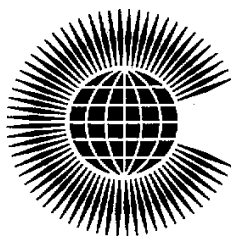


SIERRA LEONE LOCAL GOVERNMENT ELECTIONS

22 May 2004

**THE REPORT OF THE
COMMONWEALTH EXPERT TEAM**



COMMONWEALTH SECRETARIAT

**Sierra Leone Local Government Elections
22 May 2004**

REPORT OF THE COMMONWEALTH EXPERT TEAM

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## **COMMONWEALTH EXPERT TEAM**

27 May 2004

Dear Secretary General,

We would like to express our sincere thanks for sending us to Sierra Leone to observe the May 2004 local government elections.

We were fortunate to have had an excellent programme of briefings and consultations prepared for us prior to our deployment around the country. We would particularly like to acknowledge the professional support and guidance provided by the Commonwealth Secretariat and CLGF staff throughout the mission.

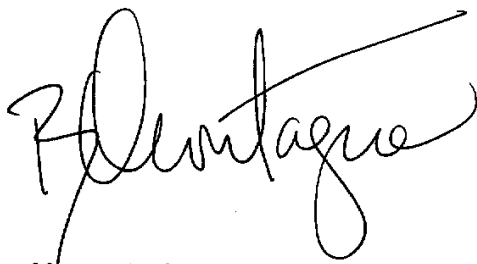
The generous welcome given to us by everyone we met with and the kindness shown to us in our meetings has been impressive.

These elections, the first democratic local government elections for over 30 years, were an important step in the consolidation of democracy in Sierra Leone. From our observations the elections were conducted well especially given the short timeframe available. We feel privileged to have represented the Commonwealth in such an important endeavour and we have enjoyed working together as a team.

We must end on a note of caution. Our observations, discussions and briefings all sounded a recurrent and discordant note – an increasing frustration and growing estrangement by a growing number of the population with the party political environment in Sierra Leone.

While we recognise that our mandate refers specifically to the conduct of the local elections, we would be remiss in our ultimate responsibilities if we did not mention this disturbing trend. The people of Sierra Leone have survived a monumental national tragedy. It is crucial that the process of economic reconstruction and reconciliation be reflected in a polity which is respectful and responsive to the needs and aspirations of the common people.

We strongly urge the Commonwealth to employ all its good offices to support and encourage the growth of a vibrant and socially conscious democracy, including all the elements of a healthy opposition. We are unequivocal that this is essential for sustained peace and civic participation in Sierra Leone now, and in the future.



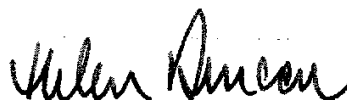
Mayor Robert Montague  
Mayor of Port Maria and  
Chairman of St Mary Parish  
Jamaica



Hon Farouk Lawan MP  
Member of the House  
of Representatives  
Nigeria



Hon Margaret Kotta  
Councillor and Executive Member  
Association of Local Authorities of  
Tanzania (ALAT) Tanzania



Mrs. Helen Duncan  
Elections Expert  
United Kingdom

HE Rt Hon Don McKinnon  
Commonwealth Secretary-General  
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Marlborough House  
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# **INTRODUCTION**

## ***INVITATION AND COMPOSITION OF THE EXPERT TEAM***

This report presents the observations, conclusions and recommendations of the Commonwealth Expert Team, which was present in Sierra Leone for the Local Government Elections held on 22 May 2004.

The Commonwealth had previously provided a Commonwealth Observer Group for the 2002 Presidential and Parliamentary Elections.

The Commonwealth Secretary-General's decision to send an Expert Team to the 2004 Local Government Elections followed an invitation from the Executive Secretary of the National Electoral Commission, Mr K M Kpakiwa (See Annex 3).

The Team consisted of:

### **Mayor Robert Montague**

Mayor of St Mary Parish, Jamaica, and member of the Board of the Commonwealth Local Government Forum

### **Hon Farouk Lawan, MP**

Member of the House of Representatives, Nigeria and Member of the Executive of the Commonwealth Parliamentary Association

### **Hon Margaret Kotta**

Councilor and Executive member of the Association of Local Authorities of Tanzania (ALAT), United Republic of Tanzania

### **Mrs Helen Duncan**

Elections Expert, United Kingdom

The team was supported by a three member staff team from the Commonwealth Secretariat and the Commonwealth Local Government Forum: Adaora Ikenze and Zippy Ojago (Commonwealth Secretariat), and Lucy Slack (CLGF).

## **Terms of Reference**

The Team's Terms of Reference were as follows:

*The Commonwealth Expert Team for the Local Government Elections in Sierra Leone shall observe the preparations for the elections; polling, counting and results process; and overall electoral environment.*

*The Expert Team will report thereafter to the Commonwealth Secretary-General and the Commonwealth Local Government Forum, with recommendations for the future management of the electoral process and, if appropriate, Commonwealth technical assistance. The Secretary-General and the CLGF will in turn send the Team's report to the Government of Sierra Leone, the election management body, the main political parties, and Commonwealth Governments. It will then be made public.*

The experts were invited in their individual capacities and it was made clear by means of a Circular to Commonwealth Governments and a press release (see Annex 4) that the views they expressed regarding the election would be their own and not those of either the Governments of their respective countries or of the Commonwealth Secretariat.

## **BACKGROUND ON SIERRA LEONE**

Sierra Leone is situated in West Africa bordered by Guinea and Liberia. The capital city and main commercial centre is Freetown. The country also has three provincial capitals - Bo in the south, Kenema in the east and Makeni in the north.

In 1787 Christian philanthropists established a "Province of Freedom" on the Sierra Leone peninsula for the "British black poor" (mostly freed slaves), including ex-servicemen of the Crown in the American war of independence. The infant settlement became a crown colony in 1807 and its inhabitants were accorded the status of British subjects. Sierra Leone became an independent state within the Commonwealth on 27 April 1961.

The population of Sierra Leone is estimated to be between 4-5 million.

Sierra Leone is a unitary republic. The legal system is based on English Common Law. There is a 124 seat parliament, with 112 members

elected by proportional representation, and 12 Paramount Chiefs. Sierra Leone also has a National Council of Paramount Chiefs.

There are 19 local councils in Sierra Leone (one city council, five town councils and 13 district councils) with a total of 394 wards.

Although Sierra Leone has a primarily rural population, the main urban centres are also still home to significant numbers of people displaced from the rural areas during the unrest. The population is generally politically aware, although not actively involved. Literacy rates in Sierra Leone are amongst the lowest in the world.

### ***ACTIVITIES OF THE EXPERT TEAM***

The Expert Team arrived in Sierra Leone on 17 May 2004, and was headquartered in Freetown prior and post election deployment. Over a period of three days, (18 - 20 May 2004) the Team met with the National Electoral Commission and was briefed by Mr Eugene Davies, Chairman of National Electoral Commission, and his staff on the legal and administrative framework for the elections.

The Team met the Minister and officials from the Ministry of Local Government and Community Development, and the Chairman of the National Council of Paramount Chiefs who provided them with information on the new system of local government enacted in the Local Government Act, 2004. Briefings were held with representatives from the two main political parties, UNAMSIL, NGO organisations (human rights, gender, governance and media), The Special Court for Sierra Leone, domestic observers, and Commonwealth High Commissions based in Sierra Leone. These provided background to the electoral process, the overall electoral environment, the conduct of campaigns, and issues with respect to the current electoral arrangements. The Team was given several pieces of relevant documentation, including copies of the Constitution of Sierra Leone (1991), the Local Government Act 2004 and the Electoral Laws Act 2002.

On 20 May, the Team split into three groups for better coverage of the country. One team (Hon Farouk Lawan, MP and Helen Duncan) was headquartered in Bo in the Southern region, but also travelled to Kenema in the East on election day. The second team (Councillor Margaret Kotta and Ms Lucy Slack) was based in Makeni in the North of the country, while the third team (Mayor Robert Montague and Ms Adaora Ikenze) remained in Freetown to provide coverage of the

Western region. During deployment, all three groups met with local stakeholders and members of the public to assess the electoral environment in the days before polling.

The Team observed voting in a total of 36 stations around the country and attended the opening of polling, close and count in three locations.

The Team's report was prepared prior to departure from Sierra Leone on 27 May 2004.

## **DEMOCRACY AND THE ELECTORAL FRAMEWORK**

### ***POLITICAL DEVELOPMENTS***

Most of the 20th century history of Sierra Leone was peaceful, and independence was achieved without violence. The 1951 constitution provided a framework for decolonisation, and elections held under the new constitutional framework were won by the Sierra Leone Peoples Party (SLPP) led by Sir Milton Margai. The SLPP repeated this victory in 1957 and 1961. Upon independence in April 1961, Sierra Leone opted for a parliamentary system within the Commonwealth. In closely contested elections in 1967, the All Peoples Congress (APC) gained a majority of seats over the SLPP but President Siaka Stevens was prevented from taking power by a military coup. Stevens returned from exile to become the Prime Minister of a civilian government in 1968. Sierra Leone was declared a Republic in April 1971 with Stevens as President.

In 1972 elected local councils were abolished and replaced with appointed management committees and in June 1978 a referendum approved a new constitution providing for a one-party system with the APC as the sole legal party. President Stevens was sworn in for a new seven year term and SLPP MPs joined the APC.

Under the rule of Major General Momoh, (President Steven's handpicked successor), a new constitution was approved by a referendum in August 1991, marking a return to multi-party politics and permitting a number of political parties to be legalised. Elections were scheduled for May 1992.

The 1992 elections were never held. On 30 April President Momoh fled to Guinea following a military coup launched the previous day by members of the armed forces led by Captain Valentine Strasser. The Constitution was suspended and legislature dissolved, and all political



activities suspended. On 16 January 1996 the military regime split and Captain Strasser was overthrown in a "palace coup" and replaced by his former deputy, Brigadier Maada Bio.

Sierra Leone's civil war began as an insurgency by a small group of radical youths and itinerant diamond diggers, led by a British-trained former army corporal, Foday Saybana Sankoh, who had been imprisoned by President Stevens in the 1970s. Mr Sankoh had received guerilla training in Libya in the 1980s and had taken part in the Liberian civil war in support of the factional leader Charles Taylor who subsequently became Liberian President. In return, and also in retaliation for the Sierra Leone government's support for Nigerian forces in Liberia, Mr Taylor helped to finance Mr Sankoh's newly-formed rebel RUF group and supported the launch of its guerilla campaign, in March 1991.

The initial stated aims of the RUF were to topple the Freetown Government, then headed by President Momoh, and to end the perceived excesses of APC rule. However, the rebellion continued even after the April 1992 coup that ousted General Momoh, ostensibly to fight against government corruption. It has been alleged that the real reason behind the war was the struggle to gain control of the diamond rich areas in the east of the country where the fighting began.

Increasingly under pressure from the international community to restore democracy at the same time as end the war with the RUF, Brigadier Bio stuck to his stated promises and held Presidential and Parliamentary Elections on 26-27 February 1996, which the Commonwealth observed.

Voters defied violence and sabotage by the RUF and army elements to return a coalition government dominated by the SLPP, led by a former civil servant and UN technocrat, Ahmed Tejan Kabbah. On 25 May 1997, the most violent army mutiny in the country's history - led by Major Johnny Paul Koroma - drove Mr Kabbah into exile. A Nigerian led Economic Community of West African States Ceasefire Monitoring Group (ECOMOG) made a pre-emptive strike on Freetown in February 1998, and Mr Kabbah returned to Freetown as President on 10 March 1998.

A ceasefire was declared in May and a new peace agreement signed in Lome in July 1999. In an attempt to shore up the Lome peace deal, and in accordance with United Nations Security Council Resolution 1720, United Nations Mission in Sierra Leone (UNAMSIL) peacekeeping

forces started being deployed in Sierra Leone from November 1999. Against this backdrop, on 10 November 2000 West African leaders negotiated the Abuja Ceasefire Agreement between the Government of Sierra Leone and the RUF. A second Abuja Agreement in May 2001 set the stage for a nation-wide program of disarmament, demobilisation and reintegration (DDR) and a significant reduction in hostilities. On January 2002 President Kabbah declared the civil war officially over.

Presidential and Parliamentary elections took place in May 2002 and President Kabbah and the SLPP were returned to power. The next Presidential and legislative elections are due in 2007.

### ***Security***

The UN Security Council has voted to extend the presence of the UN peacekeeping force in Sierra Leone by six months until June 2005. The mandate of the UN Mission in Sierra Leone (UNAMSIL) was originally due to expire on December 31 2004.

On February 3rd 2004 the government completed the five-year disarmament, demobilisation and reintegration (DDR) programme when Mr Kabbah officially dissolved the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR).

### ***Special Court for Sierra Leone***

The Special Court for Sierra Leone was set up jointly by the Government of Sierra Leone and the United Nations. It is mandated to try those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30 November 1996.

As of May 2004 eleven persons associated with all three of the country's former warring factions stand indicted by the Special Court. They are charged with war crimes, crimes against humanity, and other serious violations of international humanitarian law.

## ***ELECTORAL FRAMEWORK***

### ***Background to the local elections***

The Local Government Act 2004 devolves considerable powers and authority to local councils. This effort to devolve power to the regions from Freetown is significant, and should help to reduce the centralisation of power and decision-making in the capital at the expense of rural communities. This centralisation in the capital has

been a long running problem and was one of the reasons cited for the RUF uprising.

The process of decentralisation will take place in a phased manner and a decentralisation secretariat has been set up within the Ministry of Local Government and Community Development to oversee the process. Key service areas which will be decentralized to the local level will include agriculture, primary education, technical and vocational education, primary health care, social welfare, works and technical maintenance and financial management. Certain local revenue sources have been identified and other funding will be made available in the form of a combination of tied, untied and equalisation grants from Government, coordinated by a new Local Government Finance Committee.

Paramount Chiefs have responsibility for upholding custom and tradition, including local justice, in the North, South and East of Sierra Leone (there are no chiefs in the Western Area). Between one and three paramount Chiefs in any council area will sit ex-officio on each council and will have voting rights. Although the role of the chiefs has been set out in the Act, and certain revenue streams ring-fenced, there is some concern as to possible duplication of roles.

### ***Relevant Laws***

The Local Government Act 2004 sets out the new arrangements for local government in Sierra Leone. The conduct of elections in Sierra Leone is governed by the Electoral Laws Act of 2002.

### ***The National Electoral Commission (NEC)***

The National Electoral Commission Act elaborates on the Constitutional clauses establishing the NEC. The Act confirms the independence of the NEC and establishes the position of Executive Secretary and provides for hiring the other staff required to discharge the functions of the NEC.

### ***The Mandate of the Commission***

The Constitution (s.33) outlines the responsibilities of the NEC, which include:

- The conduct and supervision of the registration of voters
- The conduct of presidential, parliamentary or local government elections and referenda
- Other matters concerned therewith.

A new Commission was sworn in on 19 January 2004 to oversee the May 2004 local government elections. The Chairman is Mr Eugene Davies and four other Commissioners were appointed representing the three provinces and the Western Area.

### ***Voter Registration Qualifications***

A person is qualified to register as an elector in a ward if he/she:

- is a Sierra Leonean citizen
- is 18 years old or above
- is of sound mind

The registration process took place from 14-28 February 2004, and was undertaken by the NEC. Registered voters were issued with photograph voter identity cards. Reports indicate that the process was slow to start, but by the end of the two-week period 2,275,000 voters had registered.

UNAMSIL was also instrumental in the process, especially in terms of distributing registration materials from the Western Area to the provinces. Most of the equipment needed for the registration process was flown in to Sierra Leone with funding support from the British Department for International Development (DFID) and procurement support from the International Foundation for Electoral Systems (IFES).

### ***Qualifications for election as a councillor***

A person is qualified to stand for election as a councillor if he/she:

- a citizen of not less than 21 years of age
- is on the Register of Electors and is ordinarily resident in the ward in which he/she seeks election
- has paid all taxes and rates in that locality as required by law

A person is disqualified from standing if they are a Member of Parliament, a member of the armed forces, the Sierra Leone Police, the judiciary, the National Electoral Commission or the civil service. Paramount chiefs, Chiefdom Speakers and Ministers are also not permitted to stand.

Councillors are elected by simple majority vote, and although in future elections Chairpersons of councils will be directly elected this was not the case for the 2004 elections.

## ISSUES

The 2004 local elections were the first since elected local councils were abolished in 1972. In addition, the onset of the rainy season combined with the planned draw-down of UNAMSIL meant that these elections had to take place within a compressed timeframe. As such, they presented special challenges for the Government, the NEC, the electorate, civil society organisations and the traditional leaders of the country. Under these circumstances, it is admirable and highly commendable that these elections took place in a peaceful and well-organised manner.

During the Team's extensive meetings and briefings with the NEC, political parties, human rights, media and gender representatives of civil society and UNAMSIL, the following issues emerged:

### ***National Electoral Commission (NEC)***

There is a substantial lack of financial and logistical capacity on the part of NEC. For the purposes of this election UNAMSIL were the primary providers of transportation (of personnel and voting materials) and communication (telephone, fax and email), while international donors provided financial support to NEC and its staff.

Voter education was extensive, and a variety of different methods and media were employed. This should be commended. However, the short timeline and lack of resources meant that the overall level of voter awareness was low.

All political parties and civil society groups indicated that they had a good rapport with, and sufficient access to the NEC and consistently expressed confidence in the ability and impartiality of the Chairman Mr Eugene Davies.

These elections were contested largely along the ward district boundaries set in 1956. While this did not significantly affect the process all stakeholders welcomed the fact that following the census planned for 2005, boundaries will be re-drawn to better reflect the demographic realities.

NEC conducted training programmes for Presiding Officers and District Returning Officers, who in turn trained local polling staff. This training took place within a very short timeframe and election officials in some instances were observed not to be confident in their roles and responsibilities on election day.

### ***UNAMSIL AND SLP***

Under the arrangements for these elections the Sierra Leone Police (SLP) had primary responsibility for all security matters. UNAMSIL provided back-up support. In the lead-up to the elections and on election day the overall security environment was calm and people generally expressed confidence in the arrangements, the level of police presence and the security of the vote.

The communication network provided by UNAMSIL was essential for ensuring that the process ran smoothly and the Police provided adequate coverage.

### ***PARAMOUNT CHIEFS***

Sierra Leone has a strong structure of chiefdoms and these traditional leaders play an important role in the social and cultural life of the country through the administration of historically defined territories.

One of the issues raised with the team was the extent to which paramount chiefs were participating in the party political process. Examples of this included allegations of interference in the nomination of candidates, in the ability of candidates, including independent candidates, to campaign freely, and in the use of their status to influence the vote.

### ***INDEPENDENT CANDIDATES***

The Local Government Act makes provision for independent candidates to stand for office. The number of independent candidates standing in this election was an encouraging sign of the development of the democratic process in Sierra Leone. However the Team was informed of allegations of threats against some independent candidates and of pressure being placed on them by the political parties to withdraw from the contest.

### ***MEDIA***

Sierra Leone has a relatively vibrant media given its recent turbulent history. Several daily newspapers are published, albeit only in Freetown. There are a number of thriving local radio stations and Radio UNAMSIL operates nationwide. There is also one state owned television station, largely restricted to the Freetown area.

Overall it was felt that the media had played a useful and valuable role in ensuring public awareness of the forthcoming elections and in providing voter education. The role of radio UNAMSIL was particularly crucial.

A significant impediment to greater use of the media by NEC and political parties was the cost involved. Despite the importance of the decentralisation process and the significance of these local government elections to the democratic process no significant allowance was made for dedicated access for the NEC or the political parties to provide public awareness, voter education or campaign information via the state owned media outlets.

### ***CIVIL SOCIETY***

Civil society groups in Sierra Leone played a vital role throughout these elections. They were active in voter awareness and voter education. A key element of the public's confidence and understanding of the process is due to the work of a national coalition of NGOs formed specifically for these elections. The National Election Watch (NEW) trained and fielded over 1500 observers and monitors for the duration of the elections. They also worked closely with the NEC and the Ministry of Local Government in designing and delivering voter awareness and education programmes. It was acknowledged by all stakeholders that the efforts of civil society facilitated the work of NEC particularly given the short time frame for these elections.

### ***POLITICAL ENVIRONMENT***

In 2002 shortly after peace was declared after ten years of civil war, the people of Sierra Leone went to the polls in the presidential and parliamentary elections with enthusiasm and high expectations. Barely two years later public disenchantment and disillusionment has become widespread. National reconstruction and economic recovery is taking longer than expected and the rising cost of living has further dampened the peoples' confidence in the dividends of democracy.

Public interest and participation in the local government elections also appeared to be affected by other factors. There appears to be a genuine lack of understanding about the process and implications of decentralisation, and the nature and structure of local government. This is due in large part to the 32 year gap in the country's civic memory and inadequate public education by the relevant government agencies.

There are currently 14 registered political parties in Sierra Leone. Five parties contested these local government elections, although only the two main parties fielded candidates nationwide. A vibrant political environment is essential to strengthen local ownership of the democratic process, and to provide the foundation for strong

democratic structures and governance in the country, particularly in the light of Sierra Leone's current economic fragility.

## **THE POLL AND THE COUNT**

The mood prior to polling day - Friday 21 May - was calm and quiet.

### ***Arrangements and voting procedures***

Polling station locations varied. Some were situated in market places, some outside churches, schools, cinema halls and courthouses.

At each polling station there was a Presiding Officer, assisted by polling officials and security personnel, party agents, and local observers. On the whole, polling officers arrived in time to set up and ensure that polling stations opened on time at 7.00am. Before the start of the poll the sealed ballot boxes were opened, ballot papers and the supporting documentation which had been stored in them were removed and accounted for. The empty ballot boxes were then displayed to the voters, the party agents and observers. They were then re-sealed using plastic tags and the number of each tag noted by the Presiding Officer and party agents. The ballot boxes used for this election were transparent, which gave voters greater confidence in the process.

The voting procedure was relatively straightforward. On arrival at the polling station the voter would show his/her voter photo identity card to be confirmed against the voters register. The polling official would then read out the name and number and make a mark against it in the register. The voter would proceed to have his/her left thumb inked, receive a ballot paper and have the voting procedure explained, following which he/she would move into the polling booth to cast his/her vote. In addition to verbal explanations, posters were prominently displayed in most polling stations, which gave pictorial information about the voting procedure.

The official closing time for the poll was 5.00 pm. By law, any voter on the premises of the polling station at that time would still be allowed to cast their vote. After the last vote was cast, the Presiding Officer would declare the station officially closed and procedures for the count would commence. The count was conducted at the polling station in the presence of party agents and observers. The numbers on the ballot box seals were read out, the seals broken and the ballot papers removed individually and counted aloud by the Presiding Officer. At the



end of the count, the protocols were completed by the Presiding Officer, the ballot boxes resealed in the sight of party agents and observers, and all materials transferred to the district collation centre.

The final count and announcement of official results should be made within five days from the date of the poll.

In the opinion of the Team, overall the procedures were followed according to NEC directives and the polling station officials were competent and supportive. The party agents' participation was that of commitment and general goodwill.

The observations of the Team regarding specific aspects of the process on election day follow:

#### ***Adequacy of polling stations***

Though the nature of the layout of the polling stations did not always permit absolute secrecy at the ballot box, within the limits of the materials and locations available this was by and large achieved.

#### ***Adequacy of the Register***

Where voters had the requisite identity card but their name did not appear on the register the Presiding Officer was empowered to add them to the register and permit them to vote. Similarly, if the voter had a voter registration slip without the photo ID, and supporting identification documents, they could also be added to the register and permitted to vote.

The procedure for voting meant that voters returned to the station where they had registered to cast their vote. All three teams observed instances where voters came to the wrong polling station, but polling staff were unable to direct them to the correct polling station because they did not have copies of the complete list of polling station codes in the district. In some polling stations the process was quite slow - for example, where there was only one voters register despite large number of voters. This caused delays, crowding and impatience.

In general the Team concluded that voter education had been inadequate, but the procedures were observed.

### ***Voter behaviour and turnout***

The teams observed that large numbers of voters had turned out in the morning but by late afternoon there were few. There was no need to extend the polling period.

While many people evidently understood the importance of their "right" to vote, there were many who did not know how to vote. Some voters were unable to understand the process of marking their ballot papers. They simply marked the specimen ballot paper which was pasted on the wall of the polling booth and did not mark their individual ballot papers. In cases where this occurred, the Presiding Officers removed the specimen posters when they realised what was happening. Illiteracy, insufficient voter education, and the fact that the ballot papers did not have photographs of the candidates undoubtedly had an impact on voters' ability to vote because they had no understanding of the names or symbols.

### ***Efficiency of polling officials***

At most polling stations we visited the Presiding Officers seemed to be aware of the procedures governing the polling process, there were sufficient polling officials and they discharged their duties adequately. However, at some locations, the Presiding Officers appeared to be spending a lot of time explaining procedures to voters instead of supervising the process.

The Team generally concluded that the polling officials were cognizant with polling day procedures, but displayed a marked lack of confidence in the discharge and authority of their mandate particularly when dealing with candidates and a restless electorate.

### ***Logistics/materials***

To the best of the Team's knowledge, all documents and materials arrived on schedule and in sufficient quantities.

### ***Domestic observers***

The Team welcomed the presence of domestic observers and were highly impressed with their competent approach and geographic coverage.

### ***Media coverage***

Media coverage on the local radio stations and newspapers was extensive and continuous throughout the day.

### ***Participation of women***

Generally, women were not impeded to vote nor were they especially facilitated, and it was observed that countrywide they voted in large numbers. However, the Team heard some allegations of intimidation of women candidates and voters with women being pressured to step down from the campaign in favour of a male candidate or financial incentives being offered to vote for a particular candidate. One particular case reported to NEC involved the refusal by a Paramount Chief to allow women to run or campaign for office in his chieftdom on the basis of custom and tradition.

Approximately 10% of all candidates standing for election across the country were women, and in general women seemed satisfied with their status as voters.

### ***Security***

There was at least one police officer at every polling station visited, and police coverage nation-wide was felt to be excellent. In general, it was noted that security polling stations was effective and discreet. Some teams observed that on occasion, security personnel appeared uncertain about the extent of their mandate and authority within the polling premises. The Team felt that this was due to insufficient training and lack of experience rather than a lack of official guidance.

### ***The Count***

The counting process was prolonged due to lack of electricity but the dedication and commitment from those present to conduct the proceedings efficiently was impressive.

Whilst members of the team observed the count at the close of voting and the completion of the protocols they did not accompany the ballot boxes and Presiding Officers to the District collation centres.

In a follow-up meeting with the NEC, the Team were informed that a total of seven elections were postponed, six because symbols on the ballot papers were transposed, and one because of boundary issues. The new elections will take place on June 5<sup>th</sup> 2004.

## **CONCLUSIONS AND RECOMMENDATIONS**

During our time in Sierra Leone, the Team was able to meet with representatives of a broad cross-section of the population. We are

conscious of the fact that even though we managed to visit 36 polling stations on election day, we were only able to take a snap shot of the overall environment because of the challenging logistics. We were impressed by the commitment of voters to cast their ballots in the first local government elections in Sierra Leone for more than 30 years.

The time frame for the elections was very short because of a combination of factors, including the onset of the rainy season and the draw-down of UNAMSIL. Although efforts had been made by NEC, the Ministry of Local Government and NGOs to sensitise the population about local government and to provide voter education, this was not sufficient and efforts must be made to continue and strengthen this process.

The success of the elections was largely dependent on the logistical support provided by UNAMSIL and financial support from international donor organisations. Provision will need to be made by NEC to ensure the sustainability of the election process in the future.

We are confident that overall the elections were free and fair and were conducted in a competent manner. We did not see any evidence of activity which would have prevented people from voting freely.

Our overall opinion is that despite the shortcomings we have noted, the election was credible and the result truly reflects the will of the people.

## ***RECOMMENDATIONS***

- Government should increase logistical and financial support to the NEC;
- A review of the legislation establishing NEC should be undertaken with a view to better delineating its responsibilities, and the process for checks and balances in the execution of its duties;
- The NEC and its partners should undertake a systematic programme of voter education, which takes full account of literacy levels within the country;
- The NEC should consider the introduction of an automatic recount to increase accountability and further strengthen public confidence;

- Government should put in place a mechanism to enable the NEC to have cost effective and timely access to state owned media outlets;
- The NEC should commence at the earliest opportunity, permanent institutional facilities for recruitment and training of its staff;
- The issue of campaign financing and declaration of assets by political parties should be addressed by all relevant stakeholders;
- The Ministry of Local Government should continue and develop its programme of public education about the new local government system and the public's roles and responsibilities within it;
- There should be greater clarity and more education on the roles and responsibilities of paramount chiefs within the new local government dispensation;
- Efforts should be made to strengthen political parties in Sierra Leone to work effectively within a multi-party democracy;
- The political parties and other stakeholders should be encouraged to support the participation and effectiveness of women in governance, specifically definite steps should be taken towards meeting the agreed Commonwealth target of at least 30% representation of women in politics and public life;
- That the Commonwealth Secretariat, CLGF, CPA and other Commonwealth organisations provide capacity building support and technical assistance to support the development of the new local government system in Sierra Leone.

## **ACKNOWLEDGEMENTS**

We are grateful to the Commonwealth Secretary General, HE Rt Hon Don McKinnon, for inviting us to form this joint Commonwealth Secretariat and Commonwealth Local Government Forum Expert Team and allowing us to make a contribution to the ongoing development of the democratic processes in Sierra Leone.

We would like to express our thanks and appreciation to everyone who has assisted us in our duties during our time in Sierra Leone.

We thank Abu and Santos our drivers, for their unflagging good humour, local knowledge and commitment despite the long hours.

We particularly thank Ms Adaora Ikenze, Ms Zippy Ojago and Ms Lucy Slack whose total dedication and commitment has enabled us to successfully complete our work in Sierra Leone.

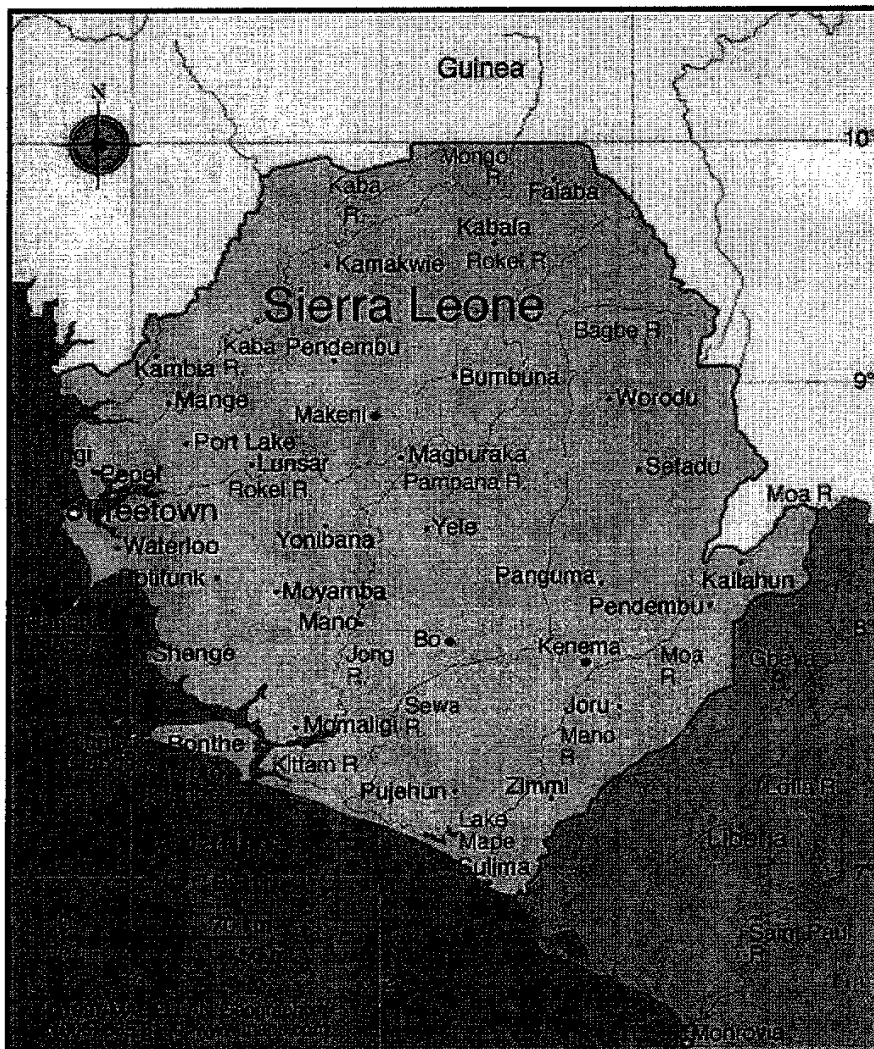
We wish to express our appreciation to the people of Sierra Leone whose warmth and friendliness has made us feel most welcome. We wish them every success in developing their new local government structures.

## **ANNEXES**

## **ANNEX A**

### **MAP OF SIERRA LEONE**





## **ANNEX B**

### **BIOGRAPHIES OF MEMBERS OF THE EXPERT TEAM**

## **Biographies of Team Members**

### **HELEN DUNCAN**

Helen Duncan is an IT Security Consultant with over 30 years experience in business. She has served as an employee of the Foreign and Commonwealth Office in East Africa and Singapore. She has extensive electoral experience in the United Kingdom and overseas. She has previously observed elections in Macedonia, Albania, Azerbaijan, Kosovo, Mali, Montenegro, Serbia, Armenia and Georgia. She has been a trainer, employed by IFES in Kosovo to conduct Polling Station Train the Trainer programmes.

### **His Worship the Mayor, Robert Montague**

Robert Montague is the Mayor of Port Maria, and Chairman of the St Mary Parish Council, Jamaica. He has been an elected representative for 14 years and is Jamaica's youngest mayor. He is an agronomist by training, with an active social service record. He is the former President of the St Mary Chamber of Commerce, Distinguished President and distinguished Lt Governor of Kiwanis International, a member of the Board of the Commonwealth Local Government Forum and various business and civil society interests.

### **Hon Margaret Novice Kotta**

Hon Margaret N Kotta is the councillor for Kunduchi Ward, Kinondoni Municipality in Dar es Salaam, Tanzania. She is a member of the Finance and Leadership Committee and former Deputy Mayor of Kinondoni Municipality. She currently serves as a councillor and Chairperson for Urban Planning, Environment and Public Utilities with the Dar es Salaam City Council. A teacher/trainer by profession, she served as a Senior Programme Officer with the South African Extension Unit (SAEU) and the Commonwealth Secretariat, providing training and education for South Africans who were in exile during apartheid. Hon Kotta is also a consultant on education and advocacy for local community initiatives, leadership, good governance, and project management and implementation.

### **Hon Farouk Lawan MP**

Born in 1962 in Farinruwa Town, Kano State, Nigeria, Farouk M Lawan attended Bayero University, Kano where he obtained a BA Degree in English in 1983, an MA in 1985 and a Post Graduate Diploma in 1991.

He spent 17 years of his career as a lecturer and administrator in the Polytechnic and University in Nigeria. He was first elected into the House of Representatives in 1999 to represent the Bagawai/Sanono Federal Constituency and was re-elected in 2003. As an MP Farouk Lawan has served as Chairman of various committees including, Ethics and Privileges, Inter-parliamentary Relations, and Information, he currently holds the Chair of the Finance Committee. He also serves as a member and Chair of the Committee of Foreign Affairs, Defence and Security in the ECOWAS Parliament. He is an executive committee member of both the Commonwealth Parliamentary Association and the African Parliamentary Union.

## **ANNEX C**

### **LETTER FROM NATIONAL ELECTORAL COMMISSION OF SIERRA LEONE AND REPLY FROM COMMONWEALTH SECRETARY-GENERAL**

# NATIONAL ELECTORAL COMMISSION SECRETARIAT (NEC)



15 Wallace Johnson Street  
Private Mail Bag  
Freetown

.....23<sup>rd</sup> April 2004.....

Ref. ....NEC/142.....

HE Rt Hon Don Mckinnon  
Commonwealth Secretary-General  
Commonwealth Secretariat  
Malborough House  
Pall Mall  
London SW1Y 5HX  
United Kingdom

Dear Secretary General,

**Invitation to Commonwealth Secretariat  
For Observers to the Local Government  
Elections on 22<sup>nd</sup> May 2004.**

As you are aware ~~the~~ Local Government Elections are to be held in Sierra Leone on 22<sup>nd</sup> May 2004, and the Nominations for these elections were held from the 14<sup>th</sup> to the 16<sup>th</sup> of April 2004.

We are therefore writing to invite you to send Observers for these elections and to provide assistance in the form of trainers for domestic Observers who will also be present at polling stations and counting centres on 22<sup>nd</sup> of May 2004. We understand that you will meet the cost of both activities.

We will be happy to brief those involved and provide all necessary information. As in the case of all observers we can guarantee access to polling stations and counting centres and I can assure you that there will be no impediment to your Team, provided that it obeys the laws of Sierra Leone and observe the Code of Conduct for Election Observers.

Faithfully yours,

A handwritten signature in black ink, appearing to read 'Kpakiwa'.

**K.M. Kpakiwa**  
Executive Secretary.



# COMMONWEALTH SECRETARY-GENERAL

H E Rt Hon Donald C McKinnon

28 April 2004

Dear Mr Kpakiwa,

Thank you for your letter of 23 April 2004 inviting me to send observers for the Local Government Elections to be held on 22 May 2004. I am writing to inform you that I have decided to send a Commonwealth Expert Team, which will be organised jointly by the Commonwealth Secretariat and the Commonwealth Local Government Forum (CLGF).

The Expert Team will consist of:

- \* Hon Farouk Lawan MP      Member of the Executive of the Commonwealth Parliamentary Association and the House of Representatives, Nigeria
- \* Mayor Robert Montague      Member of the Board of the Commonwealth Local Government Forum (CLGF) and Mayor of St Mary, Jamaica
- \* Ms Margareth Kota      Councilor and Executive member, Association of Local Authorities of Tanzania (ALAT), United Republic of Tanzania

and one other expert, who has yet to confirm participation. I will provide details of this further member of the Team on confirmation.

The Experts will be supported by three members of staff – Ms Adaora Ikenze and Ms Zippy Ojago from the Commonwealth Secretariat and Ms Lucy Slack from the Commonwealth Local Government Forum. Ms Ikenze will begin work on Tuesday 11 May and Ms Ojago and Ms Slack on 15 May 2004. If suitable flights can be arranged, I envisage that the Experts will assemble in Freetown in time to begin work on Monday 17 May 2004 and that, having prepared their Report at the conclusion of their work, the members of the Group will disperse on Thursday 27 May 2004.

Mr K M Kpakiwa

.../2

Marlborough House Pall Mall London SW1Y 5HX United Kingdom

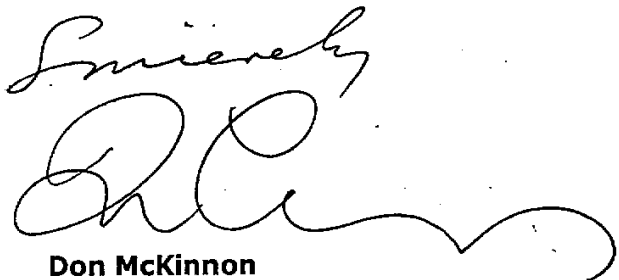
Tel: Switchboard +44 (0)20 7747 6500 Direct Line +44 (0)20 7747 6103 Fax: +44 (0)20 7930 2299  
e-mail: [secretary-general@commonwealth.int](mailto:secretary-general@commonwealth.int) Web site: [www.the.commonwealth.org](http://www.the.commonwealth.org)

The Terms of Reference for the Expert Team will be as follows:

*"The Commonwealth Expert Team for the Local Elections in Sierra Leone shall observe the preparations for the elections, the polling, counting and results process and the overall electoral environment. The Expert Team will report thereafter to the Commonwealth Secretary-General and the Commonwealth Local Government Forum, with recommendations for the future management of the electoral process and, if appropriate, Commonwealth technical assistance. The Secretary-General and the CLGF will in turn send the Team's report to the Government of Sierra Leone, the election management body, the main political parties and Commonwealth Governments. It will then be made public."*

I will issue a Circular to Governments and a press release shortly, announcing the Expert Team, and the Political Affairs Division of the Commonwealth Secretariat will be in touch with you concerning further arrangements.

I am writing separately in response to your invitation to send trainers for the domestic observers.

A handwritten signature in black ink, appearing to read 'Don McKinnon', with a long, sweeping horizontal line extending to the right.

**Don McKinnon**

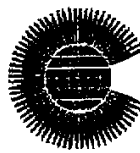
Mr K M Kpakiwa  
Executive Secretary  
National Electoral Commission Secretariat (NEC)  
15 Wallace Johnson Street  
Private Mail Bag  
Freetown  
Sierra Leone

Fax no. +232 22 224439



**ANNEX D**

**PRESS RELEASE ISSUED BY COMMONWEALTH  
SECRETARIAT IN LONDON ON 17 MAY 2004**



# COMMONWEALTH

## NEWS RELEASE

04/31

17 May 2004

ANTIGUA AND BARBUDA  
AUSTRALIA  
THE BAHAMAS  
BANGLADESH  
BARBADOS  
BELIZE  
BOTSWANA  
BRUNEI DARUSSALAM  
CAMEROON  
CANADA  
CYPRUS  
DOMINICA  
FIJI ISLANDS  
THE GAMBIA  
GHANA  
GRENADA  
GUYANA  
INDIA  
JAMAICA  
KENYA  
KIRIBATI  
LESOTHO  
MALAWI  
MALAYSIA  
MALDIVES  
MALTA  
MAURITIUS  
MOZAMBIQUE  
NAMIBIA  
NAURU  
NEW ZEALAND  
NIGERIA  
PAKISTAN\*  
PAPUA NEW GUINEA  
ST KITTS AND NEVIS  
ST LUCIA  
ST VINCENT AND THE GRENADINES  
SAMOA  
SEYCHELLES  
SIERRA LEONE  
SINGAPORE  
SLOMON ISLANDS  
SOUTH AFRICA  
SRI LANKA  
SWAZILAND  
TONGA  
TRINIDAD AND TOBAGO  
TUVALU  
UGANDA  
UNITED KINGDOM  
UNITED REPUBLIC OF TANZANIA  
VANUATU  
ZAMBIA

### Commonwealth Experts to Observe Local Government Elections in Sierra Leone

A Commonwealth Expert Team jointly organised by the Commonwealth Secretariat and the Commonwealth Local Government Forum (CLGF) will be present for the Local Government Elections in Sierra Leone on 22 May 2004. The team, which begins work today, Monday 17 May 2004, comprises:

**Mayor Robert Montague**  
Member of the Board of the Commonwealth Local Government Forum (CLGF) and Mayor of St Mary's Jamaica

**Hon Farouk Lawan MP**  
Member of the Executive of the Commonwealth Parliamentary Association and Member of the House of Representatives Nigeria

**Ms Margaret Kota**  
Councillor and Executive member Association of Local Authorities of Tanzania United Republic of Tanzania

**Ms Helen Duncan**  
Elections Expert United Kingdom

The team will be supported by a 3-member staff team from the Commonwealth Secretariat and the CLGF.

The experts will be briefed in Freetown by the National Electoral Commission, representatives of political parties, civil society organisations, Commonwealth diplomats and other election observers. The Team has been asked by the Commonwealth Secretary-General, Don McKinnon, to observe preparations for the Local Government Election, the polling, counting and results process and the overall electoral environment.

The decision to send the Commonwealth Expert Team follows an invitation from the National Electoral Commission of Sierra Leone.

#### Note to Editors

*The members of the Expert Team will remain in Sierra Leone until Thursday 27 May 2004. Their report will be submitted to the Commonwealth Secretary-General, who will in turn send it to the Government of Sierra Leone, the Chairman of the National Electoral Commission, political parties and all Commonwealth governments. The report will then be made public. Members of the Expert Team have been invited in their individual capacities and the views they express regarding the elections will be their own and not those either of their respective Governments or of the Commonwealth Secretariat. For media enquiries please contact Adaora Ikenze on +232 (0) 767 444 77.*

ISSUED BY THE COMMUNICATIONS & PUBLIC AFFAIRS DIVISION

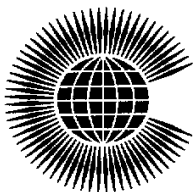
Commonwealth Secretariat Marlborough House Pall Mall London SW1Y 5HX United Kingdom

Tel: +44 (0)20 7747 6385/6 Fax: +44 (0)20 7839 9081 Telex: 27678 Cable: COMSECGEN LONDON SW1  
E-mail: [info@commonwealth.int](mailto:info@commonwealth.int) Web Site: <http://www.thecommonwealth.org>

\* currently suspended from the councils of the Commonwealth

**ANNEX E**

**DEPARTURE STATEMENT ISSUED BY  
COMMONWEALTH EXPERT TEAM ON  
27 MAY 2004**



## **Commonwealth Secretariat**

### **Departure Statement - Commonwealth Expert Team to the Local Government Elections in Sierra Leone 22 May 2004**

We have completed our report which all of the Team members have signed and which will now be sent to the Commonwealth Secretary-General. He will then forward it to the President of Sierra Leone, the Chairman of the National Electoral Commission, political parties and all Commonwealth governments. It will then be made public and placed on the Commonwealth web-site.

In general we found that the Local Government Elections were competently executed in an atmosphere of peace and calm and that the results reflected the wishes of the people of Sierra Leone. We hope that our conclusions and recommendations will be received in the positive spirit in which they are made.

We would like to thank the many individuals and organisations who assisted us during our stay in Sierra Leone. We acknowledge with gratitude the cooperation extended to us by the Chairman of the National Electoral Commission of Sierra Leone, political party representatives and civil society groups. Their contributions helped us to gain a thorough understanding of the background to the elections and the process by which they were conducted.

Above all we would like to thank the people of Sierra Leone for their warmth and hospitality. We hope that our presence and work will be of benefit to them.

For more information contact Adaora Ikenze on: (+232) 76 744477

27 May 2004

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## **ANNEX F**

### **LIST OF MEETINGS HELD**

## **List of meetings held**

National Electoral Commission (NEC)  
International Foundation for Election Systems Ltd (IFES)  
Ministry of Local Government and Community Development  
National Council of Chiefs  
UNAMSIL  
Nigeria High Commission, Sierra Leone  
Gambia High Commission, Sierra Leone  
British High Commission, Sierra Leone  
Sierra Leone People's Party (SLPP)  
All People's Congress (APC)  
Special Court for Sierra Leone  
Campaign for Good Governance  
Talking Drum  
National Election Watch Coalition (NEW)  
50/50