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**NATIONAL ELECTIONS COMMISSION**  
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## **REGULATIONS & PROCEDURES RELATING TO POLITICAL PARTIES, COALITIONS, ALLIANCES, AND INDEPENDENT CANDIDATES**

**October 2022**

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## **§ 1.0. Authority**

- 1.1. The National Elections Commission, pursuant to the powers vested in it under Chapter III of the 1986 Liberian Constitution, as well as Section 2.9 of the New Elections Law (1986), hereby formulates the following Regulations.

## **§ 2.0. Applicability**

- 2.1. These Regulations shall apply to Political Parties, Alliances, Coalitions, Independent Candidates and their conduct/activities.
- 2.2. These Regulations shall not be construed to limit additional requirements imposed by any provisions of the New Elections Law (1986) and/or relevant opinions of the Honorable Supreme Court of Liberia.

## **§ 3.0. Citations**

- 3.1. These regulations and procedures may be cited as the "Political Parties and Independent Candidates Regulations, 2022".

## **§ 4.0. Definitions**

- 4.1. The following words, terms and phrases shall have the meanings ascribed to them herein, except where the context clearly indicates a different meaning.
  - a) **"NEC or Commission"** means the National Elections Commission;
  - b) **"Aspirant"** means any one canvassing for an elective public office.
  - c) **"Candidate"** means any individual who has been endorsed by a political party, coalition or alliance, or who runs as an independent candidate for an elective public office and has been duly accredited by the NEC.
  - d) **"Alliance / Coalition"** means two or more political parties working together for a particular political purpose.
  - e) **"Political Party"** means an association that has been duly registered/accredited by the NEC to function as a political party.

- f) **"Independent candidate"** means a person seeking elective public office, acting independently of a political party.
- g) **"Campaign"**, means canvassing for votes;
- h) **"Registration"** means the process by which the NEC accredits an association or independent candidate as enshrined in Article 79 of the Liberian Constitution.
- i) **"Accreditation"** means the issuance of a certificate to an association to function as a political party.

#### **§ 5.0. Name, Initials, and Symbol**

5.1. Each political party, coalition, or alliance shall have a name, initials and a symbol, which shall not be identical or similar to those of any other party, coalition, or alliance that is registered or was previously registered with the National Elections Commission (NEC). The proposed name shall not be obscene; it shall not be based on the name of a person, or contain expressions or emblems related to any of Liberia's national institutions.

5.2. The initials and symbols of a coalition/alliance shall reflect the set of symbols and initials of the political parties that make up the coalition/alliance.

#### **§ 6.0. ORGANIZING A POLITICAL PARTY**

6.1. A group of persons or an association, wishing to form a political party, shall first establish an organizing committee, comprising at least fifteen (15) qualified voters. The organizing committee shall have a designated chairperson.

6.2. The group or association, through its chairperson, shall send a letter of intent in duplicate, addressed to the Chairperson of the National Elections Commission. The letter shall be typed, on letter size paper, with font size of 14 points. All pages of the letter, including any attachments, should be sequentially numbered. The letter shall state the proposed name, initials, and symbol the group or association wishes to operate under. The letter shall further include the names, genders, addresses, voter identification numbers, color passport size photo and signatures of the organizing committee's members. The letter of intent must be notarized.

6.3. The constitution and by-laws of the proposed party shall include but not be limited to the party's objective, ideology, motto, etc.; all of which must comply with Article 79 of the 1986 Liberian Constitution.

6.4. Upon receipt of the letter of intent, the NEC shall search its database to ascertain whether the proposed name, initials, and symbols are available and may be used by the group. If they are, the NEC shall reserve the submitted name, initials, and symbol for a period of 45 days, and communicate with the group or association to proceed to the Ministry of Foreign Affairs and apply for its Articles of Incorporation using the submitted name, initials and symbol. If the group or association fails to return to the NEC within 45 days period with proof of its Articles of Incorporation, the NEC shall vacate the internal reservation of the proposed name, initials and symbol, thereby making the same available to others for possible use.

6.5. The Articles of Incorporation shall state, among others, that the group or association **"is formed for the sole purpose of being a political party and that in keeping with Article 79 of the 1986 Liberian Constitution and approval for any group or association to function as a political party comes only upon certification by the National Elections Commission."** The Articles of Incorporation shall state further that the group's or association's **"duration shall end as stated in the said Articles of Incorporation or upon a final, non-appealable judicial decision revoking the group's or association's registration and accreditation to operate as a political party, whichever occurs first."**

6.6. Upon the proposed party's satisfaction of the above requirements, the NEC shall authorize it to proceed as follows:

- a). To canvass for membership and thereafter submit to the NEC a notarized membership list of not less than five hundred (500) qualified voters from at least six (6) counties of the Republic of Liberia. The list shall include the name, age, gender, passport size photo, voter ID number and address.
- b). Avail to the NEC its national headquarters for inspection, and show proof of occupancy rights (title deed, lease or grant).
- c). Submit minutes of meetings held by the organizing committee;

- d). Submit a bank statement showing a minimum balance of US\$10,000.00 (Ten Thousand United States Dollars) or its equivalent in Liberian dollars, which shall be maintained by the party at all times.
- e). Submit Indemnity Insurance of US\$100,000.00 or its equivalent in Liberian dollars, which shall be maintained by the party at all times; and
- f). Payment of a non-refundable processing fee of US\$1,800.00 or its equivalent in Liberian dollars.
- g). The proposed party shall cause the submitted membership list to be published in at least two (2) local Liberian newspapers and submit proof of publication to the NEC.

6.7. If the Commission determines that a submission made by the organization committee is deficient, the Commission shall inform the organizing committee and give it an opportunity to correct the deficiency within twenty-one (21) working days of receipt of the said notice of deficiency.

#### **§ 7.0. ACCREDITATION**

7.1. Upon the proposed party's satisfaction of the above requirements in Section 6, the NEC shall authorize the organizing committee to take the proposed party to its first national convention to among other things adopt the party's constitution and by-laws and elect its officials in keeping with Article 79 of the 1986 Liberian Constitution. This convention shall be held no later than six (6) months upon receipt of said authorization.

7.2. Before the holding of this convention, the organizing committee shall do the following:

- a. Establish a Convention Committee and submit to the NEC the names and contact information of the Convention Committee members. The Convention Committee shall:
  - i. Publish the venue, date, and time of the convention at least 3 weeks prior to the convention;
  - ii. Publish the list of offices to be contested during the convention;
  - iii. The publications shall appear once each week (for 3 successive week) in at least 1 local newspaper and one radio station.

b. Submit proof of the publications to the NEC.

7.3. After the convention, the organizing committee shall submit to the NEC the following:

- a). The convention report (signed by members of the Convention Committee) shall contain but not be limited to the names of all persons elected at the said first convention, their respective offices and tenure;
- b). The party's adopted constitution and by-laws (in duplicate);

7.4. Upon the satisfactory review of the submitted convention report and adopted constitution, the NEC shall inform the proposed party of its certification program at which its full certificate of accreditation shall be issued.

### **§ 8.0. OBLIGATIONS OF POLITICAL PARTIES**

8.1. No person shall be a member of more than one political party at the same time.

8.2. All political parties shall be required to establish and maintain at all times a functioning and standardized national headquarters in the capital of the Republic; and a functioning and furnished local office in the capital of the county or constituency it wishes to field a candidate.

8.3. The National Headquarters of a political party must meet the following minimum requirements:

- i. Have a spacious, accessible and furnished office building containing not less than four offices; at least two bathrooms, a conference room, and office equipment.
- ii. Visible directional signboard;
- iii. Visible signs of the party at the site of the office.

8.4. The local offices of a political party shall meet the following requirements:

- i. Contain not less than two rooms and a bathroom;
- ii. Visible, clean and easily accessible;
- iii. Visible directional signboard;
- iv. Visible signs of the party at the site of the office.

- 8.5. Upon receipt of notice for inspection, a political party shall make its office(s) available to the Commission for inspection.
- 8.6. In case of a change in address of a political party office, the NEC shall be duly informed within 48 hours of said change.
- 8.7. A political party shall establish and maintain at all times, an office in the capital of the Republic.
- 8.8. A political party shall at all times maintain a minimum bank balance of at least Ten Thousand United States Dollars (US\$10,000.00) or its equivalent in Liberian dollars.
- 8.9. A political party shall at all times maintain an indemnity insurance policy with a reputable insurance company in an amount not less than \$100,000USD (One Hundred Thousand United States Dollars) or its equivalent in Liberian Dollars. This insurance policy is to compensate or indemnify any third party that may be injured as a result of the party's actions.
- 8.10. Failure of a political party to adhere to any of the above provisions as contained in sections 8.7; 8.8; and 8.9 is a violation, for which the NEC may seek revocation of the party's registration and accreditation in keeping with due process of law.
- 8.11. Along with its minimum bank balance statement and indemnity insurance policy, a political party must submit a notarized letter of authorization for the NEC to verify the submitted bank statement and policy.
- 8.12. Every political party shall keep proper and accurate financial records including minutes of all meetings held; and a comprehensive membership roster.
- 8.13. No political party, coalition or alliance shall:
  - a) Engage in or encourage violence by its members or supporters;
  - b) Engage in or encourage any kind of intimidation of opponents, other political party, or any other person;

- c) Advocate hate speech that constitutes ethnic or religious incitement, vilification of others or incitement to cause harm;
- d) Obstruct, disrupt, break-up or in any other way whatsoever interfere with a meeting or rally of another party or its leadership.

#### **§ 9.0. Party's Internal Dispute Handling Mechanism**

- 9.1. Every political party, observing the principles of due process, shall have a comprehensive impartial dispute resolution mechanism within its constitution and by-laws.
- 9.2. Every such dispute arising shall be disposed of without delay, in a period of ninety (90) days of receipt of the complaint.
- 9.3. A party's internal dispute resolution mechanism must first be exhausted before an aggrieved party may seek outside relief.

#### **§ 10.0. Political Party Convention & Primaries**

- 10.1. In keeping with Article 79(e), of the 1986 Liberian Constitution, every political party shall hold democratic elections of all officers and or governing body at least once every six (6) years.
- 10.2. At its national convention, a party may elect its standard bearer.
- 10.3. At the local convention, political parties shall nominate their candidates to contest for legislative seats in the Legislature.
- 10.4. Notice of every national convention shall be given maximum publicity by the party through all appropriate means at least fourteen (14) days prior to the start of the convention. The means of publicity shall include but not limited to, broadcasting the notice on radio and in the print media for a period of not less than seven (7) consecutive days; and a formal notice to the Commission. The notification shall include the list of the convention committee members.

10.5 Within ten (10) days following the convention, a political party, through its chairperson and secretary general, shall submit to the Commission its convention report (signed by members of the convention committee) shall contain but not be limited to the names of all persons elected at the said convention, their respective offices and tenure.

10.6 The Commission reserves the right to reject any candidate/nominee submitted by a political party for any elective public office who is not qualified under the 1986 Constitution of Liberia; the New Elections Law; or any NEC Regulations.

10.7 The Commission, consistent with the New Elections Law, reserves the right to reject the list of candidates of a political party/coalition/alliance, that does not meet the stipulated gender quota.

### **§ 11.0. Independent Candidates**

11.1. Any Liberian citizen who is not otherwise disqualified by law, shall have the right to participate in any election as an independent candidate, provided that he or she meets the constitutional, statutory and regulatory requirements for the office he/she seeks to contest for.

11.2. The independent aspirant must submit to the NEC a petition listing of qualified voters as required for the office sought. The list shall include the name, age, gender, passport size photo, voter ID number and address.

11.3. The independent aspirant must have an office in the constituency where he or she intends to contest.

11.4. An independent aspirant shall at all times maintain a minimum bank balance of at least Ten Thousand United States Dollars (US\$10,000.00) or its equivalent in Liberian dollars.

11.5. An independent aspirant shall at all times maintain an indemnity insurance policy with a reputable insurance company in an amount not less than \$100,000USD (One Hundred Thousand United States Dollars) or its equivalent in Liberian

Dollars. This insurance policy is to compensate or indemnify any third party that may be injured as a result of the independent aspirant's actions.

11.6. Along with his/her minimum bank balance statement and indemnity insurance policy, an independent aspirant must submit a notarized letter of authorization for the NEC to verify the submitted bank statement and policy.

11.7. Every independent aspirant must meet all other requirements laid down in the NEC candidate nomination procedures.

11.8. Every independent candidate shall keep proper and accurate financial records including minutes of all meetings held.

11.9. All independent candidates shall adhere to the code of conduct for political parties and independent candidates.

11.10. The Commission shall take all lawful steps, including the holding of hearings, to verify the accuracy of the information and documentation submitted by an independent aspirant/candidate, in order to ascertain that the candidate meets the legal requirements.

11.11. If the completed application is in compliance with these regulations, the 1986 Constitution of Liberia, the New Elections law and other applicable NEC regulations, the Commission shall qualify the candidate to contest.

### **§ 12.0. Campaign Period**

12.1. The Commission shall determine and publish the dates when campaigning for a given election shall open and close. There shall be no campaign activity(ies) outside the campaign period.

12.2. Any aspirant found to have campaigned outside the campaign period shall be fined an amount not less than US\$1,000.00 and not more than US\$5,000.00, or their equivalent in Liberian Dollars payable in the Government of Liberia revenue.

