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REPORT

of the mission to observe the Presidential and Parliamentary elections in Sierra Leone on 14 May 2002

Members of the delegation:

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I. INTRODUCTION

At its meeting on 11 April 2002 the Conference of Presidents decided to send a mission to observe the presidential and parliamentary elections to be held in Sierra Leone on 14 May. Authorisation was given for a parliamentary delegation of five members, but only the following three Members were able to travel on the required dates:

Mr John CORRIE, Ms Karin JUNKER, and Mr José Javier POMÉS RUIZ

The delegation was accompanied by Ms Anne Louise McLAUCHLAN from the European Parliament secretariat.

The members of the delegation arrived in Sierra Leone between 10 and 12 May 2002 and left between 15 and 17 May 2002.

Mr Johan VAN HECKE had been appointed Chief Observer for the EU election observation mission.

The members of the European Parliament election observation mission to Sierra Leone would like to extend their most sincere thanks to the people whose kind help made their work much easier. Particularly, they would like to thank Mr VAN HECKE and the staff of the EU Election Observation Mission in Freetown, Mr Jeremy TUNACLIFFE, Head of Delegation, European Commission Delegation in Sierra Leone, Ms Anne Josephe DE LARTIGUE, Head of Administration at the same Delegation, and the staff of the International Organisation for Migration who acted as the implementing agency for the EU Election Observation Mission in Freetown.

II. PROGRAMME OF THE MISSION (See Annex)

III. BACKGROUND TO THE ELECTIONS

For the general background to the elections please see the information note prepared on this issue by the Directorate General for Research (WIP 2002-04-0118 of 7.05.2002).

The 2002 Presidential and Parliamentary elections, postponed from March 2001 due to instability in the country and to allow sufficient time for preparations, were viewed as a key element in the peace process. The President, Alhaji Ahmad Tejan Kabbah, had formally declared the end of the ten-year civil war on 16 January 2002 and the participation of the former rebels of the Revolutionary United Front (RUF) as a political party (RUFPP) was considered vitally important to contribute to lasting peace.

Election Organisation

Organisation of the elections was the responsibility of the National Electoral Commission (NEC) which is an independent organisation but faced accusations of political bias from opposition parties during the course of the campaign. Relations between the NEC and the opposition parties improved as the campaign went on.

The Electoral Laws Act, adopted on 7 February 2002, set a deadline of 2 April for the nomination of candidates. However, as the leader and preferred candidate of the RUF, Foday Sankoh, was declared inadmissible due to being in prison and hence not having registered to vote, the NEC extended the deadline to 9 April allowing time for the RUF to put forward Pallo Bangura as their candidate. This choice of candidate was not supported by all factions of the RUF.

The Electoral System

The Presidential election, in which nine of the eleven political parties took part, required a candidate to poll more than 55% of the vote in order to win outright. In the event of no candidate reaching this figure, a runoff election would be held between the candidates occupying first and second place after the first ballot.

The Parliamentary elections, in which ten of the eleven political parties fielded candidates, were organised according to a district block system of proportional representation. The country was divided into fourteen electoral districts, each of which was allocated a block of eight seats. Individual candidates' names were not mentioned on the parliamentary ballot-papers as voters were to select a political party rather than candidates. In each district, a seat would be allocated to a party for each 12.5% of the vote it polled. Remaining seats would then be distributed between parties polling more than 12.5% according to a complex formula. Parties polling less than 12.5% would not be allocated any seats. In addition to the 112 Members of Parliament elected in this way, 12 paramount chiefs were to be elected indirectly by Chieftom counsellors representing the chieftaincies. These elections were to take place before Election Day but were postponed until afterwards.

Special voting, for those whose occupations would make it impossible for them to vote on Election Day, was organised for 11 May 2002.

Election Day itself was 14 May 2002 and counting was to take place in the polling stations as soon as the polls closed. Following this count, ballot boxes were to be transferred to regional centres for a second stage of counting and regional collation. Collation was also to take place at national level.

Voter Registration

The electoral registration process had been fraught with difficulties, many deriving from administrative and logistical problems such as insufficiency of registration offices and lack of facilities, particularly cameras and film to take voters' photographs for their electoral registration cards. Opposition parties ascribed political motives to the problems surrounding the registration process and alleged it would benefit the ruling Sierra Leone Peoples' Party. It was noted that they continued to voice this complaint as campaigning progressed, leading to the conclusion that either they considered the registration problems particularly grave or they had considerably fewer complaints about other aspects of the electoral process. It was thought that the logistical problems faced by the National Electoral Commission at the time of voter registration gave them useful experience for the logistical operation of Election Day itself.

Voters who registered in one place and then wished to cast their vote in a different place had to make the request in writing using a special form and would be given a paper entitling them

to vote at the new polling station. Each polling station was to be provided with a list of voters who had transferred in this way.

Media Coverage

The EU Election Observation Mission monitored political parties' access to the media, including radio broadcasting which is by far the most important form of mass media in Sierra Leone. Each political party had been allocated a quota of electoral broadcasting time and the Electoral Laws Act required that parity should be maintained in the amount of coverage given to each. However, this rule was to be policed by the state broadcaster, Sierra Leone Broadcasting Service, giving it responsibility for regulating its own activities. In the event, SLBS radio and television news programmes and political commentary programmes gave far greater airtime to the SLPP than to other parties.

Voter and Election Officer Education

Training of polling station officers was not sufficiently thorough and on polling day many were unclear about whom they should permit to vote. This problem was particularly clear in the case of voters who had registered at other voting stations, of whom there were very many in polling stations serving camps for internally displaced people.

Voter education had started late and was notably deficient. Although earlier concerns that much of the country was unaware that an election was taking place appear to have been addressed before the poll, many voters remained very unclear about voting procedures.

Party Organisation and Resources

In Sierra Leone, parties tend to be formed for the purpose of fighting elections and largely disappear at other times. In this election, most parties lacked organisation and nation-wide structures and few had any significant resources to finance campaigning. Election posters were, in the main, very basic and some candidates, including the RUF candidate, did not even have vehicles. The SLPP was the notable exception. Members of the delegation observed various election materials during a visit to their offices and there were numerous reports, highlighted by opposition parties, of their using official vehicles for campaign purposes.

Violence and Intimidation

Election campaigning was remarkably peaceful, especially considering the violence that has accompanied past elections in Sierra Leone. However, opposition parties reported incidents of voter intimidation by the ruling SLPP, particularly on the part of paramount chiefs who traditionally had complete control over their communities. Representatives of political parties reported instances when these chiefs had made it difficult for them to hold meetings in their communities. Most notably, there were numerous reports from Kono District in the east of the country that voters had been intimidated to such a degree that they were obliged to leave their homes and move to the central town of Makeni. However, opposition parties tabled few official complaints with the National Electoral Commission, some explaining that if they did so no subsequent action was taken.

On 11 May, the final SLPP campaign rally took place in Freetown, centring on the town's

sports stadium. Very large crowds of SLPP supporters gathered at numerous points of the city to travel together to the event. In most places the crowds were good-humoured and there was a party atmosphere, but this was not the case at the RUFPP office where representatives of the former rebels' party clashed violently with the SLPP supporters. The RUFPP office was ransacked during the disturbance, and the violence soured the atmosphere prior to the poll.

Election Observation

The largest mission of international observers was that of the EU, led by Johan Van Hecke MEP and with Carlo Accame as Deputy Chief Observer. This mission had a 7-member core team, 20 long-term observers and 56 short-term observers in addition to the European Parliament delegation, and five Swiss observers also worked with them. The European Parliament delegation would like to pay tribute to the efficiency and professionalism of the EU observation mission in the particularly difficult circumstances of Sierra Leone, and to express thanks for their kind assistance with arrangements for the delegation.

The elections were also observed by 11 Commonwealth representatives, 20 observers from ECOWAS and 10 from the OAU, along with 20 from the Carter Center and 15 from the World Council of Churches.

Among the national observers there were 2000 from the National Election Watch and 1500 from the Sierra Leone Council of Churches.

IV. OBSERVATION OF THE POLL AND THE COUNT

The extremely difficult logistical challenge presented by conditions in Sierra Leone, coupled with low levels of experience and organisational capacity, hampered the smooth running of the elections. However, polling day was peaceful and in both the voting and the counting procedures, members of the European Parliament delegation observed relatively few irregularities.

Attempt at Undue Influence

Only one attempt to influence the vote was observed by members of the delegation, at a polling station on the outskirts of Freetown where Mr Corrie noticed that the Presiding Officer engaged in voter education to the extent of indicating exactly where voters should mark their ballot-papers. Party agents present in the polling station objected vociferously and a serious disturbance ensued which came close to violence before it was ultimately diffused by the police officer assigned to that polling station.

Administrative and Organisational Problems

Ms Junker observed a dangerous situation when opening a polling station in Freetown, where there were insufficient facilities to control the large crowds of voters forming outside. Particularly, there were too few police officers present. The pressure of the crowd caused the gate to give way and some people were injured. Ms Junker was unable to obtain help for one woman who was bleeding profusely because all the police officers were at the entrance of the polling station.

Lack of organisation was also evident at the polling station in the Kissy district of Freetown

opened by Mr Corrie, where there was a large, orderly queue of voters who had registered to vote at that place, very many of whom discovered they had been allocated polling stations at a considerable distance, some located on islands in the bay. There was a great deal of anger among voters when they discovered this. Mr Corrie reported the growing tension to the Long Term Observers for Freetown.

Halfway through the morning of election day, the National Electoral Commission changed the election rules by way of a press release advising polling station Presiding Officers that voters should be allowed to vote at the polling station where they registered, regardless of whether their names were on the register of voters held at that polling station. This notification was aimed at addressing some of the difficulties that arose at the beginning of the poll, such as that encountered by Mr Corrie. However, it was worded in an ambiguous way and was given very different interpretations by Presiding Officers in different polling stations. Some continued to turn away all voters whose names were not included in the register, others allowed voting by people who had registered in completely different places. This problem was particularly noticeable in polling stations serving camps for internally displaced people.

Members of the European Parliament delegation observed very many polling stations which had not received the list of transferred voters but Presiding Officers allowed people with valid transfer voter forms to cast their ballots. There were also a number of polling stations with more than 1,000 registered voters which had not received the duplicate sets of equipment that had been promised to all polling stations of that size. In cases where duplicate sets of equipment had been received, the premises sometimes did not offer sufficient space and sometimes voters had difficulty finding the second polling station. Similar confusion arose in places where numerous polling stations were located in the same room. Sometimes up to eight polling stations shared the same space and the distribution meant the secrecy of the ballot could not be guaranteed, although in these cases no deliberate attempt to violate the secrecy of the vote was observed. Mr Corrie discovered two polling stations that had not opened at all as their materials had not been delivered; their Presiding Officers had pragmatically arranged for their voters to be accepted by adjacent polling stations which had opened.

Police presence was generally discreet, although it was sometimes insufficient. Mr Corrie observed some polling stations at which there was no security presence at all. He reported this problem to the Long-Term Observers for Freetown.

The attitude towards international observers was very welcoming and friendly. Polling station officers, voters and police officers were very willing to assist members of the European Parliament delegation with their observation work and were happy to answer all questions.

The Count

Counting began in polling stations immediately after the close of the poll, in the presence of the party agents and any national or international observers who were in the polling station at the time.

Following the count in the polling stations, collation was carried out in two stages, at district level and at national level. The counting and collating procedure took two days longer than the 72 hours that the NEC had set as its target.

The Results

The results of the election were declared on Sunday, 19 May 2002. The incumbent President, Ahmad Tejan Kabbah of the SLPP was re-elected with 70.1% of the vote.

In the parliamentary election, of the 112 ordinary members of the House of Representatives, the SLPP gained 83, the All People's Congress won 22 and the Peace and Liberation party won 2. All other parties polled insufficient votes to gain seats.

The party of the former rebels, RUF, polled 1.7% in the presidential election and 2.2% in the parliamentary election.

V. CONCLUSION

Although in there were shortcomings in the voter registration, the campaign and the electoral process, the achievement of peaceful elections in Sierra Leone should not be underestimated. The high turnout very evidently demonstrated the commitment of the people to the democratic process and in the main they were able to express their political preferences at the ballot box without intimidation or hindrance.

In general, members of the European Parliament delegation found polling station Presiding Officers were professional and impartial, and that they and their staff were assiduous in respecting electoral procedures. They also supplied voter education in an appropriate, politically neutral manner, when the deficiencies in this area became evident. In most of the Freetown polling stations observed by the European Parliament delegation there were representatives of a variety of political parties as well as a good presence of national observers. Their presence increased transparency and reduced the likelihood of political bias tainting the polling procedures.

During the count, members of the European Parliament delegation observed that Presiding Officers made every effort to apply the rules fairly and to achieve a consensus among party agents where doubts arose. Between polling stations, however, there were inconsistent interpretations of the rules on such matters as void ballots.

In some places outside Freetown, EU observers reported that District Election Officers had difficulties understanding the complicated calculations involved with the distribution between the parties of the eight parliamentary seats available in each district and that there was confusion in the collation of polling station results.

The European Parliament delegation viewed the elections as a very significant contribution to the process of pacification and democratisation in Sierra Leone, but shared the general concern of the EU Election Observation mission that this process remains fragile.

In conclusion, European Parliament observation delegation considered that, despite obvious irregularities in the lead-up to the election and administrative imperfections on polling day, it would be appropriate to view the election results as a reasonably accurate reflection of the wishes of the Sierra Leonean electorate.

PROGRAMME

Friday 10 May 2002

- 06.00 Arrival of Mr Corrie in Freetown
- 10.15 Introduction to the General briefing for EU Short-Term Observers by Johan Van Hecke, EU Chief Observer, Alan Jones, British High Commissioner representing the EU Presidency and Jeremy Tunnacliffe, Head of Delegation, European Commission
- 10.55 Historical background by Richie Awoonor, editor of “Peep newspaper”
- 12.20 Pre-election issues, polling procedures and observation forms by the EU mission Core Team
- 13.30 Electoral process by Walter Nicol, Chairman of the National Electoral Commission
- 15.00 EU Election Observation Mission findings, organisation and code of conduct, briefing on the media by the Core Team
- 15.45 Security briefing by Colonel Andrew Ledger, UNAMSIL
- 16.30 Presentation of the documentary “Cry Freetown”

Saturday 11 May 2002

- 11.30 Meeting with Pallo Bangura, Presidential candidate for the Revolutionary United Front Party (RUF)
- 15.00 Arrival of Mrs. Junker in Freetown.
- 16.00 Informal familiarisation meetings with the EU Election Observation Core Team and logistical arrangements
- 19.30 Meeting with Mrs. Zainab Hawa Bangura, Presidential Candidate for the Movement for Progress (MOP)

Sunday 12 May 2002

- 10.00 Arrival of Mr Pomés Ruiz in Freetown.
- 12.00 Familiarisation in Freetown including a visit to the Amputee Camp in Aberdeen District.
- 17.00 Planning meeting for election day with Philip Jol and Claudia Leonina, EU Long-Term Observers for Freetown

19.00 Dinner with Jeremy Tunnacliffe, Head of Delegation for the European Commission in Sierra Leone

Monday 13 May 2002

10.00 Meeting with Mr Ernest Bai Koroma, Presidential candidate for the All Peoples' Congress (APC)

14.00 Meeting with Mr Ansu Massaquoi, Young Peoples' Party (YPP)

15.00 Meeting with Dr. Sama Banya, Chairman of the Sierra Leone Peoples' Party (SLPP)

17.00 Meeting with Mr F. Takatsch and other representatives of GTZ in Sierra Leone

Tuesday 14 May 2002 Election Day

05.45 Delegation divides into three teams for election observation in three different parts of Freetown. All teams observe the opening and closing of polling stations in their allocated areas and observe the count at one of the polling stations.

Wednesday 15 May

09.30 Informal debriefing meetings with the Core Team, assessment of incoming election results and logistical arrangements for departure.

14.30 Departure of Mr Corrie and Mr Pomés Ruiz

Thursday 16 May

10.30 Election Observation Mission Press Conference with Johan Van Hecke and representatives of observer teams from the Commonwealth and the Carter Foundation

14.00 Lunch with Carlo Accame, Deputy Chief Observer

16.00 Informal analysis of election results and logistical arrangements for departure.

Friday 17 May

07.30 Departure of Mrs. Junker