not designed to provide a detailed operational plan: instead, we highlight early interventions and suggest possible programs to ensure that the overall election framework addresses the complexities of displaced voting. A more detailed operational plan should be devised once the NEC and UNMIL have established a working election timeline.

Refugee Elections Working Group

A Refugee/IDP Elections Working Group (REWG) or focal point should be established. The REWG would include representatives from the NEC, the UN, LRRRC, UNHCR and/or IOM and one or two technical/implementation specialists. The focal point would be charged with:

- Monitoring political developments, DDRR, and population movements until registration begins;
- Developing operational plans, in conjunction with the NEC, and the Ministry of Interior for registration of the displaced, including contingencies for different movement scenarios;
- Fostering discussions on the Guiding Principles on Internal Displacement
- Finding donors and facilitating democracy sensitization programs for displaced populations and capacity building workshops for journalists.

As a first priority, the REWG should immediately undertake a comprehensive review of available national and municipal records, including all recent enumerations, registrations, and "head-countings" conducted by various humanitarian agencies. The review should help produce a roughly accurate picture of where Liberians are currently residing in order to plan for a voter-registration schedule. Concerns regarding information sensitivity and refugee/IDP protection should be discussed, and a framework established to ensure the protection of sensitive information. Initial discussions should be held with neighboring states on their receptiveness to registration programs being undertaken on their territories.

Operationally, the NEC should also establish a dedicated unit on displaced voting that reports directly to either the Executive Director or, if established, the Director of Operations. The head of this unit would also serve as the NEC member on the REWG. This unit would assume overall responsibility for implementing decisions taken regarding displaced registration and voting, design training programs for local election commissions and registration/polling station staff, and coordinate the public information aspects of the elections as relevant specifically to displaced populations.

The Guiding Principles on Internal Displacement[38]

The REWG should encourage the Liberian government to publicly adopt, implement, and disseminate the Guiding Principles on Internal Displacement as a core component of its legislative framework. UNMIL and the NEC should also commit to observing the Principles in all phases of election planning. The election law might even contain a clause referencing the Principles as a basis on which the election will be conducted. For training and publicity purposes, the OCHA IDP Unit in Geneva should be engaged to conduct workshops on the principles, a service it is ready and willing to provide.

The Guiding Principles are not international treaty law, but provide a framework for understanding and implementing relevant components of the international human rights regime as they relate to non-refugee displaced populations. States do not become signatories to the Guiding Principles, but many states have formally acknowledged that their own legislative and judicial branches will account for the norms and protections provided by the Principles.

The following table summarizes the political rights relevant to elections contained in the guiding principles. The first column identified the core standards necessary for a genuine election and column 2 identifies the obligations identified by the Guiding Principles.

Election Standard	Relevant Principle
Non-Discrimination and universal suffrage	*Principle 1:* Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced.
Election Security	*Principle 12:* Every human being has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.
Freedom of Movement, right to travel to election facilities	*Principle 14*: 1. Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence. 2. In particular, internally displaced persons have the right to move freely in and out of camps or other settlements.
Re-establishment of official identity	*Principle 20*:1. Every human being has the right to recognition everywhere as a person before the law. 2. To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents.
Right to Political Participation and	*Principle 22*:1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their

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[38] Available at: http://www.reliefweb.int/ocha_ol/pub/idp_gp/idp.html

auxiliary rights related to "fair" elections	displacement in the enjoyment of the following rights: (a) The rights to freedom of thought, conscience, religion or belief, opinion and expression; … (c) The right to associate freely and participate equally in community affairs; (d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right; and *Principle 29:*1. Internally displaced persons who have returned to their homes or places of habitual residence or who have resettled in another part of the country shall not be discriminated against as a result of their having been displaced. They shall have the right to participate fully and equally in public affairs at all levels and have equal access to public services.

Engaging the region's governments

The REWG should actively seek to link the electoral participation of the Liberian refugees to regional peace-building, refugee repatriation, and democratization efforts in Western Africa. As UNHCR notes, "… the sub-region is home to a floating population of veterans from multiple conflicts who are available to fight for anyone who will pay and give license to loot." Without effectively engaging Liberia's neighbors on the need for peace and stability in Liberia, as well as the mechanisms for building that peace, prospects for long-term stabilization are dim.

A process aimed at reconnecting displaced populations with their home-communities is central to stabilization in the region. To this end, UNMIL, ECOWAS, the UNHCR, and Donor Governments (particularly the United States and the European Union (EU)), should engage Guinea and Côte d'Ivoire to cooperate with the Liberian elections process. There are Security Council authorized missions in three of the four countries, and the fourth, Guinea, hosts a large humanitarian program and has strong intergovernmental organization (IGO) representation. Recognizing this regional dimension, the UN Missions already coordinate across borders, and UNHCR approaches the issue of refugee returns from a regional perspective, rather than a series of national programs.

In terms of practicalities, the international community should encourage both Côte d'Ivoire and Guinea to allow Liberian registration and election activities to occur within their territory. The experiences of previous elections that included refugee voting-in-asylum (Bosnia, Kosovo, East Timor) can be used to demonstrate the utility of these programs and convince the governments that their fears of election related insecurity are overstated. In addition, donor states might find this process a unique opportunity to strengthen the commitments of these governments vis-à-vis their own democratization processes.

One mechanism for allaying these governments' concerns might be to offer the services of IOM, and/or ECOWAS, together with the refugee ministries of the host-states, as project implementer. IOM in particular has extensive experience organizing registration

and voting in asylum programs for refugees, and could provide legitimacy and resources to ensure that refugees are registered and able to cast a ballot. In cooperation with security agencies from the host state, voter registration and balloting could occur in a secure and transparent fashion. [39]

Registration and Balloting

Although probably not feasible before October 2005, Liberia would benefit from a nation-wide civil registration. [40] Much of the population lacks official documentation and government and international agencies are concerned that nobody knows exactly how many Liberians there are (either nationally or by county/district), where they originally came from, and whether or when they plan on returning to their home communities. A civil registration process would not only help election planners (distribution of ballots, constituency delimitation, etc.), but could assist humanitarian agencies target resources and better coordinate programs. In addition, while Guinea appears to remain opposed to elections activities on its territory, government officials expressed interest in a comprehensive registration process, which might open a window for election organizers to ask for voting-in-asylum as well. In an ideal environment, civil registration in Liberia and neighboring states could provide critical data to election planners and to the humanitarian community.

Unfortunately, civil registration programs require a complex technological infrastructure that Liberia cannot currently support. Aside from cost and appropriate technology issues, civil registration would require mobile computing, biometric capture, and secure document printing in a variety of field locations. Obvious operational problems here include lack of electricity, computer breakdowns in isolated locations, and significant training requirements for registration staff. Some of these issues could be addressed with sufficient resources, but election organizers and donors should be aware that the inherent complexity of these systems could derail the elections, which are a vital first step towards peace and reconciliation. Nevertheless, a civil registration program might be explored in regards to the refugees and a brief overview of how such a program might operate is provided in Annex II.

In the absence of a civil registration, election organizers will need to design a voter registration process that accounts for displaced populations and can accommodate movements and returns leading up to election day. As in previous Liberian elections and the 2002 Sierra Leone elections, all voters should register and vote at the same facility. If no registration occurs in the neighboring states, border stations should be established for temporary returnees and programs for facilitated movement coordinated with UNHCR or IOM. All IDP camps should be provided designated registration and polling stations. For

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[39] One unknown is the extent to which the government of Côte d'Ivoire will have effective control over the ZAR. This may require a politically sensitive initiative to work with and engage the rebel movements in the region.

[40] Liberia last issued a national identity card in 1984 under a program run by the Ministry of Finance. Since that time, no country-wide documentation program has been established. Many, but not all, Liberians have a birth certificate, which can be used to apply for a passport. Those not born in a hospital or born in hospitals whose records were destroyed are able to undergo a social verification process.

non-camp IDPs, all regular registration centers should be trained and equipped to register displaced voters who wish to cast their ballot for their district of origin.

Similar to Sierra Leone in 2002, Liberia will require a "transfer of the vote" program to allow movement between the close of registration and the balloting. Lessons learned from Sierra Leone should be applied to Liberia. Most importantly, returnees should not be required to travel to a centralized district station, but should be able to transfer their vote at the registration/polling station nearest their area of return. This requires a program to ensure that all election facilities are equipped to update the voters register and/or deliver the change in registration details to Monrovia for calculation of ballot distribution. For returnees who arrive in their home district immediately prior to Election Day, conditional ballots (with secrecy envelopes) should be made available. Election organizers should initiate discussions with UNHCR and IOM to provide registration services for returnees at transit camps.

The process of delivering the correct ballot (potentially fifteen or more unique districts) to the correct voter at the correct location is an unavoidable complexity of post-conflict elections utilizing multiple districts. Computerization of the voter register into a sortable database helps enormously, and would also allow for a district apportionment based on the results of the registration. The key consideration, however, is ensuring that the displaced registration process drive the election timeline. Election organizers must allow sufficient time between the close of registration and Election Day to calculate which ballots will be needed at which polling station, and ensure sufficient time to transport these ballots.

A second registration issue is ensuring that only those who qualify for Liberian citizenship (as expressed in Articles 27 and 28 of the 1986 Constitution) and meet other eligibility requirements would be registered.[41] Liberian refugees noted that many people in the region will attempt to register for any official process in the hope that some benefit might flow from it. In addition, a large number of Guineans worked and resided in Liberia during the 1970s and 1980s and could easily pass for Liberians. Given the wide scale lack of documents, some form of social validation of voter eligibility will be required. Election organizers might consider combining social validation with officially-issued ration-cards issued by UNHCR, OCHA, WFP, and eventually DDRR. While these documents are not particularly secure, they could be listed as a secondary proof of

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[41] Article 27 of the Constitution reads: "a) All persons who, on the coming into force of this Constitution were lawfully citizens of Liberia shall continue to be Liberian citizens. b) In order to preserve, foster and maintain the positive Liberian culture, values and character, only persons who are Negroes or of Negro descent shall qualify by birth or by naturalization to be citizens of Liberia. c) The Legislature shall, adhering to the above standard, prescribe such other qualification criteria for the procedures by which naturalization may be obtained." Article 28 holds that: "Any person, at least one of whose parents was a citizen of Liberia at the time of the Person's birth, shall be a citizen of Liberia; provided that any such person shall upon reaching maturity renounce any other citizenship acquired by virtue of one parent being a citizen of another country. No citizen of the Republic shall be deprived of citizenship or nationality except as provided by law; and no person shall be denied the right to change citizenship or nationality." The language on the race requirement for citizenship obviously should be subject to revision.

eligibility in the election law. One of the tasks of the REWG would be to evaluate the prospect of linking the ration cards to proof of eligibility.

Humanitarian agencies in the region could be tapped to publicize and encourage registration. In the camps, the well organized Camp Committees and governance structures could encourage participation. Important media outlets include the rapidly growing collection of radio outlets, including the "Talking Drum" program managed by the Search for Common Ground.

Mechanisms for Inclusion

Given that the electoral formula could utilize multiple districts, a mechanism must be in place to account for displaced populations during the constituency delimitation and apportionment. If apportionment is based on the results of registration, registration should occur well in advance of Election Day, potentially as soon as Spring 2005, and be concluded no later than the onset of the rainy season in April/May. On the other hand, the closer the registration process is to Election Day, the more likely that significant returns will have occurred, easing the management of the displaced voting. Early planning should focus on how best to conduct the delimitation and ensuring that the wide-scale displacement and continued movement of persons does not result in malapportioned districts.

Prior to designing the registration system, the NEC will need to determine whether IDPs should register and vote at specially designated "IDP" stations or whether procedures can be designed to have them register at regular stations. IDP communities often function as close-knit sub-groups. As a result, they should be served by dedicated registration and polling centers near their location and staffed by fellow IDPs (and other election workers) who understand their unique needs and procedures. Mixing displaced voters in with regular voters is certainly possible; however, co-mingling voters with varying identification and balloting needs can create long queues and overcrowded polling stations. As a consequence, absentee polling stations generated enormous lines of often frustrated and angry voters. The separation of these voters from regular voters can speed up the voting process and ensure that long lines and crowded facilities do not result in violence. This separation can occur either through separate lines and voting stations within a "twin" station, or through the creation of special absentee balloting stations. If the latter option is selected, election organizers will need to plan for comprehensive coverage of the country in order to avoid requiring long, costly, and potentially unsafe movements of IDPs during registration.

With these criteria in mind, an operational plan (which assumes multiple districts and no voting-in-Asylum) might be organized as follows:

1. Voter registration is conducted throughout Liberia and in the host states;
    a. Returnees: register normally at their home community or transit camp registration center;

     b. <u>Non-camp IDPs</u>: register at a registration station where all registrants are asked whether they intend to move or remain permanently in their current location (see below) or at designated IDP stations;

     c. <u>Refugees</u>: register at designated registration centers in Sierra Leone, Côte d'Ivoire, Conakry, and Ghana and at camp-stations operated by the IOM/UNHCR in cooperation with host-state refugee agencies in Southeastern Guinea.

     d. Border registration stations are established for refugees in host-states that refuse to allow registration-in-asylum;
          i. Agreements with these governments are reached regarding keeping borders open and not interfering in the registration process;
         ii. UNHCR/IOM are enlisted to facilitate travel from the refugee's home to the appropriate border station

     e. Liberians outside of these states register for elections via a postal or embassy registration process, if technically and financially feasible;

2. All IDP registrants are asked whether they intend to remain permanently in their current area of residence;
     a. IDPs who intend to remain permanently in their current district are registered to vote in and for their current district
     b. Those who intend to return/move prior to or after election day are:
          i. registered to vote for their district of return by absentee ballot and added to the voter roll at their current location for an absentee ballot;
         ii. issued a "potential movement form," (PMF) that allows voter to change their registration details upon return up to a specified number of days prior to the balloting.
              1. If the voter returns to their home district after they register but before voting day, they present the "potential movement form" to the local election commission in the district of return;
              2. The LEC collects and stamps the PMF, adds the returnee to a "transfer" voter roll, issues a "transfer receipt" and forwards the change of registration detail to the Election Management Body (EMB) in Monrovia;
              3. A cut-off date will need to be established based on transportation requirements between the local registration station and Monrovia in order to forward the movement form and change the appropriate voters registers prior to distribution of the final voters registers.

3. A network of refugee/IDP voting stations is be established at:
     a. designated points along Liberia's borders;
     b. inside the IDP camps
     c. points throughout Liberia near known IDP concentrations or through "twin" stations established at all regular election facilities.

4. Three weeks prior to the election, the EMB in Monrovia makes a final determination of the number of voters residing outside of their home district and their current location
    a. This information will determine how many unique district ballots need to be provided to each polling station;
    b. A surplus number of each ballot should also be provided to each refugee station in order to allow conditional ballots;

5. Each refugee/IDP voting station is provided a pre-determined number of ballots for each constituency/district throughout the country, based on the registration figures;

6. IOM and UNHCR organize, in cooperation with host-state authorities, facilitated transport and return to the voting stations along the border. The international community absorbs the cost of these movements.

Balloting

For refugees in states that do not allow voting-in-asylum, the NEC should establish and publicize the locations of border stations. UNHCR and other agencies should be engaged to provide secure transport of refugees to these stations, and government ministries should commit to facilitating border crossings on Election Day. Since this will be a time consuming process, the election should occur over two days. Perhaps a special schedule for refugee balloting could be established to allow an even longer balloting period.

Election administrators will need to determine whether the absentee ballots should be:

➢ Counted on-site following the close of the polling station;
➢ Moved to a centralized sorting and counting facility for all absentee ballots; or
➢ Moved to the municipality where the ballots are counted and mixed with regular ballots from within that municipality.

Depending on the number of districts, polling station staff might not be able to count the ballots on-site in a timely fashion, delaying the return of results. A central counting facility could alleviate this process, although this raises the problem of ensuring that ballot movement is secure. International election observers and security forces can be engaged to secure ballot movements. Accredited domestic observers (political party and civil society) should also be allowed to monitor the ballot movement, although they should never be directly tasked with physically controlling the ballots.

Camp-based stations will only serve displaced populations. These ballots will be moved to the central sorting and counting station, where they will be mixed with all other displaced ballots for each district to prevent political parties or other actors from calculating the electoral results from each camp. Each district will then elect a candidate(s) based on both regular and displaced votes. Presidential ballots will also be transported and counted at a central facility.

Political parties and the media will need to be sensitized that the movement of ballots will slow down the reporting of results. The central sorting and counting facility should allow full access to accredited observers.

Security[42]

In a best case scenario, DDRR will have succeeded in largely disarming the population well before registration commences. Nevertheless, special precautions should be taken to ensure the physical safety of displaced populations during the registration, the campaign season, and during balloting. In the 1997 elections, security fears kept many eligible voters from participating, contributing to the victory of Charles Taylor. In addition, many of those who voted for Taylor believed that they were voting for peace, as Taylor was widely considered the only candidate who could stabilize the country and many voters feared his likely reaction to a loss.[43]

While election-related violence is a threat to both displaced and non-displaced voters, political parties often perceive concentrated IDP populations as either a major source of potential votes or a major opposition cluster. In the latter case, actors may seek to instill a fear of electoral participation through selective or wide-scale acts of violence against individuals.

Managing these security needs requires a careful consideration of the issues confronting these populations. At a minimum, procedures must be in place for universal absentee registration and balloting. Requiring displaced populations to return to their home communities to vote puts them in direct contact with individuals and groups that may have been responsible for their displacement. The absence of a large scale, spontaneous return prior to the elections should indicate that the security situation does not warrant the use of repatriation as a means for IDP enfranchisement. If this is still the case by October 2005, the only option for protecting IDPs' physical safety is through registration and balloting in their place of current residence.

If absentee polling stations are not provided, procedures will need to be in place to protect election-related movements of people. These procedures should at a minimum include the creation of safe transit routes, protected by neutral security forces, as well as potentially organized movement programs. Unfortunately, these programs were promised to Liberian voters in 1997, but were not consistently realized due to ECOMOG and INEC funding and operational issues. Hopefully, in 2005 the presence of UNMIL peacekeepers and observes will ease tensions and create conditions favorable to the personal security of the returning voter. Nevertheless, election organizers should be careful not to promise more in this regard than can be effectively delivered. Effective day-to-day cooperation

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[42] Much of this discussion is drawn from Jeremy Grace and Jeff Fischer, "Enfranchising Conflict-Forced Migrants: Issues, Standards, and Best Practices." IOM/PEP Discussion Paper No. 2. Available at: www.iom.int/pep

[43] Lyons: 192. As one voter stated, "[Taylor] killed my father but I'll vote for him. He started all this and he's going to fix it."

between election authorities and security forces (including UNMIL troop contingents, CivPol, and Liberian Police) will be essential.

Election Information

Voters require access to three types of election-related information: 1) Process information covers the mechanics on when, where, and how to register, eligibility requirements, and voting dates, locations and procedures. This information is generally produced by EMBs and distributed through media outlets, posters, and CSOs; 2) Sensitization Information covers the political rights, responsibilities, and practices related to a functioning and healthy democratic polity. This information can be produced in a combined effort between an EMB and civil society groups, and disseminated through media outlets as well as training workshops and programs; and 3) Political Information includes the actual programs and platforms of the candidates. This information is produced and distributed by the parties and candidates, either directly through paid advertisements, posters, and rallies, or indirectly through press coverage and editorials.

In order for Liberia's displaced to vote with full information, donor-supported programs will be required in all three areas. In terms of process information, the NEC, the REWG, and the UN should include special attention to the unique considerations of displaced populations. Information on registration and voting while in displacement should be produced and distributed through paid advertisements in the print media, through UNHCR and OCHA-partner distribution of posters and flyers in the IDP and refugee camps, and by engaging and funding NGOs to conduct election related training activities as part of return and reintegration activities.

In terms of sensitization, the NEC should solicit civil society partners to develop modules and conduct training on democratic norms and practices with a specific emphasis on displaced populations. One immediate program might be to include a training module into the DDRR program. Other programs might include:

- Displaced-specific radio programming, including scripting and producing segments for the popular "Talking Drum" series, which is produced and distributed by Search for Common Ground and broadcast throughout Liberia and the region;
- Journalist training on the Guiding Principles and other IDP political rights. This could include facilitated workshops for journalists coordinated with the Press Union of Liberia (PUL). The PUL might also be engaged to monitor reporting on IDP issues related to the elections and provide a monthly prize for outstanding articles and reports. This would motivate Liberian journalists to pay more attention to political issues inside the camps.
- Conducting workshops for International NGOs that have peace-building programming in the refugee and IDP camps. The IRC expressed interest in having their program facilitators trained to impart democratization information.

Both refugees and IDPs expressed frustration with the lack of information regarding the programs and platforms of various parties. Providing this information could occur in several possible ways. First, political parties should be allowed to campaign in the IDP camps during the official campaign season yet should be monitored and subject to defined regulations. The NEC should organize a political party pact stipulating that parties will not campaign coercively within organized displaced communities and not intimidate or manipulate voters. Actions such as raising political party flags and distributing food or benefits near the Registration Centers in the camps would be prohibited. The REWG would ensure compliance with the pact and accredited international and domestic monitors should be permitted free access to IDP election centers.

It is unlikely (and would probably be unwise) that political parties would be allowed to openly campaign for refugee votes in the host states. As a result, election organizers will need to provide information on party and candidate platforms to these populations in consultation with the host–state governments. Possible information distribution mechanisms would include:

- Using Talking Drum and other radio segments to present candidate platforms. The parties and candidates would be provided equal time (perhaps five to ten minute segments) in which to record their platforms as related to refugee issues for distribution via radio networks. Hand-crank radios could be provided to the camp committees in order to allow public broadcasts of the platforms.
- The REWG, in consultation with the parties and candidates, could prepare information leaflets for distribution on bulletin boards inside the camps. REWG could also prepare an election newsletter containing both process information and political party platforms on a monthly basis throughout the registration and elections process;
- Tape recordings of the five/ten minute candidate segments could be broadcast at community meetings inside the camps.

Annex I: List of Meetings and Contacts

Guinea	
Pierre King	IOM-Conakry
Kobe	BCR - Kissidougou
Hervé Baillenx	IRC - Conakry
Hervé Ludovic de Lys	OCHA -Conakry
Stefano Severe	UNHCR - Conakry
Roseline Idowu	UNHCR - Kissidougou
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Vincent Daka	UNMIL Civil Affairs
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Annex II: A Scenario for Civil Registration

At some point, Liberia will need to conduct a comprehensive civil-registration process. Ideally this would occur prior to the elections and the voter register could be extracted from its results. Given the technical and logistical complexities described in this report, however, such a program is probably not feasible prior to balloting. Nevertheless, this Annex sketches some issues and ideas for conducting a nationwide civil registration in terms of making sure that such a program would account for displaced populations.

Civil registration would result in a comprehensive database of all Liberians and the issuance of a national ID card issued to all registrants over the age of fourteen. Those under fourteen should also be included in the civil register database, together with their parent or guardian, in order to prepare for their eventual registration and to provide a comprehensive demographic profile of the country.

The registration should be structured to capture the following data:

- Name
- Biometric Thumbprint
- Age
- Current Residence
- District of Birth and/or District in 1989
- Intended District of Permanent Domicile
- Other information based on consultations with the humanitarian community (Occupation, skills, etc.)

The Ministry of Interior should take the lead in designing the process. The first step would be to assemble and digitize available records maintained by the Ministry of Finance, Ministry of Health, and the humanitarian agencies. UNHCR, WFP, IOM, Liberian Government Ministries and other actors have all enumerated various populations or maintain records, but the databases are not integrated and there is no coordinated effort (within Liberia or across borders) to establish a common framework for managing and evaluating this data. The records would provide a database to check eligibility. Those not found in the database (and there would be many) would undergo a separate process of social verification.

United Nations Volunteers (UNVs) could be employed to work in teams with local government counterparts to open registration stations throughout the country. IOM, UNHCR, and/or ECOWAS, in conjunction with host-state governments, could operate registration programs in the refugee and IDP camps. Displaced persons would present themselves at a registration center where staff would search the consolidated database for verification purposes. If the applicant is found, they are registered. If they are not found, they undergo an affidavit process similar to the one currently conducted by the Ministry of Justice for those seeking a birth certificate (except that the 500 L$ fee would be waived). The entire process would take approximately three months.

The registration would issue the refugee with a biometric document, proving identity, citizenship, home municipality, date of birth and containing biometric data: it would not create a right to asylum or be utilized as a ration card. The documents could either be issued on the spot or data could be returned to Monrovia and a card printed and distributed back to local government offices and on to the registrant.

Planning for the registration would require close cooperation and consultation with host governments and an extensive information campaign. In order to maximize refugee participation refugees will need to be reassured that the registration will not serve as the first step towards repatriation against their will. Host governments should also commit in advance not to use the data generated for this purpose. In addition, the registration should be carefully designed so as not to allow an inflation of official refugee statistics and corresponding claims from government and humanitarian agencies to more resources.

Annex III: The Participatory Elections Project

The Program

IOM considers the establishment of inclusive democratic electoral processes to be an essential component of peace building and vital to the creation of sustainable and credible democratic structures. In those cases where populations are displaced beyond territorial limits and without normal opportunities to register and vote, a mechanism for their enfranchisement is warranted. To the extent that these groups are left outside of the electoral processes, the legitimacy of these processes is compromised. By creating appropriate structures to incorporate external registration and voting, those residing externally become active participants in the electoral process at home and maintain connections that ease their transition back to home life. When implemented correctly, external voting can moderate the effects of ethnic cleansing and empower disenfranchised people to elect preferred representatives.

However, regional inconsistencies exist in international practices on political participation by displaced populations. Displaced nationals are routinely being denied the right to participate in their home country political processes because of the lack of widely recognized legal imperatives protecting their political rights. As a result, incumbent governments can stand for election with the participation of segments of the population that have been displaced, perhaps for the very reason of denying them the franchise. By exploiting this gap, mass expulsions of any non-loyal, opposing, or simply different group of people eliminates them as political obstacles, public concerns, or constituencies. With the development of internationally accepted practices on the political rights on conflict-displaced migrants, using expulsions as a political tool is effectively foiled if an individual's voice and vote is not affected by location and status.

The Participatory Elections Project has four components:
- Desk research of laws and practices on the political rights of conflict-forced migrants;
- Proposal of standards for the political rights of conflict-forced migrants;
- Action plans to assist election management bodies and international organizations with specific enfranchisement activities for conflict-forced migrants; and
- Strategies for the global implementation of the proposed standards and best practices.

Two information products are being created by this project. This first product is the master package of research and standards development available at the PEP website (www.iom.int/pep). The second information product is the external voting action plan methodology and action plans for targeted elections. This paper is the third in the series, with previous action plans covering Angola and the Caucuses.

The project is funded by the United States Agency for International Development.

Project Team

Jeff Fischer

Jeff Fischer is the Senior Coordinator for PEP. In this role, he is responsible for the conduct of the project modules and the direction of the research. Mr. Fischer is currently Senior Advisor for Elections at the International Foundation for Elections Systems (IFES) where he has conducted numerous assignments for the organization. In 2000, Fischer was the Director of Election Operations for the Organization for Security and Cooperation in Europe (OSCE) and Head of the Joint Registration Task Force of United Nations (UNMIK) and OSCE in Kosovo. Prior to that, he served in 1999 as Chief Electoral Officer for the United Nations (UNAMET) in East Timor and Director General of Elections in 1996 for the OSCE in Bosnia and Herzegovina. Each of these electoral processes involved major initiatives to assure that refugees and displaced persons were able to register and cast their ballots.

Jeremy Grace

Jeremy Grace is the Research Coordinator for PEP, responsible for organizing and conducting the research module of PEP. Mr. Grace is currently Lecturer of international politics, law, and organization at State University of New York at Geneseo. In 1998, he directed the IOM out of country voting program for Bosnia refugees residing in Croatia and was, in 1999, the IOM Deputy Director for the registration and polling of East Timorese displaced persons in Indonesia. He also authored in 2000 an evaluation of IOM's role in the Kosovo elections. From 1996 to 2000, Mr. Grace had multiple assignments with the OSCE in Croatia, Bosnia and Herzegovina and Kosovo.

Bruce Hatch

As the Technical Coordinator for PEP, Bruce Hatch is responsible to examine the logistical and other technical issues that must be managed in order to conduct out-of-country registration and voting. In 2001, Mr. Hatch was the operations advisor to the Out-of-Kosovo voting program conducted by IOM on the behalf of the OSCE. From 1999 to 2000, he served as operations and logistics advisor to the Joint Registration Task Force (UN and OSCE) in Kosovo and as operations advisor to the OSCE Mission in Kosovo. Prior to that, Mr. Hatch was an operations and logistics consultant for IFES, Elections Canada, the Canadian International Development Agency (CIDA), the United Nations Electoral Assistance Division (UNEAD) and the National Election Commission of Tanzania.