



**European Union Election Observation Mission  
Republic of Sierra Leone**

**Second Round of the Presidential Elections – 8 September 2007**

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**STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS**

**A second round with a largely calm and orderly election day despite increased tension during the campaign period**

**Freetown, 10 September 2007**

*The European Union Election Observation Mission (EU EOM) has been present in Sierra Leone since 6 July 2007 following an invitation from the National Electoral Commission (NEC). The Mission is led by Chief Observer, Mrs. Marie Anne Isler Béguin, Member of the European Parliament. In total, the EU EOM deployed 77 observers from 23 EU Member States, Switzerland and Norway. The observers were deployed across Sierra Leone to assess the entire electoral process in accordance with international and regional standards for genuine democratic elections. The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation commemorated at the United Nations in October 2005.*

*This second statement of preliminary findings and conclusions should be considered in conjunction with the statement of preliminary findings and conclusions issued on 13 August 2007 after the first round of voting. The first round statement can be accessed on the EU EOM website at [www.eueomsierraleone.org](http://www.eueomsierraleone.org). On election day, EU observers visited over 388 polling stations in all 14 districts covering 84 out of the 112 electoral constituencies of Sierra Leone to observe voting and counting. The EU EOM is currently observing the tallying process at the NEC National Tally Centre as well as the complaints and appeals process. It is now crucial that the tallying of results is conducted accurately. The EU EOM will remain in country to observe all aspects of the post-election process and will publish a final report, containing detailed recommendations for the future, within two months of the conclusion of the entire election process.*

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**Executive Summary**

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**The 8 September 2007 second round presidential election has so far been generally well administered, offering an opportunity to build on the successful organisation of the 11 August elections. The National Electoral Commission (NEC) demonstrated a continued commitment to ensuring transparent elections. Voters once again turned out at polling stations to select their next President, demonstrating their commitment to democratic elections and representative government. The period following election day will be crucial to the successful conclusion of these elections, and the European Union Election Observation Mission (EU EOM) sincerely hopes that all parties will remain committed to peace and democracy, patiently await the results as they are issued by the NEC in the forthcoming period and respect the rule of law.**

- In their preparations for these elections NEC has continued to act in a transparent and impartial manner. Although the process of tallying of the results for the 11 August elections was slow, the NEC has managed to maintain the confidence of key stakeholders and voters throughout the election process. It introduced a number of measures to further enhance transparency, for instance by providing party agents with copies of result forms. In the 388 polling stations visited by EU observers polling procedures improved and the voting process was more efficient due to better queue management, more regular voting patterns throughout the day and awareness by voters of polling procedures.

- There were a number of reported problems and irregularities from EU observers in Kailahun, Pujehun and Moyamba districts that we would encourage the NEC to investigate rigorously with the same degree of openness it has shown so far to ensure these elections fully reflect the will of the people.
- The start of the campaign period for the run-off elections was characterised by a rise in tension leading to violent clashes between rival supporters. A number of individuals were injured on both sides. EU observers also received numerous reports from voters who felt intimidated throughout the campaign period in different parts of the country, particularly in southern and eastern districts.
- Public calls for calm by both presidential candidates and the President helped ensure that the final week of the campaign period passed off without major incident. A communiqué was signed by the leaders of SLPP and APC agreeing on measures to maintain peace and stability.
- During the official campaign period for the second round the state owned broadcaster, Sierra Leone Broadcasting Service's (SLBS), continued to be dominated by coverage of the ruling party's candidate. The non-governmental radio sector provided relatively balanced coverage, of the two contesting candidates and their respective parties, APC and SLPP. The content in a selection of newspaper titles became far more opinionated and speculative during the period following the 11 August elections and this continued throughout the campaign period for the second round.

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## Statement of Preliminary Findings and Conclusions

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### Background

Following the largely successful presidential and parliamentary elections that were held on 11 August 2007, results showed that no single candidate for presidential office received the required number of votes to be elected president. Out of the seven candidates, three received significant support from voters. The All People's Congress (APC) candidate, Ernest Koroma, received 44.3%, the Sierra Leone People's Party (SLPP) candidate, Solomon Berewa, 38.3% and Charles Margai of the People's Movement for Democratic Change (PMDC) 13.9%. The remaining four parties collectively received fewer than 4% share of votes.

With all candidates standing for presidential office failing to achieve the minimum threshold of 55% share of votes, a second round presidential election was announced on 25 August 2007, when the final certified results of the 11 August elections were officially released. As the two candidates to receive the highest number of votes in the first round, Solomon Berewa of the SLPP and Ernest Koroma of the APC, contested the run-off election on 8 September 2007. The campaign period commenced immediately on the announcement of the certified results of the first round. The PMDC, a party that formed as a breakaway party to the SLPP, which received almost all of its votes in the first round elections in the southern and eastern areas of the country, publicly stated its support for the main opposition party, the APC, which traditionally has its heartland in the northern districts. Coinciding with the campaign period for the second round

were elections for the 12 seats in parliament reserved for Paramount Chiefs. However, only one of these seats was contested when the election took place on 1 September 2007.

### **Election Administration**

The National Electoral Commission (NEC) prepared the second round presidential elections in an impartial manner and maintained high levels of transparency in its activities. Although tallying of the results for the 11 August elections was slow, it was carried out transparently with regular updates of progressive results. Taking the experience of the first round into account, the NEC introduced a number of measures to further improve polling procedures to correct a number of technical shortcomings and to increase transparency. This included providing party agents from the contesting parties with copies of polling station result forms. All registered political parties were permitted to deploy their party agents in polling stations for the second round, demonstrating an inclusive approach by the NEC to accountability at polling station level.

The NEC also organised a second series of cascade training for the 37,000 polling staff emphasising organisational and procedural problems in the first round and changes to procedures. Most of the NEC polling staff was retained for the second round elections, but the NEC acted in removing and replacing polling staff who performed poorly or were responsible for irregularities during the 11 August elections.

Tallying of the 11 August election results took the NEC 12 days in total, causing some criticism from stakeholders including political parties. The process was observed by political party agents and observers, and considered to be largely transparent. Out of 2,702 Tamper Evident Envelopes (TEEs), 183 (6.8%) demonstrated evidence of tampering and were quarantined. On 17 August the NEC issued rules on how to process these quarantined TEEs and subsequently processed 150 quarantined result forms on 18 and 19 August in the presence of party agents. After checking copies of result forms at the District Electoral Offices, the NEC decided to undertake recounts in 11 polling stations. As a result, four polling station results in Kailahun and Tonkolili districts were invalidated and NEC forwarded those cases to police for investigation. The results from Kailahun district showed that in constituencies 5, 6 and 7 there was above 100% turn out recorded in a number of polling stations.

The NEC held daily press briefings announcing progressive results of the 11 August elections from 13 August onwards. Although aiding transparency, the preliminary results presented a somewhat distorted picture of the countrywide results as there was a tendency to rely on results coming in from the north and west, which raised expectations and at times tensions.

The total number of invalid votes in the 11 August elections represents 7.3% of the total of all cast ballots. There are several reasons for this high number of invalid votes including high levels of illiteracy and presiding officers sometimes not following the principle of interpreting the intention of the voter, thereby incorrectly invalidating a number of valid ballots.

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## Electoral Campaign

On the announcement of the official results on 25 August the campaign period for the second round election for presidential office commenced. The campaign environment varied considerably both in comparison to the campaign period for the 11 August elections and in different regions across the country. The north was reported to be calmer during this period, whilst the western, southern and eastern districts experienced more frequent clashes between supporters of the political parties.

The campaign strategies also varied from the 11 August election. Though there were a number of large political rallies, there were a greater number of smaller events organised by party supporters and more traditional house-to-house campaigning was observed around the country. The APC and PMDC stressed the importance of ending the political divisions based on ethnicity that the country had witnessed in the past. The SLPP campaign was more divisive and aimed to increase the number of votes it received in the first round in its heartlands, by associating the APC party with the one party system of the past and the potential threat of this party to people living in the southern and the eastern regions. Party supporters were also transported around the country to strengthen the campaign activities of the parties.

There was a notable rise in tensions at the start of the second campaign period and an increase in violent clashes between rival supporters. During these clashes a number of individuals were injured on both sides, which further heightened tensions across the country. Incidents included an attack on APC candidate Ernest Koroma's campaign convoy as he approached Kailahun district preventing him from campaigning there. APC, PMDC and SLPP supporters also clashed in Freetown as well as in Moyamba, Kambia and Kono districts leading to temporary curfews in Kono and Kenema districts. The police force contained these incidents, but it did not prosecute suspects as it claims that this would only serve to escalate the tension. This lack of law enforcement was criticised by both contesting parties, and it made the police vulnerable to accusations of bias in favour of either side in the incidents.

EU observers received numerous reports from voters that they felt intimidated throughout the period of the campaign, mainly, but not exclusively, in parts of the southern and eastern districts. This included intimidation by traditional leaders and by groups of youths travelling throughout the country.

Reacting to the clashes between supporters, the President delivered a televised speech where he implied that if tensions escalated he would introduce measures to guarantee law and order and would even consider imposing a state of emergency to ensure public order was maintained. Tensions, however, somewhat decreased upon public calls for calm by the presidential candidates of the APC and SLPP, as well as the President, following a conference organised by the Political Party Registration Commission and NEC on 1 September.

Following this conference, the candidates signed a communiqué on measures to maintain peace and stability, including a ban on using ex-combatants in their campaigns and carrying offensive weapons. The agreement helped ensure that the final week of the campaign period passed off without major incident. However, both candidates allegedly breached the ban by including ex-

combatants in their campaigns and they continued to use groups of youths travelling around the districts.

## **Complaints and Electoral Petitions**

A total of 73 complaints have been lodged with the NEC. As it does not have a mandate to process complaints, the complainants have been advised to address them either to the police, in case of a criminal matter, or the appropriate election petitions court. With the late establishment of the Election Petition Courts (civil) and the Election Offences Courts (criminal) an adequate institutional framework was only established a few months prior to the elections. The awareness among political parties and candidates of the distinction between complaints and petitions is very limited as many of the complaints forwarded to NEC were labelled as petitions, but by their nature qualified as complaints. This led to some confusion as to whether they should have been submitted to the NEC or to one of the six election petition courts. Political parties, candidates and any citizen had the right to submit a petition challenging the parliamentary elections until 3 September 2007. In this respect, the SLPP is the only party to have lodged a petition, in constituency 25 (Kono), at the Electoral Petition Court in Kenema.

## **Media Environment<sup>1</sup>**

Media coverage of the candidates in the run-off election, and their parties APC and SLPP, demonstrated similar patterns to the campaign period for the 11 August elections, though the volume of coverage dropped considerably. During the official campaign period for the second round, the state owned broadcaster, Sierra Leone Broadcasting Service's (SLBS), continued to be dominated by coverage of SLPP. On SLBS Radio SLPP received 69% of all election campaign related coverage whilst APC was afforded 31%. On SLBS TV the SLPP received 70% share of coverage, whilst APC only 30%. The non-governmental radio stations provided relative balance, though the APC received the greatest proportion of coverage as it was afforded 54% compared to 46% for SLPP.

Following the 11 August elections, there were a number of reports broadcast by the two political party owned radio stations, Radio Rising Sun (APC) and Unity Radio (SLPP), which misrepresented facts and, consequently, supported levels of suspicion in the electoral process. This continued during parts of the campaign period for the run-off election. In both cases the Independent Media Commission warned the radio stations if they continued to breach the Code of Practice by releasing unsubstantiated and inaccurate stories they would have their licenses revoked.

Newspapers being monitored by the EU EOM granted the SLPP and APC virtually equal access with the APC receiving 48% across all of the titles and the SLPP 52%. Despite this, the content in a selection of newspapers became far more opinionated and speculative during the period prior

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<sup>1</sup> The sample of broadcasters monitored for the entire campaign period of the second round elections included: the state owned radio and television channels SLBS TV (1800-2400 hours) and SLBS Radio, and the non-governmental radio stations, Radio Democracy, UN Radio, Skyy Radio, Kaleone and Radio Maria (0700-0915 hours and 1800-2400 hours). Five daily newspaper titles were also monitored daily: *Awoki*, *Concord Times*, *Standard Times*, *the Citizen* and *Awareness Times*.

to the second round. A number of titles including the *Awareness Times*, *Unity* (SLPP) and *We Yone* (APC) published what appear to be unsubstantiated allegations concerning the veracity of election preparations for the second round as well as criticising the international community's assistance to the NEC, which risked fuelling levels of mistrust in the electoral process amongst readers.<sup>2</sup>

## **Women participation**

Although major political parties committed themselves to increase the number of female representatives in parliament, the level of female representation fell as a result of voting patterns in the parliamentary elections and the electoral system. Out of the 64 females who were nominated for parliament only 16 women were elected compared with 18 who held seats in the previous parliament.

## **Civil Society**

The network of approximately 80 Sierra Leonean civil society organisations that combined resources under the umbrella group National Election Watch (NEW) registered 5,000 domestic observers. This group again played a vital role not only in providing transparency and accountability in polling stations on election day but in supporting voter education. The calls for a peaceful election from numerous civil society groups also played a key role in diffusing the increased tension at the start of the campaign period.

## **Election Day (Polling and Counting)**

Opening and polling procedures that were observed in 388 polling stations improved in comparison to the first round. There were, however, some regional differences in the electoral process with procedures smoother in the north and more complex in the east and southern provinces. Opening started largely on time, and the voting process was more efficient due to better queue management, more regular voting patterns throughout the day and awareness by voters of polling procedures. Ballot boxes were properly sealed in all polling stations visited by EU observers, although the additional security stickers were not applied to some ballot boxes. In most polling stations visited, domestic observers and polling agents of APC and SLPP, were present. In some cases the full number of five, polling officials, were not present and in a few cases essential material was missing.

Polling took place in a largely calm and peaceful manner with only a very few small and isolated clashes between party supporters. The police force and Military Police deployed large numbers of personnel and appropriately managed the crowds that gathered outside polling stations waiting for results. Their work in providing a secure environment for voting on election day was widely praised by stakeholders.

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<sup>2</sup> Articles included *inter alia*: *Unity Newspaper*, 23 August 2007, pg. 1 & 4; *Awareness Times*, 4 September 2007, pg. 2,3 & 4; 5 September 2007, pg. 3; August 30, pg. 2 & 5; *We Yone*, 10 August 2007, pg. 10; 13; August 2007, pg. 9 & 10; 31 August 2007, pg. 1.

In over 95% of polling stations visited by EU observers the overall conduct of voting was assessed as either good or very good. Polling procedures were largely followed, but in many cases voters' fingers were not checked for ink marks. The secrecy of vote was largely respected and the procedures for identifying voters and issuing ballot papers were correctly followed.

Despite the high number of polling stations visited by EU observers that followed procedures well, there were a number of reported problems and irregularities from EU observers in Kailahun, Pujehun and Moyamba districts that the Mission would encourage the NEC to investigate rigorously with the same degree of transparency and openness it has shown so far to ensure these elections fully reflect the will of the people. These included incidents where voter turn out was in excess of the number of registered voters in polling stations and in other polling stations an excessive number of additions to the voter register. The APC also faced problems deploying their party agents in Kailahun district partly due to intimidation and threats. There was also some confusion as to the guidelines issued by the NEC about which party agents were allowed to enter polling stations especially in Bonthe district. In Pujehun a similar incident led to one PMDC party agent being arrested.

For the closing of voting and counting process, party agents of the APC and SLPP were present in almost all polling stations observed by the EU. In all cases these agents received copies of the result forms. Closing and counting were more efficient than in the first round and procedures were mostly followed by polling staff. Although EU observers considered that some polling staff did not properly follow the reconciliation procedures they assessed the overall conduct of closing and counting as good or very good in 80% of observed polling stations. The improvements in the efficiency of the conduct of election day was reflected in the lower number of invalid ballot papers. The polling station results were properly posted at most polling stations and the TEEs are arriving at the NEC National Tally Centre.

The EU EOM wishes to express its appreciation to the National Electoral Commission and other Sierra Leonean authorities, political parties and civil society for their cooperation and assistance during the course of the observation. The EU EOM is also very grateful to the Delegation of the European Commission to Sierra Leone and to the IOM for their operational support throughout.

An electronic version of this Preliminary Statement is available on the Mission website [www.eueomsierraleone.org](http://www.eueomsierraleone.org)

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