

NDI Final Report on Sierra Leone's 2007 Elections



National Democratic Institute

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**NATIONAL DEMOCRATIC INSTITUTE FOR
INTERNATIONAL AFFAIRS**

The National Democratic Institute (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 works with democrats in every region of the world to build political and civic organizations, safeguard elections, and promote citizen participation, openness, and accountability in government. NDI has worked closely with Sierra Leonean democrats to support the development of representative institutions and electoral processes since the conclusion of Sierra Leone's civil war in 2002.

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Cover photo courtesy of Kelly Fajack.

ACKNOWLEDGEMENTS

The National Democratic Institute (NDI) extends its gratitude to the co-leaders and members of its international observation delegations to Sierra Leone's 2007 electoral process, each of whom contributed to the overall success of the international observation mission.

NDI expresses its appreciation to Sierra Leonean political and civic leaders, government officials, election commissioners, and poll workers who facilitated the work of the delegations. The Institute is indebted to the people of Sierra Leone for their hospitality and their enthusiasm in sharing information related to the electoral process.

This program was made possible by a grant from the British Department for International Development.

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EXECUTIVE SUMMARY

On August 11 and September 8, 2007, Sierra Leoneans voted in historic elections, ushering in a new president, vice president, and Parliament. These national polls were the second since the cessation of armed conflict in 2002, and the first held under the full sovereign control of Sierra Leone's elected government. They were also the first in the country's history in which a democratically elected government, having served two full terms, handed over power to another democratically elected government.

Following these peaceful polls, Sierra Leone's election commission named Ernest Bai Koroma of the All People's Congress (APC) the winner of the presidential election on September 17. The APC won 59 parliamentary seats, the Sierra Leone Peoples Party (SLPP) won 43 seats, and the People's Movement for Democratic Change (PMDC) won 10 seats. An additional 12 parliamentary seats were reserved for paramount chiefs, who were nominated and elected by councillors, where contested, on September 1, 2007.

To demonstrate international support for Sierra Leone's democratic development and provide an impartial assessment of the electoral process, the National Democratic Institute (NDI) maintained a staff presence in-country throughout the electoral process, deployed long-term observers, and fielded four short-term delegations at key points during the electoral process, including the voter registration period, the campaign period, and both election days.

NDI considers that Sierra Leone's 2007 electoral process was largely transparent and well-administered. NDI observers congratulated the people of Sierra Leone for their determination to exercise their civic and political rights and acknowledged the efforts of election officials, political and civic leaders, and activists to ensure peaceful and credible elections. The positive role played by Sierra Leone's government and the high level of professionalism shown by the National Electoral Commission (NEC) and the Political Parties Registration Commission (PPRC) contributed to the success of these elections, as did the sustained commitment of civil society organizations, religious leaders, and the media to promote and support a peaceful, democratic electoral process.

Sierra Leone's 2007 presidential and legislative elections offered citizens an opportunity to consolidate the gains made since the end of armed conflict in 2002 by providing genuine competition for political power at both the presidential and parliamentary levels. The peaceful conduct of Sierra Leone's elections bodes well for the country's future stability and development.

These elections should be viewed as a step forward in the democratization process and not as an endpoint. Sierra Leone's emerging multi-party system is an encouraging sign for the future, as are ongoing efforts to foster a climate of political tolerance. In the words of one citizen, "These elections are a test of whether democratic culture is here to stay." NDI believes that the people and institutions of Sierra Leone made great gains in passing that test, but acknowledges the longer term importance of consolidating democratic practices within the country's political institutions so that the government can be representative of and accountable to the people.

INTRODUCTION

Elections are an important test of democratic governance, and a prerequisite for democratic consolidation. They are an important indicator of how those in power treat citizens, and whether they respect citizens' rights to participate in government and public affairs. Successful elections depend on the exercise of political rights by citizens and political competitors, and are contingent upon the impartial and competent performance of electoral authorities and other governmental entities involved in the electoral process.

Since gaining independence from the United Kingdom in 1961, Sierra Leone's turbulent history has included flawed elections, coups d'état, counter-coups d'état, and a devastating civil war. The signing of the Lomé Peace Accord in 1999 was an important step toward ending the war, though hostilities did not fully cease until 2002. Since that time, the organization of credible national elections has been viewed as a critical benchmark in Sierra Leone's efforts to consolidate peace and democratic rule.

Sierra Leone's recovery from war has demanded enormous resources to fund economic development, the resumption of national and local governance structures, the return and resettlement of refugees and displaced persons, the demobilization and reintegration of former combatants, the repair of damaged or destroyed physical infrastructure, and the organization and conduct of regular elections. The 2007 elections were the first since the war for which the government was fully responsible and were seen as vital to political, social, and economic recovery. To its credit, Sierra Leone's government built on the electoral foundation developed in 2002 to establish an environment that would protect citizens' rights to vote under conditions of fairness and transparency. Efforts to safeguard and protect Sierra Leone's emerging multi-party system and to foster a climate of political tolerance throughout the electoral period are encouraging signs for the country's future.

NDI fielded international observation missions to Sierra Leone's 2007 elections to demonstrate the international community's interest in the development of a democratic political process and provide an impartial assessment of the electoral process. Through long-term observers, short-term delegations, and staff based in Sierra Leone, NDI observed all phases of the electoral process. This report is a summary of assessments made by NDI delegations and staff.

METHODOLOGY

While it is citizens and voters who determine the acceptability of elections, international observers can play an important role by focusing international and domestic attention on aspects of the process, helping to reinforce the credibility of domestic observer groups, and increasing public confidence in the election process. International election observation provides oversight of the electoral process by furnishing accurate, impartial information about the character of the process and by providing recommendations for improvement based on international experience.



Voters wait in line to vote in Freetown on election day. (Photo courtesy of Nick Demeter.)

To contribute to these objectives, NDI fielded long-term observers, two pre-election delegations, and two election day delegations during Sierra Leone's 2007 national electoral process.

NDI has conducted more than 100 pre-election, election day, and post-election observation missions around the world. The Institute is guided in its election observation missions by the *Declaration of Principles for International Election Observation* and its accompanying *Code of Conduct for International Election Observers*, which have been endorsed by 29 of the world's leading international election observation organizations.¹

NDI's approach to election observation is based on the premise that a complete assessment of an election must take into account all aspects of the election process, and that no election can be viewed in isolation from the political context in which it takes place. Among the factors considered are: the legal framework for the elections; the administrative and logistical framework for the elections; the security situation before, during, and after the elections; 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 and make choices without fear of intimidation, violence, or retribution; the conduct of the voter registration process and integrity of the final voters register; the right to stand for election; the candidate selection process; the conduct of voting, counting, results tabulation, and announcement of results; the investigation and resolution of election complaints; and the installation to office of those duly elected.

When conducting international observation missions, NDI seeks multi-national teams of observers from diverse disciplines, including political and civic leaders, election and human rights experts, and country or regional specialists, in order to reach a balanced assessment of the process. The Institute briefs its delegates on the political, legal, and historical context of the country before deploying them to observe electoral processes. While maintaining impartiality and independent judgment, NDI's observers take into account briefings by a range of local and international actors as well as the findings of previous NDI delegations, long-term observers, and staff. For election day observation, NDI deploys observers throughout the country to ensure that its findings reflect a national perspective, and the Institute debriefs with all observers before issuing public statements. In accordance with the *Declaration of Principles* and the *Code of Conduct*, NDI and its delegation members are expected to support and assess electoral processes, but not to interfere.

NDI observers acted in accordance with the declaration, the code of conduct, the laws of Sierra Leone, and the NEC's guidelines and code of conduct for observers.² The Institute deployed long-term observers to Sierra Leone for six months and fielded short-term delegations at key points during the electoral process, including the voter registration period, the campaign period, and both election days. NDI's observation activities were coordinated with international election

¹ The *Declaration of Principles* and *Code of Conduct* are included in Appendix C.

² The *National Electoral Commission Guidelines and Code of Conduct for Observers for the 2007 Election Process* is included in Appendix H.

observation missions from the European Union, the Commonwealth Secretariat, 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 the National Election Watch (NEW).

Long-Term Observers

The legitimacy of an election often hinges on events that take place months before ballots are cast, or on events that occur in the shadows of the election process itself. To observe and analyze the pre-election and post-election processes that shape the overall electoral process, NDI fielded long-term observers (LTOs) in Sierra Leone from April to September 2007. Observers included former elected and government officials, civic activists, elections specialists, and academics from Lesotho, Montenegro, Nigeria, Senegal, Serbia, Slovakia, Uganda, the United States, and Zimbabwe.³

NDI deployed two-person LTO teams to each of Sierra Leone's four geographic regions to monitor the political environment before, on, and after election day. Based in the urban centers of Freetown, Bo, Kenema, and Makeni, LTOs traveled throughout each region to ensure full national coverage. LTO teams developed rapport with political actors at the national, regional, and local levels including political party leaders and members, community activists, chiefs, government officials, election administrators, United Nations (UN) technical advisors, and members of the international community. Observers attended election-related rallies, press conferences, and other media events conducted by political parties, civil society, and local leaders. They produced weekly reports and supplemental incident reports during their deployment.

LTO teams evaluated the political environment and preparations for the elections to include the registration of voters, the exhibition and challenges period of the preliminary voters' list, the party nomination and candidate registration process, political campaigns, and the post-election complaints process. Observation of these processes allowed teams to assess the effectiveness of logistical planning, the extent to which all candidates and parties had access to a level playing field, and the involvement of civic organizations, marginalized groups, and traditional leaders in the electoral process.

Short-Term Delegations

From March 12 to 19, 2007, NDI fielded a six-member delegation to assess the pre-election environment and the registration process in advance of Sierra Leone's presidential and legislative elections. The delegation was composed of experienced political and civic leaders and election



NDI observers travel upcountry prior to election day. (Photo courtesy of Andrew Farrand.)

³ A list of long-term observers is included in Appendix D.

experts from Africa and North America.⁴ The team met with Sierra Leonean political and civic leaders, electoral authorities, government officials, and representatives of the media and the international community in Freetown. In addition, the delegation traveled to the Bo, Bombali, and Kenema districts to observe the registration process and meet with local political and civic leaders.

NDI fielded a second pre-election delegation from July 9 to 16, 2007, to assess the campaign period and preparations for the elections. The delegation was composed of seven political and civic leaders and election experts from Africa, Europe, and North America.⁵ The delegation met with Sierra Leonean civic leaders, electoral authorities, government officials, political parties, and representatives of the media and international community in Freetown.

For the first round election, NDI fielded a 42-member delegation of civic leaders, elections experts, and regional specialists from 16 different countries.⁶ The delegation arrived in Freetown on August 6, 2007, and met with Sierra Leonean authorities including President Ahmed Tejan Kabbah, NEC officials, presidential candidates, representatives of the ruling party and four opposition political parties, civil society and religious leaders, members of the media, development partners, and other observer delegations. On August 9, delegates were deployed in 19 teams across Sierra Leone's 14 districts. Delegates met with regional and local election authorities, party leaders, and candidates to assess pre-election developments at their deployment sites. On election day, the teams observed the opening and closing of polls and voting and counting processes in 167 polling centers covering 48 percent of the country's electoral constituencies. Following the elections, the delegation members returned to Freetown to debrief and issue a preliminary statement.

To observe the presidential run-off election, NDI fielded a 35-member delegation of political and civic leaders, human rights activists, and election experts from 18 countries in Africa, Europe, and North America.⁷ The delegation arrived in Freetown on September 3 and held meetings with the two presidential candidates, Sierra Leonean political and civic leaders, electoral authorities, government officials, and representatives of the media and the international community in Freetown. On September 6, delegates were deployed in 19 teams across Sierra Leone's 14 districts. Delegates met with regional and local election authorities, party leaders, and candidates to assess pre-election developments at their deployment sites. Prior to the election, the delegation's



*Leaders of NDI's observer delegation to the August elections present its findings at a press conference in Freetown.
(Photo courtesy of Kelly Fajack.)*

⁴ A list of delegates from the March pre-election delegation is included in Appendix D, and the delegation statement is included in Appendix E.

⁵ A list of delegates from the July pre-election delegation is included in Appendix D, and the delegation statement is included in Appendix E.

⁶ A list of delegates from the first round election day delegation is included in Appendix D, and the delegation statement is included in Appendix E.

⁷ A list of delegates from the run-off election day delegation is included in Appendix D, and the delegation statement is included in Appendix E.

leadership traveled to Bo district to conduct meetings with NEC and political party officials. On election day, the teams observed voting and counting processes in more than 200 polling stations across 53 parliamentary constituencies. The delegation members debriefed in Freetown and issued a preliminary statement following the elections.

SUMMARY OF FINDINGS

In the wake of these successful elections, it is critical that Sierra Leonean stakeholders, including government and electoral officials and political, religious, and civic leaders, act responsibly to ensure that democratic gains continue. Sierra Leoneans, as well as the international community, must hold accountable anyone who seeks to undermine the credibility of the democratic process and the peace and security that Sierra Leoneans have worked so hard to achieve. Breaking the previous cycle of impunity that led to war is the responsibility of not only Sierra Leone's citizens but also the wider international community.

NDI was impressed by the openness of the NEC and Sierra Leoneans at all levels to suggestions on ways to improve and ensure a fair, peaceful, and transparent electoral process. The Sierra Leonean government's commitment to the independence of electoral institutions, in particular the NEC, contributed significantly to a credible electoral process.

The following recommendations are offered in the spirit of international cooperation and in the hope of building further confidence in future electoral processes.

To the Government of Sierra Leone:

For the electoral process to be meaningful, newly elected leaders in Sierra Leone should strive to meet the expectations of citizens and institute policies that improve their wellbeing. To do so, elected leaders should take concrete steps to mitigate inter-regional tensions, conduct their duties with integrity, manage the nation's resources for the good of the country, and provide opportunities for the country's youth.

The legal framework for elections, including the 1991 Constitution, 2002 Electoral Laws Act, and 2002 Political Parties Act, should be fully reviewed to ensure that it protects the individual right to participate in elections as either candidate or voter. Reforms could include reconsideration of the exclusion of public servants from candidacy within 12 months of the elections, as well as analysis of the electoral timeframe and the scheduling of elections during the rainy season.

The government should take steps to ensure that a level playing field is provided for candidates and prohibit the use of state resources for campaign purposes.

The Government of Sierra Leone should support independent institutions like the NEC and the PPRC, including providing sustained and adequate funding.

To the National Electoral Commission:

The NEC should consolidate the procedures that worked well during these elections, drawing upon the successes of the 2007 elections to reinforce best practices for future elections. While NDI commends the NEC for its openness and responsiveness to feedback from local and international partners, the Commission should avoid changing voting procedures immediately before future elections, as this causes confusion and may lead to procedures not being uniformly applied throughout the country.

The NEC should continue to be open, transparent, and accountable in all its operations.

The NEC should continue to use national and district liaison committees to facilitate communications with political parties.

The NEC should intensify training of election staff, and ensure greater supervision in problem areas. Polling staff should have clarity on voter identification procedures, the counting process, and the completion of forms. Additionally, the Commission should improve internal communications mechanisms to improve information-sharing at all levels.

The NEC should be more proactive in its communications with political parties and the public at large on mechanisms to protect against fraud and address grievances.

The NEC should explore the possibility of adopting a continuous registration process to avoid a costly and time-consuming registration process before every election.

To Political Parties and the Political Parties Registration Commission:

Political parties should continue to promote peaceful relations among supporters and intervene rapidly to defuse violence. Continuation of inter-party dialogue will be crucial to Sierra Leone's political future. National and regional initiatives to promote constructive partnerships and increase tolerance among party leaders in the post-election period should be part of democracy building projects. To this end, the PPRC should continue its activities as an interagency forum for all stakeholders throughout the transition period and in advance of local elections scheduled for July 2008.

Political parties should create structures that allow them to organize nationally, and ensure that pluralism and tolerance are practiced at all local and regional levels. Political parties should develop platforms or policy papers that address issues of national interest and local concern.

Political parties should support the recruitment and empowerment of women and people with disabilities, not only as candidates but also at decision-making levels in their parties, to reflect international norms and standards.

To Civil Society:

Civil society should build upon the current momentum and continue to engage in future elections and contribute to the improvement of democratic processes. Nonpartisan domestic election monitoring organizations should draw on their collective experiences to advance democratic practices in the post-election period. In collaboration with other human rights groups, they should be proactive in helping mitigate the potential for violence.

Civil society should continue to work with all stakeholders to discourage the dissemination of rumors and misinformation that may undermine peace and stability in Sierra Leone.

To the Media:

The media should play its role responsibly and report on all aspects of the democratic process in a balanced way, avoiding sensational reporting that could heighten political tension and lead to violence.

To Sierra Leonean Security Forces:

The Sierra Leone Police (SLP) should continue to show neutrality and act effectively in dealing with violence and/or threats of violence, particularly during electoral periods.

The SLP should reinforce outreach initiatives to civil society organizations and the media to facilitate a better understanding of citizens' rights and responsibilities vis-à-vis the country's security apparatus.

To the International Community:

The international community should continue its support to Sierra Leone's democratization efforts, assist in further strengthening institutions, and monitor political processes in the country.

BACKGROUND AND HISTORICAL CONTEXT

The One-Party State: 1961-1991

Sierra Leone's political history has been turbulent since independence from the United Kingdom in 1961. The SLPP, with strongholds in the southern and eastern part of the country, dominated the political scene from the pre-independence period through 1967, when Siaka Stevens led the APC to win a narrow majority in Parliament. SLPP leaders instigated a military coup against Stevens within hours of his swearing in as prime minister. Stevens staged a counter-coup and re-installed himself as prime minister in 1968. Upon election as president in 1971, he proceeded to ban all political parties except the APC. Stevens retired in 1985 after nearly two decades of rule, handing over power to Major-General Joseph Saidu Momoh. One year later, Momoh was elected president by referendum, while the ban on political parties remained in place.

Public discontent toward corruption, autocratic rule, and poverty grew during Momoh's rule. In March 1991, Corporal Foday Sankoh formed the Revolutionary United Front (RUF). Promising free education and medical care, as well as an end to corruption, nepotism, and tribalism, the RUF initially attracted wide support among unemployed and disenfranchised youth. However, the brutal tactics increasingly employed by the RUF against the general population—including rape, abductions, and the maiming of civilians—undercut its support.

Its ranks swelled by child soldiers and mercenaries trained in guerrilla warfare in Libya and Burkina Faso, the RUF gained control over diamond-rich areas in the east of the country. RUF proceeds from the illicit diamond trade funded its operations, including arms purchases. Momoh's government initiated a series of political reforms intended to counter the RUF's rise, which included passage of a new constitution in 1991 and the legalization of political parties. However, these reforms and the promise of multiparty democracy failed to gain the support of the general population or blunt the RUF's growing strength.

Civil War: 1992-2002

Disgruntled junior military officers led by Captain Valentine Strasser overthrew Momoh's government in 1992. Strasser formed the National Provisional Ruling Council (NPRC), which ruled over Sierra Leone for four years. The NPRC proved to be almost as ineffective as Momoh's government in repelling the RUF, and by 1995 the RUF had gained control of much of the countryside and areas surrounding the capital, Freetown. To counter RUF advances, the NPRC sought assistance for troop deployments from ECOWAS, recruited thousands of youth into the military, and paid mercenaries from a private South African security company, Executive Outcomes, to provide additional military support. Despite gains made against the RUF, Strasser was ousted in a military coup led by his Defense Minister, Julius Maada Bio, in January 1996.

A weakened RUF came to the negotiating table and signed a peace agreement in 1996. Later that year, 13 political parties participated in the country's first multiparty elections in nearly 30 years. SLPP candidate Ahmad Tejan Kabbah, a diplomat and former UN official, won the presidential election. Five parties won seats in Parliament: the SLPP won 27 seats, the United National People's Party (UNPP) won 17 seats, the People's Democratic Party (PDP) won 12 seats, the APC won 5 seats, and the Democratic Center Party (DCP) won 3 seats.

Soon after the elections, fighting was renewed between the RUF and the government and the peace agreement unraveled. In May 1997, a faction of the Sierra Leone Army (SLA) led by Major Johnny Paul Koroma staged Sierra Leone's fifth coup, taking power in the name of the Armed Forces Revolutionary Council (AFRC) and eventually joining forces with the RUF in terrorizing the population. President Kabbah fled into exile in neighboring Guinea until the intervention of forces from the ECOWAS Cease-Fire Monitoring Group (ECOMOG) paved the



*Sierra Leone's Western Rural District.
(Photo courtesy of Courtney Creek.)*

way for his reinstatement and the ouster of the AFRC junta in February 1998. However, fighting continued between ECOMOG forces and the joint forces of the RUF/AFRC. The RUF's unsuccessful attempt to capture Freetown in January 1999 devastated the city and led to the deaths of thousands of civilians.

The 1999 Lomé Peace Agreement

Exhausted by a military stalemate and under growing pressure from the international community and Sierra Leonean civic and humanitarian organizations, RUF/AFRC representatives began meeting with members of the SLPP-led government in Lomé, Togo, to negotiate a peace agreement in May 1999. The UN-brokered Lomé Peace Agreement, signed six weeks later in July 1999, provided blanket amnesty to all combatants and guaranteed ministerial portfolios for Sankoh and other rebel leaders in a transitional government. Though unpopular with the general population, consensus grew that the agreement was preferable to continued war and instability.

The UN Security Council established the UN Mission in Sierra Leone (UNAMSIL) in 1999, deploying peacekeepers and civilian police in the country. Despite the favorable terms of the peace agreement, the RUF continued its military campaign until troops deployed by the United Kingdom assisted UNAMSIL in disarming the rebels and helping Sierra Leone's government extend its control to areas formerly controlled by the RUF. Two and a half years after the signing of the peace agreement, President Kabbah officially declared the civil war over on January 18, 2002.

The 2002 National Elections

National elections were held in May 2002 just four months after the cessation of hostilities. Presidential candidates from nine political parties contested the election, with ten parties competing for parliamentary seats. Many of the parties were hastily formed, had few financial resources, and were led by former officials from the SLPP and the APC. More than 2.3 million people registered to vote, about 85 percent of the estimated 2.7 million eligible voters. A total of 1.9 million, or about 83 percent of registered voters, cast ballots on election day, which was largely peaceful. In results that were accepted across the country, incumbent President Kabbah of the SLPP was re-elected with 70 percent of the vote. APC candidate Ernest Bai Koroma secured 22 percent of the vote. Three parties won representation in the Parliament, with the SLPP winning an absolute majority with 83 seats, the APC winning 27 seats, and the Peace and Liberation Party (PLP) winning 2 seats.

While these elections represented a huge step forward as Sierra Leone recovered from armed conflict, observers noted multiple irregularities throughout the process, as well as allegations of election day fraud. Logistical problems, including inadequate supplies and poorly trained staff, hampered the registration process. Observers from The Carter Center noted irregularities in SLPP strongholds in the south and east of the country, including disproportionately high registration numbers, as well as underage and multiple registrations. Closer to election day, observers noted the abuse of incumbency advantages, voter coercion, manipulation of the vote counting process, and inconsistencies in the tabulation process. However, both domestic and

international observers concluded that these irregularities were not significant enough to affect the election results.

The 2004 Local Elections

In May 2004, Sierra Leone held its first local elections in more than three decades, which also included special polls for the representation of paramount chiefs in Parliament. Many independent candidates reported that political parties had pressured them to withdraw their candidacies, while evidence suggested that both the SLPP and the APC engaged in electoral fraud. Observers witnessed ballot box stuffing and the manipulation of voter rolls and vote tally sheets. Observers from The Carter Center noted irregularities in SLPP strongholds in the south and east of the country, including disproportionately high registration numbers, as well as underage and multiple registrations. An independent statistical analysis of the election concluded that fraud was spread across party lines, and so did not affect the overall electoral outcome in favor of any one party or independent candidate.⁸ The 2004 local elections were handicapped by the NEC's inadequate financial and logistical resources. The NEC chairperson resigned four months after the elections, citing the unsatisfactory terms and conditions of work, including political interference from the ruling SLPP. Following the elections, the NEC blacklisted 1,098 polling staff considered to be involved with the irregularities.

PREPARATIONS FOR THE 2007 NATIONAL ELECTIONS

The Electoral Framework

The conduct of Sierra Leone's polls is governed by the 1991 Constitution, the 2002 Electoral Laws Act and its amendments, and NEC regulations and procedures. Presidential elections are conducted through an absolute majority system in which a successful candidate must win at least 55 percent of the valid votes cast in the first round to avoid a run-off. If no candidate obtains 55 percent of the vote in the first round, a run-off election is held between the two leading candidates whereby a simple majority decides the result.

Parliamentary elections are conducted through a simple majority system in which the candidate who obtains the highest number of valid votes in a constituency is elected to the unicameral Parliament. For the 2007 elections, Sierra Leone's 14 districts were divided into 112 single-member electoral constituencies, with 39 in the north, 27 in the east, 25 in the south, and 21 in the western areas. This represented a shift from the 1996 and 2002 elections, in which a lack of accurate census data led to the use of a party-list proportional representation system in combination with a district block system in which each district was considered a constituency with a block of eight parliamentary seats. In addition to the 112 elected members of Parliament, 12 paramount chiefs are elected by their peers through indirect elections to represent the 12 districts outside of Freetown.

⁸ At the request of the NEC, IFES conducted an investigation and analysis of the 2004 local government election results in Sierra Leone, witnessed by a UN Senior Electoral Advisor. A May 2005 NEC press release on the investigation's findings indicates that widespread intentional irregularities appear to have occurred, but were not in favor of any one candidate.

Timeline

In accordance with section 43(a) of Sierra Leone's Constitution, presidential elections must be held between four and three months before the end of the existing presidential term; and section 87(1) requires that parliamentary elections should occur between 30 and 90 days after dissolution of the Parliament. Consistent with the Constitution, on August 4, 2006, President Kabbah called for presidential and legislative elections to be held on July 28, 2007.

Concerns were raised that holding the election during the peak of the rainy season would exacerbate existing logistical challenges and hinder travel for voters. However, conducting elections during the rainy season seemed unavoidable given the need to delineate new constituencies, conduct voter registration, exhibit voter rolls for verification and challenges, and ensure appropriate time periods for the candidate nomination and campaign periods.

Some civil servants complained about the announcement of the election date less than a year before the elections. According to the Constitution, civil servants, including teachers, must resign their positions 12 months prior to polling day in order to run as candidates. As the date for the 2007 poll was declared less than a year before the elections, civil servants interested in running for elective office could not file their candidacies within the constitutional timeframe.

Election day was later postponed to August 11 due to a constitutional provision that links the dissolution of Parliament with the timing of the candidate nomination process and the campaign period. Article 87(1) establishes that the candidate nomination process and the campaign period cannot end less than 14 days after the dissolution of parliament. Parliament's decision to dissolve on June 25 would not afford enough time for the nomination process, campaign period, and other electoral preparations to be conducted before the original July 28 election date.

Table 1: First Round Elections Timetable

Voter Registration	February 26-March 18, 2007
Exhibition and Challenges of Provisional Voters Roll	May 21-25, 2007
Ruling on Challenges to Provisional Voters Roll	May 28-30, 2007
Candidates Nominated to NEC	July 2-7, 2007
Campaign Period	July 10-August 9, 2007
First Round Election Day	August 11, 2007

National Electoral Commission

In accordance with the Sierra Leonean Constitution, the NEC is the independent body responsible for the conduct and supervision of the registration of voters and all public elections and referenda. The NEC consists of a chief electoral commissioner, who serves as the chairperson, and four other members representing Sierra Leone's four administrative regions.



Posters remind Sierra Leoneans to vote on August 11. (Photo courtesy of Kelly Fajack.)

The president appoints all the members of the NEC, and Parliament approves the appointments. The chairperson of the NEC sits on the National Security Council, an administrative arrangement that reinforces the close relationship between protecting the right to vote and the security of the country.

Noting allegations of fraud in previous elections, the NEC was reconstituted in 2006 in preparation for the 2007 elections. Civil society activist Dr. Christiana Thorpe was appointed NEC chairperson, and staff appointments were made on the basis of merit. To maintain its independence, all personnel signed agreements refuting political affiliation during the course of their duties.

One of the NEC's first undertakings was the creation of a committee to review and streamline electoral legislation, including boundary delimitation, in preparation for the 2007 elections. The Commission also conducted voter registration, produced and distributed election materials, educated voters, and recruited and trained more than 37,000 polling officials.

The NEC received significant financial support and technical assistance from the international community for the 2007 electoral process. An agreement between the government and the international community divided the financial responsibility proportionally, with the government assuming 30 percent of election costs and development partners 70 percent. A small team of UN technical advisors assisted the NEC in administering the polls, and the International Foundation for Electoral Systems (IFES) provided targeted assistance to the NEC's voter education campaigns.

During this electoral cycle, the NEC regularly and effectively communicated information about the process to voters, political parties, and polling staff. The Commission built and maintained relationships with civil society organizations (CSOs) and international organizations, and listened closely to concerns and suggestions. In response to public concerns about polling station accessibility, for example, the NEC added 132 "satellite" polling stations to its original list. In addition, concerns raised about the integrity of the 2004 local elections in some constituencies led the NEC to terminate the employment of approximately 1,100 polling officers whose impartiality and professionalism in past elections had been questioned. In response to evidence suggesting that fraud had occurred in past elections, 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 centralized the tallying of votes in Freetown rather than at the district level. In between the first round and run-off elections, the NEC responded to the findings and the recommendations of election observers by revising certain procedures and providing additional training to polling staff as needed.

Throughout the electoral process, NDI observers found the NEC to be a credible and effective institution that operated independently of government and party structures. NDI observers noted that the NEC achieved considerable independence and made impressive progress since its reorganization began in 2005, inspiring remarkable public confidence by the end of the electoral process. While noting instances in which polling staffers were not fully trained on procedures, most Sierra Leoneans with whom the delegation met expressed satisfaction with the NEC's overall administration of the election process. 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.

While the NEC overcame many challenges in conducting the 2007 elections, the unevenness of the funding process created additional obstacles that underscored the importance of establishing a permanent budget and sustained support for the Commission in the future.

Political Parties Registration Commission

Formed in December 2005, the PPRC is an independent body responsible for the registration and supervision of conduct of all political parties, as mandated by the 1991 Constitution and the 2002 Political Parties Act. Time wasted in the nomination by President Kabbah and approval by Parliament of PPRC Chairman Justice Sydney Warner prevented the Commission from functioning to its full capacity. The UN Integrated Office in Sierra Leone (UNIOSIL), UN Development Program (UNDP), United States Agency for International Development (USAID), and IFES provided technical and financial assistance to the PPRC.

In order to participate in elections, political parties and candidates must register with the PPRC. In accordance with the Constitution, to register as a party an association must have an office in each of Sierra Leone's provinces and the Western Area. In addition, the membership of parties cannot be restricted to a particular tribal or ethnic group or religious faith, and parties cannot be formed solely to advance the interests of a particular tribal or ethnic group, geographical area, or religious faith.

In conjunction with the NEC and party representatives, the PPRC developed a code of conduct for political parties that was subsequently signed by all registered parties in November 2006.⁹ The PPRC established a national Code Monitoring Committee (CMC) and District Monitoring Committees (DMCs) composed of representatives of political parties, the SLP, and civil society organizations to monitor adherence to its provisions. In fulfillment of the PPRC's mediation mandate, the DMCs were tasked with promoting conflict prevention, mitigation, and resolution at the local level, and providing early warning of possible conflicts. The PPRC also monitored parties' compliance with party finance regulations.



Members of the PMDC participate in a campaign rally. (Photo courtesy of Kelly Fajack.)

The PPRC served as an important forum for expressing grievances and maintaining communication among political parties, government agencies, and civil society. It was instrumental in enforcing the code of conduct fairly and equally. It also diffused tensions in the western areas and mediated local conflicts in districts such as Kailahun and Tonkolili during the campaign period. Nonetheless, the slow disbursement of budgeted funds and recruitment of staff

⁹ The *Political Parties Code of Conduct* is included in Appendix G.

hampered the Commission's ability to respond quickly and proactively to emerging problems or conflicts.

Political Party Liaison Committee

The NEC established the Political Parties Liaison Committee (PPLC) to provide a regular communication link between election officials and political parties. From January 2007, the liaison committee met with party representatives at the national level approximately every two weeks to share information on the electoral process. The PPLC established a regular dialogue between parties and the NEC that allowed parties to comment on electoral procedures. In response to concerns raised by political parties during a PPLC meeting the week before the polls, the NEC revised electoral procedures to permit voters with registration cards whose names did not appear in the final voters register to cast ballots. In addition, party leaders were given the opportunity to comment on and approve the sample ballot paper at a special meeting arranged by the PPLC. Overall, the PPLC consultations ensured the inclusion of key electoral stakeholders and encouraged transparency by the NEC. Cooperation between the two bodies resulted in further confidence in the electoral process.

Delimitation of Constituencies

In accordance with the 1991 Constitution's mandate of single-member constituencies for Parliament, the NEC delimited new constituencies at the beginning of the electoral process by using 2004 census data to define 112 single-member constituencies with 40 in the north, 27 in the east, 25 in the south, and 21 in the western areas. The NEC collaborated closely with political parties and civil society during the process, and the resulting constituencies were ratified by Parliament on November 22, 2006. The move from a party-list proportional representation system to a single member constituency-based system is likely to increase accountability between elected representatives and voters.

Training of Election Officials

By August 2007, the NEC had recruited and trained more than 37,000 polling staff. Polling staff were trained on procedures for election day, including procedures for opening of the polls, voting, and counting, as well as the rights and responsibilities of party agents and accredited election observers. To ensure polling staff integrity, the NEC refused to re-employ approximately 1,100 polling officials whose performance had been the subject of complaints during the 2004 local government elections.

Adjudication Procedures

An important component of any electoral process is the mechanism through which election-related complaints can be filed and addressed in a timely and balanced manner. The election complaints process for the presidential election was guided by a separate legal mechanism than the parliamentary election. Any challenges related to presidential elections were the sole jurisdiction of the Supreme Court. For matters relating to the parliamentary elections, two courts were established under the High Court: the Elections Offences Court (EOC) and the Elections

Petitions Court (EPC). The establishment of the EOC is called for by Sierra Leone's 1991 Constitution and 2002 Electoral Laws Act to cover any criminal offenses related to the conduct of the election, such as tampering with materials, ballot stuffing, and other election-related irregularities. The court operates for a six-month period, and each case must be completed within three months. The EPC had a narrower mandate and was established to address any specific challenges to the results of the parliamentary elections. The EPC was mandated to convene within seven days of the date the final election results were announced, and to hear all cases and render verdicts within four months.

Petitions challenging parliamentary election results must be submitted in the procedural form set by the High Court and follow the Election Petitions Rules. In March 2007, a public consultation was held to give political parties, CSOs, and citizens the opportunity to review and comment on draft rules for election petitions, which were passed by Parliament just prior to its dissolution on June 25. However, many Sierra Leoneans found the rules extremely complicated and called for more civic education to facilitate citizen understanding of and adherence to them.

Six electoral courts began operating in Sierra Leone on July 16, after the commencement of the campaign period. Three were located in Freetown, and one was located in each of the regional centers of Bo, Kenema, and Makeni. The same judge presided over both the EOC and the EPC. Despite general concerns over the independence of the country's judicial system, citizens lauded the establishment of electoral adjudicatory bodies before the elections.

The electoral courts were not well understood by political parties or voters, and ultimately few cases were heard by the courts. Citizens did not seem to understand the timeline of the courts or the procedures for filing a petition, and some citizens and political party members expressed confusion regarding what complaints should be filed with the NEC and what complaints should be filed with the electoral courts.

Financing the Elections

Financing the elections was a challenge for the government, negatively impacting election planning and implementation. The international community agreed to cover 70 percent of the cost of the election. The United Kingdom, Ireland, and the European Union channeled support through the UN-administered Elections Basket Fund, which also managed the contributions of Sierra Leone's government. Other countries, including the United States, Japan, Denmark, and Germany supported the electoral process through direct assistance to the NEC, civil society, the PPRC, and other stakeholders.

Sierra Leone's government agreed to fund 30 percent of the cost of the election. The government ultimately met this obligation by the end of July, but earlier failures to meet funding deadlines jeopardized the process.

Domestic and International Observers

The NEC invited local and international observer organizations to observe the electoral process and developed a set of guidelines and code of conduct for observers.¹⁰ The NEC accredited domestic observers from 35 organizations. International and domestic observers, as well as representatives of political parties, were invited to observe all aspects of the electoral process, including the voter registration process, the exhibition and challenges period, the campaign period, voting and counting on election day, and the tabulation of results.

THE PRE-ELECTION PERIOD

Voter Education

Given citizens' high level of poverty and correspondingly low literacy rates, as well as the country's youthful demographics, voter education was critical to the conduct of a successful electoral process. The NEC teamed with domestic and international organizations such as NEW to facilitate the dissemination of information and educate the population on the upcoming elections. UN Voter Education Advisors deployed to each district provided guidance, support, and assistance to the NEC. Efforts to enhance citizen participation and oversight of the electoral process included the use of radio, television, and public discussions to emphasize the importance of citizen engagement. Political parties invested limited efforts in educating potential voters about the importance of the different phases of the electoral process and seemed to rely heavily on NEC officials to conduct voter education.



Sierra Leoneans display a voter education poster. (Photo courtesy of Robert Irish.)

The NEC developed materials for each step of the electoral process. A public awareness campaign led by the NEC in advance of the voter registration process encouraged eligible persons to register and verify their registration by visiting exhibition centers to confirm that their names were correctly recorded on the provisional voters register (PVR). The NEC also trained master trainers on procedures during the exhibition and challenges period, who in turn trained exhibition center monitors at the district level. Civil society groups used training handbooks, education pamphlets, and posters designed by the NEC in their voter education programs, some of which were specifically developed to target marginalized groups, including people with disabilities, youth, and women. The NEC also displayed sample ballots, created messages to encourage peaceful elections, and developed radio jingles. A targeted effort by the NEC and civil society organizations called for paramount chiefs' impartiality and neutrality and sensitized traditional leaders to the importance of allowing political parties to conduct election campaigning in their chiefdoms.

¹⁰ The *National Electoral Commission Guidelines and Code of Conduct for Observers for the 2007 Election Process* is included in Appendix H.

Limited funds reduced the impact and reach of the NEC's efforts. As a result, many voters, particularly the elderly, seemed uncertain of detailed voting procedures on election day, including how to mark their ballots. NDI observers noted a number of instances where ballots were invalidated either because they were marked incorrectly or not marked at all, particularly during the first round election.¹¹

Along with the NEC, the Forum for African Women Education (FAWE), the 50/50 Group, the UN Development Fund for Women, and the Forum for Women Empowerment and Development (FOWED) conducted special outreach activities aimed at educating and encouraging women to participate in the electoral process. The NEC also conducted special voter education activities to reach citizens with disabilities.

Voter Registration

According to Sierra Leone's Constitution, every Sierra Leonean citizen 18 years of age and above and of sound mind is entitled to register to vote for the purpose of public elections and referenda. During the voter registration process, held from February 26 to March 18, 2007, 2.6 million Sierra Leoneans (estimated at 90 percent of eligible voters) registered to vote, of which 49 percent were female and 56 percent were under the age of 32. The enormous turnout is widely seen as an indication of the commitment of the people of Sierra Leone to participatory democracy. The civic education programs conducted by the NEC with assistance from UN election advisers, limited efforts by political parties to mobilize their supporters, civil society efforts, and media involvement also contributed to the high turnout.

The NEC trained polling agents throughout February to staff the country's 2,740 registration centers, which were equipped to register 2,000 voters each. Once a center reached 2,000 voters, new voters were asked to go to the nearest center within the constituency that had not reached its full capacity. Where there was no center nearby within the same constituency, registration centers were provided additional registration forms and materials. Voter registration materials were distributed by military and police vehicles.

The NEC put in place sound procedures to prevent duplicate registration, registration by underage individuals or non-Sierra Leoneans, and other abuses. To ensure that qualified individuals lacking citizenship documents could register, testimony of a member of the local authority could serve as proof of their eligibility. Political party agents and civic groups monitored the registration process.

NDI observers noted very few incidents of concern during the registration process. For example, on the first day of registration, a number of observed registration centers delayed opening because they had not received registration materials. In two constituencies in Freetown, registration officials demanding higher pay went on strike, disrupting the registration process for several hours. NDI observers also heard credible reports of two instances in which voter registration materials were found outside the control of the registration officials, and the NEC

¹¹ Approximately 145,000 ballots were invalidated during the first round election, while less than 44,000 were invalidated during the run-off.

dismissed approximately half a dozen registration officials for either acting in a politically biased manner or for poor performance.

One concern consistently voiced by political parties and civic groups was the long distances that some registrants had to travel to reach a registration center. While the number of registration centers was intended to ensure that no voter would need to travel more than seven miles to register, NDI observers were repeatedly told that citizens in several rural areas faced greater travel distances. Without vehicle transportation, the elderly, pregnant women, women with young children, and people with disabilities were the most disadvantaged in these instances. In response to this complaint, raised by civil society organizations, the NEC established satellite voting centers on election day.

Violence erupted in a few registration centers. In some cases it was spurred by the late arrival of accreditation cards for political party agents. The NEC was able to resolve most of these issues with the issuance of temporary accreditation letters, though the SLP was dispatched to control violence in some centers. In a few cases, violence was directed at registration officials. Although these incidents were isolated, they underscored the fragility of peaceful electoral competition in a post-conflict environment, and the need to put in place concrete measures to curb violence during the candidate nomination and campaign period and election day.

Exhibition of Voter Rolls

In accordance with Sierra Leone's laws and international standards, the PVR was displayed at registration centers during an "exhibition and challenges" period from May 21 to 25. During this period, registrants could confirm their registration status and request corrections to biographic information (name, age, and gender). In addition, erroneously omitted registrants could apply for inclusion in the voters register. Also, eligible citizens could challenge names included in the PVR on certain grounds of ineligibility, such as death or non-citizenship.

Following the exhibition period, NEC officials publicly reviewed and ruled on objections submitted during the registration process, which included claims for inclusion or rejection, before adopting the final voters register (FVR). Of the 2,619,397 names on the PVR, 906,635 confirmed their details during the exhibition period, and fewer than 30 objections were raised nationwide. The NEC corrected information for approximately two percent of the voters on the register.

The turnout rate in the districts during the exhibition and challenges period ran from a high of 77 percent in Pujehun to a low of 13 percent in the western urban area, which encompasses the capital of Freetown. The southern region had the highest turnout with 49 percent, followed by the east with 46 percent, the north with 35 percent, and the west with 16 percent. See the chart below for more details.



A voter displays her identification card on election day. (Photo courtesy of Nick Demeter.)

Table 2: Turnout Rate during the Exhibition and Challenges Period

Name of District	Valid Voters	Percent of Names on PVR Confirmed
EAST:		
Kailahun	182,896	59.06
Kenema	270,989	40.16
Kono	180,305	37.78
NORTH:		
Bombali	205,788	42.60
Kambia	134,742	23.24
Koinadugu	119,407	40.62
Port Loko	216,655	25.83
Tonkolili	169,451	44.44
SOUTH:		
Bo	240,422	35.00
Bonthe	73,591	48.36
Moyamba	121,442	34.15
Pujehun	98,473	77.14
WEST:		
Western Rural	113,353	17.62
Western Urban	491,883	13.37
TOTAL	2,619,397	34.61

Political Parties

As is the case in many nascent democracies, political parties in Sierra Leone are largely driven by the personalities that lead them. Parties derive support through ethnic and regional affiliation and have yet to develop alternative policies based on issues and platforms. The largest political parties include the SLPP, the APC, and the PMDC. The SLPP draws its support from the south and east of the country, while the APC has drawn its support from the north as well as Freetown and surrounding areas. The PMDC, a newer party, broke off from the SLPP after its leader Charles Margai—the son of Sierra Leone’s first Prime Minister—failed to win the SLPP presidential nomination in 2005.

Candidate Nomination Process

The NEC approved the nominations of 7 presidential candidates and 566 parliamentary candidates to contest the elections. According to the Electoral Law, a presidential candidate must be at least 40 years of age, a registered voter, a member of a political party, and meet the qualifications set for parliamentary candidates, including proficiency in the English language.

Presidential candidates must be nominated by their party, and independent candidates cannot contest the presidency.

Parliamentary candidates may be nominated by a registered party or stand as independent candidates. Candidates must be at least 21 years old and able to speak and read the English language with proficiency. Independent candidates must be nominated by three electors of the constituency for which they wish to run.

Civil servants, including teachers and medical personnel, must resign from public service at least 12 months prior to election day to be eligible to contest the elections. Delays in setting the original election date triggered widespread complaints from civil servants, who were prevented from running for office as the announcement of the election date came less than a year in advance of the polls.

Critics of the selection process in past elections argued that the lack of public debate or scrutiny and the secretive nature of internal party processes led to the nomination of unqualified candidates. In a promising response, many parties adopted more open selection mechanisms for the 2007 elections. Some parties conducted zonal or constituency-based electoral colleges that judged candidates on a range of qualifications while others established national level committees to guide the selection process.

Many party primaries were conducted in May and June 2007. To encourage the inclusion of women, youth, and disabled persons in the political process, parties reduced registration fees for aspirants from these groups. Nonetheless, there were no female presidential candidates and only one woman was selected to contest the elections as a vice presidential candidate. Of the 566 candidates nominated for Parliament, only 64 (11 percent) were women, even though women make up 49 percent of registered voters, and fewer than 10 candidates were persons with disabilities.

The NEC and its civil society partners conducted targeted voter education activities to combat the interference of paramount chiefs in the electoral process and promote equitable candidate selection processes. Paramount chiefs, who serve their localities with life-long terms, are prohibited by law from choosing sides or otherwise influencing the nomination of candidates. Many are closely aligned with the SLPP, and their influence over the selection process in SLPP strongholds was viewed with concern.

The NEC accepted parliamentary candidate nominations from July 2 to 6, 2007, and presidential nominations from July 3 to 7, 2007. Although only one day was initially provided for the submission of nomination papers, the NEC used a provision in the electoral law (Section 126 of the 2002 Electoral Laws Act) to extend the submission period to five days. Candidates were required to present submission forms, a signed Code of Campaign Ethics,¹² a valid voter registration card, and nomination fee deposit in the amount of 100,000 Leones (refundable if the candidate receives 10 percent of valid votes in the constituency or in the case of his/her death). NEC district electoral officers received nominations for parliamentary candidates while nominations for presidential candidates were processed at the NEC headquarters in Freetown.

¹² The *National Electoral Commission Code of Election Campaign Ethics* is included in Appendix F.

Table 3: Parliamentary Candidates

Political Party	Total # of candidates	# of female candidates
All Peoples Congress (APC)	112	11
Convention People's Party (CPP)	62	6
National Democratic Alliance (NDA)	88	7
Peace and Liberation Party (PLP)	20	2
People's Movement for Democratic Change (PMDC)	111	12
Sierra Leone People's Party (SLPP)	112	17
United National Peoples Party (UNPP)	49	6
Independents	12	3
TOTAL	566	64

Table 4: Presidential And Vice Presidential Candidates

All Peoples Congress (APC) Hon. Ernest Bai Koroma Samuel Sam-Sumana	<i>President</i> <i>Vice President</i>
Convention People's Party (CPP) Andrew Turay Lansana K. Conteh	<i>President</i> <i>Vice President</i>
National Democratic Alliance (NDA) Alhaji Amadu Jalloh Margaret B. Sidikie	<i>President</i> <i>Vice President</i>
Peace and Liberation Party (PLP) Kandeh B. Conteh Sheik Bakarr Sulaiman Tarawullia	<i>President</i> <i>Vice President</i>
People's Movement for Democratic Change (PMDC) Charles F. Margai Dr. Ibrahim Tejan Jalloh	<i>President</i> <i>Vice President</i>
Sierra Leone People's Party (SLPP) Solomon E. Berewa Foreign Minister Momodu Koroma	<i>President</i> <i>Vice President</i>
United National Peoples Party (UNPP) Abdul K. Karim Mohamed Sei	<i>President</i> <i>Vice President</i>

Nomination for parliamentary candidates took place on a “first come, first served” basis, whereas the NEC assigned time slots for each party to register for the presidential race. To decrease the potential for violence between supporters of rival presidential candidates who traditionally accompany their candidates when submitting nomination papers, the NEC held a drawing to determine specific time slots for each party to submit their nominations.

Teams of NEC officials checked the nomination documents for accuracy before provisionally accepting candidates. Candidates received final confirmation of their nomination following the review of any objections or other questions. Any Sierra Leonean citizen had the right to object

to the nomination of a presidential candidate within seven days of the publication of the provisional list of candidates. Sierra Leone's Supreme Court has jurisdiction over these objections and must give its decision within thirty days of an objection being lodged. Citizens could lodge objections against parliamentary candidates with the district electoral officer, who had until July 7, 2007, to make their rulings for the 2007 polls. Decisions could be appealed to the NEC headquarters in Freetown no later than July 8, with decisions rendered by July 9. Further appeals could be heard by the Elections Petition Court, but only after the elections. During the 2007 electoral cycle, complaints were resolved in a satisfactory manner before the elections.

All political parties congratulated the NEC at the end of the candidate nomination process, and the presidential candidate nominees stated they hoped the polling would be as transparent as the nomination process.

CAMPAIGN PERIOD

Political parties across the spectrum participated eagerly in the elections. Nine political parties registered with the PPRC, of which seven fielded candidates for the presidential and parliamentary elections. The PPRC monitored parties' compliance with the code of conduct during the campaign period and mediated disputes between parties.

Political party manifestos were almost identical among parties. Reflecting the difficult state of development of Sierra Leone, they called for better living conditions, more job creation, improved service delivery, greater access to quality education and healthcare, and good governance in accordance with the rule of law. Opposition parties also criticized the ruling SLPP's performance, citing the need to strengthen democratic institutions, improve access to the justice system, increase anti-corruption efforts, and ensure safe communities. Overall, personalities rather than policy issues were predominant during the campaign period.



Members of the APC campaign before the election. (Photo courtesy of Kelly Fajack.)

The official campaign period was launched on July 10 and ended on August 9. Despite the challenges of infrastructure, communication, and organization, Sierra Leonean parties and candidates waged an active campaign. Many parties distributed banners, posters, t-shirts, and hats, and some used vehicles with signage and loudspeakers for campaigning. NDI observers noted that some parties, in particular the APC and the PMDC, used door-to-door campaigning and regular outreach radio programs to target specific groups of voters.

Opposition party leaders were more receptive to participation in regional and national debates. The Sierra Leone Association of Journalists (SLAJ) and Democracy Sierra Leone (DSL), with support from NDI and USAID, conducted debates among vice presidential and presidential candidates on August 5 and 7, respectively. 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. In addition, parliamentary debates and candidate forums held in some districts gave citizens an opportunity to hear from their parliamentary candidates on issues of importance to their communities.

Parties generally adhered to the code of conduct, though some campaigns reported that opposing parties removed their literature, banners, and posters. The campaign period was marked by several incidents of violence that threatened to taint the electoral process. Clashes between the SLPP and PMDC partisans occurred in SLPP strongholds in Bo, Kailahun, Pujehun, and Kenema, while tensions between the SLPP and APC were evident in the north, in Freetown, and in Bo. In response to these incidents, security assessments for various districts were revised and new security measures were implemented in time for the election. One of the measures called for better coordination of campaign schedules between political parties and the SLPP.

Some paramount chiefs in Bo, Moyamba, Kenema, and Kailahun openly sided with the ruling SLPP party and obstructed opposition candidates from campaigning within their territories. Some chiefs used Sierra Leone's Public Order Act of 1965, which states that "any person who intends to convene or hold a public meeting at any place in the provinces shall first notify in writing the paramount chief of the chiefdom in which such place is situated," as the legal basis for barring opposition party meetings from taking place. Complaints about paramount chiefs' interference in the electoral process were heard throughout the election period.

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. NDI observers were informed of the existence of party "task forces," organized groups primarily in the east and south that at times intimidated rival supporters.

At the end of the campaign period, the PMDC, the APC, and the SLPP held rallies in Freetown on consecutive days. To reduce the possibility of conflict, the political parties agreed to not wear opposing party colors on a party's designated rally day. No significant instances of violence were reported, and the campaign period ended peacefully with parties respecting the quiet day on August 10 before polls opened on Saturday, August 11.

Campaign Finance

In order to limit the influence of money in the political process and increase transparency in campaign finance procedures, the PPRC has the authority to implement financial reporting requirements. The PPRC collected statements of assets and liabilities from all political parties contesting the elections. The PPRC also initially required candidates standing for presidential and parliamentary elections to submit complete information on their assets and liabilities; however, the requirement was withdrawn after the parties challenged it in court.

Media

Sierra Leone's media landscape includes both state-owned and independent print media and radio, with roughly 30 radio stations and about 42 newspapers based in Freetown. The main

political parties launched their own radio stations and newspapers in Freetown, where they broadcast and published party ideology and positions.

Sierra Leonean media is active, although it has been criticized for being sensationalist and unable to conduct balanced reporting. Media outlets tend to be passive recipients of news releases and do not conduct much analysis in reporting. In recent years, the Independent Media Commission (IMC), an autonomous agency whose members are appointed by the president, has censored the media by wrongfully withholding broadcast licenses and supporting the prosecution of journalists that are critical of the government. Authorities have used libel laws and courts to target “errant” journalists. In June 2007, a prominent journalist was arrested and jailed on government charges of “seditious libel,” which is criminalized in the Public Order Act of 1965. The IMC and SLAJ loudly opposed this arrest and detention and helped secure the journalist’s release on bail a few days later.

Sierra Leone’s nascent independent media, which includes the Independent Radio Network (IRN), Cotton Tree Network (CTN), and others that carry BBC news broadcasts, contributes to the flow of information in Sierra Leone. Citizens can also hear UN Radio nationwide.

At the start of the campaign period, IRN, an umbrella group with 21 radio stations nationwide, adopted strict guidelines for member stations on the financing, presentation, and sponsoring of political party messages. The network designed the rules to foster the impartiality of its member stations. This was widely viewed as a significant step and a commitment by segments of the Sierra Leonean media to professionalism and political neutrality in the coverage of the campaign and elections.

The development of a media code of conduct encouraged media houses to abide by professional standards, such as reporting on the electoral process in a balanced and informed manner. The media took part in informing, engaging, and educating the public about the political and electoral system during the electoral process.

Overall, NDI observers noted a disparity in coverage of ruling SLPP events and candidates over coverage of events sponsored by other parties. However, laudable attempts to achieve relative fairness and balance were observed.

Security

Given Sierra Leone’s history of conflict, citizen participation in the electoral process is related to a sense of security during the election period. Early in the electoral process, the Inspector General of the SLP promoted a “police/community partnership” program during visits around the country to ensure peaceful coexistence between different groups throughout the electoral process. Police were members of the PPRC-established DMCs responsible for monitoring compliance with the code of conduct, an arrangement intended to enhance their effectiveness at the local level.



*Voters wait in line on election day.
(Photo courtesy of Robert Irish.)*

The police allocated greater resources for the election period and provided special training to police staff to reinforce neutrality and ensure a safe environment for candidates and their supporters to campaign freely in all parts of the country. NDI observers heard from many Sierra Leoneans that the SLP played a constructive and evenhanded role in the electoral process, though there were several reported incidents of police failing to apprehend individuals who had attempted to disrupt the registration process.

FIRST ROUND ELECTION DAY

Turnout on August 11 for the first round was very high. Voting was orderly, peaceful and well-administered in the overwhelming majority of the areas observed by NDI delegation members. 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 NEW, were also present in significant numbers and played a constructive role. NDI observers saw a high number of women and young people participating in the electoral process as voters, polling officials, and domestic election monitors. While few women served as political party agents, parties actively recruited youth in that capacity.

Voter Turnout and Participation

One of the most important criteria for assessing democratic political processes is the level of public participation. Voter turnout on August 11 was impressive across the country, with 76 percent of registered voters casting ballots. 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. Long lines and slow procedures contributed to tension in a few areas, particularly in large consolidated polling centers in Freetown that had more than 10,600 registered voters. NDI observers were 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.

Voting Process

The polls opened at 7:00 am and closed at 5:00 pm on election day, with all persons in the queue at 5:00 pm allowed to vote. Most polling stations opened on time, although logistical challenges and the delay in delivery of materials delayed opening by up to 30 minutes in some places. NDI



A poll worker checks a voter's identification card against the final voters register on election day. (Photo courtesy of Kelly Fajack.)

observers witnessed one case of sensitive materials not being present at the Blama polling center in Bo district, but the delegates were advised that the NEC was addressing the situation. In some cases, polling stations were not well marked and voters had difficulty identifying the appropriate queue. Stations seemed to have processed all voters by the close of the polls.



A voter displays ink on her finger after voting on election day. (Photo courtesy of Kelly Fajack.)

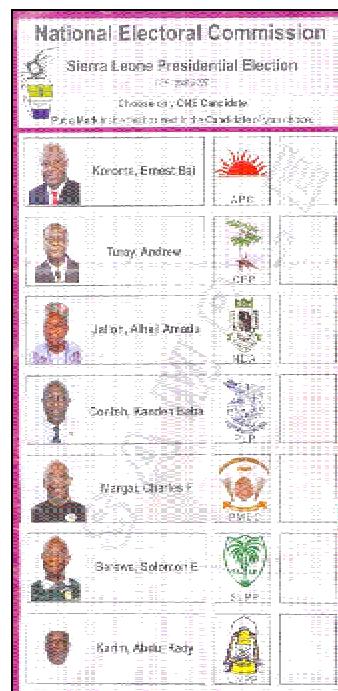
Several mechanisms were employed to prevent voters from voting twice. Upon arrival at the polling station, election officials checked off voters' names in the FVR and punched the right hand side of their identification card between the coat of arms and the NEC logo. When punching voter cards, in some cases the hole-puncher was either not available or not working properly, so polling staff improvised by cutting off the corner of the cards or folding the cards and using scissors to cut a hole in the correct location. Voters who lost their voter cards but whose names appeared in the FVR were allowed to vote if they produced a valid picture identification card. After casting their ballots, voters' fingers were marked with indelible ink.

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. However, in some polling stations visited, ballots were not torn carefully from the booklets and stacks of ballots were pre-stamped.

Voters with disabilities were allowed to request the assistance of a helper of their choice, such as a friend or relative, as long as the helper was a registered voter and only assisted one person. Polling staff and party agents were not allowed to assist voters to mark their ballot papers. In addition, for the first time in Sierra Leone, tactile ballot guides were provided across the country to allow visually impaired voters to cast their ballots in secret, although NDI observers noted that blind voters tended to vote with an assistant, rather than using the guides.

Vote Count

Votes cast were counted in each polling station immediately following the close of the polls. At the end of the count, political party agents were asked to verify and sign the results forms. Copies of the results from polling stations were then posted outside, thereby providing candidates, parties, and the public access to track the centralization of results at the national level. Following the count, materials were transported to district NEC offices and then sent to the National Tally Center in Freetown for tabulation.



A sample presidential ballot for the August 11 elections distributed by the NEC.

The counting process proceeded without major incident in most places witnessed by NDI observers, although the count seemed disorganized in some cases. While NEC officials were instructed to consider votes as valid if the intention of the voter was clear, there was some inconsistency in the application of this procedure. Nonetheless, the presence of domestic observers and the involvement of party agents in verifying the results and the public posting of results at each polling station were important confidence-building measures.

Political Party Agents

Each of the seven political parties contesting these elections, as well as some independent parliamentary candidates, recruited and trained supporters to observe the polls as party agents on election day. They were trained to question irregular activities in the polling station and verify the results of the vote count, although observers noted that many lacked sufficient training. Since party agents represent candidates, the NEC invited them to sign a series of forms, including the results forms. If party agents did not consider the information on those forms to be accurate, they had the right to demonstrate their concern by not signing the documents. However, party agents were not allowed to interfere with the polling and counting process in any way. The NEC allowed parties to assign two agents to each polling station, although only one agent from each party was allowed inside the station at a time.

The main political parties—APC, PMDC, and SLPP—fielded party agents in most polling stations visited by NDI observers on election day. NDI observers reported that while party agents seemed to understand their roles and responsibilities in general, in some cases they lacked an understanding of the process, particularly counting procedures.

Domestic and International Observation on Election Day

Civil society organizations actively monitored the voting on election day. NEW, a coalition of Sierra Leonean civil society organizations, fielded more than 5,400 domestic observers who covered 87 percent of polling stations on election day. NDI observers 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 FOWED in polling stations on election day. Voters welcomed the presence of these domestic observers.

In collaboration with domestic groups, several international organizations monitored the elections in addition to NDI, including the AU, the Commonwealth, ECOWAS, the European Union (EU) and the European Parliament, and the West African Civil Society Forum (WACSOF). Leaders from all of these delegations met to exchange views before and after



Observers look on as a poll worker prepares to count the ballots on election day. (Photo courtesy of Kelly Fajack.)

election day. International observers were welcomed throughout the country, and there were no reports of interference with international or domestic election observers.

Election Day Security

The police and other security forces were actively engaged in maintaining a peaceful environment on election day. The army “stayed in the barracks” and did not seek to interfere in the electoral process. SLP personnel were present at all polling centers, while mobile SLP teams were deployed to help maintain order over the course of election day and night. Security personnel were stationed outside polling stations, except when their presence was requested inside by the presiding officer.

Police responded quickly to incidents when called upon. In a few instances in Freetown, Moyamba, Kono, and other districts, the SLP dispersed groups whose presence threatened to disrupt the process.

The SLP also assisted with the transport of voting materials. Immediately following the polls, election materials were kept in the districts under police custody.

POST-ELECTION PERIOD

Tabulation and Announcement of Results

Votes were tallied at the National Tally Center in Freetown, and the NEC announced progressive, cumulative results by constituency during daily press briefings. Accredited political party representatives, domestic and international observers, and journalists observed the tabulation process. The NEC set aside results packages in which procedures were not completely followed. NEC commissioners met to review such packages on a case-by-case basis and communicated their decisions to the parties at the tally center.

As stipulated in the Electoral Act, the NEC announced and certified the final election results within two weeks of the polls. On August 25, the NEC announced that that the APC candidate, Ernest Bai Koroma, won 44 percent of the vote in the presidential election, with 38 percent of the vote won by Solomon Berewa of the SLPP and 14 percent of the vote won by Charles Margai of the PMDC. Because no candidate received more than 55 percent of the vote in the first round, a run-off election was mandated by the electoral code.

In the parliamentary election, the APC won 59 seats, the SLPP won 43 seats, and the PMDC won 10 seats. Another 12 parliamentary seats were reserved for paramount chiefs, who were nominated and elected through indirect elections on September 1. Of the total votes cast on August 11, 7.3 percent were invalid. Reports of domestic and international observers indicate that most of the invalidated votes were



*A poll worker transports ballots after election day.
(Photo courtesy of Andrew Farrand.)*

blank ballots, or because voters signed or wrote their initials on the ballots, violating the ballot's secrecy.

Table 5: Results of August 11 Polls

Political Party	% of Presidential Votes	# of Parliamentary Seats
All People's Congress Party (APC)	44%	59
Convention Peoples Party (CPP)	1.6%	--
National Democratic Alliance (NDA)	1%	--
Peace and Liberation Party (PLP)	<i>Less than 1%</i>	--
People's Movement for Democratic Change (PMDC)	14%	10
Sierra Leone People's Party (SLPP)	38%	43
United National People's Party (UNPP)	<i>Less than 1%</i>	--

*Published in *National Gazette*

Table 6: Parliamentary Results by District

District	APC	PMDC	SLPP	Total
<i>East</i>				
Kailahun			8	8
Kenema			11	11
Kono	1		7	8
<i>North</i>				
Bombali	9			9
Kambia	5		1	6
Koinadugu	4		2	6
Port Loko	10			10
Tonkolili	8			8
<i>South</i>				
Bo		3	8	11
Bonthe		3		3
Moyamba	1	1	4	6
Pujehun		3	2	5
<i>Western Areas</i>				
Western Area Rural	4			4
Western Area Urban	17			17
National	59	10	43	112

*Published in *National Gazette*

The NEC reviewed electoral complaints related to the first round elections from 11 polling stations. Results from four polling stations (three in Kailahun and one in Tonkolili district) were subsequently invalidated. The irregularities in these specific cases pertained to inconsistencies between a higher number of votes cast compared to the number of registered voters. In one case, a large number of ballots appeared to have been marked by the same individual. In addition, ten cases were filed before the electoral courts, with one offence case before the EOC in Bo and nine cases petitioning the results of parliamentary races before the EPC. Three of these petition cases

led to recounts. In one important case known as the “Kai Kai case,” the EPC ruled that intimidation of voters combined with malpractice in the counting of ballot papers should result in the SLPP Member of Parliament, Sallieu Conteh, being removed from his seat. The seat will be contested in by-elections scheduled to be held on Saturday, January 10, 2009.

PRE-RUN-OFF PERIOD

Campaign Period

The campaign period for the run-off election took place from August 25 to September 6. Tensions were generally higher than in the first round campaign period, with several recorded instances of violence and intimidation reported. The period surrounding the run-off election brought pre-existing political cleavages along ethnic and regional lines to the surface, although the vast majority of Sierra Leoneans continued to emphasize the importance of political tolerance. Ethnic and tribal affiliation by political party supporters led to serious confrontations in Bo, Moyamba, Kailahun, Kenema, and in the western rural area close to Freetown. Tensions increased when PMDC candidate Charles Margai pledged his support to the APC.

In a number of instances, interventions by the PPRC, the NEC, and other Sierra Leonean organizations reduced tensions, while political leaders reiterated their support for peaceful elections and readiness to accept credible results. The SLP imposed restrictions on movements and set up police check points in areas of concern, particularly in the southern and eastern provinces, but did not interfere in the campaign process.

To further reduce the potential for violence, the two presidential candidates and President Kabbah signed a communiqué affirming their commitment to a peaceful electoral process and agreed to participate in a joint peace rally in Freetown. Four days later, however, the APC candidate accused the SLPP of violating the terms of the communiqué and decided not to participate in the peace rally.

Political parties again agreed to coordinate campaign activities to avoid tensions and the potential for violence. Freedom of movement was restricted in several cases: Ernest Koroma and Charles Margai were prevented from entering Kailahun district in one instance, while APC vice presidential candidate, Samuel Sam-Sumana was stopped by a roadblock in Kono district. In other cases, political party supporters were prevented from moving in certain areas and entering certain districts.

Media

In the period leading up to the run-off election, some print media and radio stations ran inaccurate and unbalanced stories. SLAJ and the IMC called on the media to abide by the principles in the media code of conduct and to avoid inflammatory and inaccurate stories. The IMC threatened to suspend the license of one media outlet.



A supporter campaigns for the SLPP. (Photo courtesy of Kelly Fajack.)

Voter Education

In the weeks before the run-off election, the NEC developed voter education messages about the purpose of the run-off and informed citizens of changes in voting procedures. Civil society organizations and political parties also conducted voter education on the voting process. As a result of these efforts and a simpler ballot, the number of invalid ballots cast during the run-off election was significantly lower than on August 11 (7.3 percent in the first round compared to 2.4 percent in the run-off).



*Billboards encouraged voters to select their candidates based on issues of concern.
(Photo courtesy of Courtney Creek.)*

RUN-OFF ELECTION DAY

On September 8, Sierra Leoneans turned out in large numbers to vote in the presidential run-off election. Overall, voting was conducted in a calm and peaceful atmosphere, and no significant incidents of violence were observed. The polls were generally well-organized and well-administered.

Voter Turnout

Voter turnout reached 68 percent for the run-off election, while the quicker voting process reduced lines at the polls. Voter education messages emphasizing that the hours of voting were between 7:00am and 5:00pm may have contributed to a more even distribution of voters throughout the day, compared to the long lines that formed early in the morning on August 11. NEC polling staff made efforts to mark polling stations more clearly, and queue controllers were more efficient in conducting their duties, leading to less confusion outside the polling stations.

Of the stations visited by NDI on election day, voter turnout approximated 100 percent in 14 polling stations (within 6 polling centers) in Pujehun, Bo, and Kenema, raising serious questions about the integrity of the results in those particular stations. As described below, the NEC ultimately rejected the results from 477 polling stations in which 100 percent turnout was reported.

Voting Process

Voting on September 8 was peaceful and orderly in most locations observed. Most polling stations opened on time. NDI observers noted that most voters seemed to understand the voting process, and fewer voters seemed to require assistance than on August 11. A simpler ballot, combined with citizens' recent experience with voting in August, likely contributed to an increased understanding of the process. Overall, NDI observers noted improvements upon the first round that enhanced the efficiency and transparency of the process.

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, and polling officials seemed more familiar with the FVR than on August 11. In the majority of stations observed, ballot paper issuers stamped ballots, folded them correctly, and explained voting procedures with professionalism and impartiality. As on August 11, the NEC instituted mechanisms to protect against double-voting in the run-off election, including hole-punching of voter registration cards and inking of fingers.

Drawing upon the experience of the August 11 election, the NEC revised certain voting procedures to enhance transparency. For example, the ballot validating stamp for the run-off was different from the one used for the August elections, and any ballot papers without the new stamp were considered invalid during the counting process. In addition, for the run-off, a different finger—the little finger of the left hand—was inked, and the voter identification officer punched voters' identification cards in a different place—the bottom right hand corner of the card. If the voter identification card had not been punched already, meaning it was not used in the August elections, it was punched twice.



A voter casts her run-off ballot in Moyamba District. (Photo courtesy of Kelly Fajack.)

In isolated cases, polling staff were confused about, or failed to follow procedures. For example, observers noted inconsistency in the inking of fingers, including polling staff neglecting to ink some voters' fingers. Although NEC guidelines stipulated that polling officials must check voters' hands for ink before allowing them to vote, the delegation noted that polling officials did not apply the procedure consistently. Also, in several places observed, polling staff were unsure about recent changes to NEC guidelines, such as the number of party agents allowed in each station. Non-sensitive materials, including some forms, pens, and ballot screen curtains, were delivered late or not at all to several stations, forcing polling staff to improvise.

Vote Count

The vote count was conducted transparently and fairly at the majority of polling stations observed. Despite increased training of polling staff, NDI again observed in several places the inconsistent application of NEC guidelines for determining voter intent when ballots were not clearly marked.

Unlike the August 11 polls, party agents from the contesting parties were given copies of the polling station results forms, further contributing to the transparency of the process. As in the first round, copies of the results were also posted outside polling stations.

Domestic and International Observation

Domestic observers were present in significant numbers, as on August 11. The NEW fielded more than 5,400 observers across the country to cover 80 percent of polling stations. The

delegation also met observers from the Council of Churches in Sierra Leone, Hope Sierra Leone, the Evangelical Fellowship of Sierra Leone, the Inter-Religious Council of Sierra Leone, Democracy Sierra Leone, and the United Peace Front.

In addition to NDI, the AU, the Commonwealth Secretariat, ECOWAS, the EU, and WACSOF deployed international observer delegations for the run-off.

Political Party Agents



Domestic observers are trained in the days before the run-off election. (Photo courtesy of Kelly Fajack.)

In advance of the run-off election, the NEC adjusted its regulations to allow two agents each from the APC and SLPP to monitor the polls, as well as one party agent from each party not contesting the run-off election. There was some confusion in the implementation of this regulation.

Political party agents from both the APC and the SLPP were present in nearly all polling places visited by NDI observers. In some cases, NDI observers met party agents from the PMDC in the western, eastern, and southern parts of the country. Overall, political party agents acted appropriately, and many of them seemed to have a better understanding of their roles and responsibilities than on August 11.

The delegation heard reports that agents from a contesting party were prohibited from monitoring the process on behalf of their candidate in parts of Kailahun, Kenema, and Pujehun. In these specific districts, observers visited 27 polling centers and found both APC and SLPP party agents present in 22 of these centers.

Security

The police and other security forces were actively engaged in maintaining a peaceful environment on election day. While the SLP was the lead security force, a memorandum of understanding stipulated that the Inspector General of Police could authorize military assistance if the SLP were unable to maintain law and order during the elections. Due to the heightened level of tension surrounding the run-off election, the SLP Inspector General requested additional support from the military police on election day under his supervision. Accordingly, the SLP was present at most polling stations visited, with military police providing additional support in Freetown and throughout the western area. In instances where the SLP and military police were called to resolve situations, they responded quickly, acted professionally, and ensured that the environment on election day remained calm. The SLP was diligent in dispersing crowds and encouraging voters who had already cast their ballots to leave voting areas. On election night, the SLP established roadblocks in some areas of the country to ensure a peaceful environment.

POST-RUN-OFF PERIOD

Tabulation and Announcement of Results

As on August 11, votes were tallied at the National Tally Center in Freetown. Accredited political party representatives, domestic and international observers, and journalists observed the tabulation process. In reviewing the results, the NEC acknowledged instances in which greater than 100 percent turnout was reported, and ultimately decided to invalidate results from those stations because of the likelihood of fraud. In total, the NEC invalidated the results from 477 polling stations throughout the country: 90 in Kailahun, 65 in Kenema, 9 in Kono, 17 in Bombali, 8 in Kambia, 12 in Koinadugu, 2 in Port Loko, 6 in Tonkolili, 123 in Bo, 2 in Bonthe, 24 in Moyamba, 113 in Pujehun, 1 in Western Rural, and 5 in Western Urban. Presiding officers from these invalidated polling stations were later added to the list of blacklisted staff following the 2004 local government elections and will be ineligible to serve as polling station staff in future elections. The invalidation of these results did not affect the overall outcome of the election.

The NEC announced progressive, cumulative results by constituency in daily press briefings. As stipulated by the Electoral Laws Act, the NEC announced and certified the final election results within two weeks of the polls, on September 17. APC candidate Koroma was declared the winner with 55 percent of the vote and was sworn in as president a few hours later. Approximately 2.5 percent of ballots were discarded as invalid during the run-off election.

CONCLUSION

President Koroma's swearing in on September 17 marked the first time in Sierra Leonean history that a democratically elected president completed two terms in office and then peacefully handed power over to another democratically elected president, as stipulated by the country's Constitution. The election process that brought about this constitutional transfer of power was largely peaceful, transparent, and well-administered. The 2007 elections were a historic opportunity for the people of Sierra Leone to participate in the democratic process and advance the country's democratic consolidation. The conduct of the 2007 election process bodes well for future development. NDI encourages Sierra Leonean stakeholders to continue their efforts to develop democratic institutions.



Poll workers count ballots after the polls closed on election day. (Photo courtesy of Andrew Farrand.)

APPENDICES

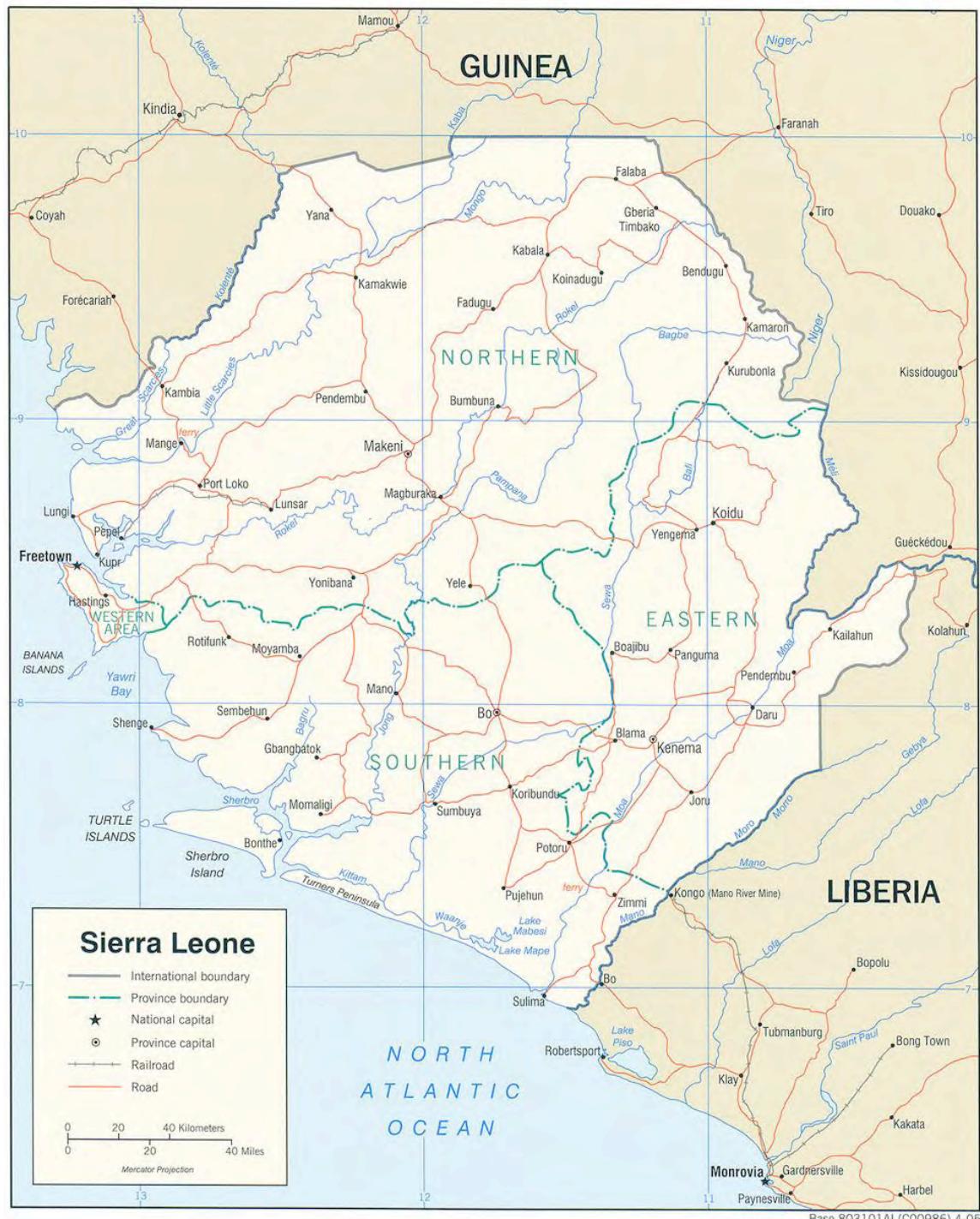
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APPENDIX A: LIST OF ACRONYMS

AFRC	Armed Forces Revolutionary Council
APC	All People's Congress
AU	African Union
CGG	Campaign for Good Governance
CMC	Code Monitoring Committee
CPP	Convention People's Party
CSO	Civil Society Organization
CTN	Cotton Tree Network
DAAG	Disabilities Awareness Action Group
DCP	Democratic Center Party
DFID	United Kingdom Department for International Development
DMC	District Monitoring Committee
DSL	Democracy Sierra Leone
ECOMOG	ECOWAS Cease-Fire Monitoring Group
ECOWAS	Economic Community of West African States
EOC	Elections Offences Court
EPC	Elections Petitions Court
EU	European Union
FAWE	Forum for African Women Education
FOWED	Forum for Women Empowerment and Development
FVR	Final Voters Register
IFES	International Foundation for Electoral Systems
IMC	Independent Media Commission
IRN	Independent Radio Network
LTO	Long-Term Observer
NEC	National Electoral Commission
NED	National Endowment for Democracy
NEW	National Election Watch
NDA	National Democratic Alliance
NDI	National Democratic Institute
NPRC	National Provisional Ruling Council
PDP	People's Democratic Party
PLP	Peace and Liberation Party
PMDC	People's Movement for Democratic Change
PPLC	Political Parties Liaison Committee
PPRC	Political Parties Registration Commission
PVR	Provisional Voters Register
RUF	Revolutionary United Front
SLA	Sierra Leone Army
SLAJ	Sierra Leone Association of Journalists
SLP	Sierra Leone Police
SLPP	Sierra Leone Peoples Party
UN	United Nations
UNAMSIL	United Nations Mission in Sierra Leone

UNDP	United Nations Development Program
UNIOSIL	United Nations Integrated Office in Sierra Leone
UNPP	United National People's Party
USA	United States of America
USAID	United States Agency for International Development
VRC	Voter Registration Card
WACSOF	West African Civil Society Forum
WONGOSOL	Women's Nongovernmental Secretariat of Liberia

APPENDIX B: MAP OF SIERRA LEONE



U.S. Central Intelligence Agency Map, 2005

**APPENDIX C: DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION
OBSERVATION AND CODE OF CONDUCT FOR INTERNATIONAL ELECTION
OBSERVERS**

**DECLARATION OF PRINCIPLES
FOR INTERNATIONAL
ELECTION OBSERVATION**

and

**CODE OF CONDUCT
FOR INTERNATIONAL
ELECTION OBSERVERS**

Commemorated October 27, 2005, at the United Nations, New York

**DECLARATION
OF PRINCIPLES
FOR INTERNATIONAL
ELECTION OBSERVATION**

and

**CODE OF CONDUCT
FOR INTERNATIONAL
ELECTION OBSERVERS**

Commemorated October 27, 2005,
at the United Nations, New York

Endorsing Organizations as of October 24, 2005:

African Union
Asian Network for Free Elections (ANFREL)
The Carter Center
Center for Electoral Promotion and Assistance (CAPEL)
Commonwealth Secretariat
Council of Europe European Commission for Democracy through Law (Venice Commission)
Council of Europe – Parliamentary Assembly
Electoral Institute of Southern Africa (EISA)
European Commission
European Network of Election Monitoring Organizations (ENEMO)
Electoral Reform International Services (ERIS)
IFES
International IDEA
Inter-Parliamentary Union
International Republican Institute (IRI)
National Democratic Institute (NDI)
Organization of American States (OAS)
Organization for Security and Cooperation in Europe, Office of Democratic Institutions and Human Rights (OSCE/ODIHR)
Pacific Islands, Australia & New Zealand Electoral Administrators' Association (PIANZEA)
Pacific Island Forum
Southern African Development Community Parliamentary Forum (SADC-PF)
United Nations Secretariat
United States Association of Former Members of Congress (USAFMC)

This Declaration and the accompanying Code of Conduct for International Election Observers remain open for endorsement by other intergovernmental and international nongovernmental organizations. Endorsements should be recorded with the United Nations Electoral Assistance Division.

DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

October 27, 2005

Genuine democratic elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine democratic elections are internationally recognized human rights. Genuine democratic elections serve to resolve peacefully the competition for political power within a country and thus are central to the maintenance of peace and stability. Where governments are legitimized through genuine democratic elections, the scope for non-democratic challenges to power is reduced.

Genuine democratic elections are a requisite condition for democratic governance, because they are the vehicle through which the people of a country freely express their will, on a basis established by law, as to who shall have the legitimacy to govern in their name and in their interests. Achieving genuine democratic elections is a part of establishing broader processes and institutions of democratic governance. Therefore, while all election processes should reflect universal principles for genuine democratic elections, no election can be separated from the political, cultural and historical context in which it takes place.

Genuine democratic elections cannot be achieved unless a wide range of other human rights and fundamental freedoms can be exercised on an ongoing basis without discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, including among others disabilities, and without arbitrary and unreasonable restrictions. They, like other human rights and democracy more broadly, cannot be achieved without the protections of the rule of law. These precepts are recognized by human rights and other international instruments and by the documents of numerous intergovernmental organizations. Achieving genuine democratic elections therefore has become a matter of concern for international organizations, just as it is the concern of national institutions, political competitors, citizens and their civic organizations.

International election observation expresses the interest of the international community in the achievement of democratic elections, as part of democratic development, including respect for human rights and the rule of law. International election observation, which focuses on civil and political rights, is part of international human rights monitoring and must be conducted on the basis of the highest standards for impartiality concerning national political competitors and must be free from any bilateral or multilateral considerations that could conflict with impartiality. It assesses election processes in accordance with international principles for genuine democratic elections and domestic law, while recognizing that it is the people of a country who ultimately determine credibility and legitimacy of an election process.

DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

International election observation has the potential to enhance the integrity of election processes, by deterring and exposing irregularities and fraud and by providing recommendations for improving electoral processes. It can promote public confidence, as warranted, promote electoral participation and mitigate the potential for election-related conflict. It also serves to enhance international understanding through the sharing of experiences and information about democratic development.

International election observation has become widely accepted around the world and plays an important role in providing accurate and impartial assessments about the nature of electoral processes. Accurate and impartial international election observation requires credible methodologies and cooperation with national authorities, the national political competitors (political parties, candidates and supporters of positions on referenda), domestic election monitoring organizations and other credible international election observer organizations, among others.

The intergovernmental and international nongovernmental organizations endorsing this Declaration and the accompanying Code of Conduct for International Election Observers therefore have joined to declare:

- 1 Genuine democratic elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine democratic elections are internationally recognized human rights. Genuine democratic elections are central for maintaining peace and stability, and they provide the mandate for democratic governance.
- 2 In accordance with the Universal Declaration of Human Rights, the International Covenant for Civil and Political Rights and other international instruments, everyone has the right and must be provided with the opportunity to participate in the government and public affairs of his or her country, without any discrimination prohibited by international human rights principles and without any unreasonable restrictions. This right can be exercised directly, by participating in referenda, standing for elected office and by other means, or can be exercised through freely chosen representatives.
- 3 The will of the people of a country is the basis for the authority of government, and that will must be determined through genuine periodic elections, which guarantee the right and opportunity to vote freely and to be elected fairly through universal and equal suffrage by secret balloting or equivalent free voting procedures, the results of which are accurately counted, announced and respected. A significant number of rights and freedoms, processes, laws and institutions are therefore involved in achieving genuine democratic elections.
- 4 International election observation is: the systematic, comprehensive and accurate gathering of information concerning the laws, processes and institutions related to the conduct of elections and other factors concerning the overall electoral environment; the impartial and professional analysis of such information; and the drawing of conclusions about the character of electoral processes based on the highest standards for accuracy of information and impartiality of analysis. International election observation should, when possible, offer recommendations for improving the integrity and effectiveness of electoral and related processes, while not interfering in and thus hindering such processes. International election observation missions are: organized efforts of intergovernmental and international nongovernmental organizations and associations to conduct international election observation.

DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

- 5 International election observation evaluates pre-election, election-day and post-election periods through comprehensive, long-term observation, employing a variety of techniques. As part of these efforts, specialized observation missions may examine limited pre-election or post-election issues and specific processes (such as, delimitation of election districts, voter registration, use of electronic technologies and functioning of electoral complaint mechanisms). Stand-alone, specialized observation missions may also be employed, as long as such missions make clear public statements that their activities and conclusions are limited in scope and that they draw no conclusions about the overall election process based on such limited activities. All observer missions must make concerted efforts to place the election day into its context and not to over-emphasize the importance of election day observations. International election observation examines conditions relating to the right to vote and to be elected, including, among other things, discrimination or other obstacles that hinder participation in electoral processes based on political or other opinion, gender, race, colour, ethnicity, language, religion, national or social origin, property, birth or other status, such as physical disabilities. The findings of international election observation missions provide a factual common point of reference for all persons interested in the elections, including the political competitors. This can be particularly valuable in the context of disputed elections, where impartial and accurate findings can help to mitigate the potential for conflicts.
- 6 International election observation is conducted for the benefit of the people of the country holding the elections and for the benefit of the international community. It is process oriented, not concerned with any particular electoral result, and is concerned with results only to the degree that they are reported honestly and accurately in a transparent and timely manner. No one should be allowed to be a member of an international election observer mission unless that person is free from any political, economic or other conflicts of interest that would interfere with conducting observations accurately and impartially and/or drawing conclusions about the character of the election process accurately and impartially. These criteria must be met effectively over extended periods by long-term observers, as well as during the more limited periods of election day observation, each of which periods present specific challenges for independent and impartial analysis. International election observation missions should not accept funding or infrastructural support from the government whose elections are being observed, as it may raise a significant conflict of interest and undermine confidence in the integrity of the mission's findings. International election observation delegations should be prepared to disclose the sources of their funding upon appropriate and reasonable requests.
- 7 International election observation missions are expected to issue timely, accurate and impartial statements to the public (including providing copies to electoral authorities and other appropriate national entities), presenting their findings, conclusions and any appropriate recommendations they determine could help improve election related processes. Missions should announce publicly their presence in a country, including the mission's mandate, composition and duration, make periodic reports as warranted and issue a preliminary post-election statement of findings and a final report upon the conclusion of the election process. International election observation missions may also conduct private meetings with those concerned with organizing genuine democratic elections in a country to discuss the mission's findings, conclusions and recommendations. International election observation missions may also report to their respective intergovernmental or international nongovernmental organizations.

DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

- 8 The organizations that endorse this Declaration and the accompanying Code of Conduct for International Election Observers pledge to cooperate with each other in conducting international election observation missions. International election observation can be conducted, for example, by: individual international election observer missions; ad hoc joint international election observation missions; or coordinated international election observation missions. In all circumstances, the endorsing organizations pledge to work together to maximize the contribution of their international election observation missions.
- 9 International election observation must be conducted with respect for the sovereignty of the country holding elections and with respect for the human rights of the people of the country. International election observation missions must respect the laws of the host country, as well as national authorities, including electoral bodies, and act in a manner that is consistent with respecting and promoting human rights and fundamental freedoms.
- 10 International election observation missions must actively seek cooperation with host country electoral authorities and must not obstruct the election process.
- 11 A decision by any organization to organize an international election observation mission or to explore the possibility of organizing an observation mission does not imply that the organization necessarily deems the election process in the country holding the elections to be credible. An organization should not send an international election observation mission to a country under conditions that make it likely that its presence will be interpreted as giving legitimacy to a clearly undemocratic electoral process, and international election observation missions in any such circumstance should make public statements to ensure that their presence does not imply such legitimacy.
- 12 In order for an international election observation mission to effectively and credibly conduct its work basic conditions must be met. An international election observation mission therefore should not be organized unless the country holding the election takes the following actions:
 - a Issues an invitation or otherwise indicates its willingness to accept international election observation missions in accordance with each organization's requirements sufficiently in advance of elections to allow analysis of all of the processes that are important to organizing genuine democratic elections;
 - b Guarantees unimpeded access of the international election observer mission to all stages of the election process and all election technologies, including electronic technologies and the certification processes for electronic voting and other technologies, without requiring election observation missions to enter into confidentiality or other nondisclosure agreements concerning technologies or election processes, and recognizes that international election observation missions may not certify technologies as acceptable;
 - c Guarantees unimpeded access to all persons concerned with election processes, including:
 - i electoral officials at all levels, upon reasonable requests,
 - ii members of legislative bodies and government and security officials whose functions are relevant to organizing genuine democratic elections,
 - iii all of the political parties, organizations and persons that have sought to compete in

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the elections (including those that qualified, those that were disqualified and those that withdrew from participating) and those that abstained from participating,

iv news media personnel, and

v all organizations and persons that are interested in achieving genuine democratic elections in the country;

- d Guarantees freedom of movement around the country for all members of the international election observer mission;
- e Guarantees the international election observer mission's freedom to issue without interference public statements and reports concerning its findings and recommendations about election related processes and developments;
- f Guarantees that no governmental, security or electoral authority will interfere in the selection of individual observers or other members of the international election observation mission or attempt to limit its numbers;
- g Guarantees full, country-wide accreditation (that is, the issuing of any identification or document required to conduct election observation) for all persons selected to be observers or other participants by the international election observation mission as long as the mission complies with clearly defined, reasonable and non-discriminatory requirements for accreditation;
- h Guarantees that no governmental, security or electoral authority will interfere in the activities of the international election observation mission; and
- i Guarantees that no governmental authority will pressure, threaten action against or take any reprisal against any national or foreign citizen who works for, assists or provides information to the international election observation mission in accordance with international principles for election observation.

As a prerequisite to organizing an international election observation mission, intergovernmental and international nongovernmental organizations may require that such guarantees are set forth in a memorandum of understanding or similar document agreed upon by governmental and/or electoral authorities. Election observation is a civilian activity, and its utility is questionable in circumstances that present severe security risks, limit safe deployments of observers or otherwise would negate employing credible election observation methodologies.

- 13 International election observation missions should seek and may require acceptance of their presence by all major political competitors.
- 14 Political contestants (parties, candidates and supporters of positions on referenda) have vested interests in the electoral process through their rights to be elected and to participate directly in government. They therefore should be allowed to monitor all processes related to elections and observe procedures, including among other things the functioning of electronic and other electoral technologies inside polling stations, counting centers and other electoral facilities, as well as the transport of ballots and other sensitive materials.

DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

- 15 International election observation missions should:
 - a establish communications with all political competitors in the election process, including representatives of political parties and candidates who may have information concerning the integrity of the election process;
 - b welcome information provided by them concerning the nature of the process;
 - c independently and impartially evaluate such information; and
 - d should evaluate as an important aspect of international election observation whether the political contestants are, on a nondiscriminatory basis, afforded access to verify the integrity of all elements and stages of the election process. International election observation missions should in their recommendations, which may be issued in writing or otherwise be presented at various stages of the election process, advocate for removing any undue restrictions or interference against activities by the political competitors to safeguard the integrity of electoral processes.
- 16 Citizens have an internationally recognized right to associate and a right to participate in governmental and public affairs in their country. These rights may be exercised through nongovernmental organizations monitoring all processes related to elections and observing procedures, including among other things the functioning of electronic and other electoral technologies inside polling stations, counting centers and other electoral facilities, as well as the transport of ballots and other sensitive materials. International election observation missions should evaluate and report on whether domestic nonpartisan election monitoring and observation organizations are able, on a nondiscriminatory basis, to conduct their activities without undue restrictions or interference. International election observation missions should advocate for the right of citizens to conduct domestic nonpartisan election observation without any undue restrictions or interference and should in their recommendations address removing any such undue restrictions or interference.
- 17 International election observation missions should identify, establish regular communications with and cooperate as appropriate with credible domestic nonpartisan election monitoring organizations. International election observation missions should welcome information provided by such organizations concerning the nature of the election process. Upon independent evaluation of information provided by such organizations, their findings can provide an important complement to the findings of international election observation missions, although international election observation missions must remain independent. International election observation missions therefore should make every reasonable effort to consult with such organizations before issuing any statements.
- 18 The intergovernmental and international nongovernmental organizations endorsing this Declaration recognize that substantial progress has been made in establishing standards, principles and commitments concerning genuine democratic elections and commit themselves to use a statement of such principles in making observations, judgments and conclusions about the character of election processes and pledge to be transparent about the principles and observation methodologies they employ.

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- 19 The intergovernmental and nongovernmental organizations endorsing this Declaration recognize that there are a variety of credible methodologies for observing election processes and commit to sharing approaches and harmonizing methodologies as appropriate. They also recognize that international election observation missions must be of sufficient size to determine independently and impartially the character of election processes in a country and must be of sufficient duration to determine the character of all of the critical elements of the election process in the pre-election, election-day and post-election periods – unless an observation activity is focused on and therefore only comments on one or a limited number of elements of the election process. They further recognize that it is necessary not to isolate or over-emphasize election day observations, and that such observations must be placed into the context of the overall electoral process.
- 20 The intergovernmental and international nongovernmental organizations endorsing this Declaration recognize that international election observation missions should include persons of sufficiently diverse political and professional skills, standing and proven integrity to observe and judge processes in light of: expertise in electoral processes and established electoral principles; international human rights; comparative election law and administration practices (including use of computer and other election technology); comparative political processes and country specific considerations. The endorsing organizations also recognize the importance of balanced gender diversity in the composition of participants and leadership of international election observation missions, as well as diversity of citizenship in such missions.
- 21 The intergovernmental and international nongovernmental organizations endorsing this Declaration commit to:
 - a familiarize all participants in their international election observation missions concerning the principles of accuracy of information and political impartiality in making judgments and conclusions;
 - b provide a terms of reference or similar document, explaining the purposes of the mission;
 - c provide information concerning relevant national laws and regulations, the general political environment and other matters, including those that relate to the security and well being of observers;
 - d instruct all participants in the election observation mission concerning the methodologies to be employed; and
 - e require all participants in the election observation mission to read and pledge to abide by the Code of Conduct for International Election Observers, which accompanies this Declaration and which may be modified without changing its substance slightly to fit requirements of the organization, or pledge to abide by a pre-existing code of conduct of the organization that is substantially the same as the accompanying Code of Conduct.
- 22 The intergovernmental and international nongovernmental organizations endorsing this Declaration commit to use every effort to comply with the terms of the Declaration and the accompanying Code of Conduct for International Election Observers. Any time that an endorsing organization deems it necessary to depart from any of terms of the Declaration or the Accompanying Code of Conduct in order to conduct election observation in keeping with

DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

- the spirit of the Declaration, the organization will explain in its public statements and will be prepared to answer appropriate questions from other endorsing organizations concerning why it was necessary to do so.
- 23 The endorsing organizations recognize that governments send observer delegations to elections in other countries and that others also observe elections. The endorsing organizations welcome any such observers agreeing on an ad hoc basis to this declaration and abiding by the accompanying Code of Conduct for International Election Observers.
- 24 This Declaration and the accompanying Code of Conduct for International Election Observers are intended to be technical documents that do not require action by the political bodies of endorsing organizations (such as assemblies, councils or boards of directors), though such actions are welcome. This Declaration and the accompanying Code of Conduct for International Election Observers remain open for endorsement by other intergovernmental and international nongovernmental organizations. Endorsements should be recorded with the United Nations Electoral Assistance Division.

CODE OF CONDUCT FOR INTERNATIONAL ELECTION OBSERVERS

International election observation is widely accepted around the world. It is conducted by intergovernmental and international nongovernmental organizations and associations in order to provide an impartial and accurate assessment of the nature of election processes for the benefit of the population of the country where the election is held and for the benefit of the international community. Much therefore depends on ensuring the integrity of international election observation, and all who are part of this international election observation mission, including long-term and short-term observers, members of assessment delegations, specialized observation teams and leaders of the mission, must subscribe to and follow this Code of Conduct.

Respect Sovereignty and International Human Rights

Elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine elections are internationally recognized human rights, and they require the exercise of a number of fundamental rights and freedoms. Election observers must respect the sovereignty of the host country, as well as the human rights and fundamental freedoms of its people.

Respect the Laws of the Country and the Authority of Electoral Bodies

Observers must respect the laws of the host country and the authority of the bodies charged with administering the electoral process. Observers must follow any lawful instruction from the country's governmental, security and electoral authorities. Observers also must maintain a respectful attitude toward electoral officials and other national authorities. Observers must note if laws, regulations or the actions of state and/or electoral officials unduly burden or obstruct the exercise of election-related rights guaranteed by law, constitution or applicable international instruments.

Respect the Integrity of the International Election Observation Mission

Observers must respect and protect the integrity of the international election observation mission. This includes following this Code of Conduct, any written instructions (such as a terms of reference, directives and guidelines) and any verbal instructions from the observation mission's leadership. Observers must: attend all of the observation mission's required briefings, trainings and debriefings; become familiar with the election law, regulations and other relevant laws as directed by the observation mission; and carefully adhere to the methodologies employed by the observation mission. Observers also must report to the leadership of the observation mission any conflicts of interest they may have and any improper behavior they see conducted by other observers that are part of the mission.

CODE OF CONDUCT FOR INTERNATIONAL ELECTION OBSERVERS

Maintain Strict Political Impartiality at All Times

Observers must maintain strict political impartiality at all times, including leisure time in the host country. They must not express or exhibit any bias or preference in relation to national authorities, political parties, candidates, referenda issues or in relation to any contentious issues in the election process. Observers also must not conduct any activity that could be reasonably perceived as favoring or providing partisan gain for any political competitor in the host country, such as wearing or displaying any partisan symbols, colors, banners or accepting anything of value from political competitors.

Do Not Obstruct Election Processes

Observers must not obstruct any element of the election process, including pre-election processes, voting, counting and tabulation of results and processes transpiring after election day. Observers may bring irregularities, fraud or significant problems to the attention of election officials on the spot, unless this is prohibited by law, and must do so in a non-obstructive manner. Observers may ask questions of election officials, political party representatives and other observers inside polling stations and may answer questions about their own activities, as long as observers do not obstruct the election process. In answering questions observers should not seek to direct the election process. Observers may ask and answer questions of voters but may not ask them to tell for whom or what party or referendum position they voted.

Provide Appropriate Identification

Observers must display identification provided by the election observation mission, as well as identification required by national authorities, and must present it to electoral officials and other interested national authorities when requested.

Maintain Accuracy of Observations and Professionalism in Drawing Conclusions

Observers must ensure that all of their observations are accurate. Observations must be comprehensive, noting positive as well as negative factors, distinguishing between significant and insignificant factors and identifying patterns that could have an important impact on the integrity of the election process. Observers' judgments must be based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence. Observers must base all conclusions on factual and verifiable evidence and not draw conclusions prematurely. Observers also must keep a well documented record of where they observed, the observations made and other relevant information as required by the election observation mission and must turn in such documentation to the mission.

Refrain from Making Comments to the Public or the Media before the Mission Speaks

Observers must refrain from making any personal comments about their observations or conclusions to the news media or members of the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership. Observers may explain the nature of the observation mission, its activities and other matters deemed appropriate by the observation mission and should refer the media or other interested persons to the those individuals designated by the observation mission.

Cooperate with Other Election Observers

Observers must be aware of other election observation missions, both international and domestic, and cooperate with them as instructed by the leadership of the election observation mission.

CODE OF CONDUCT FOR INTERNATIONAL ELECTION OBSERVERS

Maintain Proper Personal Behavior

Observers must maintain proper personal behavior and respect others, including exhibiting sensitivity for host-country cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.

Violations of This Code of Conduct

In a case of concern about the violation of this Code of Conduct, the election observation mission shall conduct an inquiry into the matter. If a serious violation is found to have occurred, the observer concerned may have their observer accreditation withdrawn or be dismissed from the election observation mission. The authority for such determinations rests solely with the leadership of the election observation mission.

Pledge to Follow This Code of Conduct

Every person who participates in this election observation mission must read and understand this Code of Conduct and must sign a pledge to follow it.

PLEDGE TO ACCOMPANY THE CODE OF CONDUCT FOR INTERNATIONAL ELECTION OBSERVER

I have read and understand the Code of Conduct for International Election Observers that was provided to me by the international election observation mission. I hereby pledge that I will follow the Code of Conduct and that all of my activities as an election observer will be conducted completely in accordance with it. I have no conflicts of interest, political, economic nor other, that will interfere with my ability to be an impartial election observer and to follow the Code of Conduct.

I will maintain strict political impartiality at all times. I will make my judgments based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence, and I will base all of my conclusions on factual and verifiable evidence.

I will not obstruct the election process. I will respect national laws and the authority of election officials and will maintain a respectful attitude toward electoral and other national authorities. I will respect and promote the human rights and fundamental freedoms of the people of the country. I will maintain proper personal behavior and respect others, including exhibiting sensitivity for host-country cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.

I will protect the integrity of the international election observation mission and will follow the instructions of the observation mission. I will attend all briefings, trainings and debriefings required by the election observation mission and will cooperate in the production of its statements and reports as requested. I will refrain from making personal comments, observations or conclusions to the news media or the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership.

Signed _____

Print Name _____

Date _____

ACKNOWLEDGEMENTS

The Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers were developed through a multi-year process involving more than 20 intergovernmental and international nongovernmental organizations concerned with election observation around the world.

The process began informally in 2001 at the initiative of the National Democratic Institute for International Affairs (NDI) and the United Nations Electoral Assistance Division (UNEAD) and included an initial meeting at the UN in New York and a meeting in Washington co-hosted by the OAS and NDI.

Building on that foundation, the UNEAD, The Carter Center, and NDI formed a joint secretariat and launched the formal phase of the process in October 2003 at a meeting held at The Carter Center in Atlanta. This was followed by a September 2004 meeting in Brussels, which was hosted by the European Commission. An ongoing consultative process transpired among the participating organizations, which resulted in a consensus document that was offered for organizational endorsements beginning in July 2005.

The secretariat was comprised of Carina Perelli and Sean Dunne for UNEAD, David Carroll, David Pottie and Avery Davis-Roberts for The Carter Center, and Patrick Merloe and Linda Patterson for NDI. The secretariat members prepared the documents, with Mr. Merloe serving as the lead drafter, drawing on a substantial body of existing documentation from organizations involved in election observation. During the process, the secretariat received critical input and comments from many of the participating organizations.

The process was supported by financial assistance from the United Nations, the United States Agency for International Development (USAID), the European Commission, the Republic of Germany and the Starr Foundation, as well as a number of individual contributors.

APPENDIX D: DELEGATION MEMBERS



National Democratic Institute
International Observation Mission to Sierra Leone
Pre-Election Delegation
March 2007

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Former Member

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Kwadwo Afari-Gyan

Chairman

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Ghana

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National Democratic Institute
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Pre-Election Delegation
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Bode Makinde
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Keith Jennings
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**National Democratic Institute
International Observation Mission to Sierra Leone
August 2007**

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Audrey McLaughlin

Former Member of Parliament
Former Chairman
New Democratic Party
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Former Member of Parliament
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APPENDIX E: DELEGATION STATEMENTS



STATEMENT OF THE NDI PRE-ELECTION DELEGATION TO SIERRA LEONE'S 2007 ELECTIONS

Freetown, March 19, 2007

This statement is offered by the National Democratic Institute's pre-election delegation to Sierra Leone. The delegation visited Sierra Leone from March 12 through March 19, 2007, and is the first of two delegations to assess the pre-election environment in advance of the July 28 presidential and legislative elections. The purposes of the delegation are to demonstrate the international community's interests in the development of a democratic political process in Sierra Leone and to provide an impartial assessment of the electoral environment at this point. 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. NDI is also deploying eight long term observers, who will be in Sierra Leone in the months leading to the elections, as well as a 40-person international observer delegation that will monitor the process around election day.

The delegation was composed of experienced political and civic leaders as well as election experts from Africa, North America, and Asia, and included: Hon. Karan English, former member of the United States House of Representatives (USA); Kwadwo Afari-Gyan, Chairman, Electoral Commission of Ghana (Ghana); Hon. Miria Matembe, former member of the Pan-African Parliament and member of Uganda's Constitutional Commission (Uganda); Matthew Frumin, former Senior Policy Advisor to the United States Department of State (USA); Cerue Konah Garlo, Coordinator of the Women's Nongovernmental Secretariat of Liberia (WONGOSOL) (Liberia); and Makram Ouaiss, NDI Senior Advisor (Lebanon). To assess the pre-election environment and the registration process, the team met with Sierra Leonean political and civic leaders, electoral authorities, government officials, and representatives of the media and the international community in Freetown. In addition, the delegation traveled to Bo, Bombali, and Kenema districts, to observe the registration process and meet with local political and civic leaders.

It is not the intention of the delegation to render a complete or definitive assessment of the election process at this time, given that the elections are yet to occur. Indeed, it is the people of Sierra Leone who, as citizens and voters, will determine the credibility of their elections and the country's democratic development. At the same time, NDI notes that the international community shares responsibility in helping to ensure that the Sierra Leonean people are able to exercise their electoral rights in their upcoming elections. The delegation presents below a summary of its observations and recommendations that could enhance the credibility of the ongoing electoral process.

EXECUTIVE SUMMARY

Presidential and legislative elections scheduled for July 28, 2007 offer the people of Sierra Leone an opportunity to further consolidate the gains made since the end of armed conflict and the beginning of the current transition towards democratic governance. Credible national elections organized by the Sierra Leonean people would serve as an important step in the country's search for stability and the consolidation of peace and democratic governance.

These elections promise the opportunity for genuine competition for political power at both the presidential and parliamentary levels. That fact is very positive; however, it also raises the possibility of heightened political tensions, compounded by the logistical challenges of conducting national elections during the rainy season. Overall the delegation found that efforts are being made to conduct credible elections and congratulates the people of Sierra Leone, election officials, and political and civic leaders and activists for managing the process as well as they have to this point.

The National Elections Commission (NEC) is gaining credibility as an effective institution that can operate independently. There has been active participation by political parties in different aspects of election preparations, a determination by civil society to enhance citizen participation and oversight of the electoral process, and an effort by the police to be neutral and to create a safe environment for all stakeholders to campaign freely in all parts of the country. The media has shown intent on informing, engaging, and educating the public about the political and electoral system. The development of the Political Parties Code of Conduct, the Media Code of Conduct, the Guidelines and Code of Conduct for Observers for the 2007 Election Process, and the appointment of the Political Parties Registration Commission (PPRC) bode well for this and future elections.

The delegation notes, however, that there have been limited incidents of concern in the registration process. Moreover, the process faces challenges including the potential for substantial political tension, logistical difficulties and limited resources for key institutions. The challenges going forward will require active efforts by all the stakeholders to ensure that the process is a successful one. It will be important to consolidate the mechanisms to resolve inter-party disputes. The NEC, political parties, civic groups and the media should intensify civic education so that voters are well informed about the processes, especially in the rural areas.

One concern that consistently arose related to claims that some registrants had to travel long distances to reach a registration center. The NEC and the political parties should collaborate to identify precisely in which areas registration centers were difficult to reach given the distance and explore options to address this problem and ensure easier access for voters on election day. Finally, political parties should work to maintain a high level of women representation by ensuring that they are selected as candidates and given the necessary support to campaign.

Additional observations and recommendations are listed in the body of the report below.

ELECTORAL CONTEXT

A complete assessment of an election must take into account all aspects of the election process including, among other things: the legal framework; the registration process including the

exhibition of voter rolls for clarification and challenges; the candidate selection process; the role of political parties and civil society organizations; the role of the media; the performance of the NEC; the campaign period; conflict prevention and resolution mechanisms available to political parties and citizens; and the overall security environment that can facilitate or inhibit citizen participation in the electoral process. The pre-election period is critical to understanding and evaluating the degree to which elections will be open and democratic.

Many Sierra Leoneans see the upcoming elections as a critical step towards anchoring democracy and sustainable peace. At the same time, Sierra Leone, as other countries emerging from conflict, suffers from weak institutions and a dilapidated infrastructure. The 2007 elections will be NEC's first experience organizing elections with a limited United Nations (UN) presence since the Lomé 1999 peace accords.

The Electoral Framework: Under the 2002 Electoral Laws Act legislative elections were held to elect a parliament of 124 members of which 112 were popularly elected through a proportional representation process and 12 were Paramount Chiefs elected by the chiefdom district councils from the country's 14 districts. In accordance with the 1991 Constitution, a new delimitation exercise to move to a single-member constituency-based electoral system was begun by the NEC in early 2006. The new delimitation exercise which lasted for approximately nine months was conducted by the NEC in close collaboration with the political parties and civil society, and was ratified by parliament on November 22, 2006.

The move to a single member constituency-based system is likely to increase accountability between elected representatives and voters, and it could also enhance citizens' interest in the electoral results. At the same time, it will raise political stakes for individual candidates in their constituencies.

For the presidential race, should none of the candidates obtain an absolute majority of 55 percent of the total vote cast in the first round, a run-off election will be held between the top two vote-getters within 14 days of the announcement of results.

Elections Timeline: Consistent with the Constitution, on August 4, 2006, President Ahmad Tejan Kabbah called for elections to be held on July 28, 2007. Concerns were raised that holding the election during the peak of the rainy season would exacerbate the already enormous logistical challenges of transporting voter materials and prevent easy travel for voters. Many of the people interviewed by the delegation explained that it would have been difficult to avoid holding elections in July 2007, given the need to conduct a delimitation process, move to a constituency-based electoral process, and respect the timeline for registration, exhibition of voter rolls for verification and challenges, candidate nomination period, campaign period, as well as the time needed to declare final elections and swear in a new government, as required by the Sierra Leonean Constitution.

The delayed announcement of the election date also triggered complaints from some civil servants. According to the 1991 Constitution, civil servants must resign their positions 12 months prior to the polling day in order to run as candidates. As the date for the 2007 poll was declared less than a year before the elections, those civil servants that would otherwise have been interested in running for elective office could no longer file their candidacies within the constitutional timeframe.

Constitutional Referendum: According to some of the political and civic leaders that met with the delegation, a referendum on constitutional reforms to be held on election day has been under discussion. Holding such a referendum, while constitutionally possible, appears less and less feasible and more difficult to plan for as election day nears. A constitutional referendum to gain people's input on changes to this critical contract that links citizens to their elected officials and the nation-state could be positive. However, normal democratic governance requires genuine public consultation and adequate education on constitutional reforms in order to allow citizens enough time to weigh the consequences of the proposed changes and to make informed decisions. Moreover, adding a ballot question on election day could significantly challenge the already burdened electoral process for Sierra Leonean voters and polling officers.

National Electoral Commission (NEC): The NEC has recently undergone major changes in structure and personnel. To address difficulties faced in previous elections, the NEC hired and trained new staff in 2006 and formed a committee to review and streamline electoral legislation, including boundary delimitation. Civil society activist Dr. Christiana Thorpe was appointed NEC chairperson. The NEC currently receives targeted technical assistance and significant financial support from the international community. The NEC has also invited local and international observer organizations to observe the electoral process.

A liaison committee between the NEC and the political parties was established to reach out on a regular basis to parties, share information with party leaders on the electoral process, and respond to election-related problems. Since January 2007, the liaison committee has met with party representatives at the national level once every two weeks. It is the intention of the NEC to initiate similar meetings at the district level in all 14 electoral districts. Political parties appreciate such an outreach effort and would welcome continuous and regular communications with the NEC.

Political Parties Registration Commission (PPRC): In order to field candidates for elections, political parties must register with the Political Parties Registration Commission (PPRC). While the PPRC was provided for by the 1991 Constitution, it did not come into existence until December 2005. President Kabbah nominated Justice Alhaji Abdulai Timbo to head the PPRC. Timbo was approved by parliament but later resigned for health reasons. Commissioner R. A. Caesar acted as head of the PPRC until Justice Sydney Warner was nominated Chairman in January 2007. Parliament confirmed the chair and other PPRC members in February 2007. Time wasted in the nomination and approval of the chair of the PPRC prevented the commission from functioning to its full capacity. Eight political parties are currently registered with the PPRC. The PPRC was allocated a budget, an office, and a small staff. However, the slow disbursement of budgeted funds and recruitment of sufficient staff continues to hamper the ability of the commission to respond quickly and early on to meet its constitutional obligations.

The PPRC has now developed, in collaboration with the political parties, a code of conduct that aims to ensure credible elections. PPRC's activities will include: organizing training seminars on conflict mitigation strategies and sensitization on the code of conduct for Chiefs, political parties, civil society, police, and other stakeholders; strengthening the capacity of political parties to comply with constitutional provisions and relevant legislation on political party financing; enhanced monitoring of adherence to the code of conduct; and establishing district subcommittees of the PPRC to carry out the commission's mandate at the local level. The PPRC

needs the support of political parties and the government to obtain additional resources in staff and finances needed to fulfill its mandate.

Voter Registration: Voter registration took place from February 26 to March 18. As of March 14, the NEC stated that approximately two million Sierra Leoneans had been registered. Despite claims relating to distance and accessibility to registration centers in some regions of the country, turnout has been high. This is widely seen as an indication of the commitment of the people of Sierra Leone to participatory democracy. Preliminary data suggest that women and youth have registered in high numbers.

For the 2007 registration process there were 2,740 centers registering up to 2,000 voters each. Voter registration was conducted over a three week period. Voters were registered and photographed at the same location, unlike during previous exercises. Once a center reached 2,000 voters, new voters needing to register were asked to go to the nearest center within the constituency that had not reached its full capacity. Where there was no center nearby within the same constituency, registration centers were provided additional registration forms and materials. The NEC informed the delegation that in each registration center there will be a number of polling stations, each serving approximately 500 voters.

During the 2002 presidential and legislative elections, approximately two million, three hundred thousand Sierra Leoneans registered to vote during a two week period with 50 percent being women. At the time, there were 5,278 registration centers, although reportedly many of those were clustered making the distinct registration locations a significantly smaller number. In addition there were about 600 photo centers and some registration centers were mobile.

The delegation heard repeated complaints from political parties and civic groups regarding the number of registration centers and the distance citizens had to travel in order to register. While the NEC's initial plan was to place registration centers so that no person would have to travel more than seven miles to register, the delegation was told repeatedly that the travel distance for some potential voters exceeded seven miles in several rural areas. Such distances would hinder disproportionately the elderly, pregnant women, women with young children, and people with disabilities. The delegation was told that given the limited availability of vehicle transportation and reliable roads in some areas, the only option left was for the affected potential voters to walk long distances to certain registration centers.

Voter registration materials ordered by the NEC were received in Freetown in January. The NEC used army and police vehicles to distribute the materials. The NEC carried out an extensive hiring of registration agents and a corresponding training program for them. It also launched a public awareness campaign, largely through radio announcements and discussions, to educate and motivate eligible persons to register. On the first day of registration, some registration centers lacked materials and therefore delayed opening.

In two constituencies in Freetown registration officials went on strike, demanding higher pay and thus disrupting the registration process for a few hours. The delegation also heard credible reports of two instances where voter registration materials were found outside the control of the registration officials, and verified that these had been addressed expeditiously or were being addressed by the NEC and the police. The delegation noted that the commission had to dismiss

approximately half a dozen registration officials for acting in a politically biased manner or for poor performance.

The delegation heard complaints that some Paramount Chiefs prohibited political activities in their areas of jurisdiction on behalf of any party other than the ruling party. At the same time, many Sierra Leoneans noted that Paramount Chiefs encouraged citizens to register to vote, irrespective of their partisan political affiliation.

The delegation notes with satisfaction the visible presence of party agents monitoring the registration process. It also was gratified by efforts of some civic groups to observe the registration process and encourages active observation of the remainder of the electoral process.

The delegation was made aware that violence erupted in a few registration centers. In some cases, violence was spurred by the late arrival of accreditation cards to political party agents observing the registration process or skirmishes among party representatives. Where this happened, the commission, in consultation with the political parties, remedied the problem by issuing temporary accreditation letters or dispatching the Sierra Leonean Police to control the violence. In a few cases, violence was directed at registration officials. For example, in Kenema, misconduct by high level government officials and political party leaders as well as an organized “task force” created an environment of fear in which election officials and other stakeholders were threatened and in some cases physically attacked. Although isolated, these few instances underscore the fragility of peaceful electoral competition in a post conflict environment, and the need to take extraordinary steps to curb violence during the candidate nomination, campaign period, and election day.

The pre-election team observed that sound procedures had been put in place to prevent double, underage, and registration by non-Sierra Leoneans. For example, individuals without identification documentation could present the testimony of a member of the local authority to prove that they are eligible to register.

In accordance with Sierra Leone’s laws and international standards, the preliminary voters list will be displayed during an “exhibition and challenges” period within 40 days of the closing of the voter registration process.

Election Offences Court: An important component of any electoral process is the mechanism through which election-related complaints can be filed and addressed in a timely and balanced manner. The 1991 Constitution and the 2002 Electoral Laws Act both provide for the establishment of an electoral offenses court. It is critical that the court be put in place and that funding be disbursed quickly to allow the court to begin its work.

Political Parties Code of Conduct: The PPRC’s Code of Conduct for political parties, signed by all political parties and adopted by the NEC in November 2006, is a positive step towards holding peaceful and democratic elections in Sierra Leone. While the agreement lacks any enforcement mechanisms, it lays the groundwork for good behavior and raises hope for a level playing field and peaceful electoral environment. A committee to monitor compliance with the code of conduct has been established. A nationwide sensitization on the Code of Conduct has begun in order to educate parties and their supporters of their responsibilities under the code, and

to empower civil society to monitor and report on compliance by the parties from now through the post-election period. This effort should include Paramount Chiefs.

Media: Sierra Leone has a nascent independent media that could play an essential role during the election period. Despite limited resources, the media seeks to educate the public about the electoral process and should continue to do so. The signing of a Media Code of Conduct early in March 2007 is an important and positive contribution to the electoral process. The new Media Code of Conduct encourages all media houses to abide by professional standards needed to democratic and transparent elections.

The Sierra Leonean media have a civic responsibility to contribute to the short and long term establishment of strong democratic institutions, and should strive to play a leadership role in that regard. The media have a responsibility to report on the process in a balanced and informed manner.

Police: The delegation noted that many Sierra Leoneans believe that the Sierra Leone Police have played a constructive and evenhanded role in the electoral process to date. In a few instances, however, specific criticism was addressed at the police for not apprehending individuals who had attempted to disrupt the registration process. The police are also to be commended for allocating greater resources for the election period and providing special training to police staff about responsibilities, tactics, and performance during the electoral period.

Women's Involvement in the Political Process: In any electoral process, it is important that women actively participate as candidates, leaders of political parties, members of civil society, and polling officers. The delegation notes that some political parties intend to take concrete steps to promote women candidates such as reducing the fee by half for women aspirants and providing financial assistance for their campaigns.

CONCLUSIONS AND RECOMMENDATIONS

In the spirit of international cooperation, the delegation respectfully offers the following conclusions and recommendations:

National Electoral Commission (NEC): The delegation recommends the continuation of the national and district liaison committee meetings between the NEC and political parties, and further encourages the commission and political party leaders to meet on a more frequent basis to address immediate electoral issues that may arise.

The delegation recommends that the NEC intensify the training of election staff, and ensure greater supervision in problem areas, and to be more proactive in its communications with political parties and the public at large on mechanisms to protect against fraud and to address grievances.

Registration Process: The NEC, in collaboration with political parties, should identify the areas where distance to the registration centers exceeded seven miles and explore mechanisms to ensure that voters have less distance to cover to reach the polls on election day. The delegation proposes that Sierra Leone explore the possibility of adopting a continuous registration process to avoid a costly and time consuming registration process before every election.

Verification of Voter Rolls: The pre-election team encourages Sierra Leoneans to participate in the verification of their names during the exhibition and challenge period, as this is an important step of the process that will result in the finalization of the voter rolls.

Political Parties Code of Conduct: The delegation urges party leaders, candidates, and their supporters be sensitized on the provisions of the code and the need for strict compliance to ensure a peaceful and intimidation-free process. The delegation also encourages the parties to form multiparty conflict prevention working groups that could act jointly to ensure rapid intervention if violence were to erupt in any area of the country during the electoral period.

Political Party Registration Commission (PPRC): Full support should be provided to the PPRC so it can fulfill its constitutional mandate and recuperate on the time lost so far because of its delayed launching.

Civic and Voter Education: To ensure a smooth election campaign period and enhanced voter participation, the delegation urges the NEC, political parties, and civil society organizations to intensify civic and voter education in the lead up to the election, and to intensify their efforts in the rural areas.

Domestic Monitoring: Nonpartisan domestic election monitoring organizations should be encouraged to sustain their efforts in observing and reporting on all aspects of the electoral process. In collaboration with other human rights groups more broadly, they should be proactive in helping mitigate the potential for violence by reporting actively on the pre-election and post-election periods, as well as on election day, and encouraging the political contestants to respect the law, and to seek peaceful and effective remedies through appropriate channels.

Political Parties: The delegation encourages political parties to educate voters about the electoral process and to present platforms or policy papers that address issues of national interest. Party leaders should work together within the PPRC and other mechanisms to avoid conflict. Working constructively with the NEC, political parties can strengthen the electoral process and continue to educate their supporters at the county and district levels regarding the Code of Conduct.

Electoral Complaint Mechanisms: In accordance with the Constitution and the 2002 Electoral Laws Act, the electoral offences court should be established immediately and given the necessary means to conduct its work. The delegation encourages the NEC to outline and publicize the framework to resolve electoral disputes in order to build public confidence in the impartiality of the electoral complaint process. A timeline should be established with specific deadlines for the filing of complaints to avoid delays from litigation that could disrupt the electoral process. All parties and candidates must adhere to existing mechanisms for resolving disputes among candidates and their supporters to minimize potential violence and to ensure that the upcoming elections are peaceful.

Paramount Chiefs: Paramount chiefs should maintain neutrality and provide access to all political parties in their areas of chiefdom, especially during the campaign period, and should not use their position of traditional authority to favor or disfavor any political party or candidate.

Political Participation of Women: In recognition of the positive steps being taken by some political parties to empower women candidates and voters, the delegation recommends that parties nominate more women candidates, place more women in senior positions within their parties, and provide the necessary resources and support to women interested in running for office. The delegation encourages all parties to work towards empowering women and ensuring a high level of participation of women on election day.

Media: The delegation calls on the Sierra Leonean media to play its role responsibly, and to monitor and report on all aspects of the process in a balanced way, avoiding sensational reporting that could heighten political tension and potentially lead to violence. The media should help inform citizens on important aspects of the electoral process such as voter registration, voter education, and the campaign and balloting processes.

Security Environment: The Sierra Leone Police should be encouraged both to continue to show neutrality and to act effectively in dealing with violence and/or threats of violence. The NEC and PPRC should play active roles in helping political contestants resolve peacefully grievances that may develop during the electoral period. Other institutions in Sierra Leone, including civil society and religious bodies, should also be encouraged to play mediating roles where appropriate.

The delegation thanks the Sierra Leonean people for their warm welcome; and the NDI Sierra Leone staff for their help in facilitating this observation. The NDI delegation was welcomed by the NEC, political parties, and by Sierra Leonean civic organizations. 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).

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.

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**STATEMENT OF THE NDI
PRE-ELECTION DELEGATION TO
SIERRA LEONE'S 2007 ELECTIONS**

Freetown, July 16, 2007

This statement is offered by an international pre-election delegation organized by the National Democratic Institute (NDI). The delegation visited Sierra Leone from July 9 to July 16 to assess preparations for the 2007 Presidential and Parliamentary elections. The delegation is part of NDI's long-term program to observe Sierra Leone's election processes and is the second of two delegations to assess the pre-election environment. NDI has maintained a presence in the country since 2001 to assist Sierra Leoneans who are working to advance democratic processes through strengthening citizen participation in the political process and improving the capacity of political parties. Though distinct from election observation, those activities helped to inform the delegation's work. NDI's programs in Sierra Leone are funded by the United Kingdom Department for International Development, U.S. Agency for International Development, and the National Endowment for Democracy.

This delegation was composed of experienced political and civic leaders as well as election experts from Africa, Europe, and North America and included: Hon. Nora Schimming-Chase, Member of Parliament (Namibia); Arthur Agnos, former Mayor of San Francisco (United States); Paula Newberg, International Consultant and Senior Advisor (United States); Costel Popa, Secretary General of the European Network of Election Monitoring Organizations (Romania); Noel Boxer, NDI Country Director, Democratic Republic of the Congo (United States); Bode Makinde, Nigerian Bar Association (Nigeria); and Keith Jennings, NDI Senior Advisor and Country Director, Nigeria (United States). The delegation, which was co-led by Schimming-Chase and Agnos, built on the work of NDI's long-term observers who have been in Sierra Leone for the past four months. It also drew on the findings and recommendations of an earlier mission that visited Sierra Leone in March 2007.

The delegation met with a diverse group of Sierra Leonean political and civic leaders, electoral authorities, government officials, and representatives of the media and the international community in Freetown. 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. NDI will deploy a 40-person international observer delegation that will monitor the August 11 elections and the post-election period.

NDI's Methodology

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 voter 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.

Elections provide a key to understanding how those in power treat citizens, and whether they respect citizens' rights to participate in government and public affairs. Elections are not just a technical exercise. They are a critical political process in and of themselves. This process has numerous elements, each of which depends on the exercise of political rights by citizens and political competitors. The process is also contingent upon the impartial and competent discharge of administrative responsibilities by the electoral authorities and a wide range of other governmental entities. Elections therefore are an important test of democratic governance, just as genuine elections are a prerequisite for democratic consolidation.

Background and Political Context

Since gaining independence from the United Kingdom in 1961, Sierra Leone has experienced new constitutions, elections, coups d'état, counter-coups d'état, and a devastating civil war. The war ended with a formal cessation of hostilities in 2002 following the signing of the Lomé Peace Accords in 1999. Complex recovery from the war is progressing and has included not only two elections (2002 and 2004) but also the return of refugees and displaced persons, demobilization of combatants (including a large number of child soldiers), resumption of national and local governance, completion of a Truth and Reconciliation Commission, and the first steps toward repairing its physical infrastructure and reaping the benefits of its resource base. These have all been enormously demanding processes, and will no doubt occupy national attention for many years to come.

The country's August 2007 elections therefore take place under very challenging circumstances. These presidential and parliamentary polls are the first since the war for which the government is fully responsible—a so-called "second generation" election that is critical to the success of its political, social, and economic recovery. Although it has built on the foundation that was set by the United Nations-organized election of 2002, the government of Sierra Leone has also taken many steps to restructure its electoral administration and establish an environment that supports the rights of its citizens to vote under conditions of fairness and transparency. Sierra Leoneans remain among the world's poorest people, with a young population inexperienced in the ways of democratic development. This offers the leadership an enormous opportunity to educate the population in its political rights and the promise and practice of freely elected government.

OBSERVATIONS

Political Environment

The emerging multi-party system in Sierra Leone offers an encouraging sign for future governance, as does the country's continuing concern for fostering a climate of political tolerance before, during, and after these elections and the local elections that will follow in 2008. After many years of armed strife, the country appears relatively stable and secure, and provisions

have been made to maintain peace and personal security throughout the election period. Stakeholders who met with the NDI delegation all expressed a desire for peaceful and procedurally correct elections. Even more, they reflected a collective commitment to ensure that the integrity of the polls, and their outcomes, should be respected by all parties.

Political parties across the spectrum seem eager to participate in the elections and to accept voting results, and the delegation hopes that this commitment is maintained throughout all phases of the process. Some incidents of violence during the first week of the campaign suggest that the potential for disruption during or after the polls does exist.

Agreements signed by parties, paramount chiefs, election observers, and the media point to commitments by these actors to refrain from interfering in the electoral process. The delegation considers these to be positive signs, particularly because a number of stakeholders have reported that some paramount chiefs have exercised undue influence on electoral processes. Stakeholders also have expressed considerable respect for the National Electoral Commission (NEC), the police, and adjudicatory bodies. Although some disagreement exists, stakeholders seem to accept most of the fundamental decisions surrounding this election. Most of the complaints registered with the NDI delegation concerned incomplete information about the process and fair access to it rather than the nature of the process itself. These are all signs that the people of Sierra Leone take the 2007 elections seriously.

The delegation noted that the government of Sierra Leone, in close partnership with local and international civil society organizations (CSOs) and major development partners, has found common ground with political parties, government agencies, voters, and the international community in the interest of transparent and accountable elections. At the same time, some stakeholders have reported a perception in some areas that the ruling party is using its resources and authority to disturb the level playing field that the electoral administration and other political actors have worked so hard to establish and maintain. It is especially important to maintain such a balance in a country whose experience with conflict is so recent.

The NDI delegation noted that stakeholders anticipated some major problems in the electoral process. Two problems deserve special attention. First, the most consistently expressed challenge is inherited from history and constitutional circumstance: the election period coincides with a rainy season that can play havoc with administrative preparations and poll accessibility in a country already suffering from a devastated infrastructure, and prospectively obstruct the right to vote for all residents, particularly those in rural areas. The scale of this potential problem lies beyond the control of government; preparation to minimize its potential effects, however, must be of paramount concern as final election preparations are concluded.

Second, the financing of this election has been challenging. Planning and implementation have suffered from the unevenness of the fiscal process. An agreement between the government and the international community divided responsibility proportionally, with the government assuming 30 percent of election costs and development partners 70 percent. The international community has fulfilled its commitments, although unanticipated shortfalls required a late-day infusion of funds from the Peace Building Commission—fortunately, not too late for improvements to be made before election plans were finalized. After failing to meet several previous funding deadlines and jeopardizing the process, the government of Sierra Leone has promised to contribute its full share by the end of July.

Political Institutions and Processes

The delegation observed that the organization of the August 2007 elections involves both innovation and reform. While the National Electoral Commission has responded to concerns of the population such as the distance to polling sites, it is also balancing citizens' right to vote with security challenges. The PPRC is monitoring the participation of parties in the electoral process, including their compliance with the Code of Conduct. At the same time, the police and other security forces are actively engaged in maintaining a peaceful environment in conjunction with the legal framework created to govern the elections.

Election Administration

The National Election Commission (NEC) has achieved considerable independence and made impressive progress since its reorganization began in 2005. Staff appointments are made on the basis of merit, relationships with CSOs and international organizations have thus far been commendable, and the NEC has listened carefully to its closest interlocutors. In response to public concerns about polling station accessibility, for example (an issue reflected in NDI's March 2007 statement), the NEC has added 132 new "satellite" polling stations to its original list. The delegation urged the NEC to publicize the location of these new polling stations and to assure voters of the mechanisms in place to protect against multiple voting, including the use of indelible ink and the hole punching of voter identification cards, as quickly and expeditiously as possible.

The chairperson of the NEC sits on the National Security Council, an administrative arrangement that reinforces the close relationship between protecting the right to vote and the security of the country as a whole. The NEC's commitment to voter education is particularly important for the success of the August election. Although the NEC suffered from inadequate fiscal resources earlier in the year, recent contributions from the international community appear to have filled this shortfall. The unevenness of the funding process—despite the hard work and best intentions of the international community—underscores the importance of establishing a permanent budget and sustained support for the Commission in the future.

Perhaps most fundamental to its reorganization, oversight of political parties no longer rests with the NEC. Instead, the Political Parties Registration Commission (PPRC) now oversees registration (and de-registration) and the compliance of parties to a Code of Conduct to which all agreed. This institutional innovation has reinforced the attention paid to political parties, and allows the PPRC to act as mediator among parties—a form of "soft power" when necessary. In this sense, the PPRC is a unique institution in the Sierra Leone electoral environment, in which law is specific and legal remedies the norm. The response of stakeholders suggests that the government should be applauded for establishing this new institution. The PPRC, too, has not received consistent financing, with the result that its impact has not been as significant as it should have been.

The accreditation and registration processes appear to have commenced smoothly, although the same processes for polling agents have been less satisfactory. The delegation received reports that this problem is now being addressed. The nomination of candidates was reported to have been successful, and the complaints were resolved in a satisfactory manner.

The delegation notes that political parties have not yet made the recruitment of women, minorities, or people with disabilities (another large segment of the population) a priority, thereby minimizing Sierra Leone's international obligations and its respect for contemporary norms and standards. There are relatively few women candidates seeking office. Although for the first time in Sierra Leone's history there are several physically challenged candidates, the physically challenged continue to be underrepresented in the electoral process. The delegation therefore hopes that every appropriate effort will be made to seek female and physically challenged candidates for the 2008 local elections, and notes that the absence of an education requirement for the local elections should make this effort all the easier.

Stakeholders emphasized the complexity of the physical environment for elections, and the delegation acknowledges the introduction in this election of tactile ballots and additional satellite polling places. The delegation notes that inadequate resources are available to ensure that the elderly, ill, pregnant, and physically challenged voters can cast their votes if they can not travel to the polls.

Security Forces

Stakeholder response to the preparation, impartiality, and effectiveness of the police appears positive and an earlier lack of adequate resources seems to have been corrected. Police are members of district committees, an arrangement intended to enhance their effectiveness at the local level, and the few instances in which police intervention was required thus far seem to reinforce this impression. This security arrangement is intended to prevent former commanders from exerting influence in part of the country. The delegation did not meet with representatives of the military.

The Legal Framework

The 2007 national elections are being conducted within a legal framework that includes Sierra Leone's 1991 Constitution, 2002 Electoral Laws Act, and 2002 Political Parties Act. This framework will merit a full review after the August 2007 polls are complete—in particular, to ensure that it protects the individual right to participate in elections as either candidate or voter. At this early point in the campaign period, the delegation noted several issues that bear particular scrutiny.

The requirements for candidate eligibility pose serious questions of equity. Public servants, whose salaries are drawn from the Consolidated Fund, cannot stand as candidates unless they resign from their posts a full twelve months prior to elections. The election date, however, was set less than twelve months in advance, thereby preventing public servants from running for office. This had the effect of removing many qualified individuals. For example, teachers and nurses, many of whom are women, are included in this group, and therefore are prohibited from running in the elections.

The delegation notes that the electorate and political parties are relying heavily on codes of conduct, rather than legal sanction, in this campaign, and that the moral authority vested in these

instruments seems to be well-regarded and respected. The delegation found that among the elements of these codes is a PPRC regulation for parties to disclose their financial assets. This is a valuable part of electoral transparency and thus party effectiveness and will be key to ensuring that parties provide accurate accounting of their finances.

The permanent judiciary, however, seems to elicit much less respect. For this reason, the newly established, innovative, and constitutionally mandated electoral courts will be critical to the success of the electoral process. The success of the courts will depend in turn on the use that political parties and voters make of the adjudication process, the competence of judges and courts, the perception and reality of impartiality, and the attention of monitors. Only in this way will the jurisdiction and judgments of electoral courts become an integral and effective part of the electoral process.

Political Tolerance

Sierra Leoneans have placed a premium on political tolerance in this election; indeed, the absence of violence and intolerance appears to be as important a desired outcome of the electoral process as the vote itself. The delegation applauds this sensibility, and notes at the same time that continuing, intensive civic education will be needed to ensure that behavior matches aspiration. The burden of this responsibility—while shared with the NEC, the PPRC, and other state bodies—lies with political parties. As the campaign process proceeds, it will be necessary to educate voters about the difference between a vibrant campaign—in which heated debate is a likely and necessary ingredient—and the unwanted disruptions caused by bias, indignation, and accusation. Political education entails knowledge of party mandates and policy proposals. In addition, civil society is actively engaged in encouraging citizens to participate in the electoral process. Their involvement will help foster political tolerance before, during, and after the elections.

RECOMMENDATIONS

In the spirit of international cooperation, the delegation respectfully offers the following recommendations:

Government of Sierra Leone

- The delegation strongly encourages the government to live up to its responsibility and provide promised funding to the NEC by the end of July.
- The government should take steps to ensure that a level playing field is provided in order to dispel the perception of voters regarding the use of state resources.

National Electoral Commission

- The NEC should continue to be open, transparent, and accountable in all its operations.
- The NEC should take all steps possible under the existing conditions to ensure that all electoral materials arrive on time.

- The NEC should take all measures to assist those unable to travel distances to vote, especially the physically challenged.
- The NEC should immediately announce the locations of the 132 satellite polling centers and inform voters of the mechanisms in place to protect against multiple voting, including the use of indelible ink and the punching of voter ID cards.
- The NEC should ensure that all party agents and domestic observers are accredited in a timely fashion.
- The NEC should ensure that political parties and citizens are informed of the mechanisms in place to resolve electoral disputes, particularly in the event of a close election.
- We encourage the NEC to include in their voter education campaign messages about the procedures in place for the counting, tabulation, and announcement of results.

Security Forces

- In order to secure peaceful elections, police should continue to maintain their independence, respond promptly to complaints, and coordinate with other stakeholders.

Political Parties

- Political parties should support the recruitment and empowerment of women and people with disabilities, not only as candidates but also at decision-making levels in their parties, to reflect international norms and standards.
- Political parties and candidates should continue to abide by the Political Parties Code of Conduct and the Code of Campaign Ethics and ensure that their members refrain from violence and intimidation and act in accordance with the law and democratic principles. Political parties should promote tolerance aimed at maintaining a peaceful and non-violent environment.
- Political parties and candidates should continue to develop party platforms, manifestos, and campaign messages founded on policies and issues that are important to their respective constituents in order to make clear to the voters what their choices are in these elections. Parties must also make this information more available.
- Political parties should utilize established adjudication processes to resolve any disputes arising out of the electoral process.
- We applaud political parties for submitting their campaign finance forms declaring their financial assets and liabilities, and we encourage political parties to continue to meet these deadlines.

Civil Society

- We strongly encourage civil society organizations (CSOs) engaged in the electoral process to increase the participation of women at decision-making levels.
- CSOs engaged in the electoral process should endeavor to increase their capacity to educate voters while maintaining professionalism and impartiality.
- Domestic observers should monitor the entire electoral process, including the post-election period and the adjudication process.
- Paramount chiefs and religious leaders should encourage their subjects and followers to promote political tolerance and a nonviolent electoral environment, including freedom of movement of all political parties.

Legal Framework

- Sierra Leoneans should review electoral law within the framework of existing realities. Reforms could include reconsideration of the exclusion of public servants from candidacy within 12 months of the elections as well as analysis of the electoral timeframe and the conduction of elections in the rainy season.

International Community

- The international community should continue to demonstrate its interest in and support for these important elections in Sierra Leone. Members of the international community accredited to observe these elections should do so 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 thanks the Sierra Leonean people for their warm welcome and the NDI Sierra Leone staff and long-term observers for their help in facilitating this observation.

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.

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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, were 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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**PRELIMINARY STATEMENT OF THE NDI
INTERNATIONAL OBSERVER DELEGATION TO THE
SIERRA LEONEAN PRESIDENTIAL RUN-OFF ELECTION**

Freetown, September 10, 2007

This preliminary statement is offered by the National Democratic Institute's (NDI) international delegation to the presidential run-off election held in Sierra Leone on September 8, 2007. The leaders of the delegation are: **Nora Owen**, former Minister for Justice and former Member of Parliament (Ireland); **Ken Nnamani**, former Senate President (Nigeria); and **Christopher Fomunyoh**, NDI Senior Associate for Africa (Cameroon).

The delegation included 35 political and civic leaders, human rights activists, and election experts from 18 countries in Africa, Europe, and North America. The delegation visited Sierra Leone from September 3 through September 10, 2007, to assess preparations for and observe the 2007 presidential run-off election. The delegation built on the findings and recommendations of the NDI delegation to the August 11 presidential and parliamentary elections, two pre-election assessment teams sponsored by NDI in March and July, 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 met with Sierra Leonean leaders, including the presidential candidate of the All People's Congress (APC), Ernest Koroma, and the presidential candidate of the Sierra Leone People's Party (SLPP), Solomon Berewa. The delegation also met with National Electoral Commission (NEC) officials, media representatives, development partners, and members of other international observer delegations. The delegation benefited from meetings with civil society leaders from the National Election Watch (NEW), Disabilities Awareness Action Group (DAAG), Democracy Sierra Leone (DSL), the 50/50 Group, Campaign for Good Governance (CGG), and the Sierra Leone Association of Journalists (SLAJ).

The purposes of this delegation were to demonstrate the international community's interest in, and support for, the development of democratic institutions and processes in Sierra Leone, and to provide an impartial assessment of the September 8 poll. 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 election process.

The delegation recognizes that it is still too early to make definitive pronouncements about the electoral process as votes are still being tallied, official results have not yet been announced, and election-related complaints and challenges, should they arise, 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 assess the legitimacy of these elections and their significance for consolidating democracy in this post-conflict environment. Further statements may be released by NDI in the post-election period, and a final report will follow after the election process is completed.

Presented below is a summary of the delegation's preliminary findings.

I. EXECUTIVE SUMMARY

The NDI delegation considers that the presidential run-off election was generally transparent and peaceful. It is the delegation's sincere hope that the participants in the run-off process will continue to act in the spirit of democracy through the period of vote tabulation, resolution of any complaints that may emerge, and the official determination of the successful candidate for president.

The delegation commends the people of Sierra Leone for their determination to exercise their civic and political rights, and the Government of Sierra Leone for helping to maintain a peaceful electoral environment. It also notes that overall NEC officials demonstrated a high level of professionalism in the conduct of this election. The NEC showed openness to suggestions from, and dialogue with, other Sierra Leonean stakeholders and members of the international community. The NEC's accomplishments are all the more significant given the logistical and infrastructural challenges of organizing elections in the rainy season. The NDI delegation recognizes the strong commitment of political parties, civil society organizations, religious leaders, and the media throughout Sierra Leone to a peaceful, democratic electoral process. The delegation applauds the above-mentioned stakeholders for the concrete steps they took to foster a peaceful and credible election in an atmosphere of mounting tensions and allegations of intimidation and violence in the period between the announcement of the first round results and the run-off election.

On September 8, 2007, the people of Sierra Leone voted to choose their next president. This will be the first time in Sierra Leonean history that a democratically elected president will have served two full terms and transferred power to another democratically elected leader. Sierra Leoneans voted in large numbers and election day was peaceful. The polls were well-administered in the majority of the areas this delegation observed. Political party agents from the two contesting parties were present in almost all polling stations, and nonpartisan Sierra Leonean election observers were also present in large numbers. In some cases, however, actions linked to supporters of both parties gave cause for concern. The impact of these actions will be determined as the NEC continues to collate and assess the integrity of polling data.

On election day, ballots were counted at the polling station and party agents were given copies of the results sheets. The votes are currently being tallied in Freetown, and the official results will be announced in the coming days. Political parties and their supporters should continue to act peacefully and in accordance with the rule of law. Sierra Leoneans, with the support of the international community, should watch closely and hold accountable anyone who seeks to undermine the credibility of the process and the peace and security that Sierra Leoneans have worked so hard to achieve.

Overall, the delegation noted improvements upon the first round that enhanced the efficiency and transparency of the process. The delegation understands, as do the people of Sierra Leone, that this election should be viewed as a step in the democratization process, rather than as an end in itself. Following these elections, democratic institutions must continue to be consolidated so that the government can be representative of, and accountable to the people. As NDI wrote in its preliminary statement on the August 11 polls, Sierra Leonean citizens and institutions are in the process of meeting the test of whether democratic culture is here to stay. Resolution of any formal complaints and challenges that may arise would be a key element of that test. This election, if successfully completed, would affirm the commitment of Sierra Leoneans to democratic governance. For the electoral process to be meaningful, newly elected leaders in Sierra Leone should strive to meet the expectations of citizens and institute policies that improve their wellbeing. To do so, elected leaders should take concrete steps to mitigate inter-regional tensions, conduct their duties with integrity,

manage the nation's resources for the good of the country, and provide opportunities for the country's youth.

II. ELECTORAL CONTEXT

The emerging multi-party system in Sierra Leone is an encouraging sign for future governance, as are the country's efforts to foster a climate of political tolerance before and during these elections. Since the end of armed conflict in 2002, Sierra Leone has made progress towards achieving reconciliation and reconstruction.

The presidential run-off election was held two weeks after the official certification of first round results, as stipulated by the Sierra Leone Constitution and the Electoral Laws Act. The presidential elections are conducted through an absolute majority system in which a successful candidate must win at least 55 percent of the valid votes cast in the first round. If no candidate obtains 55 percent of the vote, a run-off election is held between the two leading candidates whereby a simple majority decides the result. Sierra Leone has a single national district for the presidential election.

On August 11, Ernest Koroma of the APC won 44 percent and Solomon Berewa of the SLPP won 38 percent of the vote, while Charles Margai of the People's Movement for Democratic Change (PMDC) won 14 percent of ballots cast. Of the 112 parliamentary seats filled after the August 11 elections, the APC won 59, the SLPP won 43, and the PMDC won 10. Sixteen seats (or 14 percent) were won by female candidates. Results for the 12 seats to be occupied by Paramount Chiefs have recently been announced.

The NEC reviewed electoral complaints related to the August 11 elections from 11 polling stations. Results from four polling stations (three in Kailahun and one in Tonkolili district) were subsequently invalidated. The irregularities in these specific cases pertained to an inexplicable excess of votes cast over registered voters. In one case, a large number of ballots appeared to have been marked by the same individual. According to the Constitution and Electoral Laws Act, the Supreme Court handles complaints pertaining to the presidential election.

The period surrounding the run-off election brought to the surface pre-existing political cleavages that run along ethnic and regional lines, although the vast majority of Sierra Leoneans continue to emphasize the importance of political tolerance. The campaign period in advance of the run-off election was marked by heightened tensions and limitations on the ability of candidates to campaign freely in all parts of the country.

The delegation was encouraged by the commitment of the people of Sierra Leone to ensure that election day was peaceful. However, skirmishes between supporters of political parties during the early part of the run-off period raised fears of further polarization and violence. Despite these concerns, Sierra Leonean political leaders continue to state their readiness to accept credible results. The delegation hopes that leaders maintain this commitment throughout the post-election period. Should candidates have challenges to the outcome of the election, they should seek redress through the proper legal mechanisms in accordance with the rule of law.

III. OBSERVATIONS

Election Administration. The NEC drew upon the experience of the August 11 election and took concrete steps to enhance transparency in the electoral process through actions that included the revision of procedures and additional training of polling staff. Unlike the August 11 polls, party

agents from the contesting parties were given copies of the polling station results forms, further contributing to the openness and integrity of the process. The delegation commends the NEC for conducting these elections in an efficient and responsive manner. These elections represent an opportunity to further strengthen the NEC's institutional capacity.

Overall the election was well-administered, and the NEC overcame many challenges; however, in some cases election administration was less organized, including instances where polling staff were not proficient with the procedures. This was particularly true in rural areas.

Voter Education. The NEC developed voter education messages about the purpose of the run-off election and informed citizens of changes in procedures. Other entities including civil society organizations and political parties also conducted voter education on the voting process. The cumulative effect of these efforts was a reduction in the number of invalid ballots in polling stations observed on September 8 as compared to the August 11 election.

The Campaign. The campaign period for the September election ran from Saturday, August 25, to Thursday, September 6. Overall, tensions were higher in the run-off campaign period than in advance of the August 11 elections, with several instances of violence and intimidation reported.

The first week of the campaign period saw a number of clashes between SLPP and APC supporters in Waterloo and Freetown, and in the districts of Kono, Kailahun, Kenema, and Bo. In some cases, the rise in violence coincided with the presence or planned travel of candidates and senior party officials to campaign in these localities. In a number of instances, interventions by the Political Parties Registration Commission (PPRC), NEC, and other Sierra Leonean organizations served to reduce tensions.

During the campaign period, the two presidential candidates and President Ahmed Tejan Kabbah signed a communiqué affirming their commitment to a peaceful electoral process in Sierra Leone. The candidates also agreed to participate in a joint peace rally in Freetown. Four days later, however, the APC candidate decided not to participate in the planned peace rally, maintaining that members of the SLPP had violated the terms of this communiqué by not allowing his party to campaign in certain areas.

As with the August 11 polls, political parties agreed to schedule campaign activities in order to avoid tensions and the potential for inter-party rivalries. However, few campaign events were conducted. Freedom of movement was restricted in several cases: Ernest Koroma and Charles Margai were prevented from entering Kailahun district, and the APC vice presidential candidate Samuel Sam-Sumana was stopped by a roadblock in Kono district. In other cases, political party supporters were prevented from moving in certain areas and entering certain districts.

Media. In the period leading up to the run-off election, some print media and radio ran inaccurate and unbalanced stories. SLAJ and the Independent Media Commission (IMC) called on the media to abide by the principles in the Media Code of Conduct and to avoid inflammatory and inaccurate stories. The IMC threatened to suspend the license of one media outlet.

ELECTION DAY

Overall, voting on September 8 was conducted in a calm and peaceful atmosphere, and no significant incidents of violence were observed. The polls were generally well-organized and well-administered.

Security on Election Day. The police and other security forces were actively engaged in maintaining a peaceful environment on election day. The Sierra Leone Police (SLP) were present at most polling stations visited, and military police provided additional support, particularly in Freetown and throughout the western area. Prior to election day, the SLP Inspector General requested that military police provide additional support, under his supervision, to the SLP on election day. In instances where the SLP and military police were called to resolve situations, they responded quickly, acted professionally, and ensured that the environment on election day remained calm. As on August 11, the army did not interfere in the electoral process.

The SLP was also diligent in dispersing crowds and encouraging voters who had already cast their ballots to leave voting areas. On election night, the SLP established roadblocks in some areas of the country to ensure a peaceful environment.

Voter Turnout. Many observers noted that voters turned out in significant numbers. In comparison to August 11, this delegation noted that voters did not queue for hours to cast their ballots in the morning. Voter education messages emphasizing that the hours of voting were between 7:00am and 5:00pm may have contributed to a distribution of voters throughout the day. (See additional discussion on voter turnout in later section titled “Delegation Concerns.”)

Balloting. Overall, voting on September 8 was peaceful and orderly in most locations observed. Most polling stations opened on time. 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, and polling officials seemed more familiar with the final voters register (FVR) than on August 11. In the majority of stations observed, ballot paper issuers stamped ballots, folded them correctly, and explained voting procedures with professionalism and impartiality. NEC polling staff made efforts to mark polling stations more clearly, and queue controllers were more efficient in conducting their duties.

Most voters seemed to understand the voting process, and fewer voters required assistance than on August 11. A simpler ballot, combined with citizens’ recent experience with voting in August, likely contributed to an increased understanding of the process. As on August 11, the NEC instituted mechanisms to protect against double-voting in the run-off election, including the hole punching of voter registration cards and the inking of fingers.

In some polling stations, particularly in the North, non-sensitive materials such as curtains for the voting booths or opening forms were missing. In these cases, staff addressed these gaps by using shirts or other materials as curtains and recording the necessary information in notebooks until the materials arrived later in the day.

Political Party Agents. In advance of the run-off election, the NEC adjusted its regulations for accredited party agents, allowing two agents from the APC and SLPP, as well as one party agent from each party not contesting the run-off election, to monitor the polls. On election day there was some confusion in the implementation of this regulation.

Political party agents from both the APC and the SLPP were present in nearly all polling places visited by NDI observers. In some cases, NDI observers met party agents from the PMDC in the western area, and in the eastern and southern parts of the country. Overall, political party agents acted appropriately, and many of them seemed to have a better understanding of their roles and responsibilities than on August 11.

The delegation heard reports pertaining to agents from a contesting party being prohibited from monitoring the process on behalf of their candidate in parts of Kailahun, Pujehun, and Kenema. In these specific districts, observers visited 27 polling centers, and party agents for both APC and SLPP were present in 22 of these centers.

Domestic and International Election Observation. Domestic observers were present in significant numbers, as on August 11. The NEW fielded more than 5,400 observers across the country, covering 80 percent of polling stations on election day. The delegation also met observers from the Council of Churches in Sierra Leone, Hope Sierra Leone, the Evangelical Fellowship of Sierra Leone, the Inter-Religious Council of Sierra Leone, Democracy Sierra Leone, the United Peace Front, and SHARE.

Several international organizations also monitored the elections, including the European Union (EU), the African Union (AU), the Commonwealth Secretariat, the Economic Community of West African States (ECOWAS), and West African Civil Society Forum (WACSOF).

Counting of Votes. The vote count was conducted transparently and fairly at the majority of polling stations observed. Despite increased training of polling staff on identifying invalid ballots, in a few places NDI observers saw inconsistent application of NEC guidelines to accept ballots where the intent of the voter was clear. Unlike the August 11 polls, party agents from the contesting parties were given copies of the polling station results forms, further contributing to the transparency of the process. As in the first round, copies of the results were also posted outside polling stations.

Delegation Concerns: While polling centers were largely well-administered across the country, the delegation has concerns about events in specific areas, for example:

- In 14 polling stations (within 6 polling centers) visited by members of the delegation in Pujehun, Bo, and Kenema, voter turnout was approximately 100 percent by early afternoon. This raised serious questions about the integrity of the results in those particular stations. The delegation will continue to carefully track the results that come from these stations.
- The delegation received reports that party agents may have been blocked from monitoring polling activities in certain polling centers, particularly in Kailahun, Kenema, and Pujehun districts.
- In isolated cases, polling staff were confused about, or failed to follow procedures. For example, observers noted inconsistency in the inking of fingers, including polling staff neglecting to ink some voters' fingers. Although the NEC guidelines stipulated that polling officials check voters' hands for ink before allowing them to vote, the delegation noted that the polling officials did not apply the procedure consistently.
- In several places observed, polling staff were unsure about the new NEC guidelines on the number of party agents allowed in each station. Non-sensitive materials, including some forms, pens, and ballot screen curtains, were delivered late or not at all to several stations, forcing polling staff to improvise. Despite NEC efforts to provide additional training to polling staff on invalidating ballots, guidelines that ballots should be counted if the intention of the voter is clear were inconsistently applied.

- Furthermore, in some districts, reports of intimidation, including from Paramount Chiefs and secret societies, were of concern. In very cohesive communities, domestic observers and party agents from the local area may not have provided an adequate check to secure against electoral malpractices in the polling stations.

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, and will hold daily press briefings during which it will announce results by constituency as they become available. The NEC plans to announce and certify election results within two weeks of the polls as stipulated in the Electoral Laws Act.

IV. RECOMMENDATIONS

The delegation acknowledges the continued commitment of the Government of Sierra Leone to ensure that the entire electoral process is conducted fairly, peacefully, and transparently. The following recommendations are offered in the spirit of international cooperation and in the hope of building further confidence in this and future electoral processes.

To Candidates:

- Candidates should call on their supporters to stay calm and patiently await the official announcement and certification of results.
- If candidates wish to challenge the outcome of the election, they should seek redress through the proper legal mechanisms in accordance with the rule of law.
- Upon conclusion of the electoral process, including the resolution of any complaints that may be lodged, both candidates should publicly accept the results, and encourage their supporters to do the same.

To the National Electoral Commission:

- The NEC should consolidate the procedures that worked well during these elections, drawing upon the successes of the 2007 elections to reinforce best practices for future elections.
- The NEC should carry out a thorough investigation into complaints or allegations of malfeasance.

To the Supreme Court:

- The Court should fairly and expeditiously handle any complaints that may arise.

To the Government of Sierra Leone:

- The Government of Sierra Leone should ensure that the transfer of power from one democratically elected president to another proceeds peacefully.
- The Government of Sierra Leone should take responsibility for supporting an independent NEC, including providing sustained and adequate funding.
- The Government of Sierra Leone should take steps to ensure that Paramount Chiefs are neutral and impartial during electoral processes.

To the Sierra Leone Police:

- The SLP should remain vigilant in the post-election period and continue to work with other stakeholders to maintain peace and order.
- The SLP should reinforce its outreach initiatives to civil society organizations and the media to facilitate a better understanding of citizens' rights and responsibilities.

To Political Parties:

- Political parties should create structures that allow them to organize nationally, and ensure that pluralism and tolerance are practiced at all local and regional levels.
- Political parties should consolidate gains made in the galvanizing of grassroots support and the deployment of party agents.
- Parties should actively recruit and support the participation of women and youth in the democratic process, including as candidates in the upcoming local elections.

To Civil Society:

- Civil society organizations should draw on their collective experience monitoring the elections to enhance their efforts to advance democratic practices in the post-election period.
- Civil society should continue to work with all stakeholders to discourage the circulation of rumors that may undermine peace and stability in Sierra Leone.

To the Media:

- The media should abide by the Media Code of Conduct and provide accurate and balanced reporting on political and electoral processes. This will be particularly important in the period ahead, as results are tabulated, any complaints are resolved, and the electoral outcome is determined.

To the International Community:

- The international community should increase its support to Sierra Leone's democratization efforts, assist in further strengthening institutions, and continue to monitor political processes in the country.

V. THE DELEGATION AND ITS WORK

NDI's methodology for assessing elections is based on the premise that all aspects of the electoral process must be considered, and that 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 and make choices without fear of intimidation, violence, or retribution; the conduct of the voter registration process and integrity of the final voters' register; the right to stand for election; the conduct of 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 September 3, and held meetings with the two presidential candidates, Sierra Leonean political and civic leaders, electoral authorities, government officials, and

representatives of the media, and the international community in Freetown. On September 6, 35 delegates and staff members deployed in 19 teams across Sierra Leone's 14 districts. Prior to the election, the delegation's leadership traveled to Bo district to conduct meetings with NEC and political party officials. On election day, the teams observed voting and counting processes in more than 200 polling stations across 53 parliamentary 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 Secretariat, ECOWAS, and the 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's 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).

CONTACT INFORMATION

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APPENDIX F: NATIONAL ELECTORAL COMMISSION CODE OF ELECTION CAMPAIGN ETHICS

NEC Form PRE/OMP 03 (page 1 of 4)

NATIONAL ELECTORAL COMMISSION CODE OF ELECTION CAMPAIGN ETHICS

PREAMBLE

1. Noting the recent violent past of Sierra Leone, and the need for continued peace; and given the desirability for a free, fair, peaceful and well-regulated election and the avoidance of aggravation of ethnic tension and political discord, we agree and accept:-
 - a. That a Code of Conduct for Campaign Activities, taken to mean all activities undertaken in furtherance of the electoral campaign for a political party or candidate will generally respect and contribute to the holding of a free and fair election,
 - b. To subscribe to the Code of Conduct and to the very best of our ability, to comply with and to take all reasonable steps to ensure its full observance,
 - c. To adhere/uphold conditions conducive to the conduct of free, fair and democratic elections within a climate of democratic tolerance in which political activities may take place without fear of coercion, intimidation or reprisals.

APPLICATION OF THE CODE

2. In this Code, "Party" includes –
 - a. any entity that subscribed to this Code of Conduct, including independent candidates, political parties, alliances or coalitions of parties, and political movements other than parties; and
 - b. the candidate, leader, officials, members, agents, representatives and supporters of any entity that subscribed to this Code of Conduct.
3. "Campaign period" refers to:-

The period of time during which the election campaign activities can legally take place as announced by the National Electoral Commission.

4. "Campaign Activities" refer to:-
Any and all actions undertaken in the furtherance or promotion of a political party or candidate for election.

COMPLIANCE WITH THE CODE

5. All Parties that have subscribed to this "Code":-
 - a. Are bound by the Code,
 - b. Will take decisive steps to prohibit leaders, officials, candidates and members from infringing the Code; and
 - c. Must, therefore, instruct its leaders, officials, candidates and members to adhere to the terms of the Code; and dissuade its supporters from breaching the Code.
 - d. Will be responsible for breaches of the Code undertaken by supporters, officials, members, agents, and representatives.
 - e. Will not make false, frivolous or vexatious complaints or generally abuse the right to complain about violations of the Code.

6. The political party as represented by the Candidate who has subscribed to this Code will instruct party officials, members and supporters to observe the Code to ensure compliance.

PERMITTED CAMPAIGN ACTIVITIES

7. All Parties that have subscribed to this Code are entitled to undertake activities normally associated with election campaigns, including the publication of materials, use of national and local media, and the organization of campaign events as per the existing laws, rules and regulations.

COMPLAINECE WITH THE ELECTION PROCESS

8. All Parties that have subscribed to this Code will co-operate with election officials to ensure:-
 - a. The safety, security and integrity of voters, electoral officials, party agents, accredited elections observers and election materials such as ballot papers, ballot boxes, etc, before, during and after the polls;
 - b. All Parties that have subscribed to this Code shall accept that voters have complete freedom to exercise their franchise in secret without being subjected to any annoyance or obstructions.
9. A Party that has subscribed to this Code will not –
 - a. Procure votes by forcible occupation of polling stations or through illegal activities in the polling stations;
 - b. Interfere unjustifiably or in bad faith with the duties of election officials, disturb the process of casting or counting of votes; or
 - c. Provide false information to voters in relation to the voting process or in any way attempt to inform voters that their votes will not be secret.

SYMBOLS

10. A Party that has subscribed to this Code will not –
 - a. imitate the symbols of another Party;
 - b. steal, disfigure or destroy political or campaign materials of another Party; or
 - c. permit its supporters to do anything prohibited by this section.

CAMPAIGN CONDUCT

11. No Party that has subscribed to this Code shall indulge in any activity which may create, or aggravate, tension between race, gender, ethnicity, language, class, region or religion.
12. All Parties that have subscribed to the Code of Conduct shall have the right to present their political principles and ideas without fear of intimidation or threat. However, criticism of other parties, when made, shall be confined to their policies and programmes, past record and work. Parties and candidates shall refrain from unfounded criticism of any aspect of private life, not connected with public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegation or distortions shall be avoided.

13. All Parties that have subscribed to this Code shall respect the rights and freedoms of other political parties to campaign and to disseminate their political ideas and principles without let or hindrance. There shall be equal access to the state media. Journalists who are engaged in their professional activities shall have a free hand to do so without any intimidation.
14. All Parties, candidates, agents and party entities that have subscribed to this Code shall not obstruct, disrupt, break up or cause to be broken up, meetings or rallies organized by other political parties and candidates; nor should they interrupt or prevent speeches and cause the destruction of handbills, leaflets, and the pasting of posters by other political parties and candidates. However, the posting of these handbills, leaflets, and posters must be with the consent of the owners of the properties.
15. All Parties that have subscribed to this Code shall in accordance with the Public Order Act of 1965 notify the Inspector General of Police/Paramount Chiefs of any meeting or rally. The Police/Paramount Chief should ensure that no preferential treatment is accorded to one party or particular candidate to the detriment of other parties that have subscribed to this Code of Conduct.
16. All Parties that have subscribed to this Code of Conduct shall not use state power, privilege or influence or other public resources for campaign purposes.
17. All Parties that have subscribed to this Code shall desist from coercing or offering pecuniary gains or other kinds of inducements to individuals to vote for or particular party or candidate, or to abstain from voting.
18. All Parties will refrain from acts of forgery, destruction, fraud, unauthorized removal, or concealment of election materials.
19. All Parties will respect the secrecy of the ballot and will refrain from any act likely to threaten or compromise said secrecy.

INTIMIDATION AND VIOLENCE

20. All Parties that subscribe to this Code accept that intimidation, coercion or threatening behaviour, in any form, is unacceptable, and leaders of these parties will direct their officials, candidates, members and supporters not to intimidate or undertake acts of violence against any person at any time.
21. All Parties that have subscribed to this Code shall ensure that they do not coerce or intimidate Paramount chiefs or their sub-chiefs, or any other authority to deny any Party the right of access to any chiefdom for political functions.
22. All Parties that have subscribed to this Code shall not raise any private force or militia or use the regular army or other forces to intimidate and gain political or electoral advantage.

ACCEPTANCE OF THE OUTCOME OF A FREE AND FAIR ELECTION

23. All Parties that have subscribed to this Code will accept the outcome of the election as certified. Should controversy arise, all Parties will submit any grievances to the relevant Courts, the National Electoral Commission or the Political Parties Registration Commission as appropriate and shall accept and comply with the final decisions set down.

CAMPAIGN SILENCE PERIOD

24. All Parties that have subscribed to this Code shall not make use of the radio/television stations or convene or hold political activity twenty four hours prior to polling day.
25. All Parties shall abide by the prohibition on campaigning within four hundred yards of a place of voting on polling day.
26. No Party which has signed this Code will permit supporters, officials, candidates, members, agents, representatives to undertake any action in contravention of this Code.

COMMUNICATION AND MONITORING ADHERANCE TO THE CODE

27. All Parties that has subscribed to this Code will make every effort to maintain communications with other Parties that have subscribed to this Code.
28. Breach of this Code can result in prosecution before the Electoral Offences Court.
29. All Parties that have subscribed to this Code, civil society and the media shall ensure the dissemination of the issues raised in the Code widely throughout the length and breadth of the country.

COMPLAINECE WITH THE LAW

30. All Parties that have subscribed to this Code will adhere to existing laws, rules and regulations.

I hereby commit to adhere to the Code of Election Campaign Ethics

Name _____ Party/Independent _____

Election contesting _____ Constituency _____

Voters' ID Cards Number

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Signature

Date

APPENDIX G: POLITICAL PARTIES CODE OF CONDUCT

POLITICAL PARTIES CODE OF CONDUCT

(PPRC)

POLITICAL PARTIES CODE OF CONDUCT

1. Political Parties Code of Conduct agreed to on the 20th of October, 2006 at a meeting on the Code of Conduct for Political Parties, candidates and supporters at the Miata Conference Centre and signed by the following political parties:

PREAMBLE

2. Noting the recent violent past of Sierra Leone, and the need for continued peace; and given the desirability for a free, fair, peaceful and well – regulated election and the avoidance of aggravation of ethnic tension and political discord, we agree and accept:-
 - a. that a Code of Conduct for Political Parties, taken to mean all registered political parties in Sierra Leone, will generally respect and contribute to the holding of a peaceful free and fair election,
 - b. to subscribe to the Code of Conduct and, to the very best of our ability, to comply with and to take all reasonable steps to ensure its full observance,
 - c. To adhere/uphold conditions conducive to the conduct of free, fair and democratic elections within a climate of democratic tolerance in which political activities may take place without fear of coercion, intimidation or reprisals.

APPLICATION OF THE CODE

3. In this Code, "political party" includes-
 - a. any entity registered with the Political Parties Registration Commission as a political party.
 - b. the leader, officials, candidates, members, agents, supporters, and representatives of any entity that has subscribed to this code of conduct.

COMPLIANCE WITH THE CODE

4. All Political Parties that have subscribed to this "Code"-
 - a. are bound by the Code, and must, therefore, instruct its leaders, officials, candidates and members to adhere to the terms of the Code; and dissuade its supporters from breaching the Code.

- b. will not make false, frivolous or vexatious complaints or generally abuse the right to complain about violations of the Code,
5. The leader of a party that has subscribed to this Code will instruct the party's officials, candidates, members and supporters to observe the Code and ensure compliance.

COMPLIANCE WITH THE LAW AND ELECTION PROCESS

6. All Political Parties that have subscribed to this Code will adhere to existing laws, rules and regulations.
7. All Political Parties that have subscribed to this Code will co-operate with election officials to ensure:
 - a. the safety and security of electoral officials, party agents, accredited election observers and election materials such as ballot papers, ballot boxes, etc, before, during and after the polls;
 - b. respect and co-operate with official or accredited election observers in maintaining the secrecy of the voting.
8. All Political Parties that have subscribed to this Code shall inculcate respect for human rights, the pursuit of liberty and tolerance of divergent opinions amongst the citizenry.

CAMPAIGNING CONDUCT

9. No political party or its candidate, member or supporter that has subscribed to this code shall indulge in any activity which may create or aggravate tension between race, gender, ethnicity, language, class, region or religion.
10. All Political Parties that have subscribed to the Code of Conduct shall have the right to present their political principles and ideas without intimidation or threat. However, criticism of other political parties, when made, shall be confined to their policies and Programmes, past record and work. Political Parties and candidates shall refrain from unfounded criticism of any aspect of private life, not connected with public activities of the leaders or workers of other parties. Criticism of other political parties or their workers based on unverified allegations or distortion shall be avoided.
11. All Political Parties that have subscribed to this code shall respect the right and freedom of other political parties to campaign and to disseminate their political ideas and principles without let or hindrance. There shall be equal access to the state media. Journalists who are engaged in their professional activities shall have a free hand to do so without any intimidation.

12. All Political Parties, candidates, agents and party entities that have subscribed to this code shall not obstruct, disrupt, break up or cause to be broken up, meetings or rallies organized by other political parties and candidates; nor should they interrupt or prevent speeches and cause the destruction of handbills, leaflets, and the pasting of posters by other political parties and candidates. However, the posting of these handbills, leaflets, and posters must be with the consent of the owners of the properties.
13. All Political Parties that have subscribed to this code shall in accordance with the Public Order Act of 1965 notify the Inspector General of Police/Paramount chiefs of any meeting or rally. The Police/Paramount Chief should ensure that no preferential treatment is accorded to one political party or a particular candidate to the detriment of other parties that have subscribed to this code of conduct.
14. All Political Parties that have subscribed to this code shall not use state power, privilege or influence or other public resources for campaign purposes.
15. All Political Parties that have subscribed to this code shall desist from coercing or offering pecuniary gains or other kinds of inducements to individual or group of individuals to vote for or against a particular party or candidate, or to abstain from voting.
16. All Political Parties that have subscribed to this code shall not make use of the radio/television stations or convene or hold political activity twenty four hours prior to polling day.

INTIMIDATION AND VIOLENCE

17. All Political Parties that have subscribed to this Code accept that intimidation, in any form, is unacceptable, and leaders of these parties will direct their officials, candidates, members and supporters not to intimidate any person at any time.
18. All Political Parties that have subscribed to this code shall ensure that they do not coerce or intimidate Paramount Chiefs or their sub-chiefs, or any other authority to deny any political party the right of access to any chiefdom for political functions.
19. All Political Parties that have subscribed to this code shall not raise any private force or militia or use the regular army or other forces to intimidate and gain political or electoral advantage.

COMMUNICATION AND MONITORING ADHERENCE TO THE CODE

25. All Political Parties that have subscribed to this Code will make every effort to maintain communications with other political parties that have subscribed to this Code.
26. An aggrieved political party, candidate or supporter may submit a written complaint addressed to the Secretary of the Political Parties Registration Commission.
27. A committee, chaired by PPRC and comprising representatives of political parties, a representative of Sierra Leone Police, two representatives from civil society, one representative from the National Commission for Democracy and one from the Inter-Religious Council to function as a forum for discussion of issues of common concern, including breaches of the Code before, during and after the elections.
28. All Political Parties that have subscribed to this Code, civil society and the media shall ensure the dissemination of the issues raised in the Code widely through out the length and breath of the country.

PUBLIC AND COLLECTIVE SUBSCRIPTION TO THE CODE

29. We the undersigned representatives of political parties hereby publicly and collectively subscribe to this Code of Conduct.

Political Party
All Peoples Congress Party (APC)
National Democratic Alliance (NDA)
<i>People and Liberation Party (PLP)</i>
Peoples Democratic Party (PDP)
Peoples Movement for Democratic Change (PMDC)
Revolutionary United Front Party (RUF)
Sierra Leone Peoples Party (SLPP)
United National Peoples Party (UNPP)

APPENDIX H: NATIONAL ELECTORAL COMMISSION GUIDELINES AND CODE OF CONDUCT FOR OBSERVERS FOR THE 2007 ELECTION PROCESS



Republic of Sierra Leone
**National Electoral Commission
(NEC)**



**GUIDELINES AND CODE OF CONDUCT
FOR
OBSERVERS FOR THE 2007 ELECTION PROCESS**

December 2006

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Preamble

WHEREAS Section 32 of The Constitution of Sierra Leone, 1991 (Act No. 6 of 1991) {and Section 2(1 and 3) of The National Electoral Commission Act 2002} established the National Electoral Commission as an Independent Electoral Commission;

WHEREAS Section 33 of the said Constitution empowers the Commission to make regulations by statutory instrument for the conduct of all public elections and other matters connected therewith;

WHEREAS the Commission in its Mission and Vision statements “*seeks to impartially serve all stakeholders in the electoral process*”, and administer “*elections in such a manner that the results are acceptable to all*”;

WHEREAS the Commission welcomes the participation of all accredited organizations, (both local and international), to observe any or all aspects of the electoral process in order to ensure transparency and accountability;

THEREFORE, IN FURTHERENCE OF THE ABOVE OBJECTIVES;

The National Electoral Commission hereby promulgates the following Guidelines and Code of Conduct for Observers:

NEC’s MISSION STATEMENT

The National Electoral Commission (NEC) is a public institution, whose mission is to organize, conduct and supervise all public elections and referenda, register all eligible voters, demarcate constituency boundaries and make regulations for the efficient performance of its functions.

The NEC also seeks to impartially serve all stakeholders in the electoral process, and to undertake voter education programmes for the citizens of Sierra Leone as a means of promoting and sustaining democracy and good governance.

NEC’s VISION STATEMENT.

Our vision of the National Electoral Commission (NEC) in the future is that of an independent, credible and well-resourced institution which promotes democracy and good governance by continually administering elections in such a manner that the results are acceptable to all.

NEC’s GUIDING PRINCIPLES.

In the attempt to attain our mission and vision, the principles that guide NEC are:

- Independence
- Transparency
- Credibility
- Impartiality
- Professionalism and Dedication
- Integrity
- Accountability

Part1.

GENERAL PROVISIONS

Section 1. Citation and General Introduction

These guidelines and code may be cited as the Guidelines and code of conduct for Observers

Electoral observation has become an integral part of the democratic and electoral processes in Africa. In a bid to enhance the transparent, credible and accountable conduct of elections, and to assess the level of acceptability of the election results, there is thus the need to recognize the role of independent and competent observers (both local and International). These observers may assess the various angles of the electoral process from its inception in the registration of voters, nomination of candidates, polling, the counting of ballots and announcement of results. The presence of competent observers is considered general healthy in the context of assessing the level of acceptability of the election results.

Elections observation involves watching and noting what takes place in relation to an electoral activity, and thus making an informed judgment and report about the process on the basis of the information collected. In this context, election observation therefore means:-

“The purposeful gathering of information regarding an electoral process and the making of informed judgments about the process on the basis of the information collected.” In short, unlike an election monitor, an election observer has no role in the actual administration of an election.

.Section 2. Definitions

1, In these guidelines and code of conduct for observers, unless the context otherwise requires:

- a) **“Organization or Institution”** means any registered body of persons or institution, either within or outside Sierra Leone, wishing to observe the electoral process and applying to the National Electoral Commission (NEC) for such, and accredited or granted observer status by the Commission.
- b) **“Observer”** means a person or group of persons representing an organization (whether local or international) accredited by the National Electoral Commission for the purpose of observing any or all aspects of the electoral process (*from the voter registration exercise, all the way through nomination period, campaigning, polling, counting and the announcement of the results*) conducted by the Commission, without interfering in the process.
- c) **“The Commission”** means the National Electoral Commission (NEC) of Sierra Leone.
- d) **“Electoral process”** means all electoral activities conducted by the Commission, including voter registration, exhibition of the provisional voters’ register (PVR), claims and objections to the provisional voters’ register, the nomination of candidates, polling, counting, and the compilation and announcement of results;

- e) “The **Electoral Laws Act**” means the Electoral Laws Act of 2002 (Act NO. 2 of 2002), as amended.
- f) “**Code of conduct**” means the code of conduct for observers (both local and international) issued by NEC.

Section 3 Observation by accredited Domestic and International organizations

- 1. The right to observe the electoral process is safeguarded by law and NEC regulations. (Electoral Laws Acts 2002 Part 1 preliminary Sections 1, 68(2), 74)
- 2. Domestic and international organizations may appoint persons to observe any or all aspects of the electoral process following their accreditation by the Commission. Such organizations shall hereinafter be collectively referred to as **observer organizations**.
- 3. The following bodies shall have the right to apply for accreditation to observe any or all aspects of the electoral process:
 - a) Domestic organizations, which have been accredited by the National Electoral Commission.
 - b) International and regional intergovernmental organizations;
 - c) Representatives of states and foreign missions; and
 - d) International non-governmental organizations permitted to exercise their activities in accordance with the laws effective in their home countries.
- 4. The Commission shall, to the extent practical, extend all possible cooperation to observer organizations and their appointed observers and provide all non-confidential information in response to queries. However, the Commission shall not be under any obligation to provide support facilities or services beyond or other than those set out in the present guidelines and code of conduct.
- 5. The provisions of these guidelines and code of conduct shall not apply to political parties, political party agents, or independent candidates or their agents

Part 2:
ACCREDITATION OF OBSERVERS

Section 4. Request for accreditation by observer organizations

1. The person or persons authorized to represent an observer organization shall submit a written request for accreditation to the Commission, using the appropriate NEC form. (NEC/0B Form 01)
2. With respect to a domestic organization, the request for observer accreditation shall be accompanied by;
 - a, Copy of proof of being a registered organization;
 - b, Completed form requesting observation; i.e. NEC/OB Form 01
 - c. Lists of observers (where appropriate) in NEC/OB Form 02
3. With respect to an international organization, the request for observer accreditation shall be accompanied by
 - a) Copy of proof of registration in the country of origin or instrument establishing the organization; and
 - b) Completed NEC form requesting observation. i.e. NEC/OB Form 01
 - c) List of potential observers (where appropriate) in NEC/OB Form 02
4. The observer organization shall also furnish such further information or documentation as may be required by the Commission.
5. Domestic organizations based in Freetown and international organizations shall submit the request for accreditation to the External Relations unit, at NEC headquarters in Freetown.
6. Domestic organizations based outside Freetown may either submit the request for accreditation to the External Relations Unit, Commission's headquarters in Freetown or to the District Elections office in the district where the organization is based.
7. Forms to request accreditation shall be available from the External Relations Unit at the headquarters of the Commission in Freetown or NEC District Elections Offices and shall be free of charge.
8. A request for accreditation shall be submitted to the Commission not later than 2 weeks before the start of any electoral activity, which the requesting organization intends to observe.
9. As soon as practicable, the Commission shall inform that applicant organization(s) in writing that its application has been received.

Section 5. Decisions of Commission on Accreditation

1. If the Commission finds that the application of a domestic or international organization for accreditation complies with the requirements set out herein, it shall accredit the applicant organization for the purpose of observing any or all aspects of the electoral process, and notify the applicant organization in writing within seven (7) days of receipt of a complete and accurate request for accreditation. The Commission shall also request the accredited organization to submit its list of appointed observers, if not already enclosed in the request form.
2. If the Commission finds that the application of a domestic or international organization for accreditation does not comply with the requirements set out herein, it shall not accredit the organization and shall notify the applicant organization in writing of its decision and its reasons. Deficiencies in the application may be rectified by the applicant, without prejudice to the deadline of submitting requests for accreditation pursuant to subsection 4(8) of these guidelines and code of conduct.
3. Decisions of the Commission with regard to applications are final.
4. The Commission shall issue a Certificate of Observer Accreditation to an applicant organization whose request for accreditation complies with the requirements set out herein.

Section 6. Appointment of Observers

1. A domestic or international organization which has been accredited by the Commission in accordance with these guidelines may appoint observers to observe any or all aspects of the electoral process. Observers appointed by accredited organizations shall be considered accredited by the Commission.
2. Copies of written notices to the appointed observers shall be submitted to the Commission by the accredited observer organization using the appropriate NEC form i.e. NEC/OB Form 02.
3. The accredited organization shall submit the completed NEC form to the Commission's headquarters or through the District Elections offices.
4. The forms giving notice of appointment of observers shall be available at the headquarters of the Commission in Freetown or any District Elections office.
5. Upon accreditation of an organization, the Commission shall issue NEC observer identification cards or badges to the organization , on the basis of information submitted by the organization.
6. The observer identification cards or badges shall include the logo of the Commission and the signature of the authorized officials of the Commission.
7. The accredited organization shall issue the appointed observers with the observer identification cards or badges issued by the Commission.
8. The accredited organization shall also issue the code of conduct to the appointed observers.

Part 3.
OTHER PROVISIONS

SECTION 7. Rights and Obligations of Observers

1. Every accredited observer is entitled to attend and observe at any time any or all aspects of the electoral process at the registration centers, exhibition centers, polling places and at other premises used by the Commission or its officials.
2. Every accredited observer shall abide by the Electoral Laws Act of 2002, regulations, guidelines and code of conduct issued by the Commission.
3. Every accredited observer shall be knowledgeable about the ELA 2002, regulations, electoral procedures, guidelines and code of conduct issued by the Commission.
4. Observers shall be impartial and neutral while observing electoral activities. No observer shall interfere with electoral activities.
5. No observer shall disrupt electoral activities.
6. No observer shall make any remark aimed at influencing other persons on the premises where electoral activities are being conducted.
7. Observers shall, while observing electoral activities, visibly display their identification cards and any other documentation required by the Commission. If requested by NEC official, the observer shall also produce a copy of the letter of his/her nomination by the organization or institution which he/ she is representing.

Section 8 Revocation of Accreditation

- (1) The Commission may revoke the accreditation of an observer upon a determination that the individual has:
 - (a) failed to comply with a lawful instruction, direction or order issued by or on behalf of the Commission;
 - (b) hindered or obstructed any official of the Commission in the conduct of his or her duties; or
 - (c) Infringed the guidelines or Code of Conduct for observers

Part 4
Policy and Code of Conduct for Election Observers

SECTION 9 NEC Policy on Observation of the Electoral Process

1. An observer must comply with all national laws and regulations currently in force in Sierra Leone.
2. An observer shall have the right to enter any registration centre, exhibition center, revision court, nomination centre, polling station and counting and collating centre through out the country to observe any or all aspects of the electoral process.
3. An organization or institution that wishes to be accredited as an observer shall forward an application to the Commission giving the following details:
 - a. the names, addresses and telephone numbers of the institution or organization and it's head;
 - b. the names, addresses and telephone numbers of the officer(s) in charge of the observation exercise, if different from (a) above;
 - c. a list of all persons who will serve as observers together with their photographs;
 - d. the status of the organization or institution i.e. whether local or international;
 - e. an undertaking to abide by the relevant laws, rules, regulations, policies guidelines and code of conduct governing the election process;
4. Accreditation of observer status shall be given only to institutions or organizations recognized by the Commission and not individuals.
5. Unless the Registration / Revising/ Presiding Officer otherwise permits, access to the registration centre/nomination centre/polling station shall be limited to two (2) observers for each accredited institution or organization at any one time.
6. Unless the Returning Officer otherwise permits, access to a counting center during the collation of results for the constituency or ward shall be limited to two (2) observers for each accredited institution or organization
7. No observer shall be allowed access to any registration centre, nomination centre polling station or counting center:
 - a. Unless he/she wears or displays the official identification issued by the Commission;
 - b. If he/she wears or in any manner displays any identification of a Political Party or a Candidate contesting the election;
8. The Commission or its representatives may cancel the accreditation of any institution, organization or individual where, in the opinion of the Commission or its representatives, the organization or individual has:

- a, failed to comply with lawful instructions or directives issued by or on behalf of the Commission;
 - b, publicly demonstrates or favour a particular candidate or a political party;
 - c, hinders or obstructs any election official in the conduct of his or her lawful duties;
 - d, Infringes the guidelines and code of conduct for election observers published by the Commission;
9. An institution or organization sponsoring an Observer shall be responsible for all expenses incurred during the performance of his or her duties;

SECTION 10 Code of Conduct for Observers

Organizations or Institutions accredited to participate in the electoral process shall conduct themselves properly, thereby paying attention to this Code of Conduct issued by the Commission.

The objective of this code is to ensure that;

- a. Observation of any/ all aspects of the election process is done with integrity, transparency and impartiality; and in support of the conduct of a credible electoral process.
- b. Election's Officials are left independent and impartial in doing their work; and
- c. Establish a level playing field for all actors in the electoral process.

Against this background, every observer representing an accredited organization, whether local or international shall adhere to this code of conduct.

1. An observer shall not involve in the administration of any aspect of the election process, either by giving directives to, or interfere with an election official in the performance of his/her election duties;
2. An observer shall not touch or remove any registration/ election material or equipment without the consent of the Registration/Presiding officer at a registration centre/ polling station or the Returning officer as the case may be;
3. An observer, institution/ organization shall maintain strict impartiality and neutrality in the process of observing any aspect of the election process, and shall not be seen displaying anything that could be interpreted as identification with a political party or candidate contesting an election;
4. An observer shall not carry, wear or display on his or her person any electioneering material or any article, clothing or any insignia denoting support for or opposition to any political party or candidate contesting an election;

5. An observer shall not carry or display arms or any offensive weapon during the conduct of his or her duties;
6. An observer shall desist from reporting rumour as fact and shall substantiate allegations made in connection with the conduct of any aspect of the election process. If an allegation cannot be substantiated, the observer's report shall so state that he/she was unable to verify the allegation;
7. Observer's report dealing with irregularity or impropriety should be precise, clear, well documented stating time, location and the names of those involved where appropriate;
8. An observer shall comply with lawful directives issued by or under the authority of the Commission, including an order to leave a registration centre/ polling station or any premises where an electoral activity is been conducted by the commission, given by the registration/ returning officer or presiding officer, as the case may be;
9. An observer shall not accept or attempt to procure gifts, favour, inducements from a political party or candidate, their agents, organizations or persons involved in the electoral process;
10. An observer may report irregularities to an election official, but not to give instructions contrary to the decisions of an election official;
11. An observer shall desist from making personal or premature comments, judgment about his or her observation to the media or other interested persons, and will limit remarks to general information about the nature of his or her activity;
12. An accredited institution or organization must submit to the National Electoral Commission (NEC), a copy of its report on the aspect of the election process observed within 24hrs of its release, and must be prepared to discuss the report with the Commission if called upon;
13. This Code of Conduct shall be binding upon all Organizations (and their representatives) accredited by the Commission for the purpose of observing any/all aspects of the entire election process organized by it.

We the Commissioners of the National Electoral Commission hereby approve these guidelines and code of conduct for observers

Signed:

Christiana A. M Thorpe (Dr)
Chief Electoral Commissioner/ Chairperson

Mr. Edward A. Nyaley
Commissioner East

Alhaji. A. S. Jarr
Commissioner North

Mr. Winston B. Minah
Commissioner South

Mrs. Daphene Olu – Williams
Commissioner West

Dated this-----day of December 2006

APPENDIX I: SIERRA LEONE MEDIA CODE OF CONDUCT

SIERRA LEONE MEDIA CODE OF CONDUCT

For reporting and coverage of the 2007 General Elections

1. Media Code of Conduct for the 2007 General Election agreed to on Saturday, 17 March, 2007 at Miatta Conference Hall, Freetown and signed by Editors, Managers and Proprietors of media and media-related institutions nationwide:

PREAMBLE

2. Given the desirability for a fair, peaceful and well-regulated election and the avoidance of the aggravation of ethnic tension and unnecessary political discord, we, practicing journalists and media owners agree and accept,
 - a. that a Code of Conduct for the Media – taken to mean newspapers, magazines, the Internet, radio, and television stations – generally respected and observed, will contribute to the holding of a free, fair and transparent general election.
 - b. to subscribe to, and, to the very best of our ability, to comply with this Code of Conduct and to take all reasonable steps to ensure its observance.
 - c. to subscribe to this Code of Conduct on the clear and unqualified understanding that the Government or any of its agencies, the National Electoral Commission (NEC) and the Political Parties Registration Commission (PPRC), will not impose nor seek to impose any prior restraint or censorship on any publication by the media.

CONDUCT OF REPORTING AND MEDIA COVERAGE

3. The Media in its coverage and reporting of the elections agree:
 - a. to refrain from the publishing or broadcasting of any matter with the potential for, or likely to promote or incite racial, tribal, or regional hatred, bias or contempt, or any matter with the potential for, or likely to, promote or cause public disorder, pose or become a threat to the security of the nation;
 - b. to refrain from ridiculing, stigmatizing or demonizing people on the basis of gender, race, class, ethnicity, language, sexual orientation and physical or mental ability;
 - c. to guarantee an equal coverage of both women and men candidates that will contest the elections and thus recognizing the role of women in the

- Sierra Leonean society and the importance of their political participation to strengthen the democracy of the country;
- d. to hold themselves independent and free of any, or all, government and political opposition control and direction;
 - e. to hold themselves independent and free of any, or all, control and direction from any of the political parties officially registered to contest the elections;
 - f. to hold themselves free of any, or all, control and direction from any individual, group, or organization representing or promoting the special interests of any of the political parties officially registered to contest the elections.
4. The Media in the exercise of their constitutional right of free expression, and in recognition of their social responsibility, shall at all times endeavor to:
 - a. provide a truthful, comprehensive, accurate, balanced and fair account of events in a context which gives them meaning;
 - b. serve as a forum for the exchange of public comment, opinion, discussion and criticism in a balanced and reasonable manner;
 - c. offer an accurate picture of the constituent groups, organizations and parties contesting the elections and of the society in general;
 - d. present and clarify, as far as possible, the goals and values of the constituent groups, organizations and parties contesting the elections and of the society in general.
 5. The Media, in accepting the principle of "fair, truthful and balanced" reporting, recognize that:
 - a. No story is fair, if it omits facts of major importance or significance and is therefore incomplete;
 - b. No story is fair, if it includes essentially irrelevant information, rumor or unsubstantiated statements at the expense of significant facts;
 - c. No story is fair, if it consciously or unconsciously misleads or even deceives the reader, listener or viewer;
 - d. No story is fair if it attacks personalities rather than issues.

6. The Media in accepting the principle of "accuracy and balance" in reporting, particularly during the period of campaigning for elections, acknowledge that omitting relevant facts and points of view from the reporting of major issues of public interest inevitably distorts the view of reality a journalist, reporter or broadcaster presents and so misleads and misinforms the public, and that the deliberate distortion of reality can poison the processes of democracy.
7. The Media undertake to deal responsibly and in a timely manner with any complaints received in respect to reports published or broadcast and containing errors of fact, and where, in their opinion, these are justified to publish or broadcast appropriate corrections.
8. Equal Treatment
In the period after the Signing Ceremony, and in the interest of even-handed treatment for all political parties, the media agree to treat equally all the political parties that have met the legal criteria for contesting the election.

The State owned media will make available to all the political parties their technical facilities such as basic studio, audio and video recordings for the production and presentation of articles and programmes, but not including the provision of editing, talent, or outside production or broadcast facilities, or reproduction and distribution for use by any other media organization.
9. Equal Access to Paid Political Advertising
Media organizations acknowledge their obligation to provide equal access and opportunity to all political parties without discrimination, to purchase space in newspapers and prime time on radio and television stations to promote their respective views during the period of electioneering. In this regard, the media will make available to contesting political parties full information about space and time availability for advertising and their published advertising rates to be available to all public relations firms, advertising agencies and the proposed Independent Elections Media Monitoring and Refereeing Panel to be established for the purpose of monitoring adherence to the Code of Conduct and these Guidelines.
10. Coverage on Polling Day
The Media agree that no coverage of any campaign activity by the political parties shall take place for a period to begin 24 (twenty-four) hours prior to the opening of Polling Stations on the day of polling and continue to the close of Polling Stations.
11. The Monitoring of Media Performance
The Media agree to the establishment of an **Independent Elections Media Monitoring and Refereeing Panel** (see separate proposal) for the overall purpose of being a point of reference for the submission of complaints about performance in the reporting and coverage of events during the election campaign. The Panel should be integrated in the Sierra Leone Association of Journalists (SLAJ), with

the requisite resources empowered to monitor and receive complaints and pronounce on the performance of the media. The Media agree to publish the findings of the panel on all complaints received by it.

12. The Media agree that the terms of reference, functions and structure of the Independent Elections Media Monitoring and Refereeing Panel as well as the articulation of sanctions and other measures aimed at improving performance should be formulated by the media organizations which have signed the Media Code of Conduct and stand ready to work collaboratively with the SLAJ and the NEC to achieve the objective of a functional Independent Elections Media Monitoring and Refereeing Panel.

PUBLIC AND COLLECTIVE SUBSCRIPTION TO THE CODE

13. We the undersigned representatives of the Media hereby publicly and collectively subscribe to this Code of Conduct.

Annex : GUIDELINES

- #### 1. "Inciting Racial Hatred and Promoting Public Disorder."

Media outlets may not censor, or edit any material or materials submitted by political parties, or their agents, for either free, or paid for, publication in newspapers or

broadcast on radio or television stations. However, media organizations observing the law and exercising editorial judgment in favor of good taste and a respect for public safety and decency, should refuse any material submitted by political parties, or their agents, likely to be hateful, ethnically offensive, to promote public disorder or threaten the security of the State. In all cases of such refusal, the concerned political party must be immediately informed of the reasons for rejection, and, assuming that time permits, the concerned party, or its agent, must be given the opportunity to modify the rejected material in order to conform to acceptable legal, moral and other standards.

2. "Accuracy and balance"

The two main characteristics in reporting, accuracy and balance, distinguish professional journalism from unprofessional, and journalism from propaganda. Both these ingredients are necessary for citizens to gain a full and realistic picture of the issues during election campaigns, as well as of their local, national, regional and international environment. Democracy, which requires the active participation of informed citizens, depends on journalists and broadcasters to keep citizens informed about major issues.

- a. Accuracy requires the verification (to the fullest extent possible) and presentation of all facts that are pertinent and necessary to understand a particular event or issue, even if some of the facts conflict with a journalist's, or a broadcaster's particular beliefs and feelings;
- b. Balance, or impartiality, requires the presentation of all the main points of view or interpretations of an event or an issue, regardless of whether the journalist, reporter, broadcaster, editor or the audience agrees with these views.

3. "News Reports and Current Affairs programmes."

All media organizations agree that news reports and current affairs programmes may, at any time, subject to the Media Code of Conduct, deal with any issue, cause, organization or individual. However, given the large number of contesting parties, coverage of election campaign events and other related issues will be limited by the capacity of media outlets to assign staff for these activities. The allocation of free and paid-for time and space for political parties to present their views in the media is a response to this constraint. Editorial judgments, therefore, continue to rest solely with the respective media. These judgments aim to subscribe to the highest principles of impartiality, fairness and integrity, always separating fact from inference in matters of political and other controversy and supported by eye-witnessed and attributable official statements and other sources to corroborate facts in particular stories.

4. "Political activities of media functionaries and the likelihood of charges of bias."