

IN THE HONOURABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA, SITTING IN
ITS SPECIAL SESSION, A. D. 2023.

BEFORE HER HONOR : SIE-A-NYENE G. YUOH..... CHIEF JUSTICE
BEFORE HER HONOR : JAMESETTA H. WOLOKOLIE..... ASSOCIATE JUSTICE
BEFORE HIS HONOR : JOSEPH N. NAGBE.....ASSOCIATE JUSTICE
BEFORE HIS HONOR : YUSSIF D. KABA.....ASSOCIATE JUSTICE
BEFORE HIS HONOR : YAMIE QUIQUI GBEISAY, SR.....ASSOCIATE JUSTICE

Unity Party, by and thru its Chairman and all its Executive)
Officers, of the City of Monrovia, Liberia.....1st Petitioner) PETITION FOR
AND) A WRIT OF
AND) MANDAMUS
The Liberia People’s Party, by and thru its Chairperson,)
Yanqui Zaza, of the City of Monrovia, Liberia.....2nd Petitioner)
VERSUS)
The National Elections Commission by and thru its Chairperson)
Davidetta Browne-Lansanah and other Commissioners)
.....Respondents)
GROWING OUT OF THE CASES:)
Unity Party by and thru its Chairman and all) PETITION FOR A
Its Executive Officers of the City of Monrovia,) WRIT OF
Republic of Liberia.....Petitioner) MANDAMUS
VERSUS)
The National Elections Commission also of the)
Monrovia, Republic of Liberia.....Respondent)
AND)
The Liberia People’s Party, by and thru its Chairperson,)
Yanqui Zaza, of the City of Monrovia, Liberia.....2nd Petitioner) PETITION FOR A
VERSUS) WRIT OF MANDAMUS
The National Elections Commission by and thru its Chairperson)
Davidetta Browne-Lansanah and other commissioners)
.....Respondent)

HEARD: OCTOBER 2, 2023

DECIDED: OCTOBER 6, 2023

MADAM JUSTICE WOLOKOLIE DELIVERED THE OPINION OF THE COURT

The conduct of free, fair and credible elections is the bedrock of all democracy. It is the process by which a nation and a people determine who will and who should govern and direct the course of their lives for a given period of time, especially as provided for by the highest law of their land---the Constitution. Through elections, the people manifest their desire for a civilized and democratic order. These objectives were not lost by the framers of our Constitution, adopted in 1984 and with an effective date of January 6, 1986, when they crafted these words: “All power is inherent in the people. All free governments are instituted by their authority and for their benefit and they have the right to alter and reform the same when their safety and happiness so require. *In order to ensure democratic government which responds to the wishes of the governed, the people shall have the right at such period, and in such manner as provided for under this Constitution, to cause their public servants to leave office and to fill vacancies by regular elections and appointments* [Emphasis ours].

The Liberian Constitution of 1986 effectuates this vision, a democratic constitutional order, in a number of actions and directives: (a) It vests in the Legislature the power and authority to enact the statutory laws to govern all public elections in the nation, and by that directive to ensure the sustenance of the democratic order; (b) it establishes an Elections Commission and authorizes the Legislature to set up the structure of that Commission and to design the process by which the will of the people can be exercised through elections; (c) it directs the Legislature and the Elections Commission to build mechanisms and processes that will ensure that the structure and process set up are not abused; (d) it lays out in multiple provisions and guidelines that should or must be followed, both by the Legislature and by the Elections Commission, the means by which the elections conducted by the Commission are free, fair and have every ounce of integrity; and (e) perhaps even most important, it guarantees to all of the citizens of the Land, in the exercise of the right to determine their government and the people who will head that government, the right to vote, free of influences and actions not in conformity with the tenets of democracy.

It is in the above context that the Legislature, in effecting the mandate of the Constitution and in designing a process that accords citizens the right to vote, enacted the New Elections Law of 1986, and thereafter made several amendments thereto. Section 3.1 of the New Elections Law, designed to protect the sanctity and integrity of the votes and voting process provides that the National Elections Commission must, as a necessary condition to any election, have a Voters' Registration Roll which reflects the names of every Liberian citizen who has the right to vote, and who, in the exercise of the right to vote, has registered with the Commission.

Section 3.2 of the New Elections Law also imposes on the National Elections Commission the duty and responsibility to inform the Liberian citizenry not only of the right to register to vote but also of the locations whereat they can be registered as eligible voters; Section 3.3 of the law obligates the National Elections Commission to fix the time when the citizens can register as voters so that they are eligible to vote and can participate in voting for the candidate of their choice; Section 3.6 provides that the General Registration Roll for each registration center shall be opened for inspection at the offices of the Magistrates of Elections on any day of the week during the hours when such offices are expected to be opened; and Section 3.7 states the grounds regarding which the voting roll cannot be invalidated.

Also, there is Sub-Chapter D of Chapter 3, which speaks of objections to claims and registration. Sections 3.15 and 3.16 of that Sub-Chapter vest in a voter, the Registrar of Elections, or any other person the right to object to a name on a Registration Roll for any number of reasons stated in the sections. In any of those cases of objections, Sections 3.17 and 3.18 set out that the Registration Roll may be altered. However, Section 3.19 places a time limit on when such alteration may be made to a Registration Roll. The section states: “No Registration Roll may be altered within the thirty (30) days period immediately prior to an election, including Election Day, except upon order of the Honorable Supreme Court of Liberia on the determination of a manifest error.”

As stipulated by the Elections Law, the NEC is required, after the conduct of the Voter Registration exercise, to prepare a Provisional Voters Registration Roll, which it must publish in order to allow for challenges and objections within a specified period of time, and for corrections to be made thereto by the Commission. Thereafter, the Commission is charged with the further responsibility to prepare a Final Registration Roll. The processes outlined herein are designed to ensure that the democratic desires of the people are clearly reflected in their votes. As part of the processes, the law seeks to have only the names of persons who qualify as voters, who are eligible to vote and whose names appear on the Voters Registration Roll the right to vote.

In obedience to the constitutional and statutory mandates confer on it, the National Elections Commission conducted a Voters Registration exercise earlier this year. Following the conclusion of the exercise, the Commission published a Provisional Voters Registration Roll on June 12, 2023. The process required under the law is that following the period of the challenges and objections, the National Elections Commission will clean up or “sanitize” the Provisional Voters Registration Roll and prepare a Final Voters Registrations Roll (FRR)

which it then makes available through the mechanisms stated in the Elections Law and in the Regulations issued by the NEC prior to the conduct of the elections. However, three months following the publication and exhibition of the Provisional Registration Roll on June 12, 2023 and the expiration of the deadline for objections and challenges to the said Provisional Voters Registration Roll and the expected clean up exercise of the Roll, the NEC had not published or made available the Final Registration Roll (FRR).

The above constitutes the backdrop to the mandamus proceedings before this Honorable Court and which this Court has been asked to resolve. We narrate below the sequence of events leading to the filing of the petitions by the Unity Party and the Liberia People's Party for the issuance of the writ of mandamus against the National Elections Commission.

On September 26, 2023, the Unity Party, by and thru its Standard Bearer and Political Leader, Joseph Nyemah Boakai, filed before the Justice in Chambers, Her Honor Jamesetta H. Wolokolie, a Petition for a Writ of Mandamus, complaining essentially that the Respondent National Elections Commission, in violation of its mandatory statutory duties and responsibilities and promises made by its Executive Chairperson, Madam Davidetta Brown Lansanah, to the Liberian Senate that the Final Registration Roll (FRR) would be released to stakeholders on September 18, 2023, and published for inspection by the public, the NEC had failed to carry out this duty and responsibility, for which Mandamus will lie to compel the NEC to perform its mandatory statutory and regulatory functions. In order that the accusations made by the Unity Party are fully grasped, we quote herein counts 3, 5, 6, 8, 9, 11, 12, and 13.

- “3. That Petitioner say that consistent with the 2023 Voter Registration Regulations, Final Registration Roll means a list of registered voters who are qualified to vote that is produced following exhibition and decision(s) on voters' appeal(s), claim(s) and challenges and required changes to the provisional registration roll.
5. That Petitioners' say that on August 29th 2023, the Chairman of the National Elections Commission appeared by the Honorable House of Senate under oath and faithfully promised to provide the FRR on the 18th of September 2023. The National Elections Commission has failed to up to its statutory responsibility of which they are under oath to adhere to.
6. That Petitioners say that a formal communication was addressed to the Chairman of the National Elections Commission on September 18th 2023 requesting for the “FINAL VOTERS REGISTRATION ROLL”. Please find attached Marked Exhibit M/1 Communication to NEC to form a cogent part of this petition.

8. Petitioners contend and say that Section 16.1 of the 2023 Voter Registration Regulations is a mandatory procedure that should be undertaken by NEC; **and that NEC may take necessary measures to clean/correct any inaccuracies discovered on the voter roll** should not be allowed by the Court; and that the Court should declare it a mandatory process as this process borders on the integrity of the votes on election day. Petitioner respectfully prays and submits.
9. That Petitioners say that consistent with the 2023 Voter Registration Regulations, Section 16.5, the Final Registration Roll (FRR) for each magisterial area shall be available at that magisterial office for public inspection during normal business hours.
11. That further to Count Eight (8) above, Petitioners contend and say that Section 16.6 of the 2023 Voter Registration Regulations is a mandatory procedure that should be undertaken by NEC; and that NEC may provide stakeholders with electronic copies of the Final Registration Roll in a secured form, should not be allowed by the Court; and that the Court should declare it a mandatory process as this process borders on the integrity of the votes on election day. Petitioner respectfully prays and submits.
12. That Petitioners say that since the pronouncement by the Executive Chair of the NEC that the Final Registration Roll will be published to the public and issued to Political Parties and Independent Candidates on September 21, 2023; and Petitioners contend that this pronouncement by the NEC has not been done, which amounts to an irregularity that will undermine the integrity of the votes on election day.
13. That Petitioners say that this Court in the case Liberty Party versus NEC said that the NEC is mandated and ordered to fully comply with the standards of publications of the FRR as discussed herein:
 1. That the NEC is mandated to conduct a full clean-up of the FRR to ensure that multiple names of identification number are removed therefrom;
 2. That the FRR be made available in published hard-copies to all Election Magistrates and polling places across the country in accordance with law prior to any run-off election being held.
 3. That given the fact that the FRR is the only electoral document that speaks to the eligibility of voters, the NEC is hereby prohibited from permitting anyone whose name is not found on the FRR to vote;
 4. That any addendum to the FRR be limited to only those listed in the NEC's polling and counting manual;
 5. That poll watchers who are not registered at their places of assignment and whose names are not on the FRR should not be allowed to vote."

One day following the filing of the Petition for a Writ of Mandamus by the Unity Party, a similar petition was filed on September 27, 2023, by the Liberia People's Party (LPP), also before Her Honor Jamesetta H. Wolokolie, also seeking the issuance of a Writ of Mandamus against

the NEC for reasons similar to those set forth by the Unity Party in its petition. The essence of the LPP's petition is fully captured in counts 3 to 6 thereof which we herein quote:

- “3. Petitioner says, the National Presidential and Legislative Elections processes for voters' registration commenced on March 20, 2023, and ended May 11, 2023 in all phases of the voter's registration processes enumerated by respondent. Further, Petitioner says aspirants for the position of president, vice president, senator and representative had been qualified by Respondent, and voters are expected to cast ballot papers or votes on October 10, 2023 for their preferred choices of the mentioned positions or offices.
4. Petitioner says, however, as of the date of filing this petition, the elections process has less than seventeen (17) days to be concluded with the casting of ballot papers or votes on October 10, 2023. Notwithstanding, Petitioner is without the Final Voters' Registration Report for elections as provided by the New Election Law, Section 3.4 “Registration Rolls shall be kept in the form prescribed by the commission and among other things, shall contain the family name and name give, residence and sex of each voter. The names shall be numbered in regular progressive arithmetical order, commencing with number one (1).” Also, the NEC in its Voter Registration Regulations of 2022, Sections 16.5 provides in 16.5 “the Final Registration Roll (for each magistrate area) shall be available at that magisterial office for public inspection during normal business hours.” Section 16.6, also provides “the NEC may provide stakeholder with electronic copies of Final Registration Roll in a secure form.” This chapter of the of NEC regulation on voter registration is concluded with section 16.7 that “no Final Registration Roll may be altered within thirty-day (30) prior to election, except an order of the Supreme Court of Liberia.” Petitioner says that Respondent has failed, refused, and neglected to provide political parties with final voter registration roll, and failed to have same public in keeping with the mentioned regulation.
5. Petitioner says, the Final Voters Registration Roll (FRR) is to be provided to political parties before the conduct of the National Presidential and Legislative Elections, but Respondent has intentionally refused to provide the said Final Voter Registration Roll (FRR) with the intend to deprive Petitioner with information of how many persons are expected to vote in the National Presidential and Legislatives Election to be conducted on October 10, 2023.
6. Petitioner says, this action of Respondent is intended to deprive Petitioner the right to free, fair and transparent elections as being anticipated by the framers of laws of this Republic, Also, the action of Respondent is contrary to the doctrine of democracy as lay down in the Constitution of this Republic.”

The certified records before this Court reveal that immediately upon the filing by the Unity Party of the petition for a writ of mandamus, the Justice in Chambers, believing that there was urgency to the matter as the October 10, 2023 elections was just over a week away, directed the Clerk to issue a citation to the parties to appear before her Chambers for a conference. Based on inquiries made by Justice Wolokolie in Chambers to the National Elections Commission regarding why the FRR had not been published, a second conference was called for the next day, inviting the Chairperson of the Commission or a designated Commissioner to appear. At the end of the conferences, the Justice in Chambers determined that there was

sufficient magnitude in the allegations made by the Petitioner Unity Party to warrant the issuance of the alternative writ of mandamus. Accordingly, on September 29, 2023, the alternative writ of mandamus was ordered issued against the Respondent NEC. The alternative writ directed the Respondent National Elections Commission to file returns responding to the allegations made in the petition not later than September 30, 2023, and ordered that in the interim, and pending the disposition of the petition, the Respondent National Elections Commission makes available on or before Saturday, September 30, 2023, at the office of each magisterial area the Final Registration Roll (FRR) for public inspection during normal business hours, and to provide electronic copies of the FRR to stakeholders on the same date in a secured form.

Further, the Justice directed the Clerk of the Supreme Court that upon receipt of the returns of the Respondent NEC, to forward to the full bench for hearing the petitions for disposition by the Court.

The Supreme Court, being seized of the case, and appreciating the urgency for a hearing of the petitions since the Presidential and Legislative Elections were already scheduled for October 10, 2023, ordered the notices of assignments be issued informing the parties of the hearing of the case at 11:00 a.m. on Monday, October 2, 2023, along with instructions that the parties filed their respective briefs with the Clerk of the Supreme Court not later than Saturday, September 30, 2023.

As per the notices of assignment, the case was duly called by the Court, with the two petitions and the returns filed thereto consolidated for hearing and determination. The law of this jurisdiction provides that where several matters involve the same or similar facts, laws and issues, the Court, using its discretion, may consolidate the several matters and hand down one Opinion in respect of such cases. Civil Procedure Law, Rev. Code 1:6.3; *The National Port Authority (NPA) v. The Executive Committee of the Six Consolidated Groups of Retirees and Compulsory Employees of the National Port Authority*, 39 LLR 244 (1998).

At the call of the case, counsel for the Respondent National Elections Commission informed the Court that, in adherence to the instructions of the Justice in Chambers, copies of the FFR for fourteen counties, in encrypted form, had already been submitted to the petitioners and that the only remaining county was Montserrado County, which he indicated he had in his possession in flash drives and was ready to deliver to the petitioners. Accordingly, counsel for the respondent handed over four copies of the external drives to the Clerk of Court for delivery to the petitioners. It is noted, however, that counsel also indicated that he could not

confirm whether the order of the Justice in Chambers that the FRR be provided to all of the Elections Magistrate for inspection by the voters and others, as directed by the Elections Law had been complied with by the NEC.

This Court feels, however, that notwithstanding the partial confirmed compliance by the Respondent NEC with the instructions of the Justice in Chambers, the Court has the responsibility and feels a compelling constitutional and statutory duty to address and attend to the issue(s) raised in the petitions by the parties and the contentions advanced by them so as to give clarity to the electoral process and its requirements as enshrined in the Constitution, the Elections Law, and the Regulations promulgated by the Respondent National Elections Commission.

Our review of the records in this case, reveals that the single issue presented for our determination is whether mandamus will lie under the facts and circumstances herein presented. We hold that mandamus will lie.

The Liberian Civil Procedure Law defines mandamus as “a special proceeding to obtain a writ requiring the respondent to perform an official duty.” This Court has consistently, in manifold decisions, adhered to the definition ascribed to the term by the statute. See *Jones v. Hilton et al.*, 36 LLR 191 (1989); *Clarke v. Scott*, 37 LLR 900 (1994); *Amafra International Inc. v. Swope et al.*, 36 LLR 907 (1990); *Republic v. The Leadership of the Liberian National Bar Association*, 40 LLR 635 (2001); *Universal Telephone Exchange, Inc. and Anderson v. The Chairman and Members of the Board of Directors of the Liberian Telecommunications Corporation et al.*, Supreme Court Opinion, March Term, A. D. 2006. We reiterate herein that this Court continues to subscribe to the definition provided by the Civil Procedure Law.

In deciding the issue presented above, this Court addresses itself to the question of whether the Respondent National Elections Commission has a duty to publish and provide, copies of the FRR within a specified time frame and if that time frame has elapsed without the Respondent providing the FRR.

In their petitions, and arguments before this Court, the petitioners contend that up to the filing of the petitions, the National Elections Commission had failed to honor its mandatory duty to provide to stakeholders, which include political parties and independent candidates, electronic copies of the FRR; that the NEC was under legal duty to furnish each of the offices of each magisterial area copies of the FFR following the cleaning up of the Provisional Registration Roll; that the National Elections Commission had in fact in a statement to the Liberian Senate promised to make available the FFR on September 18, 2023; and that the

Respondent National Elections Commission is proceeding to conduct the Presidential and Legislative Elections on October 10, 2023 without having made available the FRR to either the offices of the Magistrates or to the stakeholders, thereby preventing them from ever checking to see if the NEC had actually carried out the cleaning up of the Provisional Roll or whether names are on the FRR which should not be on it.

For its part, the Respondent National Elections Commission, in arguments by its counsel and in its brief, admitted that it had published the Provisional Registration Roll and that it had cleaned up the Provisional Roll, but it denied that it has any legal duty to furnish any political party or independent candidate with copies of the FRR as claimed by the petitioners; that the law gives it discretion to decide if it should give copies of the FRR to political parties and independent candidates. It admitted that there was a delay in the publication of the FRR, which it attributed in part to the transition from the manual system previously used by it to the biometric system now in use, and it had asked for an extension of almost three weeks to make the FRR available. The Respondent NEC prayed the Court to show mercy as its failure to provide the FRR was not deliberate.

This Court has difficulty reconciling the arguments of the Respondent since if it had no legal duty to the petitioners or to any other party for that matter and was therefore not in violation of the law; then why would the Respondent be appealing to the Court to show mercy. As we stated at the onset of this Opinion, the essence of our democracy is the right to free and fair elections that is not tainted with suspicion of irregularities or other influences. In the case of the FRR, this Court wonders how a candidate or political party will determine that the NEC has carried out the corrections and changes required of it from challenges made or information provided with respect to the Provisional Registration Roll? How are challenges to be made to the FRR if it is not available for inspection? What does a party do in challenging a voter if the voter is allowed to vote but his/her name is not on the FRR? What impact would this have on the free and fairness of the elections? We can therefore not accept the contention of the Respondent.

We also reject the contention of the Respondent that although Section 16.5 of the NEC's Regulation (2023) states that the "Final Registration Roll for each magisterial area shall be available to the Magisterial Office for public inspection during normal business hours", it does not specify any particular time within which the FRR should be made available. This contention is in clear contradiction with Section 3.19 of the New Elections Law which places a time limit on when alterations may be made to a Registration Roll. The section states: "No Registration Roll may be altered within the thirty (30) days period immediately prior to an

election, including Election Day, except upon order of the Honorable Supreme Court of Liberia on the determination of a manifest error.” A clear reading of the section leaves the unambiguous impression and message that the FRR must be provided to the offices of the Election Magistrates long before the thirty days stated in the law, since there must be a period within which, after inspection, the FRR or name contained on the FRR can be challenged. If this element is removed from the law, the essence of democracy stated in the Constitution is lost and the intent of the framers which is that the people must by their own choice determine who their leaders will and should be would be rendered meaningless.

The section (3.19) quoted and elaborated on above, is very similar, and identical to Section 22.5 of the 2016 Elections Regulation. That Regulation states: “No certified Final Registration Roll shall be altered within a period of thirty (30) days immediately prior to an election, including Election Day or Referendum, except upon orders of the Supreme Court of Liberia on the determination of a manifest error.” In disagreeing with the contention of the NEC that it had no legal obligation to have the FRR made available to the offices of Elections Magistrates thirty days prior to the elections, this Court in the case, *The NEC v Brumskine and Karnwea* (Decided December 17, 2017) said:

“We view the argument of the NEC as not only flimsy but an attempt to cover-up what was an obvious failure to comply with the clear wording of the law, and thereby creating the prospect for election mal-handling. We do not believe that this was the intent of the framers of the Elections Law. What, we are inclined to enquire, was the utility of the Commission promulgating the Article 22 Regulations if it had no intention of complying with those very Regulations. Was it to impress the public or others that it was serious in ensuring that elections are free, fair and transparent when it had no intention of actual compliance that would make such elections free, fair and transparent?

Article 22 is in no way ambiguous. It clearly sets out that "the NEC shall certify the Final Registration Roll and print one copy for each polling place and that the certified Final Registration Roll shall be made available at the office of the Magistrate of Elections for viewing during ordinary business hours." We interpret the provision as setting a two-fold mandatory and compulsory standard which the NEC must comply with. Firstly, that the NEC must have a copy printed of the FRR for each polling place, meaning that such printed copy must be displayed at each of such polling places. Secondly, the NEC must also ensure that a certified copy is made available to the office of each Magistrate of Elections. The provisions, we note are not only logical but they are also reasonable; and for an institution such as the NEC, the multiple roles assigned to it in the electoral process, from regulating the process to actually and physically conducting the elections to adjudicating disputes arising out of the elections, including even those brought against it, the least that is expected is compliance with the law. The laws referenced herein seek to ensure that voters have the opportunity, by the most inexpensive means and avenue available, to inspect the FRR. This guarantees to them the opportunity to exercise of the constitutional right to vote. How does a citizen of voting age and meeting the requirements to exercise the right to vote ensure that his or her name is on the FRR, which would enable him or her to vote, if

he or she does not have ready access to the FRR? Indeed, it is to accord the assurance of that opportunity to exercise the constitutional voting right that the provision states that the FRR shall be made available not only to magistrates but also that it will be at each voting place. The publication of the FRR on the appellee's website and the distribution of same on flash-drives to certain designated political parties cannot be made a substitute for compliance with the unambiguous language of the law. Accordingly, we hold that this provision of the law was not fully satisfied and that until is done the appellee will be deemed not to be in compliance with the publication requirement of the FRR.”

This Court holds the same view espoused in *The National Elections Commission v. Brumskine and Karnwea* case. And we add that the publication of the FRR is made even more important today to avoid the kinds of accusations made during the 2017 electoral period when the NEC was accused of having two different and separate FRR. See the case *The National Elections Commission v. Brumskine and Karnwea*, Supreme Court Opinion, October Term 2017.

Notwithstanding the above, this Court is effectively being asked by the Respondent NEC to weigh the provision of Section 16.5 of the 2023 Regulations, which mandates in no uncertain terms that the Respondent NEC makes available the FRR to the offices of all Elections Magistrates for inspection against the provision of Section 16.6 of the same Regulations which says that the NEC may make available to stakeholders in secured form flash drives containing the FRR. Firstly, as we indicated in the *National Elections Commission v. Brumskine and Karnwea* case, what was the utility in the NEC promulgating Regulations which it had no intention to comply with? Was it to impress upon people that it was performing a duty required by the Legislature which it had no intention of executing?

We hold that there is no doubt that the law requires the NEC to make the FRR available to the offices of all Elections Magistrate not less than thirty days prior to the holding of elections. The Regulation and the Act accord no discretion to the NEC in carrying out this mandate; it is a mandatory directive, NEC failure to do so, as has been shown to be the case in these proceedings, constitutes a clear violation of the law. This Court therefore directs that with immediate effect, the full wordings and tenets of the law must be enforced and adhered to by the Respondent NEC. And under no circumstances should it again embark on any such violation of the law. If it does, this Court will not hesitate to imposed the full penalty of the law and to correct the situation even if it means cancelling of the elections or postponing of the elections, at the expense of the NEC. We also admonish the NEC that under its obligation of transparency and integrity that it proceeds to make the FRR available in a time expedient before thirty days to elections so that relevant stakeholders can peruse the FRR and make challenges, if necessary, in a reasonable time so as to prevent challenges being made in the

thirty- day period before this Court. Failure of the NEC to publish and provide the FRR to the petitioners and other elections stakeholders and make available the FRR to magisterial offices around the country for public inspection before thirty (30) days prior to the election violates the intent of Elections Law and the NEC own regulations; hence, mandamus will lie,

However, the NEC having complied with the Order of the Chambers Justice by making available the FRR to the magisterial offices for public inspections and to stakeholders, to include the petitioners, the issuance of the writ of mandamus is moot.

The Clerk of this Court is ordered to send a Mandate to the NEC to resume jurisdiction over this case and give effect to this Judgment. **AND IT IS HEREBY SO ORDERED.**

WHEN THIS CASE WAS CALLED FOR HEARING COUNSELLORS MOIFFIE KANNEH, J. MILTON D. TAYLOR AND BUSHUBEN M. KEITA APPEARED FOR THE PETITIONER, UNITY PARTY. COUNSELLOR JIMMY SAAH BOMBO APPEARED FOR THE PETITIONER, LIBERIA PEOPLES PARTY. COUNSELLORS M. WILKINS WRIGHT AND PETER Y. KERKULA APPEARED FOR THE NATIONAL ELECTIONS COMMISSION.