



**PRELIMINARY STATEMENT OF THE NDI
INTERNATIONAL OBSERVER DELEGATION TO SIERRA
LEONE'S 2007 ELECTIONS**

Freetown, August 13, 2007

This preliminary statement is offered by the National Democratic Institute's international election observer delegation to Sierra Leone's 2007 national elections. Leading the delegation are: **Nora Owen**, former Minister for Justice and former Member of Parliament (Ireland); **Ken Nnamani**, former Senate President (Nigeria); **Audrey McLaughlin**, former Member of Parliament and former leader of the New Democratic Party (Canada); **Carol Lancaster**, former Deputy Administrator of the US Agency for International Development and Director of the Mortara Center at Georgetown University (United States); and **Christopher Fomunyoh**, Senior Associate for Africa, NDI (Cameroon).

The delegation was composed of 42 individuals who are experienced political and civic leaders, human rights activists and election experts from 16 countries in Africa, Europe, and North America. The delegation visited Sierra Leone from August 6 through August 13, 2007 to assess preparations for and observe the 2007 national elections. The delegation has built on the findings and recommendations of two pre-election assessment teams sponsored by NDI, Sierra Leonean partners, and a team of NDI long-term observers who, since April 2, have conducted election observation and reporting activities in all of Sierra Leone's 14 districts. The delegation also met with Sierra Leonean authorities including President Ahmed Tejan Kabbah, the National Electoral Commission (NEC) officials, main presidential candidates, representatives of the ruling party and four opposition political parties, civil society, religious leaders, the media, development partners and other observer delegations.

The purposes of this delegation are to demonstrate the international community's interest in and support for the development of a democratic political process in Sierra Leone and to provide an impartial assessment of the August 11 polls. The delegation conducted its activities in accordance with the laws of Sierra Leone and the Declaration of Principles for International Election Observation, and without interference in the elections process.

The delegation recognizes that it is still early in the post-election period and that votes are still being tallied, results have not yet been announced, and election complaints and challenges that may be lodged will need to be resolved in accordance with the rule of law. It is therefore not the intention of the delegation to render a complete or definitive assessment of the election process at this time. Indeed, it is the people of Sierra Leone who, as citizens and voters, will determine the credibility of these elections and their significance for ongoing democratization processes in this post-conflict environment. Further statements may be released by NDI in the post-August 11 period, and a final report will follow after the election process is completed.

The delegation presents below a summary of its preliminary observations and recommendations.

I. EXECUTIVE SUMMARY

The NDI delegation considers the processes leading up to the election, and the conduct of the election day itself, to be transparent, credible and largely peaceful. The delegation commends the people of Sierra Leone for their determination to exercise their civic and political rights. The delegation also acknowledges the positive role of the Government of Sierra Leone and the high level of professionalism of National Electoral Commission (NEC) and Political Parties Registration Commission (PPRC) officials in the conduct of these elections. The delegation recognizes the strong commitment of civil society organizations, political parties, religious leaders, and the media throughout Sierra Leone to a peaceful, democratic electoral process.

On August 11, 2007, the people of Sierra Leone voted in historic elections. Turnout was very high and voting across the country on election day was orderly, peaceful and well-administered in the overwhelming majority of the areas this delegation observed. Political party agents were present in a high percentage of polling stations and nonpartisan Sierra Leonean election observers were also evident in large numbers.

The elections are the second national polls to take place since the cessation of armed conflict in 2002, and the first under the full sovereign control of the Government of Sierra Leone. If successful, these will be the first elections in which a democratically elected government, having served two full terms, will hand over power to another democratically elected government. As one Sierra Leonean citizen told a member of the NDI delegation, “these elections are a test of whether democratic culture is here to stay.” The delegation feels that thus far the people and institutions of Sierra Leone are in the process of meeting that test.

Looking forward, it is critical that Sierra Leonean stakeholders – government and electoral officials, candidates and political, religious and civic leaders – act responsibly to ensure that the post-election period continues smoothly. Given the country’s history of conflicts, coups d’etat and failed transitions, it is imperative that a proper and transparent process be fully implemented in determining the results, and as credible results are announced that political parties act peacefully and in accordance with the rule of law. Should a run-off presidential election be required, in accordance with the law, election authorities, the contesting parties and candidates and civil society will need to redouble their efforts to bring this largely successful process to completion, honoring the will of the people. Sierra Leoneans and the international community should watch closely and hold accountable anyone who seeks to undermine the credibility of the process and the peace and security, which Sierra Leoneans have worked so hard to achieve. Breaking the previous cycle of impunity is the role of all stakeholders, domestic and international.

II. ELECTORAL CONTEXT

Five years after the end of civil war in Sierra Leone, the country continues to work to consolidate democratic processes and institutions. While many positive strides have been made, the country remains fragile. Some of the root causes of discontent that ultimately led to armed conflict remain, such as widespread poverty, high unemployment, limited access to education and corruption.

For the 2007 elections, an empowered NEC exerted itself and established Sierra Leonean ownership over the process in the pre-election period. The NEC conducted several important activities including the delimitation of 112 electoral constituencies, the production and distribution of election materials, voter education, and the recruitment and training of polling officials. The NEC also organized a

voter registration process in which 2.6 million Sierra Leoneans (estimated at 90 percent of eligible voters) registered to vote. Forty-nine percent of registered voters are female, and 56 percent are youth under the age of 32. The NEC recruited and trained over 37,000 staff to work in 6,171 polling stations. In response to concerns raised about the integrity of the 2004 local elections in some constituencies, the NEC terminated and blacklisted 1,500 polling officers whose past performance was questioned.

According to the 1991 Sierra Leone Constitution and the 2002 Electoral Laws Act, the presidential elections are conducted through an absolute majority system in which a candidate must get at least 55 percent of the valid votes cast. If no candidate obtains 55 percent of the vote, a run-off election is held between the two leading candidates. Sierra Leone has a single national district for the presidential election. For the parliamentary elections, a simple majority system elects the candidate who obtains the highest number of valid votes in a constituency. For these elections, Sierra Leone's 14 districts were carved into 112 single-member electoral constituencies, with 40 in the North, 27 in the East, 25 in the South, and 21 in the Western areas.

There are two new separate legal mechanisms guiding the election complaints process, the Elections Offences Courts (EOC) and the Elections Petitions Courts (EPC). Both fall under the legal jurisdiction of the High Court. Both the EOC and the EPC are held concurrently under the auspices of the same judge. Challenges to the presidential elections must be directed to the Supreme Court and fall under a different set of rules and regulations. Disputes relating to the outcome of parliamentary elections are handled by the EPC. The EOC addresses offenses related to the conduct of the election, such as tampering with materials, ballot stuffing, and a host of other election-related irregularities.

III. OBSERVATIONS

Election Administration. The NEC has earned a remarkable level of public confidence. Most Sierra Leoneans with whom the delegation met expressed satisfaction with the NEC's administration of the election process, especially in the face of severe logistical challenges. Domestic observers, civil society groups, the media and political parties expressed confidence in the impartiality of the NEC chairperson and the commission's capacity to conduct the poll. All political parties were complimentary of the openness and professionalism of the NEC chair, although one party alleged two of the regional commissioners were overtly partisan.

In preparation for the 2007 elections, the NEC took concrete steps to avoid the fraud that was alleged to have occurred during past elections. For example, the NEC hired additional polling staff, procured new ballot box seals, adopted a procedure to count the votes and post the results at each polling station and adopted a procedure to centralize the tallying of votes in Freetown rather than at the district level.

The NEC regularly and effectively communicated information about the process to voters, political parties and the over 37,000 polling staff. The NEC conducted voter education campaigns to raise citizen awareness about the process and developed training manuals for staff who worked on election day. The NEC established a permanent two-way dialogue with political parties through the Political Parties Liaison Committee (PPLC) to inform them of the process and incorporate their feedback. For example, the NEC made an important change to the electoral procedures the week before the polls in response to concerns raised by political parties during a PPLC meeting. Individuals with voter registration cards (VRCs) but whose names did not appear on the final voters' register (FVR) were

not allowed to vote, contrary to what was previously written in the NEC training manual for polling staff. NDI observers noted that polling staff seemed well informed of the change in procedure.

The NEC created additional polling centers to address concerns raised during voter registration about the long distances some voters would have to travel. The FVR from the parent polling center, the center where voters originally registered, was made available at all satellite locations.

Voter Education Efforts. The NEC conducted voter education campaigns to raise general awareness of the election despite limited funds for such activities. For example, the NEC produced posters to educate voters about the voting process, displayed sample ballots, created messages to encourage peaceful elections and developed radio jingles. However, many voters seemed uncertain of the detailed voting procedures. Some voters, particularly the elderly, seemed unsure of how to mark their ballots. The delegation noted instances where a number of ballots were invalidated either because they were marked incorrectly or not marked at all.

Political Parties Registration Commission (PPRC). The Political Parties Registration Commission (PPRC), provided for in the 1991 Constitution and the 2002 Political Parties Act, monitors compliance with the Political Parties Code of Conduct, mediates disputes between political parties, sensitizes paramount chiefs on their role in ensuring smooth elections and encourages parties to promote the participation of women in the electoral process.

The delegation was encouraged that parties continue to abide by the Political Parties Code of Conduct that was signed by all parties and adopted by the NEC in November 2006. There have been few complaints of non-compliance with the Political Parties Code of Conduct.

The PPRC established a national Code Monitoring Committee (CMC) in May to monitor and promote compliance with the Political Parties Code of Conduct. The PPRC then began inaugurating and training District Monitoring Committees, composed of members of political parties, the Sierra Leone Police (SLP) and civil society to monitor compliance with the Code of Conduct at the district level. The PPRC, functioning for the first time, played an important role in facilitating inter-party dialogue during these elections.

The Campaign. Seven political parties contested the elections, fielding seven presidential and vice presidential candidates and 566 parliamentary candidates across 112 electoral constituencies. Among these were 65 women candidates, including one who stood for vice president. Women represented approximately 11 percent of the candidates while youth between the ages of 21 and 30 represented 16 percent. While 49 percent of registered voters are women and women have been active in civil society and as election officials, the delegation was concerned by the low number of women who were selected as candidates to contest these elections.

Despite the challenges of infrastructure, communication and organization, Sierra Leonean parties and candidates waged an active campaign. A few cases of violence that occurred during the campaign period threatened to taint the electoral process. In several isolated cases, freedom of movement was restricted and some candidates could not campaign in certain chiefdoms. Political parties agreed to schedule campaign activities in order to avoid tensions and potential for inter party rivalries, but in some cases paramount chiefs and community leaders prevented candidates and parties from conducting campaign activities. The delegation was informed of the existence of party “task forces,” organized groups that at times intimidated rival supporters. The delegation also heard allegations of misconduct.

Thursday, August 9 marked the last day of the campaign period, as campaign activities were not permitted within 24 hours of election day. The People's Movement for Democratic Change, the All People's Congress and the Sierra Leone People's Party held full-day rallies in Freetown on Tuesday, Wednesday and Thursday, respectively. No significant instances of violence were reported, and the campaign period ended peacefully with parties respecting the quiet day before polls on Saturday. Political parties respected an agreement to avoid wearing opposing party colors on a party's designated rally day, contributing to a peaceful environment.

The Sierra Leone Association of Journalists (SLAJ), with support from NDI and the United States Agency for International Development (USAID), conducted debates among both vice presidential and presidential candidates. Public forums were held in parts of the country between candidates contesting the parliamentary elections. These debates generated considerable interest nationwide and gave citizens an opportunity to hear candidates' views on issues in order to make informed choices on election day.

ELECTION DAY

Voter Turnout and Participation. Voter turnout on August 11 was impressive across the country. Thousands waited in line to vote, demonstrating their personal commitment to peaceful elections. In Freetown, voters lined up as early as 3:00 am in some cases to cast their ballots when the polls opened at 7:00 am. Overall the elections were conducted peacefully, although in some cases long lines and slow procedures contributed to tension.

Polling officials worked diligently for long hours into the night. Officials seemed well-trained, conscientious and in the majority of cases acted effectively, although there was a difference in quality at some voting places. Political party agents from the three main parties were present in impressive numbers around the country and worked cooperatively to complete the process peacefully. Domestic election monitors, including the National Election Watch (NEW), were also present in significant numbers and played a constructive role.

Voting Process. Overall, voting on August 11 was orderly and peaceful in most locations observed. Most polling stations opened on time or within 30 minutes due to logistical challenges and the delay in delivery of materials. All seemed to have processed available voters by the close of the polls. NDI observers witnessed one case of sensitive materials not being present at the Blama polling center (number 09215) in Bo district, but the delegates were advised that the NEC addressed this situation.

Polling officials generally appeared well-trained and conducted their duties with professionalism and integrity in the majority of stations observed. The identification of voters went smoothly, although in some cases voter identification officers had difficulty locating voters on the FVR. In the majority of stations observed, ballot paper issuers stamped ballots, folded them correctly, and explained voting procedures. In some polling stations visited, ballots were not torn carefully from the booklets and stacks of ballots were pre-stamped.

The NEC instituted mechanisms to protect against double-voting, including the hole punching of voter registration cards on the right hand side and the use of indelible ink. In some cases, the hole punch device was either not available or not working properly, so polling staff improvised by either cutting off the corner of VRCs or by folding the VRCs and using scissors to cut a hole in the correct location.

In some cases polling stations were not well marked and voters had difficulty identifying the appropriate queue. Long lines and extended wait times contributed to tension outside the polling centers in the morning. This was particularly prevalent in large consolidated polling centers in Freetown, such as the Holy Trinity Primary School (polling center 14199) which had more than 10,600 registered voters.

The NEC worked diligently to ensure that voting took place in government buildings and avoided locations that could be considered not to be neutral. However, in some cases government buildings and temporary structures were inadequate.

Security on Election Day. The police and other security forces were actively engaged in maintaining a peaceful environment on election day. The army “stayed in barracks” and did not seek to interfere in the electoral process. SLP were present at most polling stations visited and responded quickly to incidents when called upon. Additional mobile security teams of SLP were also deployed to provide security, as well as helping to maintain order over the course of election day and election night. In a few instances in Freetown as well as Moyamba, Kono, and other districts SLP dispersed groups whose presence threatened to disrupt the process. Notwithstanding certain incidents, the SLP and army appeared to have played a constructive role thus far in the electoral process.

In the absence of large-scale United Nations (UN) logistical support, voting materials were transported with assistance of Sierra Leone’s security forces. Following the polls, election materials were kept in the districts under police custody.

Counting of Votes. The counting process proceeded without major incident in most places observed by this delegation, although in some cases the count seemed less orderly. Votes were counted at polling stations immediately following the close of the polls. While NEC staff were instructed to consider votes as valid if the intention of the voter is clear, there was some inconsistency in the application of this procedure.

Copies of the results from polling stations were consistently posted outside, thereby providing parties and candidates interested in tracking the centralization of results at the national level with access to such information. This is an important confidence-building measure. Transparency in the counting procedures also helped to establish confidence, and party agents and observers were able to monitor the process. Following the count, materials were transported to district NEC offices and are being transferred to Freetown.

Tallying of Votes and Announcement of Results. Votes are currently being tallied at the National Tally Center in Freetown. Accredited political party representatives, domestic and international observers and journalists are observing the tallying. The NEC plans to announce progressive, cumulative results. The NEC will hold daily press briefings during which results are announced by constituency as they come in. The NEC plans to announce and certify election results within two weeks of the polls as stipulated in the electoral act.

Participation of Marginalized Groups. Approximately 49 percent of registered voters are women, and 56 percent are youth under the age of 32. The delegation observed a high number of women and young people participating in the electoral process as voters, polling officials, and domestic election monitors. Few women served as political party agents. Political parties actively recruited youth as candidates and party agents.

The delegation was concerned by the low number of women who were nominated as candidates to contest these elections. Of the candidates fielded, only 65 (or 11 percent) were women, including one who stood for vice president.

The delegation was impressed by the priority and assistance given to vulnerable groups, in particular the elderly and mothers with babies, helping to ensure that such voters were not disenfranchised.

Domestic Election Observation. Civil society organizations have actively monitored the electoral process from early stages, including voter registration and the campaign period, as well as on election day. The delegation was informed that the NEW, a coalition of Sierra Leonean civil society organizations, fielded over 5,400 domestic observers, who covered 87 percent of polling stations on election day. The delegation members also met domestic observers from the Council of Churches in Sierra Leone, Evangelical Fellowship of Sierra Leone, the Inter Religious Council of Sierra Leone, the Coalition for Election Monitoring, the 50/50 Group, and Forum for Women Empowerment and Development (FOWED). Many Sierra Leoneans welcomed the presence of these domestic observers.

In collaboration with domestic groups, several international organizations also monitored the elections, including the European Union (EU) and the European Parliament, Economic Community of West African States (ECOWAS), the African Union (AU), the Commonwealth, West African Civil Society Forum (WACSOF), and NDI. Leaders from all of these delegations met to exchange views before and after election day. International observers were welcomed throughout the country, and there were no reports of interference with international or domestic election observers.

Political Party Agents. Political party agents from the main three parties were seen in most of the polling stations visited by NDI observers. Overall, political party agents acted appropriately, seemed to understand their roles and responsibilities, and did not interfere in the process. While the presence of thousands of party agents is to be commended, the delegation noted instances in which party agents seemed to lack an understanding of the process and their role.

IV. RECOMMENDATIONS

The delegation greatly appreciates the openness of the NEC and Sierra Leoneans at all levels to suggestions from stakeholders to ensure that the electoral process is smooth and transparent. The delegation acknowledges the commitment of the Government of Sierra Leone to support independent institutions such as the NEC and the building of credible electoral process. The following recommendations are offered in the spirit of international cooperation and in hopes of building further confidence in the electoral process. The delegation therefore respectfully offers the following recommendations:

To the National Electoral Commission:

- The NEC should maintain its commitment to announce and certify results in the most transparent and timely way possible, in order to ensure confidence in the tabulation process and reduce potential for tension in the electoral environment.
- The NEC should ensure timely and adequate transmission to its staff of any changes to the electoral procedures.
- For future elections, polling staff should have clarity on voter identification procedures, the counting process, and the completion of forms.

- To enhance voter education efforts that specifically target how to mark the ballots, the NEC should post illustrations in the polling area of acceptable ways to mark the ballots.
- The NEC should improve signage in all polling stations and improve the management of polling centers.
- Polling officials should be commended for devising solutions to problems that arose on election day, such as broken hole punchers. However, the NEC should put policies in place to ensure that these pragmatic solutions are taken into account when establishing procedures for future polls.
- In the case of a run-off, the NEC should redouble its efforts to provide voters, political parties, and candidates with the information required for them to effectively participate in the electoral process.

To Political Parties and Candidates:

- Parties and contestants should call on their supporters to stay calm and patiently await the announcement and certification of results and in no case resort to violence to disrupt the process.
- Political contestants should publicly accept credible results as soon they become apparent. If grievances arise surrounding the tabulation and announcement of results, parties should make use of complaint procedures, including the Electoral Offences Courts and Election Petitions Courts.
- Parties should not use their “task forces” to undermine the process.
- Parties should actively seek to recruit and deploy women as party agents and nominate women candidates.

To the Electoral Offences Courts and Election Petition Courts:

- The Electoral Offences Courts and the Election Petition Courts should proceed with any and all appropriately filed petitions in a transparent and expedited manner, impartially determine the merits of cases and provide effective, timely remedies. These courts should be properly staffed and adequately funded.

To Civil Society:

- Civil society should build upon the current momentum and continue to engage in future elections and contribute to long-term democratic processes.
- Organizations involved in nonpartisan election monitoring should extend their activities through the post-election period and in the event of a run-off.
- Civil society should redouble its efforts to conduct voter and civic education campaigns.

To the Government of Sierra Leone:

- The Government of Sierra Leone should enhance its support to independent institutions such as the NEC and the PPRC and provide them with sustained and adequate funding.

To the International Community:

- The international community should increase its support to Sierra Leone’s democratization efforts, assist in further strengthening institutions and continue monitoring political processes.
- International election observation organizations should extend their monitoring efforts in the event of a run-off.

V. THE DELEGATION AND ITS WORK

An accurate and complete assessment of any election must take into account all aspects of the process, and no election can be viewed in isolation from the political context in which it takes place. Among the factors that must be considered are: the legal framework for the elections set by the constitution, including electoral and related laws; the ability of citizens to seek and receive sufficient and accurate information upon which to make political choices; the ability of political competitors to organize and reach out to citizens in order to win their support; the conduct of the mass media in providing coverage of parties, candidates, and issues; the freedom that citizens and political competitors have to engage in the political and electoral process without fear of intimidation, violence, or retribution for their choices; the conduct of the voter registration process and integrity of the final voters' register; the right to stand for election; the conduct of the voting, counting, results tabulation, transmission, and announcement of results; the handling of election complaints; and the installation to office of those duly elected. It should also be noted that no electoral framework is perfect, and all electoral and political processes experience challenges.

The delegation arrived in Freetown on August 6, and held meetings with Sierra Leonean political and civic leaders, electoral authorities, the president of Sierra Leone, government officials, representatives of the media and the international community in Freetown. On August 9, 42 delegates and staff members deployed in 19 teams across Sierra Leone's 14 districts. On election day, the teams observed voting and counting processes in 167 polling centers across 48 percent of the country's electoral constituencies. Following the elections, the delegation members returned to Freetown to share their findings and prepare this statement.

In accordance with the *Declaration of Principles for International Election Observation* the delegation cooperated with international election observation missions from the European Union, the Commonwealth, the Economic Community of West African States (ECOWAS), and the African Union (AU), as well as with Sierra Leonean nonpartisan domestic election monitoring organizations such as National Election Watch (NEW). The delegation is grateful for the welcome and cooperation it received from voters, election officials, candidates, political party leaders, domestic election observers, and civic activists.

NDI is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices, and institutions. NDI has conducted over 100 impartial pre-election, election-day, and post-election observation delegations around the globe. NDI programs in Sierra Leone are funded by the British Department for International Development (DFID), the United States Agency for International Development (USAID) and the National Endowment for Democracy (NED).

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