

**JUNE 28, 2022**

**LOFA  
COUNTY  
PROFILE  
SENATORIAL ELECTION**



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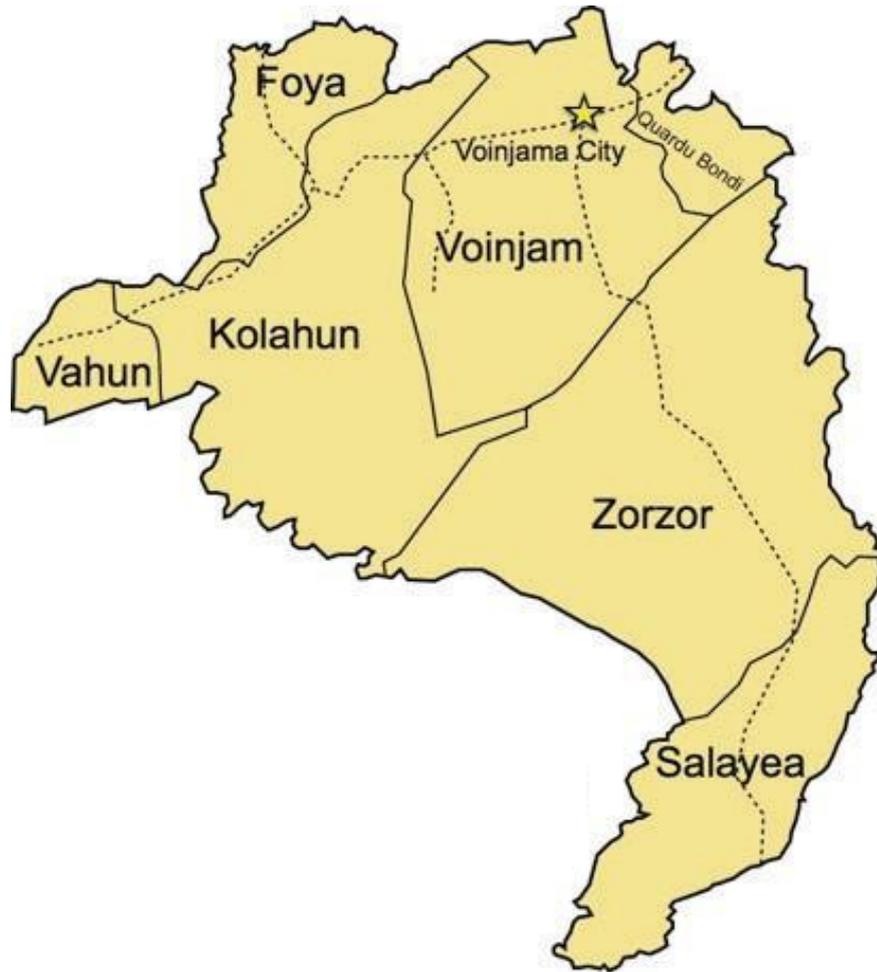
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## BACKGROUND TO THE SENATORIAL ELECTIONS

On November 8, 2020, citizens of Lofa elected Mr. Brownie J. Samukai to the Senate. Senator-elect Samukai could however not take up his seat because of an unrelated criminal case against him in which he had been convicted on five counts, including theft of property, criminal conspiracy, economic sabotage, among others for misapplication of soldiers' pension fund, totalling US\$1,147,656.35. The court accordingly ordered he pay 50 percent of the amount or face two years imprisonment. More than six months after that verdict, Mr. Samukai had however failed to pay-up. The Supreme Court subsequently ordered Mr. Samukai, and two other co-defendants incarcerated for two years for failure to comply with the court's mandate. Although Mr. Samukai has not been incarcerated due to presidential clemency, he has not taken up the seat. The Liberian Senate on February 16, 2022, notified the National Elections Commission (NEC) of the vacancy in the Senate from Lofa County. On March 23, 2022, the NEC published a calendar of events leading to the conduct of elections. Elections were initially slated for May, 10, 2022 but because of differences resulting into court process, election day is now June 28, 2022.

The NEC officially launched civic and voter education in Lofa on March 31, 2022, with posters and flyers, distributed during the process. The team targeted community town hall meetings, church gatherings, and general citizens in public places.



# OVERVIEW OF LOFA COUNTY

Lofa County has five electoral districts: Foya, Kolahun, Vahun, Voinjama, and Salayea and Zorzor districts as one. The county is the third-most populous county in Liberia with a population of 276,863 according to the 2008 National Housing and Population Census. NEC’s statistics place the number of registered voters at 187,775 with 454 polling stations. The county covers an area of 9,982 km<sup>2</sup> (3,854 sq mi).

## PREVIOUS SENATORIAL ELECTION RESULTS (TOP THREE)

The most recent statistic on NEC’s website are the 2011 and 2020 senatorial elections results ([www.necliberia.org/results](http://www.necliberia.org/results)). The 2005 results are courtesy of the International Republican Institute (2005 October-November Liberia EO Report.pmd ([iri.org](http://iri.org))).

In 2005, the number of registered voters in the county was 87,136 persons. Voter turnout was reported at 62%, the lowest of the 15 counties. The two highest candidates from non- mainstreamed parties at the time won as senior and junior senators.

No.	Name	Party	Votes	%
1.	Kupee Sumo	COTOL	13,325	15.4%
2.	Kanneh Fomba	ALCOP	11,096	12.8%
3.	Joe Saa Philip	CDC	7,123	8.2%

Source: IRI

### The 2011 Senate Elections Results

There were 156,929 registered voters in 2011. Voter turnout in the county's senatorial election was recorded at 100,371 (63.96%) in 378 polling places. Invalid votes were 8.9% of total vote cast.

No.	Name	Party	Votes	%
1.	Tengbeh George T.	UP	21,914	23.98%
2.	Zargo Stephen J.	LP	13,536	14.81%
3.	Kparkillen Stanley S.	IND	13,391	14.65%

Source: NEC

### The 2014 Special Senatorial Elections Results

Total updated voters in Lofa amounted to 164, 203 in 2014 up 7,274 from 2011. Voter turnout in the that election was recorded at 52,226 amounting to 31.8%. Invalid votes were 6.5% of total votes cast in 395 polling places

No.	Name	Party	Votes	%
1.	Kromah Alhaji G.	ALCOP	7,127	14.6%
2.	Zargo Stephen J.	LP	12,797	26.2%
3.	Jallah Joseph K.	ADP	8,554	17.5%

Source: NEC

### The 2020 Special Senatorial Elections Results

NEC recorded 187,775 registered voters in 2020. Voter turnout in the county's Special senatorial election was recorded at 68,590 amounting to 36.53% of registered voters. Invalid votes were 6.3% of total votes cast in 454 polling places. The UP Brownie Samukai won the seat with 31.8% of valid vote cast.

No.	Name	Party	Votes	%
1.	Samukai Brownie J.	UP	20,431	31.8%
2.	Jallah Joseph K.	IND	13,968	21.74%
3.	Fofana Marimu B.	ALCOP	9,629	14.99%

Source: NEC

### Nominated candidates

S/No.	Last Name	First Name	Middle Name	Gender	Party
1	CYRUS	MOMO	TARNUEKOLLIE	MALE	Independent Candidate (IND)
2	FOFANA	MARIAMU	BYAN	FEMALE	Independent Candidate (IND)
3	JALLAH	JOSEPH	KPATOR	MALE	Independent Candidate (IND)
4	KUPEE	SUMO	G.	MALE	People's Unification Party (PUP)
5	SAMAH	GEORGE	BEYAN	MALE	Independent Candidate (IND)
6	KORTIMAI	GALAKPAI	W.	MALE	UNITY PARTY (UP)

**NOTE: Mr. Galakpai W. Kortimai** of the Unity Party (UP) was confirmed and added to the list of candidates as a result of the outcome of a Supreme Court opinion in favor of the Unity Party.

Source: NEC



## POLITICAL ENVIRONMENT AND CAMPAIGN

The current political environment in Lofa county is a bit tense as tension mounts regarding whether the UP's aspirant will be qualified to contest the seat. Following the announcement of the withdrawal of UP and the ALP from the Collaborating Political Parties (CPP), the Liberty Party (LP) and the Alternative National Congress (ANC) filed a complaint to the NEC that they only learned about the withdrawal of the two parties through media reports, and they, as constituent parties of the CPP were not informed. "There have been no official communications from the ALP or UP to either the CPP National Advisory Council or National Executive Committee regarding the said withdrawal. We also learned that both parties have requested the commission to bar the use of their name and logo from the CPP logo", the communication stated. In their complaint, they called on the NEC to provide them with the official status of the ALP and UP as it relates to the CPP and called on the NEC to compel the ALP and UP to provide official communication to the CPP of their withdrawal and waiving any further rights within the CPP. The ANC and Bility-fraction of the LP also drew the NEC's attention to Section 8.5 (2) of the CPP framework document which prescribes the process by which a constituent party may withdraw its membership from the CPP. Section 8.5 (2) of the CPP framework document states that: Constituent Party desiring to withdraw from the CPP shall first exhaust the dispute resolution mechanism stipulated in the framework document. If the Constituent Party which has satisfied the dispute resolution mechanism is not satisfied with the outcome, it shall file a resolution to withdraw from the CPP signed and duly executed by two-thirds (2/3) of the membership of the National Executive Committee, it is being understood, however, that a party withdrawing from the alliance prior to the next presidential, legislative and local elections shall not field candidates in its name".



Invoking Section 8.5 (2) of the CPP framework, the ANC and LP called on the NEC to reject and deny any application from the ALP and UP to field candidates in their names in any election until the expiry of the 2023 elections, including up to six months in line with the CPP agreement. However, the UP, in a counteraction, and citing several reasons, filed a motion to dismiss the two parties' complaint. The UP argued that NEC cannot give an advisory opinion and declare rights; something that the NEC agreed with. However, the NEC, citing the Constitution and the current elections laws, said the complaint filed against the two parties falls specifically within its responsibility. As to UP's assertion that the Framework Document (FD) is currently a matter in court and cannot be the subject of a complaint before the NEC, the Election Body said it takes judicial notice of the cases currently in court involving the FD. However, given the fact that there has not been any finality to any of these cases and, beyond that, the cases are not identical in terms of the parties and substance, the matter falls within the purview of the NEC. Responding to the UP's assertion that LP lacks standing as a result of its inter-party dispute, the NEC said, as far as it is concerned, there is no basis to assume such a position. And even if that were the case, the complaint was brought by both LP and ANC has a right to bring the suit, therefore the matter would still be before the NEC. The NEC noted that it has ruled on several occasions on the matter; stating that the LP Constitution filed at NEC, until amended by an LP Convention or successfully challenged in a court of law, remains the valid governing document.

On the question of UP's eligibility to field a candidate in its name after leaving CPP, the NEC, in its ruling said, "Given that none of the parties are challenging the right of the ALP and UP to withdraw, and that this case is not identical to cases in another forum, the NEC has jurisdiction to hear the matter. Therefore, the UP/ALP Motion to Dismiss was denied and the case will be heard by NEC." NEC then announced a provisional list of candidates for the by-election but stated that qualifying the UP's candidate would depend on the outcome of the case before the Board of Commissioners. Former Vice President, Joseph Nyumah Boakai, the political leader of the opposition UP, described the provisional listing released by the National Elections Commission as a sinister attempt to prevent the party from fielding a senatorial candidate in the Lofa County. The opposition politician said the UP takes with serious concern that the name of its candidate, Galakpai W. Kortimai, is not among those being cleared as one of the provisional aspirants even though he had met all the requirements provided under the Election's Law and Constitution.

UP appealed the ruling of NEC to the Supreme Court of Liberia. After what could be considered a lengthy process, the Supreme Court found for UP, holding that, Section 8.5(2) of the CPP framework document, which barred any breakaway member from fielding candidates in any election until 2024 is against the Constitution of Liberia and therefore declared null and void. This paved the way for UP's, Galakpai W. Kortimai to become a candidate on the ballot on June 28, 2022.

# PROFILING THE DISTRICTS FROM THE 2020 SPECIAL SENATORIAL ELECTIONS

## Foya District

Foya is approximately 450 km (280 mi) from Monrovia and is the center of the Kissi tribal area, bordering Guinea and Sierra Leone. It is the most populous district in Lofa County, with a population of 71,364 people: 34,760 males and 36,604 females (2008 Census). The district has 30,916 registered voters with 71 voting polling. Previous elections show that the Unity Party (UP) has done well in Foya district. For the 2020 elections, the UP/CPP candidate won 48% of the district’s vote.

**Figure 1: Distribution of Top Three Senatorial Votes / District 1 (2020)**

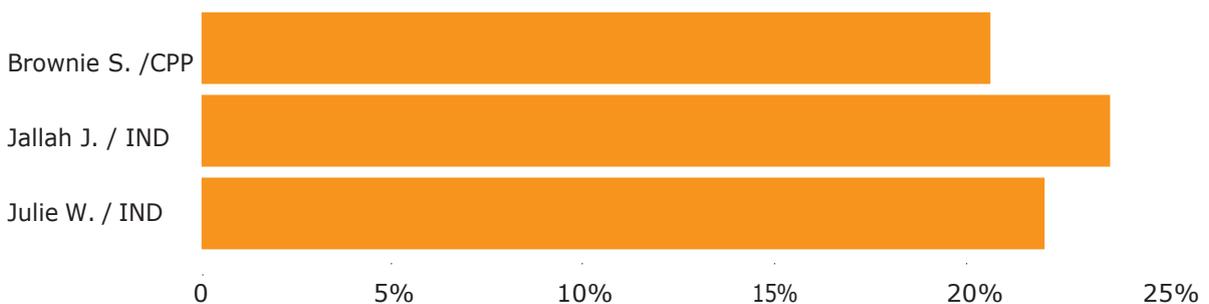


Data source: NEC

## Vahun District

Vahun District has a population of 16,876 people: 8,509 were male and 8,367 were females (2008 census). District 2 had 38,286 registered voters with 88 voting precincts for the most recent senatorial elections. Previous polls have shown that the Vahun district is a strong base of the UP and independents. In the 2020 Special Senatorial Election, an independent candidate won the district with 2,643 votes, another independent coming second with 2,457 votes, and the UP came third with 2,325 votes. The graph below shows the district votes in the past election.

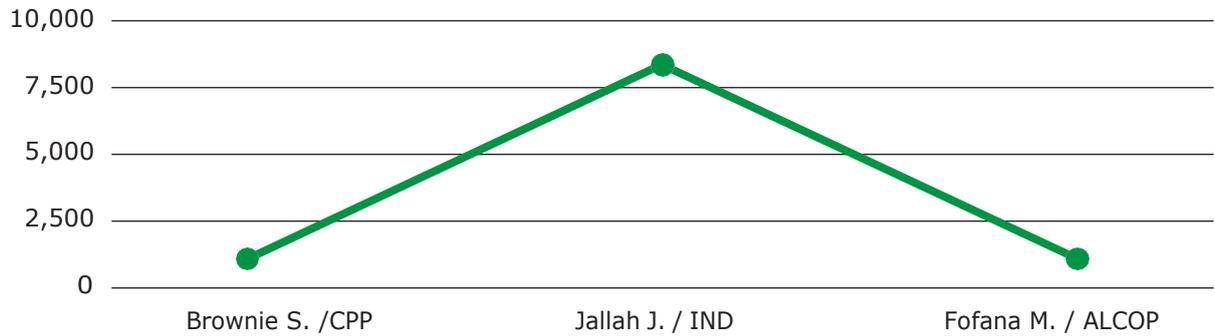
**Figure 2: Distribution of Top Three Senatorial Votes / District 2 (2020)**



Data source: NEC

**Kolahun District**

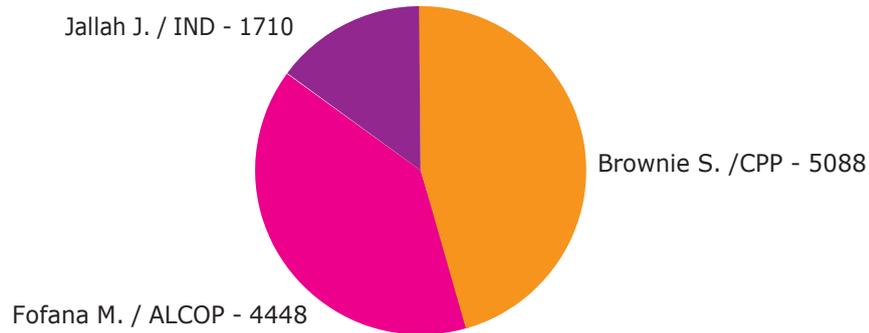
Kolahun district has a population of 59,057 people. Of this, 27,936 are male and 31,121 females (2008 Census). For the 2020 elections, District 3 had 31,076 registered voters at 78 voting precincts.



Data source: NEC

**Voinjama District**

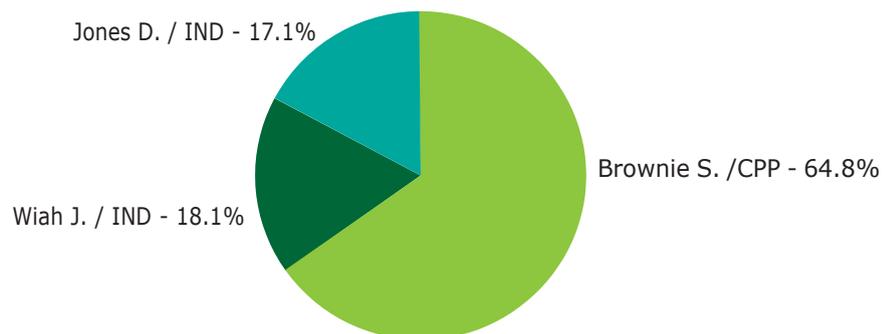
As of the 2008 census, the district’s population stood at 40,730. Of this, 20,026 are male and 20,704 females. For the 2020 elections, District 4 had 47,685 registered voters with 119 polling places. In 2020, the CPP won the seat with 5,088 votes, followed by the ALCOP with 4,448 votes, and an independent candidate came third.



Source: NEC

**Salayea and Zorzor**

As of the 2008 census, the Salayea and Zorzor population stood at 63,320. Of this, 29,986 were male and 33,334 females. For the 2020 elections, District 5 had 39,812 registered voters with 100 voting precincts. In 2020, the CPP won the seat with 5,855 votes, followed by the independent with 1,637 votes, and 1,541 votes. In the most recent election, UP and independent has been owners of election in district 5. The graph below shows the district part election.



Source: NEC



- **Election Snapshot:**

Election day: June 28, 2022

Registered Voters: 187,775

Number Precincts: 454

Number of polling stations: 1,036

Social/physical distancing: In place but not enforced by NEC staff. Number of seats to be contested for 1

Number of aspirants/applicants: 6 (tentative)

Donation limit and campaign expenditure: US\$ 10,000.00 or equivalent in Liberian dollars.

- **Brief overview**

Geographical location: Lofa County is in Liberia's northmost part and is one of Liberia's 15 counties. Lofa has an area measuring 9,982 square kilometers (3,854 sq mi)

Number of Electoral Districts: Five

Total population: 270,114 (2008 National Census).

Capital: Voijama

- **Election Day:**

The Senate and House of Representatives have set June 28, 2022 as the date for the Lofa County by-election.

- **Importance of the election**

This by-election is important in line with the Constitution to ensure the complete representation of the people of Lofa in the Senate. To fulfill the constitutional representation of the people of Lofa in the Liberian Senate, the election is the only legal means through which the underrepresentation of Lofans can be corrected. The by-election resulted from the denial of Senator-elect during the November 8, 2020 senatorial election in Lofa Mr. Brownie Samukai but was found guilty by the Ssupreme court on five counts, ranging from theft of property, criminal conspiracy, economic sabotage, among others for misapplication of soldiers' pension fund, totalling US\$1,147,656.35.

- **Electoral System**

As provided for by the constitution, Liberia is a presidential representative democratic Republic where the President and members of the Legislature are elected. The President serves as the Head of State and government. Liberia has a unitary Constitution. The legislative branch has a bicameral parliamentary system: Senate and House of Representatives. The Senate has 30 members directly elected by a simple majority vote to serve a 9-year term. Like the President and members of the Senate, members of the House of Representatives are also elected to serve a 6-year term and are 73 in total.

## • Who is eligible to run as a candidate?

### **Section 3A 1 of the NEL:** Qualification of candidates

A person qualified to be registered to vote may be a candidate in an election for all elected offices if they are: domiciled in the constituency for which they will be a candidate for at least one year, that is to say, twelve (12) months prior to the election day and is a regular taxpayer

## • Who can vote in the election?

### **Liberian constitution, CHAPTER VIII:** POLITICAL PARTIES AND ELECTIONS

Article 77 “b” states “All elections shall be by secret ballot as may be determined by the Elections Commission, and every Liberian citizen not less than 18 years of age, shall have the right to be registered as a voter and to vote in public elections and referenda under this Constitution. The Legislature shall enact laws indicating the category of Liberians who shall not form or become members of political parties”. Additionally, Article 80 c “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”.

## • Number of registered voters?

To date, there are 187,775 total registered voters in Lofa County.

## • What are the campaign expenditure and donation limits?

### **Chapter 7 NEL:** Election Campaign Expensive (amended).

### **Section 7.5:** Election campaign contributions and reports

7.5,1: No artificial person shall contribute more than US\$100,000.00 or its equivalent in Liberian dollars in total to a party and its candidates or independent candidates for use in an election campaign.

2. Every registered political party that has nominated a candidate and every independent candidate shall maintain a record of contributions in the form prescribed by the commission. Section 7.6: Every registered political party that has nominated a candidate and every independent candidate shall maintain a record of every expense incurred in the party’s election campaign or independent candidate in the election campaign in the form prescribed by the commission.

Section 7.7: Every registered political party that has nominated a candidate and every independent candidate shall report to the commission the contributions recorded under Section 7.5 and the expenses recorded under 7.6 in the form presented by the commission.

## • What is the election management body and its power?

### **Constitutional power**

Article 37 of the Liberia Constitution gives exclusive authority to the National Election Commission as the legal government agency clothed with authority to conduct elections for all elective public offices and administer and enforce all elections through the Liberian Republic. Additionally, Article 82 c states “The Elections Commission shall have the power to examine into and order certified audits of the financial transactions of political parties and independent candidates and their organizations. The Commission shall prescribe the kinds of records to be kept and the manner in which they shall be conducted by a certified chartered public accountant, not a member of any political party”.

**New election law of 2014, NEC power**

NEC, under Chapter 2 of the amended New Election Law of Liberia, has the power to:

Section 2.9

f. To suspend the registration and accreditation of a registered political party in accordance with Chapter 5.

W (i). To issue citation for the appearance before it of political party or its leader or other natural person in connection with any compliant cognizable before it. ii. To issue subpoenas to have witnesses appear and testify or to produce documents or any other form of evidence in any hearing. iii. To punish for contempt for any obstruction or disobedience of its order by fine in an amount of Liberian dollars equivalent not less than two thousand five-hundred united states dollars (\$2,500.00) and no more than fifty thousand united states dollars (\$50,000.00) in the case of a political party, alliance or coalition or not more than five hundred united dollars (\$500.00) in the case of a natural person.

**NEC roles**

New election law of 2014, Chapter 2 (y) NEC organization and Administration: NEC role is to conduct program to educate the citizens of Liberia about elections and referenda and their democratic rights related to them, and to inform them about voter registration events and election and referendum events. NEC conducts voter registration for eligible Liberian citizens and voter registration updates, conduct elections, announce results, hear and rule in election complaints, designate polling place in each constituency to serve as precincts, and other pre and post-election activities in line with the constitution and New election law of 2014.

- **How is the election management body protecting the elections and voters from COVID 19?**

Social distancing, and hand washing, among others, in line with public health regulations employed by the government of Liberia during the COVID 19 pandemic, are protective measures deployed to protect voters and NEC staff during elections by the election management body (NEC) during the conduct of elections activities.

- **What provisions are in place that supports the equal right of women and persons with disability and other marginalized groups?**

Article 11 of the Constitution provides for equal protection for all citizens. Section 4.5 of the New Election Law attempts to address the challenge of equity in women participation in electoral politics, but its language has however been seen by many women rights advocates as suspect and mostly not implementable. Consideration for persons with disability and other marginalized groups are largely overlooked in the legal framework but there are calls for reform in the election law to ensure equal rights for all.

- **Official result announcement date:**

NEC will officially announcement a date for the release of final result for the 2022 Lofa County by-election.

<https://www.necliberia.org/>  
<https://www.worldatlas.com/>  
<https://www.countryreports.org/country/>  
**New election law of Liberia amended  
1986 Constitution of Liberia**

# About LEON

The Liberia Elections Observation Network (LEON) is a platform of four Liberian civil society organizations, the Catholic Justice and Peace Commission (JPC), Liberia Crusaders for Peace (LCP), Federation of Liberian Youth (FLY) and National Union of Organizations for the Disabled (NUOD) with the overall goal of meaningfully contributing to the democratization process in Liberia by providing an avenue for civil society to participate in monitoring and observing elections and democratic processes in Liberia. LEON observed the 2017 and 2020 elections with over 1000 observers and issued statements on pre-election, election day, and post-election activities. In 2019, LEON monitored the Legislature to increase legislative openness and transparency for better representation that leads to improved social service delivery in constituencies.

LEON has a steering committee comprised of members of the four-member organizations and a secretariat of 15 persons, including four regional coordinators who will coordinate and oversee the short-term and long-term observers. LEON focuses on the inclusion of marginalized groups, including women, youth, and persons with disabilities.

Under this project, LEON receives funding from the Swedish International Development Cooperation Agency (SIDA) and technical support from The Carter Center. However, its findings, reports, and other determinations are independent of the two organizations and do not necessarily reflect the views of those organizations.

[WWW.LEONOBSERVATION.ORG](http://WWW.LEONOBSERVATION.ORG)



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