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## **PRESIDENTIAL, PARLIAMENTARY AND LOCAL COUNCIL ELECTIONS IN SIERRA LEONE**

### **ELECTION OBSERVATION DELEGATION**

**15-19 November 2012**

**REPORT BY MARIYA GABRIEL, CHAIR OF THE DELEGATION**

#### **Annexes:**

- I. Final programme of the Delegation (including participants' list)**
- II. Declaration of Mrs Mariya Gabriel, Chair of the EP Delegation**
- III. Preliminary Statement of the EU Election Observation Mission**

#### **INTRODUCTION**

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Following an invitation on 3 May 2012 from the Minister of Foreign Affairs of Sierra Leone and the decision of the High Representative and Vice-President of the Commission Mrs Catherine Ashton, on the deployment of an EU Election Observation Mission (EU EOM), the Conference of Presidents of the European Parliament authorised on 18 October 2012 the sending of a delegation to observe the presidential, parliamentary, and local council elections in Sierra Leone.

Elections scheduled for November in Sierra Leone were a major challenge for a country still coping with violence. The previous 2007 elections were perceived by the EU EOM deployed in Sierra Leone as generally well administered, peaceful and competitive. The 2012 elections, which were expected to be closely contested, could therefore prove to be a real test for the democratic process in the country.

The EU Election Observation Mission (EOM), present in Sierra Leone since 27 September 2012, was led by Chief Observer Richard Howitt, a British Member of the European Parliament. Altogether the EOM deployed 100 observers (from 26 different EU Member States, as well as from Norway) in the 14 districts of the country.

A delegation of the European Parliament joined the EU EOM on 15 November. The delegation, led by Mrs Mariya GABRIEL, was also composed of Mr Zoltán BAGÓ, Mr Ricardo CORTÉS LASTRA and Mr Juan Fernando LÓPEZ AGUILAR.

The Delegation wishes to highlight its excellent cooperation with, and express its particular thanks to, the EU Election Observation Mission and the EU Delegation in Sierra Leone.

## **BACKGROUND**

Sierra Leone underwent a civil war from 1991 to 2002 of which it still carries the scars. As a result, it has experienced the deployment of one of the largest peacekeeping forces in UN history. The political situation therefore, has the characteristics of a post-conflict state and remains fragile. In addition, extreme poverty, a very high rate of youth unemployment and massive corruption represent significant challenges for the consolidation of peace in the country.

The political scene in the country remains divided along ethnic and regional lines and is thus dominated by two political parties - the currently ruling All People's Congress (APC, supported by the Temne and Limba ethnic groups in the northwest) and the Sierra Leone People's Party (SLPP, supported by the Mende group in the southeast).

In the above context, on 17 November Sierra Leoneans voted for President, 112 members of parliament and 475 councillors including 6 mayors and 13 district council chairpersons, thus renewing all major institutions of the country. The 2012 elections were the third elections held since the end of the civil war in Sierra Leone. Not only were they the first ones led exclusively by the National Electoral Commission (NEC), but also the most complex ones, as for the first time in the electoral history of the country four elections were

held simultaneously. The elections were therefore a critical test for the NEC's capacity and independence, as well as for the overall peace and democratic consolidation in the country.

## **ORGANISATION OF THE ELECTIONS**

The legal framework of Sierra Leone provided an acceptable basis for the conduct of democratic elections. The main legal documents governing Sierra Leone's presidential and parliamentary elections included the constitution, the National Electoral Commission Act of 2002, the Political Parties Act of 2002, the Electoral Commission Regulations and the new Public Elections Act of 2012.

The recent adoption of the Public Elections Act, which took into consideration a number of recommendations formulated by the 2007 EU Election Observation Mission, represented progress towards the democratisation of the country's elections. Still, some shortcomings remained, including the obstacle to independent candidates running for presidential office and the high nomination fees prescribed by law that candidates must pay to stand for election.

The lack of regulation of campaign funding was another major weakness of the electoral process. As no state financial support was made available to political parties in Sierra Leone for campaigning, smaller parties often lacked financial resources for this. As a result, the two main parties had substantially greater resources to carry out their campaign activities. What is more, the absence of campaign funding rules led to a blurred separation of state resources and ruling party resources. This resulted in misuse of state resources for campaigning by the ruling APC party, which significantly distorted the level playing field throughout the campaign period.

With regard to the electoral administration, the National Electoral Commission (established as an independent body by the Constitution and the Electoral Commission Act) had a wide mandate to prepare, conduct and supervise the elections in Sierra Leone. The NEC gained considerable experience over the last decade, and its current chair, Dr Christiana Thorpe, is broadly respected for her independence. The EU EOM assessed that the NEC acted in an overall independent, impartial and timely manner throughout the election process. Some of the apparent shortcomings however, included the insufficient voter education and the very late publication of the tally procedures, which gave the political parties only 2-3 days to train their agents to seriously observe the tally process.

## **CANDIDATES**

Ten political parties competed in the 2012 elections. The two major parties - the APC and SLPP, which have been governing the political life in Sierra Leone for many years - were, again, the main contenders for these elections.

The All People's Congress has been the ruling party since 2007, when it won 59 seats. Their presidential candidate for the 2012 elections, the incumbent Ernest Bai Koroma, was elected in 2007 by 54.6%.

The Sierra Leone People's Party - the second political party in the country since 2007 - won 43 seats in the parliament in the 2007 elections. Julius Maada Bio, a former military leader during the civil war, was the designated SLPP presidential candidate in the 2012 elections.

The third party in the Parliament, the People's Movement for Democratic Change (PMDC), an offspring of the SLPP in 2006, went through an internal crisis and did not seem to be able to break up the dichotomy of the political landscape. Charles Margai was their presidential candidate in the 2012 elections.

The other parties contesting the elections were the United Democratic Movement (UDM), the Revolutionary United Front Party (RUFP), the Peace and Liberation Party (PLP), the National Democratic Alliance (NDA), the United National People's Party (UNPP), the People's Democratic Party (PDP) and the Citizens Democratic Party (CDP).

It should be pointed out that the level of participation of women in these elections was very disappointing. Earlier this year, Parliament failed to adopt a draft bill requesting 30% of candidates on the lists to be women. And despite that political parties have committed themselves (in the Declaration on the 2012 Elections of 18 May) to affirmative action within their nomination, there were no female candidates for the office of President, and only four of the vice-president candidates were female. In addition, only 65 women were nominated for parliamentary elections, representing barely 11% of the candidates. Among the principal barriers to female participation in the 2012 elections were an absence of political will to promote women, long-standing societal attitudes and the lack of financial resources on the part of female aspirants.

Finally, it is also worth noting that the political platforms/programmes of the parties participating in the elections - including the ones of the APC and SLPP - did not differ significantly, as the political groups in Sierra Leone are organised along ethnic lines and around the personalities of the key actors/party leaders.

## **ELECTION OBSERVATION**

Civil society was very active in election observation, thus contributing to increased transparency before and on Election Day. The largest domestic observer group National Election Watch (NEW) - consisting of some 300 NGOs - observed the entire electoral process and deployed 9,493 national observers on Election Day.

Besides the EU EOM - which was the largest international observer mission for these elections - other international observers were also deployed in the country, including teams from the Carter Center (led by the former President of Zambia, Rupiah Banda), ECOWAS (led by former President of Ghana, John Kufuor), African Union and the Commonwealth.

Prior and after Election Day, the EU EOM held coordinating meetings with the other international observer organisations in the country.

The National Election Watch as well as the international observers from the Carter Center, the African Union ECOWAS and the Commonwealth published separate post-election statements.

## **PROGRAMME OF THE EP DELEGATION**

Besides a briefing with Mr Howitt and the Core Team of the EU Election Observation Mission, which provided a full overview of the situation, the Delegation held meetings with Ernest Bai Koroma, President of Sierra Leone and presidential candidate for APC, Julius Maada Bio, presidential candidate for SLPP, and the presidential candidates of smaller political parties. The delegation also met the electoral authorities (Dr Christiana Thorpe, Chairperson of the National Electoral Commission), international observers (Carter Center, African Union, Commonwealth, ECOWAS), as well as civil society representatives.

## **ELECTION DAY**

On a largely peaceful Election Day, the EP delegation split into two groups to observe in and around Freetown. The two teams observed from the opening (7:00 a.m.) to the closing and counting. Both EP teams deployed reached similar conclusions, which were in accordance with the EU EOM observations.

- Election Day kicked-off very slowly, with some polling stations delaying the opening by almost two hours due to confusion and misunderstandings of the opening procedures. This delay created some tension in front of the polling stations.
- Voting took place in a generally peaceful and calm atmosphere. Participation rate was very high, with people orderly queuing in front of the polling stations to cast their vote.
- Procedures were executed in a transparent manner, with domestic observers and party agents closely following the voting and counting.
- Polling staff - predominantly young people - was usually competent and efficient, which compensated for the lack of voter education and contributed to the successful running of the elections.
- Although women had an active role as polling station agents and observers on Election Day, all polling centre managers that the two EP election observation teams encountered on E-Day were men.

After Election Day, the EP delegation held an internal meeting to discuss its observations. A debriefing with Chief Observer Howitt also took place. The Members also visited the District and Regional tally centres in Freetown.

## **JOINT PRESS CONFERENCE**

On Monday 19 November, the Chief Observer Richard Howitt presented the preliminary statement of the EU EOM and Mrs Gabriel spoke on behalf of the EP delegation, in her capacity as Chair of this delegation.

Mrs Gabriel pointed out that the European Parliament delegation was impressed by the active involvement of young people in the electoral process. At the same time, female participation in public life, especially in positions of leadership, remained a challenge for the country. She also underlined the essential role of the opposition - particularly, in scrutinising the government's policies and holding the government accountable to the public – as equally important to the one of the party in power. Finally, she noted that Members of the European Parliament were firmly engaged in supporting Sierra Leone in its economic and social development efforts and would continue to be a fundamental partner for the country.

## **FINAL RESULTS**

The overall participation rate at the elections was very high, estimated at 87,3% of registered voters, with 4,7% of the total votes cast being invalid.

On 23 November, Dr. Christiana Thorpe, Chairperson of the National Electoral Commission, announced the final results of the presidential election, which indicated that President Ernest Bai Koroma of the All People's Congress was re-elected with 58,7 percent of the valid votes, ahead of his main challenger, Julius Maada Bio of the Sierra Leone People's Party, who gathered 37,4% of valid ballots cast. Charles Margai from PMDC obtained 1,3 % of the votes.

On 26 November, the NEC also declared the parliamentary results for the 2012 elections, with the ruling APC winning 67 seats, while the SLPP won 42 seats. Three seats have not been declared because the courts have imposed an injunction on several constituencies. As a result, the APC which won 59 seats in the 2007 to 2012 parliament improved their seats by eight, while the SLPP which had 45 seats in the last parliament lost out three seats.

The SLPP presidential candidate Maada Bio denounced the results declared by the NEC. On 27 November, the SLPP national executive council strongly condemned NEC “for refusing to address issues of electoral irregularities including fake and unstamped reconciliation and result forms, pre-marked ballot papers, ballot stuffing and over-voting” and indicated that such instances of malpractices undermine the credibility of the entire electoral process. The party therefore urged all the newly elected members of parliament and councillors to stay away from government activities until certain concerns relating to alleged electoral malpractices in the 2012 general elections were addressed.

As a whole, despite some isolated incidents of unrest, the post-election situation in the country remained calm.

## **CONCLUSIONS AND RECOMMENDATIONS**

The Election Observation Mission of the European Union remained in Sierra Leone until the end of the post-election process and would present a final report on the elections in the beginning of 2013. This report would contain recommendations to the authorities of Sierra Leone, aiming to improve certain aspects of the electoral process for future elections.

The election observation Delegation of the European Parliament as part of long-term EU mission was an important tool in the evaluation of the electoral situation in Sierra Leone. The delegation recommends that the Democracy Support and Election Coordination Group, the Committee on Development Commission and the relevant Delegations monitor the findings and recommendations of the final report of the EU EOM and use it as a basis for their political dialogue with Sierra Leone.

# EUROPEAN PARLIAMENT

## ELECTION OBSERVATION DELEGATION

### PRESIDENTIAL, PARLIAMENTARY AND LOCAL COUNCIL ELECTIONS IN SIERRA LEONE

17 NOVEMBER 2012

#### FINAL PROGRAMME

##### Members

Ms Mariya GABRIEL (BG) EPP, Head of Delegation

Mr Zoltán BAGÓ (HU) EPP

Mr Ricardo CORTÉS LASTRA (ES) S&D

Mr Juan Fernando LÓPEZ AGUILAR (ES) S&D

##### Secretariat

Ms Nikolina VASSILEVA, Administrator

Ms Alyson WOOD, Assistant

##### Interpreters

Mr Jacques COLY

Mr Momar KHARY DIAGNE



## Thursday 15 November 2012

- 5.30 Arrival of Members and transfer to the hotel
- 10.45 *Departure from Hotel for NEC Headquarters*
- 12.00 - 13.00 **Meeting with the Dr Christiana Thorpe, Chairperson of the National Electoral Commission**
- Venue: NEC Headquarters*
- 14.00 **Briefing by the EU EOM**
- Chief Observer Richard Howitt
  - Core Team:
    - Deputy Chief Observer Tania Marques
    - Election, Political, Legal, Media Experts
- Venue: Bintumani Hotel*
- 15.45 - 17.15 **Meeting with Civil Society organisations**
- Chairperson of APPWA (All Political Parties Women Association)
  - Women Situation Room
  - 50/50 group
  - Disabilities Union
  - Women Disability
  - Disability Commission
- Venue: Bintumani Hotel*
- 18.00 - 19.15 **Meeting with International Observers**
- Carter Center
  - African Union
  - Commonwealth
  - ECOWAS
- Venue: Bintumani Hotel*
- 19.15 *Departure from Hotel for EU Headquarters*
- 20.00 **Dinner with EU Heads of Missions, offered by Ambassador Jean-Pierre Reymondet-Commoy, Head of EU Delegation to Sierra Leone**
- Venue: EU Headquarters*

## Friday 16 November 2012

- 9.30 - 10.30 Meeting with the presidential candidate of the Revolutionary United Front Party (RUF)  
*Venue: Bintumani Hotel*
- 11.00 - 12.30 Security briefing and briefing by the long-term observers in charge of the area to be observed  
*Venue: Bintumani Hotel*
- 13.00 Lunch Break
- 15.30 - 16.30 Meeting with Julius Maada Bio, presidential candidate for SLPP  
*Venue: Bintumani Hotel*
- 17.00 *Departure from Hotel for State House*
- 18.00 Meeting with Ernest Bai Koroma, President of Sierra Leone  
*Venue: State House*

## Saturday 17 November 2012 - ELECTION DAY

- 07.00 - 17.00 **Deployment and Observation of Opening, Voting & Vote Count**

## Sunday 18 November 2012

- 10.30 - 11.30 EP internal debriefing  
*Venue: Bintumani Hotel*
- 11.30 - 12.30 Joint debriefing (EP and EU EOM)  
*Venue: Bintumani Hotel*
- 12.30 Lunch Break
- Departure from hotel for the Freetown Tally center*
- 14.15 Visit of the District and Regional Tally centers in Freetown
- 15.00 - 17.00 Working dinner with Jeanne Kamara, Country Manager for Sierra Leone of Christian Aid, Justice Tolla-Thompson, Chair of the Political Parties Registration Commission, and Jamesina King, Human Rights Commission  
*Venue: Alex Restaurant*

## Monday 19 November 2012

10.00 **Joint press conference, presentation of the preliminary statement of the Election Observation Mission**

*Venue: Bintumani Hotel*

evening Departures to Europe

## Declaration of Mariya Gabriel, Head of the EP Delegation

Ladies and gentlemen, first of all let me thank you for the interest that you have shown in this press conference.

I had the honour to lead a Delegation of 4 Members of the European Parliament to observe the elections - in fact, the four elections - held simultaneously on 17 November in Sierra Leone, and led for the first time by the National Electoral Commission. During our stay in the country, we met the electoral authorities, representatives of the political parties, civil society representatives and, of course, observed on Election Day in and around Freetown.

I would like to point out that our Delegation was integrated in the framework of the long-term European Union Election Observation Mission. We fully agree with the assessment made by the EU Mission and endorse the preliminary declaration presented by the Chief Observer Richard Howitt.

Ladies and gentlemen, allow me now to highlight some of the main observations of our Delegation on these elections:

- I would like to start by congratulating the people of Sierra Leone for the enthusiasm, determination and patience they showed to cast their votes on Election Day. Despite certain shortcomings in the electoral process – such as the insufficient voter education or the late publication of tally procedures – and a slow and tense start of E-Day opening procedures, the atmosphere of these crucial elections was largely peaceful and respectful.
- Let me also say how impressed we were by the high participation of young people in the electoral process – who are the future and the wealth of every nation – both as voters and as active agents in the organisation of the elections.
- At the same time, we would like to express our disappointment that only 11% of the parliamentary candidates were women and that, although women had an active role as polling station agents and observers on Election Day, our Delegation did not see a single woman as a polling center manager. The European Parliament has always been

a staunch supporter of gender equality, both in the EU and across the world. We therefore believe that there is an apparent need for increased political will to promote greater female participation in public life and to acknowledge the role of women as a political force, especially in the positions of leadership. Peace and development, institutions and societies in general, become much stronger and more effective with the full and equal participation of women.

- In the context of the contested elections, allow me to share another thought with you: In any functioning democracy, the opposition – through its essential role of scrutinising the government’s policies and holding the government accountable to the public – is equally important as the party in power.
- Finally, I would like to emphasise the link between elections and democracy, and the development of a country. These elections confirmed that over the past ten years Sierra Leone has achieved significant progress in consolidation of peace and democracy. The *sustainability* of peace and democracy however largely depends on the future economic and social development and prosperity of Sierra Leone.
- Following the 17 November vote, it will be in the hands of the elected, whoever they are, to justify the trust and hopes of the people in these elections and the democratic process as a whole, by responding to their needs for decent living conditions and providing them with quality education and employment, which are cornerstones for sustainable development.
- I would like to assure you that in the European Parliament we are firmly engaged in supporting Sierra Leone in this effort and will continue to be a fundamental partner for the country. Thank you for your attention!