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Africa Programme Meeting Summary

Sierra Leone's 2012 Elections

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Marcella Samba-Sesay

As Sierra Leone moves to the third post conflict elections there are a number of unique opportunities towards deepening a democratic culture within a post-conflict reconstruction environment. Notwithstanding such issues as security of the elections, ensuring inclusive participation and fair play are critical for the country's continued stability and move towards democratic consolidation. The UK, together with other international development partners, has a special role to play in consolidating Sierra Leone's fledgling democracy.

The National Electoral Commission — Activities and Independence

The NEC will be conducting multi-tier polls on the 17 November 2012. The Provisional Voters Register for the 2012 elections stands at 2,692,635 registered voters. This figure will be influenced by additional claims of inclusion after the prosecution of the 794 fraud cases of voter registration during the Biometric Voter registration process. Nominations for the Local Councils were conducted from the 14 - 23 September 2012 and there were no reported cases of objections. A total of 1,626 candidates were nominated across the 10 registered political parties. Of the candidates, 1,283 (79%) were men and 337 (21%) were women. The nominations for the parliamentary and presidential candidates are on course from 4 - 14 October 2012 with no major incidents recorded. In consultation with political parties, NEC has drawn up a campaign schedule with campaign activities commencing from 17 October to 15 November, 2012.

Public trust in the credibility and capability of the NEC is a major plus in the acceptance of the results by Sierra Leoneans and in encouraging losing parties to concede defeat. Unfortunately, the NEC approved a colossal increase in the nomination fees just prior to the start of the process which created a serious dent in the integrity and independence of the Commission, primarily because inappropriate and inconsistent reasons were proffered for such an increase. The first two days of nominations were boycotted by the political parties. This action prompted the intervention of the government to say they would subsidize the fees and revert to the 2007 fee schedule.

Political Parties Activities - Conduct and Regulation

The just-concluded primaries of political parties fulfilled the potential they had to deepen internal party democracy. Previously, candidates were handpicked by politicians, defeating the purpose of consensus and denying community interest and the will of the people, thus undermining the tenets of democracy.

Additionally, the activities of some political party stalwarts have the propensity of pushing their supporters towards violence. This was exemplified in the proliferation of hate speech, and the use of absurdities and profanities in the media. However, through the interventions of a number of groups this has subsided drastically. The Political Parties Registration Commission (PPRC) had a change of leadership in the person of Justice Tolla Thompson bringing renewed hope and optimism for the commission's effectiveness. Unfortunately, the PPRC's amended legislation was dashed by the lacklustre and even noncommittal reaction of former parliamentarians to the draft Political Party Registration and Regulation (PPRRC) bill that sought to strengthen the capacity of the commission to proactively and effectively monitor and regulate political parties.

Security Sector

Quintessentially the Sierra Leone Police (SLP) has the constitutional mandate to protect the lives and property of Sierra Leoneans at all times, thus having the task of policing the 2012 elections. The Office of National Security (ONS) at the strategic level is coordinating the security architecture for the elections. However, recent events across the country point to indiscriminate shooting and high handedness by the police and this puts the SLP's professionalism under scrutiny. Equally worrying is the inadequate logistics and manpower to police the elections.

Electoral Justice

The establishment of the Election Offences court is a laudable venture. Unfortunately the interference of the executive on the judiciary is a major concern. A glaring case in point is the case against former opposition member of parliament Hon. Robin Fallay for alleged involvement in electoral fraud, which was dropped just over a week after he switched to the ruling All Peoples Congress (APC) Party. The minister of justice who doubles as Attorney General publicly defended the stance in the media. The coincidence of this development - whether as a result of the MP's change of allegiance of parties or not - begs the question of how the electoral offences court will effectively function to deliver justice at such a crucial time.

Inclusive Participation and Addressing the Question of Marginality

Irrespective of the mass awareness of the minimum 30% and 10% quota representation of women and youth, neither legislation nor a political party commitment has sought to address the exclusion of society's traditionally marginalized groups. Local council nomination figures for women stands at

21% and there is speculation that the parliamentary figures for women are about 5%.

Civil Society Participation

Civil society continues to play a watchdog role in the entire process with a 5 point strategy to intervene, influence, and validate every stage of the process. It is also envisaged that a Citizens Situation Room will be established a month prior to the polls.

Recommendations

NEC - The current realities point to the fact that the NEC should embark on an immediate action towards transparency and consensus building with political parties, civil society and other actors. This will help in redeeming its image thereby increasing the confidence of the electorate.

Political Parties - Political party leaders should show greater commitment in managing their supporters and refrain from interfering with justice once supporters are apprehended and prosecuted.

The UK Government - Bearing in mind its long standing relationship with Sierra Leone, the UK government should seriously engage leaders of major political parties to encourage them not to use language that could incite their supporters to engage in violence. The UK government should emphasize to President Koroma, his security advisors and the head of the Sierra Leone Police (SLP), that it will not tolerate the use of excessive force or partisan behaviour by the SLP. The UK government should also work with other international partners to ensure the media environment does not contribute to tensions and that reporting on the elections campaign is objective and factual.

International and Donor Community - The international donor community is funding the elections through a Basket Fund administered by UNDP and directly to civil society and has a high degree of interest in ensuring the election is free, fair and credible. Several international observer groups including the Commonwealth, Carter Center, the EU and ECOWAS will be observing the elections, which will provide a high degree of visibility to the elections on the international stage. With this visibility and financial clout, the international donor community should put pressure on the government to ensure that the police are adequately resourced and allow the NEC to meet its commitments in a timely manner.

Civil Society — Civil society plays an important role in ensuring that all of the electoral processes are conducted in an open and transparent way. Civil society organizations are working in a coordinated way following a strategy that continues beyond polling day and through all parts of the electoral cycle. It is recommended that civil society continue to be included in the decision making processes and that its voice be heard and considered where important decisions are made. As well, pressure should be mounted on government and the leadership of political parties to commit themselves to a non-violent electoral process.

QUESTIONS AND ANSWERS:

Question:

Before the elections in 2007 the importance of institutions and the role of the police and the NEC were all issues of concern. But during these elections it seemed that the positive perception of NEC helped the electoral process a lot. What is the situation this time?

Marcella Samba-Sesay:

In 2007 the NEC independence was evaluated very positively. When the ruling party had to concede defeat, it happened smoothly only because results presented by NEC were credible. However, in the minds of the ordinary Sierra Leonean there seems to be a conviction that individuals with resources are able to control and plot to keep the current government in control. That is why civil society is currently calling for a more transparent process not only of elections, but of their preparation as well. This can help credibility at this moment.

Question:

How is the Sierra Leone government trying to remedy the problem of inflammatory language that seems to remain a crucial problem, especially as you hear these worrying incidents between warring parties?

Marcella Samba-Sesay:

There is a need for better regulation. Institutions that can register parties are not allowed to monitor their conduct. Without proper regulations, the same problems will take place in 2012. We need more professionalism.

Question:

In 2007 civil society participation was crucial. Is it the same this time? And do you feel that it has been a right thing to do for the UN and other international partners to step back before the coming elections?

Marcella Samba-Sesay:

The idea is that Sierra Leone is consolidating, but only a democracy can consolidate. We are going through this process but we are not there yet. That is why we are calling on a number of international institutions to help us reach the end – help us ensure through governance programmes and other projects that, for example, police are democratically controllable. Ordinary citizens do not want to go to elections every 5 years without seeing the benefits of political work. Governments that are unable to deliver will not help consolidation. That is why there is a big role for international donors to play.

From our organizational perspective, our mandate is too limited to deal with all the issues that we have recorded and which we consider detrimental to the electoral process. The conclusion is that we are unable to properly engage with the elections. Election observation is our critical, basic role. But another pillar that we need to engage in is to ensure good electoral process. Also, electoral education - voters did not know how to choose a candidate - electoral education needs to be better - otherwise the voting is ethnic and tribal based.

Question:

In your estimation how close will the final run between the two candidates be? The risk of instability and violence increases as the gap between the two candidates decreases. Also, in this context, what will be the impact on the situation of the nomination of Sam Sumana, who is being charged with several allegations of misconduct, crime and extortion? And how can civil society help in ensuring more transparency?

Marcella Samba-Sesay:

We observe with hope that some of the parties use stability and peace as their political slogan for the elections – especially the SLPP which wants to profit on the fact that it was the party that helped bring the civil war to an end.

This brings us more confidence, since such rhetoric would not go well with an aggressive position towards the opposition. Thus we do not expect the differences to lead to an open conflict between the ruling party and the opposition. In this context the choice of the Vice President Sumana as the President's running mate is difficult to evaluate. Obviously it has brought much condemnation given the serious public allegations of misconduct. On the other hand, in Sierra Leone the democratic culture is not embedded

strongly enough for this situation to lead to a political breakthrough – especially since it remains to be seen how the opposition will use this situation.

Tribal and ethnic sentiments still dominate in the population and often seem more important than any other qualifications. This of course creates a basis for internal tensions in the country. But it also creates problems for the consolidation of democracy. Since at the moment most of the power is with the non-democratic institutions, such as the local chiefs, there is a temptation among the politicians to pull those people into politics, which would help them control the situation, but would also come at the expense of democratic consolidation. In fact the current president is known to have met with several chiefs from the east of Sierra Leone – and there is no information as to what was discussed during this meeting. This is important since the traditional electorate of the ruling party is in the north-west.

Regarding the race itself, there are many indications that this will be a head-on - it could be a difficult one. How things will end up will depend on how successful the opposition will be in delivering the message to the electorate. As we expect that some violence may take place, the civil society will try to contribute to assuring peace and stability by organizing a so called rapid response force that will be a cooperation between a variety of civic organizations and which will be on the spot wherever there is need for reporting and informing.

Question:

How strongly do you believe the Media Commission is independent?

Marcella Samba-Sesay:

IMC is not very influential - even if it forces someone to stop publishing, people have become powerful enough to contest such decisions illegally without consequences. Therefore for such institutions to work effectively in a democratic system laws need to be remade - a constitutional review process needs to be introduced to strengthen competences of such bodies like the IMC. At the moment politicians are using these to their gain. We expect that they will therefore do a poor job informing people before, during and after the elections. This is another space where the civil society will have to act. If we do not control the media better, this will be one of the spots of contention between opposing parties.

Question:

In your opinion, how prepared are the police for these elections?

Marcella Samba-Sesay:

The biggest problem is that despite large numbers of police who will be mobilized for the elections, some stations will not be policed. Then there is the issue of training - 2002-07 there were no training on what is electoral process – and those who were trained had not done enough during the training. Also today this remains the problem. The police force is not trained enough.

Question:

Given that there will be incidents, where are the likely flashpoints?

Marcella Samba-Sesay:

In different regions we can find different sources of problems. In the Bo region there is a history of erupting violence. In some areas there the problem is that they are traditionally SLPP and yet now the APC is seeking support, which may lead to tensions. But I think that most of all we need to look at Kono - the main flashpoint – which for geographic, historic and political reasons is most likely to suffer. Now add to this that many high level politicians come from Kono and you can expect that this will be an important motor for any violence that might start.

Question:

Some amongst APC suggest it is related to the British Labour Party, SLPP have been known to align themselves with the Conservatives, and the PMDC has good links with the Liberal Democrats. Is that a factor of importance in these elections?

Marcella Samba-Sesay:

No, main parties in Sierra Leone are not ideologically different in any way, or based on different ideologies - they are about gaining resources. Only recently ideology has become more important.